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THE

STATUTES

OF

THE UNITED KINGDOM

OF

GREAT BRITAIN AND IRELAND.

WITH

NOTES AND REFERENCES,

TABLES SHOWING THE EFFECT OF EACH YEAR'S LEGISLATION,

AND A COPIOUS INDEX.

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a1

By GEORGE KETTILBY RICKARDS, Esq.,

OF THE INNER TEMPLE,

COUNSEL TO THE SPEAKER OF THE HOUSE OF COMMONS.

VOLUME THE TWENTY-FOURTH,

Containing the Acts

21 & 22 Victoria (1858); 22 Victoria (1859); 22 & 23 Victoria (1859); 23 & 24 Victoria (1860).

LONDON:

BY GEORGE EDWARD EYRE AND WILLIAM SPOTTISWOODE,

PRINTERS TO THE QUEEN'S MOST EXCELLENT MAJESTY.

M.DCCC.LX.

A

TABLE

CONTAINING

THE TITLES OF ALL THE STATUTES

PASSED IN THE

SECOND SESSION OF THE SEVENTEENTH PARLIAMENT

OF

The United Kingdom of GREAT BRITAIN and IRELAND;

21° & 22° VICTORIÆ.

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2. An Act to settle Annuities on Lady *Havelock* and Sir *Henry Marshman Havelock*, in consideration of the eminent Services of the late Major General *Havelock*. 2

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14. An Act for raising the Sum of Two Millions by Exchequer Bonds. 27

15. An Act for granting certain additional Rates and Duties of Excise. *Ibid.*

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18. An Act to effect an Exchange between the Commissioners of *Chelsea Hospital* and the Governor and Company of *Chelsea* Waterworks of Lands in the Parishes of *Saint George Hanover Square* and *Saint Margaret Westminste* in the County of *Middlesex*. *Ibi*

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20. An Act for granting a Stamp Duty on certain Drafts Orders for the Payment of Money.

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22. An Act to abolish Franchise Prisons.

23. An Act for abolishing the Tolls now levied on th over the *Shannon* at *Portumna* in *Ireland*.

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64. An Act to make further Provisio Vaccination in *Ireland*.
65. An Act to amend an Act of the h more effectual the Police in Counties *land*.
66. An Act to amend the Act of th Years of Her present Majesty, Chapt to abolish Foot Passenger Tolls on C Payment of the Sum of Eighty th Interest.

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xi. An Act to empower the *Liskeard and Looe Union* Canal Company to construct a Railway from *Moors Water* to *Looe*, all in the County of *Cornwall*; and for other Purposes. *Ibid.*

xii. An Act to confer upon the Local Board of Health for the District of *Merthyr Tydfil* further Powers with reference to the Supply of Water; and for other Purposes. *Ibid.*

xiii. An Act to enable the *Caledonian* Railway Company to make a Branch Railway to *Dalmarnock* in the County of *Lanark*; and for other Purposes. 252

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xvii. An Act for better enabling the *British* Gaslight Company, Limited, to light with Gas certain Parts of the Town or Borough of *Kingston-upon-Hull*; and for other Purposes. *Ibid.*

xviii. An Act for better supplying with Water the Town and Parish of *Aberdare* in the County of *Glamorgan*. *Ibid.*

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xxiv. An Act for enabling the Justices of the County of *Lancaster* to erect or provide Assize Courts in or near *Manchester* in the Hundred of *Salford*; and for other Purposes. *Ibid.*

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xxix. An Act to enable the *Selkirk and Galashiels* Railway Company to raise additional Capital. *Ibid.*

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xli. An Act for the Regulation of certain Public Sufferance Wharves in the Port of *London*. *Ibid.*

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xliii. An Act for making a Railway from the *Meigle* Station of the *Scottish North-eastern* Railway to the Town of *Alyth*, to be called "The *Alyth* Railway;" and for other Purposes in relation thereto. *Ibid.*

xliv. An Act for increasing and regulating the Capital and Borrowing Powers of the *Brentford* Gaslight Company; for consolidating into One Act the Provisions of the several Acts relating to the Company; and for other Purposes. *Ibid.*

xlv. An Act for vesting the *Inverury and Old Meldrum Junction* Railway by way of Lease in the *Great North of Scotland* Railway Company; and for other Purposes. *Ibid.*

xlvi. An Act for making a Railway from *Banbridge* to *Lisburn*, to be called "The *Banbridge, Lisburn, and Belfast* Railway;" and for other Purposes. 266

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xlviii. An Act to confer upon the *Waterford and Kilkenny* Railway Company Facilities for raising Money. *Ibid.*

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l. An Act for extending the Time for the Completion of the Works authorized by "The *Stokes Bay* Railway and Pier Act, 1855;" and for other Purposes. *Ibid.*

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liv. An Act to amend "The *Tramore* Embankment Act, 1852." *Ibid.*

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lx. An Act to enable the *Globe* Insurance Company to alter and amend some of the Provisions of their Deed of Settlement; and to confer further Powers on the Company. *Ibid.*

lxi. An Act to authorize the *Cromford and High Peak* Railway Company to raise further Sums of Money; and for other Purposes. *Ibid.*

lxii. An Act providing for the separate Incorporation of the Overseers of the several Townships of *Manchester, Ardwick, Chorlton-upon-Medlock*, and *Hulme* for specific Purposes; for the levying and Collection of Rates; for the extinguishing the Exemption of Gasworks from Rates. *Ibid.*

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lxvi. An Act to enable the *Caledonian* Railway Company to make a Branch Railway to the *Port Carlisle* Railway; and for other Purposes. *Ibid.*

lxvii. An Act to extend the Time for the Completion of the *Salisbury and Yeovil* Railway, and to authorize the Sale thereof to the *London and South-western* Railway Company. *Ibid.*

lxviii. An Act to repeal "The *Blyth* Harbour and Dock Act, 1854," and to regulate the Company constituted thereby; and for other Purposes. *Ibid.*

lxix. An Act for the Improvement of the Parish of *Chiswick*, in the County of *Middlesex*; and for other Purposes. 272

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lxxi. An Act to repeal *An Act for amending and maintaining the Turnpike Road from the Northern End of the Village of* Balby *in the County of* York *to* Worksop *in the County of* Nottingham, and to make other Provisions in lieu thereof so far as regards a Portion of the said Turnpike Road. *Ibid.*

lxxii. An Act to alter and amend the Acts for the Improvement of the Navigation of the Rivers *Burry, Loughor*, and *Lliedi*, in the Counties of *Carmarthen* and *Glamorgan*, and to improve the Harbour of *Llanelly* in the said County of *Carmarthen*. *Ibid.*

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lxxvi. An Act for extending the Limits of the *Bradford* Waterworks, and for authorizing the Construction of new and altered Works; and for empowering the Corporation of *Bradford* to borrow a further Sum of Money; and for other Purposes. *Ibid.*

lxxvii. An Act for enabling the *Wexford* Harbour Embankment Company to alter the Number of their Shares, and to issue Preference Shares in lieu of unissued Shares; and for other Purposes. *Ibid.*

lxxviii. An Act to extend the Time for purchasing certain Lands required by the *Belfast and County Down* Railway Company, and for other Purposes connected with the same Company. 274

lxxix. An Act for better enabling the *British* Gaslight Company, Limited, to light with Gas the City of *Norwich* and Suburbs thereof; to dissolve the *Norwich* Gaslight Company, and to repeal the Acts relating thereto. *Ibid.*

lxxx. An Act for enabling the Mayor, Aldermen, and Burgesses of the Borough of *Liverpool* to acquire Lands for a Post Office and Public Offices, and to make a new and widen existing Streets within the Borough; and for other Purposes. *Ibid.*

lxxxi. An Act for making and maintaining a Bridge over the River *Yar* in the *Isle of Wight*, with Approaches and Roads thereto; and for other Purposes. *Ibid.*

lxxxii. An Act to authorize the Construction of a Railway from *Andover* to *Redbridge* in the County of *Southampton*, and for that Purpose to convert the *Andover* Canal into a Railway. *Ibid.*

lxxxiii. An Act to incorporate and regulate "The *Oude* Railway Company;" to enable the Company to construct and maintain Railways in the *East Indies*, and to enter into Contracts with the *East India* Company; and for other Purposes. 275

lxxxiv. An Act to enable the *London, Brighton, and South Coast* Railway Company to complete the Communication by Railway between *Shoreham, Henfield*, and the *Mid-Sussex* Railway; and for other Purposes connected with their Undertaking. *Ibid.*

lxxxv. An Act to amend the *Birkenhead* Improvement Amendment Act, 1850, especially with respect to the General Mortgage Debt of the Commissioners and their Powers to sell certain Lands; and for other Purposes. *Ibid.*

lxxxvi. An Act to repeal the Act relating to the *Dean Forest* Turnpike Roads, and to make other Provisions in lieu thereof, and to authorize the Construction of a new Road; and for other Purposes. 276

lxxxvii. An Act for amending the Acts relating to the *Manchester* Corporation Waterworks. *Ibid.*

lxxxviii. An Act to extend the Time for the Completion of so much of the *Cornwall* Railway as lies between *Truro* and *Falmouth*; and for other Purposes. *Ibid.*

lxxxix. An Act for authorizing the *London and South-western* Railway Company to make new Works, and to make Arrangements with other Companies, and for authorizing a Lease to them of the *Salisbury and Yeovil* Railway, and for regulating their Capital and Borrowing Powers; and for other Purposes. *Page* 276

xc. An Act to enable the *Mersey* Docks and Harbour Board to construct certain Works at *Birkenhead* in substitution for and in addition to those already authorized, and for other Purposes. 278

xci. An Act for confirming the Gift by *Francis Crossley* Esquire, to the Borough of *Halifax* of a Park for the Benefit of the Inhabitants of the Borough, and for authorizing the Mayor, Aldermen, and Burgesses of the Borough to maintain and regulate the Park, and to provide, maintain, and regulate Public Baths in the Park, and for making a Cemetery, and for making further Provision with respect to the Waterworks and the Gasworks, and the Improvement of the Borough; and for other Purposes. 280

xcii. An Act to consolidate and amend the Provisions of the several Acts relating to the *Liverpool and Birkenhead* Docks and the Port and Harbour of *Liverpool*, and for other Purposes connected therewith. 282

xciii. An Act to afford Facilities to the *Limerick and Foynes* Railway Company for raising the Funds necessary to enable them to execute their Undertaking. 287

xciv. An Act to enable the *Midland Great Western* Railway of *Ireland* Company to make an Alteration in the Line of their *Streamstown and Clara Junction* Railway; and for other Purposes. *Ibid.*

xcv. An Act for making a Tramroad from the *Aberllefenny* Slate Quarries in the Parish of *Talyllyn* in the County of *Merioneth* to the River *Dovey* in the Parish of *Llanfihangel-Geneu'r-Glyn* in the County of *Cardigan*, with Branches therefrom; and for other Purposes. *Ibid.*

xcvi. An Act to enable the *Great Northern and Western* (of *Ireland*) Railway Company to make Deviations in their authorized Railways, and to empower the *Midland Great Western* Railway of *Ireland* Company to acquire Shares in the Undertaking of the *Great Northern and Western* (of *Ireland*) Railway Company; and for other Purposes. *Ibid.*

xcvii. An Act for making a Railway from the *Hertford and Ware* Branch of the *Eastern Counties* Railway to *Buntingford*. *Ibid.*

xcviii. An Act for authorizing the raising by the *Ulverstone and Lancaster* Railway Company of further Money, and the selling or leasing of their Railway to the *Furness* Railway Company; or the making by the Two Companies of Working Arrangements; and for giving further Powers to the Two Companies respectively; and for other Purposes. *Ibid.*

xcix. An Act for enabling the *Eastern Counties* Railway Company to abandon a Portion of the *Newmarket and Chesterford* Railway and also a Railway to the River *Thames* at *Galleon's Reach*. 288

c. An Act to enable the *Bury and Radcliffe* Waterworks Company to raise further Sums of Money; and to amend the Act relating to the Company. *Ibid.*

ci. An Act for enabling the *Portsmouth* Railway Company to extend their Railway from *Havant* to *Hilsea*; to acquire additional Lands; to use a Portion of the *London and South-western* and *London, Brighton, and South Coast* Railways; and for other Purposes. *Ibid.*

cii. An Act to authorize the *South Devon and Tavistock* Railway Company to lease their Railway, to enable them to raise further Capital for the Completion of their Undertaking, and to make Arrangements as to their Share and borrowed Capital; and for other Purposes. *Page* 288

ciii. An Act for lighting with Gas the Town of *Northampton* and the Neighbourhood thereof in the County of *Northampton*. *Ibid.*

civ. An Act for enabling the *Battersea Park* Commissioners to sell and the *West End of London and Crystal Palace* Railway Company to purchase Pieces of Land situate near the South End of the new Bridge leading from *Chelsea* to *Battersea Park*, for Lease of Undertaking to the *London, Brighton, and South Coast* Railway Company, for extending the Time for completing Extension to *Farnborough*; and for other Purposes. 289

cv. An Act for constructing a Market, Market Places, and Slaughter-houses, with all necessary Conveniences, within the Hamlet of *Canton* in the County of *Glamorgan*, to be called "The *Llandaff* and *Canton* District Markets." 290

cvi. An Act for vesting the Undertaking of the *Blackburn* Railway Company in the *Lancashire and Yorkshire* and *East Lancashire* Railway Companies; and for other Purposes. *Ibid.*

cvii. An Act for enabling the *East Kent* Railway Company to extend their Railway from *Strood* to join the *Mid Kent* Railway (*Bromley* to *Saint Mary's Cray*); and for other Purposes connected with their Undertaking. 292

cviii. An Act for making a Railway from the *Great North of Scotland* Railway to *Old Deer*, and thence to *Peterhead* and *Fraserburgh*, with a Branch to *Ellon*, all in the County of *Aberdeen*, to be called "The *Formartine and Buchan* Railway." *Ibid.*

cix. An Act for consolidating and amending the Acts of the *North British* Railway Company, and for authorizing Alterations in the *Leith* and *Fisherrow* or *Musselburgh* Branches thereof, and for other Purposes. *Ibid.*

cx. An Act for extending the Powers of the *Shrewsbury and Welchpool* Railway Company for purchasing Lands and completing their Railway; and for other Purposes. 294

cxi. An Act for the Amalgamation of the Undertakings of the *East Suffolk* Railway Company, the *Yarmouth and Haddiscoe* Railway Company, and the *Lowestoft and Beccles* Railway Company; for leasing the same; and for other Purposes. *Ibid.*

cxii. An Act for making a Railway from *Athenry* to *Tuam* in the County of *Galway*, and for other Purposes. *Ibid.*

cxiii. An Act to authorize the *Great Northern* and the *Manchester, Sheffield, and Lincolnshire* Railway Companies to work in common, and for certain other Purposes relating to the *Great Northern* Railway. *Ibid.*

cxiv. An Act for making a Railway from or near *Guisbrough* to or near to *Skinningrove*, all in *Cleveland* in the North Riding of the County of *York*; and for other Purposes. 295

cxv. An Act for enabling the *Stockton and Darlington* Railway Company to make a new Railway in the County of *Durham* in connexion with the *Wear Valley* and *Stockton and Darlington* Railways; to acquire additional Lands; and for other Purposes. *Ibid.*

cxvi. An Act for the Amalgamation of the *Stockton and Darlington*, the *Wear Valley*, the *Middlesbrough and Redcar*, the *Middlesbrough and Guisbrough*, and the *Darlington and Barnard Castle* Railway Companies; and for regulating the Capital and Borrowing Powers of the *Stockton and Darlington* Railway Company formed by the Amalgamation; and for other Purposes. *Ibid.*

cxvii. An Act for enabling the *Stockton and Darlington* Railway Company to make new Railways in the North Riding of the County of *York*; and for other Purposes. *Page* 297

cxviii. An Act to authorize the Construction of a Station near *Victoria Street, Pimlico*, in the County of *Middlesex*, and of a Railway to connect the same with the *West London and Crystal Palace* Railway at *Battersea* in the County of *Surrey*, in order to afford improved Communication between certain of the Railways South of the *Thames* and the Western Districts of the Metropolis; and for other Purposes. *Ibid.*

cxix. An Act for making a Railway Communication between *Dublin* and *Meath*. 298

cxx. An Act for the Improvement of the Western Parts of the Parish of *Hove* in the County of *Sussex*, and for establishing more efficient Police Regulations within the whole of the said Parish. *Ibid.*

cxxi. An Act to make Provision for better supplying *Birkenhead* and *Claughton* with Gas and Water, and for transferring the Undertaking of the *Birkenhead and Claughton* Gas and Water Company to the *Birkenhead* Improvement Commissioners; and for other Purposes. 299

cxxii. An Act for making a Railway from the *Tillicoultry* Station of the *Stirling and Dunfermline* Railway to the *Fife and Kinross* Railway at *Hopefield*, to be called "The *Devon Valley* Railway," and for other Purposes in relation thereto. *Ibid.*

cxxiii. An Act to confer further Powers upon the *Oxford, Worcester, and Wolverhampton* Railway Company with respect to the Completion, Alteration, or Abandonment of certain of their Branch Railways, and to authorize certain Arrangements with respect to their Share Capital and the Purchase of the *Stratford-upon-Avon* Canal; and to amend the Acts relating to the Company; and for other Purposes. *Ibid.*

cxxiv. An Act to authorize the making of a Turnpike Road from *Thames Street* in the Parish of *Clewer* in the Borough of *New Windsor* in the County of *Berks* to *Oxford Road* in the said Parish; and for other Purposes. 301

cxxv. An Act for carrying into effect an Agreement between the *Ribble Navigation* Company and Sir *Thomas George Hesketh* Baronet. *Ibid.*

cxxvi. An Act to enable the *Newport, Abergavenny, and Hereford* Railway Company to divert their Railway in the Parish of *Aberdare* in *Glamorganshire*; and to confer upon them other Powers. *Ibid.*

cxxvii. An Act to enable the *Whitehaven Junction* Railway Company to construct new Branches, to widen their Line, to erect Shipping Places and other Works, to raise a further Sum of Money; and for other Purposes. *Ibid.*

cxxviii. An Act to empower the *Lancaster and Carlisle* Railway Company to abandon a Part of the *Lancaster and Carlisle and Ingleton* Railway, and to alter and divert certain Roads in connexion with their Railway; to acquire additional Lands; and for other Purposes. *Ibid.*

cxxix. An Act to incorporate the *Crystal Palace District* Gas Company; to enable the said Company to raise further Money; to authorize the Company to contract for and purchase the Undertaking, Land, and Premises of the *Sydenham* Gas and Coke Company; and for other Purposes connected therewith. 302

cxxx. An Act to authorize Arrangements between the *Chester and Holyhead* Railway Company and *London and North-western* Railway Company, and to authorize the *Chester and Holyhead* Railway Company to raise a further Sum of Money; and for other Purposes. *Ibid.*

cxxxi. An Act for enabling the *London and North-western* Railway Company to construct Works and to acquire additional Lands in the Counties of *Salop, Middlesex, Hertford, Buckingham, Warwick, Chester, Stafford, Northampton, Leicester,* and *Lancaster;* for authorizing Arrangements in reference to "The Improved Postal and Passenger Communication between *England* and *Ireland* Act, 1855;" and for other Purposes. *Page* 303

cxxxii. An Act for the Establishment of a Board of Guardians of the Poor in the Parish of *Saint Leonard, Shoreditch,* in the County of *Middlesex;* and for other Purposes with respect to the Parish. *Ibid.*

cxxxiii. An Act to consolidate and amend the Acts relating to the *Stockton, Middlesbrough, and Yarm* Water Company; to change the Name of the Company, and authorize the Construction of additional Works and the raising of further Monies; and for other Purposes. 308

cxxxiv. An Act to enable the *North Yorkshire and Cleveland* Railway Company to construct a new Branch from their Railway; to make a Deviation in the Main Line and other Works; to alter and amend the Acts relating to the Company; and for other Purposes. 309

cxxxv. An Act for making further Provision with respect to the *Severn Valley* Railway, in order to the Completion thereof; and for other Purposes. *Ibid.*

cxxxvi. An Act to improve the Management of the *Manchester South Junction and Altrincham* Railway. *Ibid.*

cxxxvii. An Act to authorize the Construction of a Railway from *Redditch* to the *Midland* Railway. *Ibid.*

cxxxviii. An Act to incorporate and regulate the *Great Southern of India* Railway Company, and for other Purposes connected therewith. 310

cxxxix. An Act for extending the Powers of the *Plymouth Great Western* Dock Company, and for other Purposes. *Ibid.*

cxl. An Act to alter and improve the Boundaries of the Municipal Borough and District of *Middlesbrough;* to enable the Local Board of Health of the District to enlarge the Market Place; to enable the Corporation to construct Landing Places on the North Side of the River *Tees,* and to establish a public Passage up and over the said River; to transfer the Powers of the Burial Board to the Local Board, and to confer other Powers on the Local Board and the Corporation; and for other Purposes. *Page* 310

cxli. An Act to confer additional Powers on the *Tees* Conservancy Commissioners; to regulate the Fisheries in the River *Tees;* to vest the Anchorage and Plankage Dues in the said Commissioners; to alter and amend their existing Acts; and for other Purposes. 311

cxlii. An Act to extend the Time for making the *Worcester and Hereford* Railway, and for granting further Powers with respect to that Undertaking. *Ibid.*

cxliii. An Act to make further Provisions for vesting the *Sheffield, Rotherham, Barnsley, Wakefield, Huddersfield, and Goole* Railway in the *Lancashire and Yorkshire* Railway Company, and for other Purposes. 312

cxliv. An Act for enabling the *Limerick and Castle Connell* Railway Company to extend their Railway from *Castle Connell* to *Killaloe;* to issue Preference Shares; and for other Purposes. *Ibid.*

cxlv. An Act for the Abandonment of the *West End of London and Clapham and Norwood Junction* Railway, and for other Purposes. *Ibid.*

cxlvi. An Act to enable the *South Wales* Railway Company to acquire additional Lands at *Newport;* and for other Purposes. *Ibid.*

cxlvii. An Act for authorizing a Lease of the *Vale of Towy* Railway to the *Llanelly* Railway and Dock Company. *Ibid.*

cxlviii. An Act for enabling the *Atlantic* Telegraph Company to create and issue Preference Capital, for the Extension of Borrowing Powers, and Amendment of Act. *Ibid.*

cxlix. An Act to consolidate and amend the Acts relating to the River *Clyde* and Harbour of *Glasgow.* *Ibid.*

cl. An Act for limiting, defining, and regulating the Capital and Debt of the *Warrington and Stockport* Railway Company; for amending the Acts relating to the Company, and conferring on them further Powers; and for other Purposes relating to the Company. 313

PRIVATE ACTS,

PRINTED BY THE QUEEN'S PRINTER,

AND WHEREOF THE PRINTED COPIES MAY BE GIVEN IN EVIDENCE.

1. AN Act for enabling Mining Leases to be granted of an Estate in the North Riding of *Yorkshire,* late of *Henry Darley* Esquire, deceased, and for other Purposes, and of which the Short Title is "*Darley's* Estate Act, 1858." *Page* 315

2. An Act to confirm certain Arrangements with regard to the Trust Estate of the late *George* Viscount *Keith,* and to enable his Trustees to carry the same into effect. *Ibid.*

3. An Act for confirming and giving effect to an Agreement for a Lease by the *Westminster* Improvement Commissioners of Land in *Victoria Street* and *Tothill Street* in the City of *Westminster* to the *Westminster Palace* Hotel Company, Limited, and of which the Short Title is "*Westminster Palace* Hotel Company's Act, 1858." *Ibid.*

4. An Act to authorize the raising of Money to be expended in permanent Improvements on the Entailed Estates of *Braco, Marr, Carraldstoun,* and others, and the granting of Feus and long Leases of Parts of the said Estates. *Page* 315

5. An Act for vesting Estates of the late Mr. *Henry Holroyd* deceased in Trustees for Sale, and for authorizing Grants in Fee and Building Leases for long Terms of Years of the same Estates; and for other Purposes. *Ibid.*

6. An Act to grant further Powers and to make further Provisions in respect to the Estates subject to the Trusts of the Will of *Benjamin Hall* Esquire, deceased. *Ibid.*

7. An Act for authorizing the Trustees of the late *James Davidson* of *Ruchill* to sell Part of his Lands of *Ruchill,*

Garrioch, and *Balgray* in the County of *Lanark*, and to reinvest the Prices of such Lands; and for other Purposes. *Page* 315

8. An Act for regulating the *Dundonald* Bursaries in the University and College of *Glasgow*, and for other Purposes. *Ibid.*

9. An Act for authorizing Mining, Building, and other Leases, the obtaining of the Enfranchisement of Copyholds and the Renewal of Leases, and the making of Partitions, Sales, and Exchanges of the Estates devised and bequeathed by the Will of *Henry Belward Ray* Esquire, deceased; and for other Purposes. *Page* 315

10. An Act to amend an Act of the Parliament of *Ireland* passed in the Eleventh and Twelfth Years of the Reign of King *George* the Third, intituled *An Act for vesting the Estate of the Right Reverend Father in God Doctor* John Stearne, *late Lord Bishop of* Clogher, *deceased, in Trustees, in trust for carrying the charitable and other Bequests of his Will into execution.* *Ibid.*

PRIVATE ACT,

NOT PRINTED.

11. An Act to repeal so much of an Act passed in the Seventh Year of the Reign of His late Majesty King *William* the Fourth and in the First Year of the Reign of Her present Majesty, intituled *An Act for naturalizing Dame* Marie Louise Pelline De Dalberg Acton *and her infant Son Sir* John Emerich Edward Dalberg Acton *Baronet*, as enacts that the said Sir *John Emerich Edward Dalberg Acton* Baronet shall not thereby be enabled to be of the Privy Council, or a Member of either House of Parliament, or to take any Office or Place of Trust, either Civil or Military, or to have any Grant of Lands, Tenements, or Hereditaments from the Crown, to himself or any other Person or Persons in trust for him.

A

TABLE

CONTAINING

THE TITLES OF ALL THE STATUTES

PASSED IN THE

THIRD SESSION OF THE SEVENTEENTH PARLIAMENT

OF

The United Kingdom of GREAT BRITAIN and IRELAND;

22° VICTORIÆ.

PUBLIC GENERAL ACTS.

1. AN Act more effectually to prevent Danger to the Public Health from Places of Burial. *Page* 329
2. An Act to repeal certain Acts and Parts of Acts which relate to the Observance of the Thirtieth of *January* and other Days. *Ibid.*
3. An Act to authorize the Inclosure of certain Lands in pursuance of a Report of the Inclosure Commissioners for *England* and *Wales*. 330
4. An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters. 331
5. An Act for the Regulation of Her Majesty's Royal Marine Forces while on shore. 340
6. An Act to apply the Sum of One million two hundred twenty-two thousand three hundred and eighty-three Pounds Eight Shillings and Ninepence out of the Consolidated Fund to the Service of the Year ending the Thirty-first Day of *March* One thousand eight hundred and fifty-nine. 347
7. An Act to apply the Sum of Eleven Millions out of the Consolidated Fund to the Service of the Year One thousand eight hundred and fifty-nine. *Ibid.*
8. An Act to repeal the Thirty-second Section of the Act "for the more easy Recovery of Small Debts and Demands "in *England*," and to make further Provision in lieu thereof. *Ibid.*
9. An Act to effect an Exchange of Ecclesiastical Patronage between Her Majesty the Queen and Miss *Sophia Broadley*. *Ibid.*
10. An Act to settle the Form of Affirmation to be made in certain Cases by Quakers and other Persons by Law permitted to make an Affirmation instead of taking an Oath. 348
11. An Act to enable the Secretary of State in Council of *India* to raise Money in the United Kingdom for the Service of the Government of *India*. 349
12. An Act to make further Provision for the Purchase of Common and other Rights by Her Majesty's Principal Secretary of State for the War Department, and in relation to Land vested in or taken by such Secretary of State. *Page* 350
13. An Act to amend the Law concerning Patents for Inventions with respect to Inventions for Improvements in Instruments and Munitions of War. 352
14. An Act for the Abolition of Manor Courts and the better Recovery of Small Debts in *Ireland*. 354
15. An Act to indemnify such Persons in the United Kingdom as have omitted to qualify themselves for Offices and Employments, and to extend the Time limited for those Purposes respectively. 356
16. An Act to enable the Judges to appoint Commissioners within Ten Miles of *London* and in the *Isle of Man* and the *Channel Islands* to administer Oaths in Common Law, and to authorize the taking in the Country of Bail in Error, and Recognizances and Bail on the Revenue Side of the Exchequer. *Ibid.*
17. An Act to continue an Act of the Eleventh and Twelfth Years of Her present Majesty, for amending the Laws relating to Savings Banks in *Ireland*. 357
18. An Act for amending and confirming a Scheme of the Charity Commissioners for Sir *Thomas White's* Charity and the Free Grammar School in the Town of *Nottingham*. 358
19. An Act to make further Provision for enabling the Commissioners of Her Majesty's Works to acquire a Site for additional Offices for the Public Service near *Whitehall* and Her Majesty's Palace at *Westminster*. 359
20. An Act to provide for taking Evidence in Suits and Proceedings pending before Tribunals in Her Majesty's Dominions in Places out of the Jurisdiction of such Tribunals. 375
21. An Act to amend the Medical Act (1858). 376

22. An Act for raising the Sum of Thirteen million two hundred and seventy-seven thousand four hundred Pounds by Exchequer Bills, for the Service of the Year One thousand eight hundred and fifty-nine. *Page* 377
23. An Act to apply a Sum out of the Consolidated Fund to the Service of the Year One thousand eight hundred and fifty-nine, and to appropriate the Supplies granted in this Session of Parliament. *Ibid.*
24. An Act to render valid certain Marriages in the Church of *Saint James Baldersby* in the County of *York*. 381
25. An Act for the Government of the Convict Prisons in Her Majesty's Dominions abroad. 382
26. An Act to amend the Laws concerning Superannuations and other Allowances to Persons having held Civil Offices in the Public Service. 384
27. An Act to facilitate Grants of Land to be made near populous Places for the Use of regulated Recreation of Adults, and as Playgrounds for Children. 386
28. An Act to continue the Act for the Regulation of the Annuities and Premiums of the Naval Medical Supplemental Fund Society. *Page* 387
29. An Act to continue the Act for charging the Maintenance of certain Paupers upon the Union Funds. *Ibid.*
30. An Act to amend the "Confirmation and Probate Act, 1858." *Ibid.*
31. An Act to confirm certain Provisional Orders under the Local Government Act (1858). 388
32. An Act to amend the Law concerning the Remission of Penalties. 392
33. An Act to enable Coroners in *England* to admit to Bail Persons charged with Manslaughter. *Ibid.*
34. An Act to amend and explain an Act of the Sixth Year of the Reign of King *George* the Fourth, to repeal the Laws relating to the Combination of Workmen, and to make other Provisions in lieu thereof. 393
35. An Act to amend the Law relating to Municipal Elections. *Ibid.*

LOCAL ACTS.

i. AN Act for more effectually supplying with Water the Town of *Shepton Mallet* and the Neighbourhood thereof in the County of *Somerset*. *Page* 397
ii. An Act to enable the *Swansea Vale* Railway Company to raise further Money; and for other Purposes. *Ibid.*
iii. An Act for providing a Joint Station at *Epsom* for the Use of the *Wimbledon and Dorking* and *Epsom and Leatherhead* Railway Companies; and for other Purposes. *Ibid.*
iv. An Act for enlarging, improving, and maintaining the Harbour of the Burgh of *Kirkwall* in the County of *Orkney*; and for other Purposes. *Ibid.*
v. An Act to alter, amend, and enlarge the Powers and Provisions of "The *Weymouth and Melcombe Regis* Markets and Pier Act, 1854." *Ibid.*
vi. An Act to enable the *Sunderland and South Shields* Water Company to extend their Works, and obtain a further Supply of Water, and to raise additional Capital; and for other Purposes. *Ibid.*
vii. An Act to repeal the existing Acts relating to the Bridge over the River *Foyle* at *Londonderry*, to authorize the Removal of the existing Bridge, and the Construction of a new Bridge, with Approaches thereto, and other Works; and for other Purposes. 398
viii. An Act for making a Railway from the *Inverness and Aberdeen Junction* Railway at or near *Kinloss* to *Findhorn*. *Ibid.*
ix. An Act to authorize the Commissioners of the *Glasgow* Corporation Waterworks to raise a further Sum of Money; and to amend "The *Glasgow* Corporation Waterworks Act, 1855." *Ibid.*
x. An Act for reviving the Powers and extending the Time for the Completion of the Railway and Works authorized by "The *Tralee and Killarney* Railway Act, 1853." *Ibid.*
xi. An Act to grant further Powers to "The *Banff, Macduff, and Turriff Junction* Railway Company," and to change the Name of the Company. *Ibid.*
xii. An Act to enable the *Formartine and Buchan* Railway Company to divert their Railway near *Ellon*, and to abandon the Branch to *Ellon*. *Ibid.*
xiii. An Act for authorizing a Lease of the *Great Western and Brentford* Railway, and the Docks and Works connected therewith, to the *Great Western* Railway Company; and for other Purposes. *Page* 399
xiv. An Act for transferring the Government of the new Limits of the Harbour of *Whitehaven* in the County of *Cumberland* to the Harbour Trustees; for making better Provision for the Election of Trustees; and for the Alteration of certain Rates and Duties payable in respect of the said Harbour and in the Town of *Whitehaven*. *Ibid.*
xv. An Act for regulating the Capital and Borrowing Powers of the City of *Norwich* Waterworks Company, and for making better Provision against the Waste of Water supplied by them; and for other Purposes. *Ibid.*
xvi. An Act for making Docks and other Works in *Falmouth* Harbour in the County of *Cornwall*; and for other Purposes. *Ibid.*
xvii. An Act to enable the Magistrates and Council of the City of *Glasgow* to lay out, maintain, and improve the *Kelvingrove* and *Queen's* Parks and the Galleries of Art and Corporation Halls in the said City; and for other Purposes. *Ibid.*
xviii. An Act for better supplying with Water the Inhabitants of the Towns of *Kingstown, Monkstown, Dalkey, Bulloch, Glasthule*, and the Neighbourhood thereof, in the County of *Dublin*. *Ibid.*
xix. An Act to authorize the Abandonment of the *Foss* Navigation from a Point about Two hundred Yards above the *York* Union Workhouse near the City of *York*; to alter, repeal, and amend the Acts relating to the said Navigation; and for other Purposes. 400
xx. An Act to authorize the *Mersey* Docks and Harbour Board to raise a further Sum of Money for Works at *Liverpool*. *Ibid.*
xxi. An Act for better supplying with Water the Town of *Poole* and Places adjacent thereto; and for other Purposes. 401

xxii. An Act to dissolve the Accidental Death Insurance Company, and to transfer the Business of that Company to the Travellers and Marine Insurance Company, to be hereafter called "The Accidental Death Insurance Company;" and for other Purposes. *Page* 401

xxiii. An Act for making a Railway from the *Cork and Bandon* Railway to the Town of *Kinsale* in the County of *Cork*, with a Branch Railway or Tramway to *Kinsale* Harbour; and for other Purposes. *Ibid.*

xxiv. An Act for building and maintaining a Pier in the Harbour of *Fishguard* in the County of *Pembroke*, and making and constructing a Road and Quay in extension of the present Quay in the Town of *Fishguard*, and deepening and otherwise improving the said Harbour. *Ibid.*

xxv. An Act for changing the Name of "The People's Provident Assurance Society" to the Name "The *European* Assurance Society;" and for authorizing the taking of the Guarantee of the Society instead of other Security required from Persons in Public Offices and Employments; and for other Purposes. *Ibid.*

xxvi. An Act to enable the *Scarborough* Gas Company to raise a further Sum of Money; and for other Purposes. 402

xxvii. An Act for making further Provisions with respect to the *Standard* Life Assurance Company. *Ibid.*

xxviii. An Act to enable the *East Suffolk* Railway Company to extend their Railway to *Aldborough* in the County of *Suffolk*; and for other Purposes. *Ibid.*

xxix. An Act to extend the Time for the Completion of certain Works of the *Victoria* (*London*) Dock Company; and for other Purposes. *Page* 403

xxx. An Act to grant further Powers to the *Commercial* Dock Company. *Ibid.*

xxxi. An Act to enable the *Ballymena, Ballymoney, Coleraine, and Portrush Junction* Railway Company to make a Junction Railway at *Coleraine*. *Ibid.*

xxxii. An Act for making further Provision for the better Supply of Water to the Borough of *King's Lynn* and adjacent Districts; for regulating the Markets and Fairs of the Borough; for the Improvement and Regulation of the Borough; and for other Purposes. *Ibid.*

xxxiii. An Act for constructing Market Houses and other Buildings, and making Market Places, and for better regulating and maintaining the Markets and Fairs, in or near the Town of *Tavistock*; and for opening a new Street and otherwise improving the said Town; and for other Purposes. 404

xxxiv. An Act to grant further Powers to the *Leominster and Kington* Railway Company. *Ibid.*

xxxv. An Act to facilitate the Communication between the *Great Northern* Railway and the *North London* Railway; to improve the Station of the *Great Northern* Railway at *King's Cross*; and to enable the *Great Northern* Railway Company to make Arrangements with regard to certain Parts of their Capital and that of the *East Lincolnshire* Railway Company. *Ibid.*

PRIVATE ACT,

PRINTED BY THE QUEEN'S PRINTER,

AND WHEREOF THE PRINTED COPY MAY BE GIVEN IN EVIDENCE.

1. AN Act to authorize *Charles Frederick Clifton* Esquire and the Lady *Edith Maud* his Wife, and their Issue, to assume and bear the Surnames of "*Abney Hastings*" in lieu of the Surname of *Clifton*, and to bear the Arms of "*Abney*" and "*Hastings*," in compliance with the Condition contained in a Settlement made by Sir *Charles Abney Hastings* Baronet, deceased, of certain Estates in the Counties of *Derby* and *Leicester*. *Page* 406

PRIVATE ACT,

NOT PRINTED.

2. An Act to enable *Thomas Augustus Purdy* Clerk to exercise his Office of Priest and to hold any Benefice or Preferment in the United Church of *England* and *Ireland*.

A

TABLE

CONTAINING

THE TITLES OF ALL THE STATUTES

PASSED IN THE

FIRST SESSION OF THE EIGHTEENTH PARLIAMENT

OF

The United Kingdom of GREAT BRITAIN and IRELAND;

22° & 23° VICTORIÆ.

PUBLIC GENERAL ACTS.

1. AN Act to provide for the Authentication of certain Orders of the Privy Council in the Absence of the Clerk of the Council in Ordinary. *Page* 411
2. An Act to apply the Sum of Seven Millions out of the Consolidated Fund to the Service of the Year One thousand eight hundred and fifty-nine. *Ibid.*
3. An Act to amend and make perpetual "The Public Health Act, 1858." *Ibid.*
4. An Act to amend the Act for the better Administration of Criminal Justice in *Middlesex*. 412
5. An Act to remove Doubts as to the Qualification of Persons holding Diplomatic Pensions to sit in Parliament. *Ibid.*
6. An Act to enable Serjeants, Barristers-at-Law, Attorneys, and Solicitors to practise in the High Court of Admiralty. 413
7. An Act to amend an Act of the Seventeenth and Eighteenth Years of Her Majesty, for allowing Verdicts on Trials by Jury in Civil Causes in *Scotland* to be received, although the Jury may not be unanimous. *Ibid.*
8. An Act to amend the Act of the Twentieth and Twenty-first Years of *Victoria*, Chapter Forty-five, relating to the Survey of Boundaries in *Ireland*. *Ibid.*
9. An Act to provide for the Exercise of the Duties of Chief Superintendent in *China* in certain Cases. 414
10. An Act to empower the Legislature of *Canada* to make Laws regulating the Appointment of a Speaker of the Legislative Council. 415
11. An Act to confirm certain Provisional Orders under the Local Government Act (1858). *Ibid.*
12. An Act to repeal, as regards the Colony of *Victoria*, and to enable other Colonial Legislatures to repeal, certain Provisions of the Imperial Acts of the Fifty-fourth Year of *George* the Third, Chapter Fifteen, and of the Fifth and Sixth Years of *William* the Fourth, Chapter Sixty-two. 423
13. An Act to enable Her Majesty to confirm an Act passed by the Legislature of *Antigua*, intituled *An Act to extend the Operation of the Laws of* Antigua *to the Island of* Barbuda. *Page* 423
14. An Act to amend an Act of the Thirty-ninth and Fortieth Years of King *George* the Third, for better regulating the Business of Pawnbrokers. 424
15. An Act to suspend the making of Lists and the Ballots for the Militia of the United Kingdom. *Ibid.*
16. An Act to enable the Commissioners of Her Majesty's Works to acquire a Site for the Purposes of Her Majesty's Court of Probate, and other Courts and Offices. *Ibid.*
17. An Act to prevent Vexatious Indictments for certain Misdemeanors. 439
18. An Act for granting to Her Majesty additional Rates of Income Tax; and to reduce the Period of Credit allowed for Payment of the Excise Duty on Malt. 440
19. An Act to repeal Part of an Act passed in the Thirteenth Year of *Elizabeth*, Chapter Twenty-nine, concerning the several Incorporations of the Universities of *Oxford* and *Cambridge*, and the Confirmation of the Charters, Liberties, and Privileges granted to either of them. 441
20. An Act to amend and consolidate the Laws relating to Military Savings Banks. 443
21. An Act to regulate the Office of Queen's Remembrancer, and to amend the Practice and Procedure on the Revenue Side of the Court of Exchequer. 446
22. An Act to amend the Acts relating to the Constabulary Force in *Ireland*. 452
23. An Act to continue certain Acts relating to the Collection of County Cess in *Ireland*. 453
24. An Act to remove Doubts as to Admission to the Office of Principal in the Universities of *Scotland*. *Ibid.*

25. An Act to continue certain Acts relating to Linen, Hempen, and other Manufactures in *Ireland*. *Page* 453
26. An Act to make further Provision for the Regulation of the Trade with the *Indians*, and for the Administration of Justice in the North-western Territories of *America*. *Ibid.*
27. An Act to repeal the Thirty-first Section of the Act of the Sixteenth and Seventeenth Years of *Victoria*, Chapter Ninety-five, and to alter the Limit of the Number of *European* Troops to be maintained for Local Service in *India*. 454
28. An Act to Amend the *Galway* Harbour and Port Act, (1853). 455
29. An Act to repeal a certain Toll levied upon Fishing Vessels passing the *Nore*. *Ibid.*
30. An Act to extend the Enactments relating to the Copper Coin to Coin of mixed Metal. 456
31. An Act to amend the Law relating to Probates and Letters of Administration in *Ireland*. 457
32. An Act to amend the Law concerning the Police in Counties and Boroughs in *England* and *Wales*. 461
33. An Act to confirm certain Provisional Orders made under an Act of the Fifteenth Year of Her present Majesty, to facilitate Arrangements for the Relief of Turnpike Trusts. 464
34. An Act to continue the Powers of the Commissioners under an Act of the Nineteenth and Twentieth Years of Her Majesty, concerning the University of *Cambridge* and the College of King *Henry* the Sixth at *Eton*. 465
35. An Act to further amend the Law of Property, and to relieve Trustees. *Ibid.*
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38. An Act further to amend the Laws relating to the Militia. 472
39. An Act to enable the Secretary of State in Council of *India* to raise Money in the United Kingdom for the Service of the Government of *India*. 475
40. An Act for the Establishment of a Reserve Volunteer Force of Seamen, and for the Government of the same. 476
41. An Act to amend the Act for the better Government of *India*. 481
42. An Act to provide for the Establishment of a Reserve Force of Men who have been in Her Majesty Service. 482
43. An Act to amend and extend the Provisions of the Acts for the Inclosure, Exchange, and Improvement of Land. 483
44. An Act to continue the Act for the Exemption of Stock in Trade from Rating. 486
45. An Act to continue certain temporary Provisions concerning Ecclesiastical Jurisdiction in *England*. *Ibid.*
46. An Act to continue and amend the Act concerning the Management of Episcopal and Capitular Estates in *England*. *Ibid.*
47. An Act to authorize the Inclosure of certain Lands in pursuance of a Special Report of the Inclosure Commissioners of *England* and *Wales*. *Ibid.*
48. An Act to continue the Corrupt Practices Prevention Act, 1854. *Page* 487
49. An Act to provide for the Payment of Debts incurred by Boards of Guardians in Unions and Parishes and Boards of Management in School Districts. *Ibid.*
50. An Act further to continue the Exemption of certain Charities from the Operation of the Charitable Trusts Acts. 488
51. An Act to continue certain Turnpike Acts in *Great Britain*. *Ibid.*
52. An Act to amend the Laws relating to the Police District of *Dublin* Metropolis. 490
53. An Act to enable Charitable and Provident Societies and Penny Savings Banks to invest all their Proceeds in Savings Banks. 492
54. An Act to defray the Charge of the Pay, Clothing, and contingent and other Expenses of the Disembodied Militia in *Great Britain* and *Ireland*; to grant Allowances in certain Cases to Subaltern Officers, Adjutants, Paymasters, Quartermasters, Surgeons, Assistant Surgeons, and Surgeons Mates of the Militia; and to authorize the Employment of the Non-commissioned Officers. *Ibid.*
55. An Act to apply a Sum out of the Consolidated Fund and the Surplus of Ways and Means to the Service of the Year One thousand eight hundred and fifty-nine; and to appropriate the Supplies granted in this Session of Parliament. *Ibid.*
56. An Act to amend the Act of the Fifth and Sixth Years of King *William* the Fourth, Chapter Sixty-three, relating to Weights and Measures. 498
57. An Act limiting the Power of Imprisonment for Small Debts exercised by the County Court Judges. 500
58. An Act to empower the Commissioners of Her Majesty's Works and Public Buildings to acquire additional Space for the Western Approach to *Westminster* New Bridge. *Ibid.*
59. An Act to enable Railway Companies to settle their Differences with other Companies by Arbitration. 504
60. An Act to extend the Powers of an Act passed in the Thirteenth and Fourteenth Years of Her Majesty, Chapter One hundred and eleven, relating to the laying down of Railways at *Holyhead* Harbour. 506
61. An Act to make further Provision concerning the Court for Divorce and Matrimonial Causes. 507
62. An Act to amend the *Irish* Bankruptcy and Insolvency Act (1857). 508
63. An Act to afford Facilities for the more certain Ascertainment of the Law administered in one Part of Her Majesty's Dominions when pleaded in the Courts of another Part thereof. *Ibid.*
64. An Act to remove Doubts as to the Validity of certain Marriages of *British* Subjects at *Lisbon*. 509
65. An Act for amending the Acts for the better Regulation of Divisions in the several Counties of *England* and *Wales*. *Ibid.*
66. An Act for regulating Measures used in Sales of Gas. 510

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i. AN Act for authorizing the Construction of a Railway for carrying the *West London* Railway over the *Great Western* Railway by means of a Bridge, in substitution for the present level Crossing; and for other Purposes. *Page* 516

ii. An Act for enabling the *London and North-western* Railway Company to make a Railway from their existing Line at *Edge Hill* in the County of *Lancaster* to the *Saint Helen's* Railway near *Garston* in the same County; and for other Purposes. *Ibid.*

iii. An Act to enable the *Caledonian* Railway Company to make Branch Railways to the *Wilsontown* Mineral Field; and for other Purposes. *Ibid.*

iv. An Act to incorporate the *Red Sea and India* Telegraph Company, and for enabling the Company to establish and work Telegraphs between *Great Britain* and *India* and other Countries, and for other Purposes connected therewith. *Ibid.*

v. An Act to provide for the Partition of the *London Road* Station at *Manchester*, and for the better Management of certain Portions of the said Station, and for improving the Access thereto. 519

vi. An Act for making Railways from *Pembroke Dock* to *Tenby*, and from *Pembroke Dock* to the Pier at *Hobbs Point*, in the County of *Pembroke*. *Ibid.*

vii. An Act to amend the Provisions of the *Tyne* Improvement Acts, to authorize an Alteration of the Piers at the Mouth of the River; and for other Purposes. *Ibid.*

viii. An Act to alter and consolidate the Acts relating to the *Great North of Scotland* Railway Company; to regulate and define the Company's Capital; and for other Purposes. 520

ix. An Act to enable the *Kingston-upon-Thames* Gas Company to raise further Moneys by Shares and borrowing. *Ibid.*

x. An Act to enable the *North-eastern* Railway Company to make a Branch from their *Leeds and Thirsk* Railway to *Pateley Bridge*; to acquire additional Lands; and for other Purposes. 521

xi. An Act for the *Reading* and *Hatfield* Turnpike Roads in the Counties of *Berks*, *Bucks*, *Oxford*, and *Hertford*. *Ibid.*

xii. An Act for the Completion of the *Gateshead* Quay in the Borough of *Gateshead*, and for authorizing Arrangements with the *North-eastern* Railway Company with respect to the User of Parts thereof; and for other Purposes. *Ibid.*

xiii. An Act to extend the Time for making the *Hampstead Junction* Railway, to authorize certain Deviations in the Line thereof, and for other Purposes. *Ibid.*

xiv. An Act to amalgamate the *Selkirk and Galashiels* Railway Company with the *North British* Railway Company, and for other Purposes. *Ibid.*

xv. An Act for authorizing the *Lymington* Railway Company to acquire the Ferry across the *Lymington* River, and to raise further Capital; and for other Purposes. 522

xvi. An Act for making a Railway from the *Woofferton* Station of the *Shrewsbury and Hereford* Railway in the County of *Hereford* to a Point near *Tenbury* in the County of *Worcester*; and for other Purposes. *Ibid.*

xvii. An Act to enable the *Worcester and Hereford* Railway Company to make a Branch Railway to the *Severn* at *Worcester*, and to enlarge their Station at *Hereford*; and for other Purposes. *Ibid.*

xviii. An Act for enabling the *Dundee and Perth and Aberdeen* Railway Junction Company to improve the *Dundee and Newtyle* Railway; and for other Purposes. 523

xix. An Act to enable the Mayor, Aldermen, and Burgesses of the Borough of *Salford* to raise a further Sum of Money for improving their Gasworks; and for other Purposes. *Page* 523

xx. An Act to authorize the Construction of Docks and other Works on the South Shore of the River *Thames*, to be called "The *Greenwich and South-eastern Docks*." *Ibid.*

xxi. An Act for conferring on *Price's* Patent Candle Company, Limited, further Powers for the raising of Money; and for other Purposes. *Ibid.*

xxii. An Act for authorizing divers Arrangements between the *Vale of Neath* Railway Company and other Companies having Railways or other Works near to the *Vale of Neath* Railway, and for regulating the Capital and Borrowing Powers of the Company; and for other Purposes. 524

xxiii. An Act to alter and amend the Acts relating to the *Atlantic* Telegraph Company; and to enable the Company to raise additional Capital; and for other Purposes. 525

xxiv. An Act to authorize the *North British* Railway Company to make a Railway from their *Hawick* Line to the *Port Carlisle* Railway near *Carlisle*, with divers Branches therefrom, and for other Purposes. *Ibid.*

xxv. An Act to repeal an Act passed in the Eleventh Year of the Reign of King *George* the Fourth, Chapter 110., intituled *An Act for more effectually repairing the Road from* Carlisle *to* Penrith *and from* Penrith *to* Eamont Bridge *in the County of* Cumberland; and to make other Provisions in lieu thereof. 526

xxvi. An Act for making a Railway from *Much Wenlock* in the County of *Salop* to communicate with the *Severn Valley* Railway and the River *Severn* in the same County. *Ibid.*

xxvii. An Act for making a new Street from near *Foundry Bridge* to *King Street* in the City and County of the City of *Norwich*. *Ibid.*

xxviii. An Act to repeal the Acts relating to the Company of Proprietors of the *Liverpool* Exchange, and to incorporate the *Liverpool* Exchange Company, and for other Purposes connected therewith. *Ibid.*

xxix. An Act to authorize the raising of a further Sum of Money for the Completion of the *Castle Douglas and Dumfries* Railway, and to sanction a Deviation from the authorized Line of that Railway. 527

xxx. An Act to authorize the Construction of a Tramway from the *Llanidloes and Newtown* Railway near *Newtown* to the *Shropshire Union* Canal; and to enable the *Llanidloes and Newtown* Railway Company to lease their Undertaking; and for other Purposes. *Ibid.*

xxxi. An Act for authorizing an Amalgamation or Lease of the *Portsmouth* Railway with or to the *London and South-western* Railway Company, and for other Purposes. *Ibid.*

xxxii. An Act to extend the Time for the Sale of such Lands belonging to the Company of Proprietors of the *Forth and Clyde* Navigation as may not be required for the Purposes of the said Navigation. *Ibid.*

xxxiii. An Act for authorizing the *Hertford, Luton, and Dunstable* Railway Company to raise further Capital for the Purposes of the *Hertford* Section of their Railway; and for extending the Period for the Completion of the *Luton* Section of their Railway; and for other Purposes. *Ibid.*

xxxiv. An Act to enable the *Maybole and Girvan* Railway Company to raise additional Capital; to authorize a Deviation of their Line; and for other Purposes. 528

xxxv. An Act for the Transfer of the *Caterham* Railway to the *South-eastern* Railway Company, and for other Purposes. *Page* 528

xxxvi. An Act to revive and extend the Powers of the *Bagenalstown and Wexford* Railway Company for the Purchase of Lands, and to extend their Powers for completing their Undertaking, and to enable them to make a Deviation in the Line of their Railway, and to increase the Powers of the said Company for borrowing on Mortgage; and to enable the *Great Southern and Western* Railway Company to subscribe towards the said Undertaking; and to enable the said Companies to make Working and Traffic Arrangements; and for other Purposes. *Ibid.*

xxxvii. An Act to enable the *Dublin and Drogheda* Railway Company to create Debenture Stock, and to issue new Shares for redeeming existing Preference Shares subject to Redemption, and to enlarge their Station at *Dublin;* and for other Purposes. 529

xxxviii. An Act to enable the *Newry and Armagh* Railway Company to make Alterations in their authorized Line of Railway, and to construct a short Branch at *Newry.* *Ibid.*

xxxix. An Act to incorporate "The *Norwich* Corn Exchange Company, Limited," and to define and regulate their Undertaking. *Ibid.*

xl. An Act to authorize the Abandonment of the *Gloucester and Cheltenham* Tramroads, and to enable the *Midland* and the *Great Western* Railway Companies to sell and dispose of the same; and for other Purposes. *Ibid.*

xli. An Act to enable the *Ulster* Railway Company to extend their Railway from *Monaghan* to *Clones,* and to enlarge their Stations at *Belfast* and *Portadown,* and to make Arrangements with the *Dundalk and Enniskillen* Railway Company, and to create Debenture Stock; and for other Purposes. 530

xlii. An Act for authorizing the *Bury St. Edmunds* Gas Company to raise further Capital; and for regulating their Capital; and for other Purposes. *Ibid.*

xliii. An Act for authorizing the *Border Counties* Railway Company to make and maintain the *Liddesdale* Section of their Railway, and Deviations from the Line of the *North Tyne* Section of their Railway, and to raise further Capital; and for other Purposes. *Ibid.*

xliv. An Act for authorizing the *London and South-western* Railway Company to make new Works, and to raise further Funds; and for other Purposes. *Ibid.*

xlv. An Act for making a Railway to *Sevenoaks,* and for other Purposes connected therewith. 531

xlvi. An Act for connecting the Town of *Witney* with the existing Railways in the Parishes of *Yarnton* and *Wolvercot* in the County of *Oxford,* and for other Purposes. *Ibid.*

xlvii. An Act to extend the Period limited by "The *Swansea* Harbour Act, 1854," for the Construction and Completion of the Works thereby authorized. *Ibid.*

xlviii. An Act to enable the *Great Northern and Western* (*of Ireland*) Railway Company to extend their Railway to *Castlebar;* and for other Purposes. *Ibid.*

xlix. An Act for incorporating the *National* Fire and Life Insurance Company of *Scotland* by the Name of "The *Scottish National* Insurance Company;" for enabling the Company to sue and be sued, and to take and hold Property; and for other Purposes relating to the Company. *Ibid.*

l. An Act to confer further Powers on the *Londonderry and Lough Swilly* Railway Company for the Completion of their Railway. 532

li. An Act to enable the *Dundalk and Enniskillen* Railway Company to make new Lines of Railway to *Cavan* and *Belturbet;* and for other Purposes. *Ibid.*

lii. An Act to regulate the Capital and Undertaking of "The *City of London* Gaslight and Coke Company," and to reincorporate that Company. *Page* 532

liii. An Act to enable the *Midland Great Western* Railway of *Ireland* Company to construct a Branch Railway to the River *Liffey;* and for other Purposes. 533

liv. An Act to change the Name of the *East Kent* Railway Company, and for other Purposes connected with their Undertaking. *Ibid.*

lv. An Act for making a Railway from the *Midland* Railway to or near the Town of *Mountsorrel* in the County of *Leicester.* *Ibid.*

lvi. An Act for authorizing the *Somerset Central* Railway Company to lay down Narrow Gauge Lines of Rails on their Railways, and to raise further Funds; and for regulating their Capital and Borrowing Powers; and for other Purposes. *Ibid.*

lvii. An Act for vesting the *Sunderland* Docks in the Commissioners of the River *Wear;* for enabling the Commissioners to execute certain Works; for amending the Provisions of the Acts relating to the Docks and River; and for other Purposes. 534

lviii. An Act for better supplying with Water Parts of the Parishes of *Bebbington* and *Woodchurch* in the County of *Chester;* and for other Purposes. 535

lix. An Act to incorporate a Company for making Railways to supply Communication to the District between *Merthyr* and *Abergavenny,* and for other Purposes. 536

lx. An Act for making a Dock with other Conveniences in the *Camber* at *Portsmouth,* and for other Purposes. *Ibid.*

lxi. An Act for incorporating "The *Tottenham and Edmonton* Gaslight and Coke Company," and extending their Powers; and for other Purposes. *Ibid.*

lxii. An Act to enable the *Midland Great Western* Railway of *Ireland* Company to abandon a Portion of their authorized Line between *Longford* and *Boyle,* and to construct a new Line in substitution therefor; and for other Purposes. *Ibid.*

lxiii. An Act for making a Railway from *Llanidloes* in the County of *Montgomery* to *Newbridge* in the County of *Radnor,* to be called "The *Mid-Wales* Railway;" and for other Purposes. *Ibid.*

lxiv. An Act for making a Railway from the *Shrewsbury* and *Chester* Section of the *Great Western* Railway near *Ruabon* in the County of *Denbigh* to the Town of *Llangollen* in the same County, and for other Purposes. 537

lxv. An Act to enable the *Stokes Bay* Railway and Pier Company to raise additional Capital. *Ibid.*

lxvi. An Act to repeal an Act passed in the Fifth Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act for widening, improving, and maintaining the Turnpike Road leading from the City of* Worcester *through* Droitwich, *to* Spadesbourne Bridge *within the Parish of* Bromsgrove *in the County of* Worcester, *and other Roads therein mentioned;* and for granting more effectual Powers in lieu thereof. *Ibid.*

lxvii. An Act to repeal an Act passed in the Tenth Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act for repairing the Road from* Hinckley *to* Melbourne Common, *and other Roads communicating therewith, in the Counties of* Leicester *and* Derby; and granting more effectual Powers in lieu thereof. *Ibid.*

lxviii. An Act for making Railways in the District between *Brecon* and *Merthyr Tydfil,* and for other Purposes. *Ibid.*

lxix. An Act to enable the *London, Brighton, and South Coast* Railway Company to make certain Alterations in their existing and authorized Railways; to make a new Railway at *Norwood;* to acquire additional Lands for Station Accommodation, and to purchase or take on Lease other Undertakings; and for other Purposes. *Page* 537

lxx. An Act to amend "The *Tweed* Fisheries Act, 1857," and to alter the Annual Close Times in the River *Tweed.* 538

lxxi. An Act to authorize the *Bradford, Wakefield, and Leeds* Railway Company to raise a further Sum of Money; and for other Purposes. *Ibid.*

lxxii. An Act for the Regulation and Improvement of the Oyster Fishery in the River *Orwell* within the Borough of *Ipswich.* *Ibid.*

lxxiii. An Act to enable the *South Durham and Lancashire Union* Railway Company to deviate their authorized Line of Railway, to carry their Line over a certain Road by a level Crossing, and to construct a Road for providing better Access to the Railway at or near to *Barnard Castle;* and for other Purposes. 539

lxxiv. An Act to authorize the *Birkenhead, Lancashire, and Cheshire Junction* Railway Company to make a Railway from *Hooton* to *Helsby,* with a Branch to *Tranmere Pool;* and for other Purposes. *Ibid.*

lxxv. An Act for inclosing the Commons or Waste Lands called "The Commons of *Bray*" in the Parish of *Old Connaught* in the County of *Dublin.* *Ibid.*

lxxvi. An Act to authorize the *Oxford, Worcester, and Wolverhampton* Railway Company to extend their *Kingswinford* Branch, and to alter certain Parts of their Main Line of Railway, and to carry into effect an Agreement with the *Great Western* Railway Company for the Completion of the Main Line on the Narrow Gauge only; and for other Purposes. 540

lxxvii. An Act for making a Pier in *Swanage Bay* in the County of *Dorset,* and a Tramway in connexion therewith; and for other Purposes. 542

lxxviii. An Act for making a Road from *Llanrwst* to *Abergele,* and a Branch Road thereout, in the Counties of *Denbigh* and *Caernarvon.* *Ibid.*

lxxix. An Act for continuing an Act for more effectually making, amending, widening, repairing, and maintaining the Great North Roads leading from the *North Queensferry* and from *Burntisland,* both in the County of *Fife,* by *Kinross,* to the City of *Perth,* and for enabling the Trustees of the said Roads and the Trustees of other Roads to enter into mutual Arrangements. 543

lxxx. An Act to enable the *Dublin and Wicklow* Railway Company to extend their Railway to *Gorey* in the County of *Wexford;* and for other Purposes. *Ibid.*

lxxxi. An Act for the making and maintaining of the *Charing Cross* Railway, and for other Purposes. *Ibid.*

lxxxii. An Act to alter and amend the Acts relating to the Lands Improvement Company. 544

lxxxiii. An Act to consolidate and amend the Acts relating to the *Scottish Central* Railway. 545

lxxxiv. An Act for making a Railway from *Brecon* through *Hay* to the Line of the *Shrewsbury and Hereford* Railway Company at *Hereford.* 546

lxxxv. An Act for the making and maintaining of the *Wansbeck* Railway from *Morpeth* to a Junction with the *North Tyne* Section of the *Border Counties* Railway, and with Branches to the *Morpeth* Branch of the *Blyth and Tyne* Railway and the Main Line of the *North-eastern* Railway respectively; and for other Purposes. *Ibid.*

lxxxvi. An Act to repeal an Act of the Ninth Year of the Reign of King *George* the Fourth, for making a Turnpike Road from the Township of *Hunslet* across the River *Aire* to the Township of *Leeds,* and to make other Provisions in lieu thereof. *Page* 547

lxxxvii. An Act to repeal the Acts relating to the *Lawton, Burslem,* and *Newcastle-under-Lyme* Turnpike Roads, and to consolidate and amend the Provisions thereof. *Ibid.*

lxxxviii. An Act for making a Railway from the *London and North-western* Railway to *Sutton Coldfield* in the County of *Warwick,* with a Branch therefrom; and for other Purposes. *Ibid.*

lxxxix. An Act for repairing and maintaining certain Roads at and near *Ludlow* in the County of *Salop,* known as the *Ludlow* First Turnpike Trust, the *Ludlow* Second Turnpike Trust, and the *Cainham* Trust, and for placing such Roads under the same Management. *Ibid.*

xc. An Act to enable the *Sittingbourne and Sheerness* Railway Company to raise additional Capital, to amend the Acts relating to the Company, and for other Purposes. *Ibid.*

xci. An Act for amalgamating the *Bedale and Leyburn* Railway Company with the *North-eastern* Railway Company, and for vesting in the latter the Undertaking of the former Company and the *Rosedale* Branch and Property of the *North Yorkshire and Cleveland* Railway Company; and for other Purposes. 548

xcii. An Act to renew the Term and continue, amend, and enlarge the Powers of an Act passed in the Third Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act for more effectually repairing the Road leading from the* Cross of Hand *near* Finford Bridge *in the County of* Warwick, *through the Town of* Southam *in the same County, to the Borough of* Banbury *in the County of* Oxford, and to make other Provisions in lieu thereof; and for other Purposes. *Ibid.*

xciii. An Act for continuing the Term and amending and extending the Provisions of the Act relating to the *Blackburn and Preston* Turnpike Road, and for constructing a Bridge over the River *Ribble* in connexion therewith; and for other Purposes. *Ibid.*

xciv. An Act for making a Railway from *West Cowes* to *Newport* in the *Isle of Wight,* and for other Purposes. *Ibid.*

xcv. An Act for making a Railway from the *London and South-western* Railway in the Parish of *Ringwood* to *Christchurch,* and an Approach Road at *Christchurch,* all in the County of *Southampton;* and for other Purposes. *Ibid.*

xcvi. An Act to authorize the *Charleston* Railway and Harbour Company to purchase and acquire the *Charleston* Railway and Harbour, and to extend and improve the said Railway and Harbour. 549

xcvii. An Act to alter, amend, and enlarge the Provisions of the Acts relating to the *Metropolitan* Railway, to authorize the Alteration and Relinquishment of certain of the Works, and to make further Provision with reference to the Construction of such Railway; and for other Purposes. *Ibid.*

xcviii. An Act to extend the Powers of the *West End of London and Crystal Palace* Railway Company for the Purchase of Lands and Completion of their authorized Extension to *Farnborough* Railway, and for other Purposes. 550

xcix. An Act for better supplying with Water the Town of *Eastbourne* and Places adjacent thereto in the County of *Sussex,* and for other Purposes. *Ibid.*

c. An Act to enable the *North-eastern* Railway Company to construct Branch Railways for the Purpose of uniting their *Leeds and Thirsk* and *Church Fenton and Harrowgate* Railways, and for other Purposes. *Page* 550

ci. An Act to amend the Acts relating to the *South Yorkshire* Railway and River *Dun* Company, and to regulate the crossing of certain Roads by the Railway of the Company. *Ibid.*

cii. An Act for regulating the *Bombay, Baroda, and Central India* Railway Company, and for making Provision with respect to the Capital of the Company; and for other Purposes. *Ibid.*

ciii. An Act to make better Provision for the Management and Application of the *Newcastle-under-Lyme* Burgesses Lands, to repeal and amend the Act relating thereto, and for other Purposes. 552

civ. An Act for making a Railway from the *Trent Valley* Railway at *Nuneaton* in the County of *Warwick* to *Hinckley* in the County of *Leicester*, and for other Purposes. 553

cv. An Act to authorize the Construction of a Railway from *Hungerford* in *Berkshire* to *Devizes* in *Wiltshire*, to be called "The *Berks and Hants Extension* Railway." *Ibid.*

cvi. An Act for incorporating the *British and Canadian* Telegraph Company, and for other Purposes. 554

cvii. An Act to embank and reclaim from the Sea certain Waste Lands subject to be overflowed by the Tide, and forming Part of *Chichester* Harbour in the County of *Sussex*. *Ibid.*

cviii. An Act to alter, amend, and extend the Acts for inclosing, embanking, and draining the Marsh called *Malltraeth and Corsddaugau* in the County of *Anglesey*, and to provide for the Maintenance of the Embankments and Drainage, and for other Purposes. *Ibid.*

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cx. An Act for the Amalgamation of the *East Lancashire* Railway Company with the *Lancashire and Yorkshire* Railway Company, and for other Purposes. *Ibid.*

cxi. An Act to authorize the *Leeds, Bradford, and Halifax Junction* Railway Company to convert their Mortgage or Bond Debt into Shares or Stock; and for other Purposes. 557

cxii. An Act to enable the *Victoria* Station and *Pimlico* Railway Company to raise further Sums of Money. *Ibid.*

cxiii. An Act for enabling the *London and North-western* Railway Company to construct new Works and acquire additional Lands in the Counties of *Lancaster* and *Northampton*; and for other Purposes. *Ibid.*

cxiv. An Act to authorize the Maintenance and Use of the *Silverdale and Newcastle-under-Lyme* Railway, and the Use of the Extension Railway to the *Newcastle-under-Lyme* Canal, and for other Purposes. *Ibid.*

cxv. An Act to enable the *Waveney Valley* Railway Company to extend their Railway from *Harleston* to *Bungay* and *Ditchingham*; and for other Purposes relating to the same Company. 558

cxvi. An Act to enable the *Herne Bay and Faversham* Railway Company to extend their Railway to *Margate*, to change their Name; and for other Purposes connected with their Undertaking. *Ibid.*

cxvii. An Act for establishing Railway Communication between *Loughton*, *Epping*, and *Chipping Ongar* in the County of *Essex*, and for other Purposes. *Ibid.*

cxviii. An Act to enable the *Norwich and Spalding* Railway Company to extend their Railway from *Holbeach* to *Sutton Bridge* in *Lincolnshire*. *Page* 559

cxix. An Act to authorize the Construction of a Railway from the *Hythe* in the Neighbourhood of *Colchester* to *Wivenhoe* in *Essex*, to be called "The *Tendring Hundred* Railway." *Ibid.*

cxx. An Act to afford Facilities for raising Funds for the Completion of the *Bridport* Railway, and to authorize the Lease thereof to the *Great Western* Railway Company. *Ibid.*

cxxi. An Act for making a Railway from *Knighton* to *Llandrindod* in the County of *Radnor*, to be called "The *Central Wales* Railway," and for other Purposes. *Ibid.*

cxxii. An Act to enable the *Colne Valley and Halstead* Railway Company to extend their Railway from *Halstead* to *Haverhill* in the County of *Essex*. *Ibid.*

cxxiii. An Act for improving, paving, draining, and lighting the Burgh of *Falkirk*, and for regulating the Supply of Water within the Burgh; and for providing for the Transference of the Property of the Stintmasters and Feuars of *Falkirk* to the Magistrates and Council; and for other Purposes. *Ibid.*

cxxiv. An Act for authorizing the *Lancaster and Carlisle* Railway Company to make new Works, and to make Arrangements with other Companies, and to raise further Funds; and for other Purposes. 560

cxxv. An Act for making a Railway from the *Coultershaw* Branch of the *Mid-Sussex* Railway to the Town of *Midhurst* in the County of *Sussex*. 562

cxxvi. An Act for making a Branch from the *North Staffordshire* Railway in the Parish of *Stoke-upon-Trent* in the County of *Stafford*, and for extending the Time for completing certain Works, and for authorizing Arrangements with the *London and North-western* Railway Company; and for other Purposes. *Ibid.*

cxxvii. An Act for enabling the *Stockton and Darlington* Railway Company to make a new Railway and other Works; and for other Purposes. *Ibid.*

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cxxix. An Act to enable the *Lancashire and Yorkshire* Railway Company to construct Branch Railways from *Oldham* to *Rochdale* and *Royton* in the County of *Lancaster*; and for other Purposes. *Ibid.*

cxxx. An Act for enabling the *Midland* Railway Company to make an Extension of their *Erewash Valley* Line, to acquire additional Lands in the County of *Leicester*; and for other Purposes. *Ibid.*

cxxxi. An Act to facilitate Arrangements by the *Londonderry and Coleraine* Railway Company with their Creditors, and for other Purposes. *Ibid.*

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cxxxvii. An Act to confer certain Powers upon "The Pneumatic Despatch Company (Limited)." *Page* 576

cxxxviii. An Act to transfer the *Warrington and Stockport* Railway to certain Companies. 577

cxxxix. An Act to extend the *Wells and Fakenham* Railway to and along *Wells* Quays, and for other Purposes. 578

PRIVATE ACTS,

PRINTED BY THE QUEEN'S PRINTER,

AND WHEREOF THE PRINTED COPIES MAY BE GIVEN IN EVIDENCE.

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2. An Act for authorizing the Trustees of the Settled Estates in *Wales* of Earl *Vane* and Countess *Vane* to raise Five thousand Pounds by Mortgage of the same Estates, and to become Shareholders to the Extent of such Sum in the *Newtown and Machynlleth* Railway Company, and to sell to the Company Part of the Settled Estates in consideration of a yearly Rentcharge; and for other Purposes. 579

3. An Act for confirming and giving effect to an Agreement for a Lease by the *Westminster* Improvement Commissioners of Land in *Victoria Street* and *Dean Street* in the City of *Westminster* to *Alfred Lucette*, of which the Short Title is "*Lucette*'s Estate Act, 1859." *Page* 579

4. An Act for authorizing Leases of Parts of the Settled Estates, in the Parishes of *Huddersfield*, *Almondbury*, and *Kirkheaton*, in the West Riding of the County of *York*, of Sir *John William Ramsden* Baronet, and of which the Short Title is "*Ramsden*'s Estate (Leasing) Act, 1859." 579

5. An Act for effecting a Partition of the Landed Estates of *Josiah Robins* deceased in and near to *Birmingham* and elsewhere, and for facilitating the Erection and Endowment of a Church thereon, and for authorizing the Application of Moneys, subject to the Trusts of his Will, towards the Expenses of making Bridges for the Benefit of Parts of his Estates; and for other Purposes. 579

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NOT PRINTED.

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7. An Act to dissolve the Marriage of *James Edward Dickinson*, a Surgeon in the Honourable *East India* Company's Service in the *East Indies*, with *Henrietta Louisa* his now Wife, and to enable him to marry again; and for other Purposes therein mentioned.

A

TABLE

CONTAINING

THE TITLES OF ALL THE STATUTES

PASSED IN THE

SECOND SESSION OF THE EIGHTEENTH PARLIAMENT

OF

The United Kingdom of GREAT BRITAIN and IRELAND;

23° & 24° VICTORIÆ.

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2. An Act to apply the Sum of Four hundred and seven thousand six hundred and forty-nine Pounds out of the Consolidated Fund to the Service of the Year ending the Thirty-first Day of *March* One thousand eight hundred and sixty. *Ibid.*
3. An Act to apply the Sum of Four million five hundred thousand Pounds out of the Consolidated Fund to the Service of the Year One thousand eight hundred and sixty. *Ibid.*
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15. An Act for granting to Her Majesty certain Duties of Stamps. 612
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28. An Act to repeal the Act of the Seventh Year of King *George* the Second, Chapter Eight, commonly called "Sir *John Barnard*'s Act," and the Act of the Tenth Year of King *George* the Second, Chapter Eight. 648
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137. An Act to make further Provision with respect to Monies received from Savings Banks and Friendly Societies. 980

138. An Act to continue and amend the Peace Preservation (*Ireland*) Act (1856). 981

139. An Act to amend the Law concerning the making, keeping, and Carriage of Gunpowder and Compositions of an explosive Nature, and concerning the Manufacture, Sale, and Use of Fireworks. 982

140. An Act for facilitating the Acquisition by Rifle Volunteer Corps of Grounds for Rifle Practice. 990

141. An Act to amend an Act passed in the Thirteenth Year of Her Majesty, to restrain Party Processions in *Ireland*. 992

142. An Act to make better Provision for the Union of contiguous Benefices in Cities, Towns, and Boroughs. 993

143. An Act to extend certain Provisions of the Titles to Land (*Scotland*) Act, 1858, to Titles to Land held by Burgage Tenure; and to amend the said Act. 1000

144. An Act to amend the Procedure and Powers of the Court for Divorce and Matrimonial Causes. 1010

145. An Act to give to Trustees, Mortgagees, and others certain Powers now commonly inserted in Settlements, Mortgages, and Wills. 1011

146. An Act to amend the Act for regulating Measures used in Sales of Gas. 1015

147. An Act to amend the Seventh and Eighth *Victoria*, Chapter Seventy. 1016

148. An Act to continue the Powers of the Poor Law Commissioners in *Ireland*. *Ibid.*

149. An Act to make better Provision for the Relief of Prisoners in Contempt of the High Court of Chancery, and Pauper Defendants; and for the more efficient Despatch of Business in the said Court. 1017

150. An Act further to amend certain Acts relating to the Temporalities of the Church in *Ireland*. 1020

151. An Act for the Regulation and Inspection of Mines. 1027

152. An Act to facilitate internal Communication in *Ireland* by means of Tramroads or Tramways. 1034

153. An Act to amend the Law relating to the Tenure and Improvement of Land in *Ireland*. 1047

154. An Act to consolidate and amend the Law of Landlord and Tenant in *Ireland*. 1054

LOCAL ACTS.

i. AN Act to enable the Company of Proprietors of the *West Middlesex* Waterworks to raise a further Sum of Money; and for other Purposes. Page 1076

ii. An Act for enabling the *Blackburn* Gaslight Company to raise a further Sum of Money; and for other Purposes. *Ibid.*

iii. An Act to repeal, alter, amend, and extend some of the Powers and Provisions of "the *Silverdale and Newcastle* Railway Act, 1859;" to authorize the stopping up, altering, and constructing of certain Roads; and for other Purposes. *Ibid.*

iv. An Act for supplying with Gas the Township of *Droylsden* and other Places adjacent thereto in the Parishes of *Manchester* and *Ashton-under-Lyne* in the County of *Lancaster*. *Ibid.*

v. An Act for more effectually supplying with Gas the Borough of *Leicester* and the Neighbourhood thereof in the County of *Leicester*. 1077

vi. An Act to enable the *Banbridge, Lisburn, and Belfast* Railway Company to make Deviations in their authorized Railways; and to enable the *Ulster* Railway Company to acquire and hold Shares in the Undertaking of the *Banbridge, Lisburn, and Belfast* Railway Company; and for other Purposes. *Ibid.*

vii. An Act for better supplying with Water the Township of *Belper* in the Parish of *Duffield* in the County of *Derby*. 1078

viii. An Act for more effectually repairing the Road leading from *Wem* to the Lime Rocks at *Bronygarth* in the County of *Salop*, and for making several Lines of Road connected with the same in the Counties of *Salop* and *Denbigh*. *Ibid.*

ix. An Act to amend the *Inverness and Aberdeen Junction* Railway Act, 1856; to enable the *Inverness and Aberdeen Junction* Railway Company to raise further Sums of Money; and for other Purposes. 1079

x. An Act to enable the *South Devon* Railway Company to improve their *Plymouth* and other Stations; to widen Parts of their Railway; and for other Purposes. 1080

xi. An Act to authorize the Construction of a Railway from the *Great Western* Railway at *Chippenham* to *Calne* in *Wilts*. *Ibid.*

xii. An Act to empower the Mayor, Aldermen, and Burgesses of the Borough of *Liverpool* to construct an additional Reservoir and other Works; and for other Purposes. *Ibid.*

xiii. An Act for better supplying with Water the Borough and Parish of *Liskeard* in the County of *Cornwall*, and for other Purposes. 1082

xiv. An Act to enable the *North London* Railway Company to raise an additional Sum of Money; and for other Purposes. *Ibid.*

xv. An Act for incorporating a Company for the Construction of a Railway from the *Newton and Compstall* Line of the *Manchester, Sheffield, and Lincolnshire* Railway at *Marple* in the County of *Chester* to *New Mills* and *Hayfield* in the County of *Derby;* and for other Purposes. *Ibid.*

xvi. An Act for authorizing the Construction of a Railway from *Stockport* to *Woodley* in the County of *Chester;* and for other Purposes. 1083

xvii. An Act to enable the *Brecon and Merthyr Tydfil Junction* Railway Company to complete their Communication with *Brecon;* and for other Purposes connected with their Undertaking. *Ibid.*

xviii. An Act for incorporating the *Mirfield* Gaslight Company (Limited), and extending their Powers, and for other Purposes. *Page* 1083

xix. An Act for building a Bridge across the River *Ouse* in the City of *York*, with Approaches thereto, and for raising, lowering, widening, altering, and improving certain Streets or Thoroughfares within the said City, and for other Purposes. *Ibid.*

xx. An Act for consolidating and amending the Acts relating to the *Liskeard and Caradon* Railway Company, for authorizing the Alteration of Portions of their existing Railway, and the Construction of new Works; and for other Purposes. 1084

xxi. An Act to repeal the Act for amending and improving the Road from *Glossop* to *Marple Bridge* in the County of *Derby*, and the several Branches of Roads leading to and from the same, and to make other Provisions in lieu thereof. 1085

xxii. An Act for enabling the Mayor, Aldermen, and Burgesses of the Borough of *Leicester* to provide an additional Cemetery, with Approaches thereto, and to effect certain Arrangements with the Visitors of the *Leicestershire* and *Rutland* Lunatic Asylum; for amending the Acts relating to the Cemetery, Sewerage, and Waterworks in the said Borough; and for other Purposes. *Ibid.*

xxiii. An Act for more effectually repairing the Road from *Chesterfield* in the County of *Derby* to *Worksop* in the County of *Nottingham*. *Ibid.*

xxiv. An Act to enable the *Bagenalstown and Wexford* Railway Company to make Railways to *Enniscorthy* and to a certain Limestone Quarry at *Ballyellin*, and an Approach Road or Roads to their Station at *Wexford;* and to enable the *Great Southern and Western* Railway Company to subscribe further Sums towards the Undertaking of the Company; and to enable the Company and the Grand Jury of the County of *Wexford* and the Trustees of *Wexford* Free Bridge to make Arrangements in reference to the said Road or Roads; and for other Purposes. 1085

xxv. An Act to enable the *Shrewsbury and Welchpool* Railway Company to complete and maintain Deviations in the Line and Levels of their Railway, and to complete and maintain the same across certain Roads on a Level, and to raise a further Sum of Money; and for other Purposes. 1086

xxvi. An Act to continue and amend an Act for erecting a Bridge over the River *Dee* at the *Craiglug* in the Parish of *Old Machar* in the County of *Aberdeen* and of *Nigg* in the County of *Kincardine*, and for making a Road from *Cairnrobin* by the said Bridge toward the City of *Aberdeen*. *Ibid.*

xxvii. An Act for granting further Powers to the *Croydon* Commercial Gas and Coke Company. *Ibid.*

xxviii. An Act for draining and improving *Grunty Fen* in the *Isle of Ely* in the County of *Cambridge;* and for maintaining the public Roads therein. *Ibid.*

xxix. An Act for more effectually carrying out the Clearing House System in *Ireland*, and for facilitating legal Proceedings in relation thereto. 1087

xxx. An Act for the better Supply of *Spalding* with Water. *Ibid.*

xxxi. An Act for the Regulation of the Municipal Corporation of the Borough of *Hedon* in the East Riding of the County of *York*, and for the Improvement of the Borough; and for other Purposes. *Ibid.*

xxxii. An Act for the further Continuance of the *Lower King's Ferry* Roads Turnpike Trust, and for other Purposes. *Page* 1088
xxxiii. An Act to authorize the Commissioners of the *Glasgow* Corporation Waterworks to raise a further Sum of Money. 1089
xxxiv. An Act for authorizing the Corporation of *Norwich* to enlarge the existing Cattle Market and other Markets in *Norwich*, and to establish and regulate Markets and Fairs and make new Streets in *Norwich*; and for other Purposes. 1090
xxxv. An Act for making a Railway from the *Cannock Mineral* Railway into *Cannock Chase* in the County of *Stafford*. *Ibid.*
xxxvi. An Act for changing the Name of "The *Ambergate, Nottingham and Boston and Eastern Junction* Railway and Canal Company" to the Name "The *Nottingham and Grantham* Railway and Canal Company," and for reducing and regulating their Capital and borrowing Powers, and for other Purposes. *Ibid.*
xxxvii. An Act to enable the *Edinburgh* Railway Station Access Company to raise additional Capital. 1091
xxxviii. An Act to incorporate the *Brompton and Gillingham* Consumers Waterworks Company, Limited; to enable them to better supply *Brompton, Gillingham, Chatham,* and *Rochester* with Water; and for other Purposes. 1092
xxxix. An Act for granting further Powers to the *Commercial* Dock Company. *Ibid.*
xl. An Act for making a Railway from *Stranorlar* in the County of *Donegal* to the *Londonderry and Enniskillen* Railway near *Strabane* in the County of *Tyrone*, and for other Purposes. *Ibid.*
xli. An Act to provide for the Management, Maintenance, and Repair of the Turnpike Road from *Lincoln Heath* to *Market Deeping*, and other Roads in connexion therewith; and for other Purposes. *Ibid.*
xlii. An Act for relinquishing certain Works authorized by the *North Staffordshire* Railway Branches Act, 1854, and for authorizing Agreements with respect to the *Silverdale and Newcastle* Railway, and for other Purposes. 1093
xliii. An Act for amending the Acts passed with respect to the Master, Wardens, Searchers, Assistants, and Commonalty of the Company of Cutlers in *Hallamshire* in the County of *York*. *Ibid.*
xliv. An Act for authorizing the *Stockton and Darlington* Railway Company to raise additional Capital; and for other Purposes. 1094
xlv. An Act to enable the *Great Northern and Western (of Ireland)* Railway Company to make a Deviation in their authorized Railway between *Roscommon* and *Castlereagh*; and for other Purposes. *Ibid.*
xlvi. An Act for altering the Name of "The *Belfast and Ballymena* Railway Company" to the Name of "The *Belfast and Northern Counties* Railway Company;" for increasing their Capital; and for other Purposes. *Ibid.*
xlvii. An Act to enable the *Dublin and Wicklow* Railway Company to extend their Railway to *Enniscorthy* in the County of *Wexford*; to change the Name of the Company; and for other Purposes. 1095
xlviii. An Act for enabling the Mayor, Aldermen, and Citizens of the City of *Manchester* to effect further Improvements in the said City; and for other Purposes. *Ibid.*
xlix. An Act to amend "The *Great Southern of India* Railway Act, 1858;" and for other Purposes. 1096
l. An Act to authorize certain Deviations in the *Andover and Redbridge* Railway, and for other Purposes. *Ibid.*
li. An Act for granting further Powers to the *West Somerset* Railway Company. *Page* 1096
lii. An Act to enable the *Midland* Railway Company to contract for the Use of the Undertakings of other Companies in and near *London*. *Ibid.*
liii. An Act for regulating the *East India* Coal Company, Limited, and for making Provisions with regard to the Capital and Shares of the Company; and for other Purposes. 1097
liv. An Act for making a Railway from *Carrickfergus* to *Larne*, and for other Purposes. *Ibid.*
lv. An Act for better supplying with Water the Parish of *Matlock* in the County of *Derby*. *Ibid.*
lvi. An Act to enable the *Limerick and Ennis* Railway Company to maintain their Railway across certain Roads on a Level; and to enable the Company to purchase certain Lands for the Purposes of their Undertaking; and to amend the Provisions of the Acts relating to the said Company with respect to General Meetings; and for other Purposes. 1098
lvii. An Act to repeal the Act 10 *George* IV. Chapter 114., relating to the Turnpike Roads from *Hurdlow House* in the County of *Derby* to *Manchester* in the County Palatine of *Lancaster*, and to confer other Powers in lieu thereof. *Ibid.*
lviii. An Act for enabling the *Metropolitan* Railway Company to acquire additional Lands for the Construction of the Railway and for Station Accommodation; for amending the Acts relating to the Railway; and for other Purposes. *Ibid.*
lix. An Act to authorize the Lease of the *Banbridge Junction* Railway to the *Dublin and Belfast Junction* Railway Company; and for other Purposes. 1099
lx. An Act to enable the *Belfast and County Down* Railway Company to abandon Part of the *Bangor* Branch; to extend the Time for the Completion of the Remainder of such Branch, and of the *Donaghadee* Branch; and for other Purposes. *Ibid.*
lxi. An Act for making a Railway from the *Belfast and County Down* Railway at *Holywood* to *Bangor* in the County of *Down* in *Ireland*. *Ibid.*
lxii. An Act for a Modification of the Lease of the *Dublin and Kingstown* Railway to the *Dublin and Wicklow* Railway Company; and for regulating the Capital of the *Dublin and Kingstown* Railway Company; and for other Purposes. *Ibid.*
lxiii. An Act to enable the *Keith and Dufftown* Railway Company to abandon their authorized Line of Railway, and to make a new Line of Railway instead thereof. 1102
lxiv. An Act to authorize the Construction of a Railway from the authorized Line of the *London and South-western Exeter Extension* Railway to *Chard* in the County of *Somerset*. *Ibid.*
lxv. An Act to confer further Powers with respect to the Construction of Railways at or near *Burton-upon-Trent*, and for other Purposes. 1103
lxvi. An Act to enable the *Midland* Railway Company to make Railways between *Rowsley* and *Buxton*; to execute other Works; and for other Purposes. 1104
lxvii. An Act to authorize the *Midland* Railway Company to construct a Station in the Parish of *Saint Pancras, London*, and to effect Arrangements with the *Great Northern* and *North London* Railway Companies and with the *Regent's* Canal Company; and for other Purposes. *Ibid.*
lxviii. An Act for better supplying with Gas and with Water the Township of *Widnes* in the Parish of *Prescot* in the County Palatine of *Lancaster*. *Ibid.*
lxix. An Act for enabling the *Great Western* Railway Company to construct a Railway in the Parishes of *Clifton Maybank* and *Bradford Abbas* in the County of *Dorset* in connexion with the *Wilts, Somerset, and Weymouth* Railway; to acquire additional Lands at *Yeovil*; and for other Purposes. 1105

lxx. An Act for increasing the Capital of the Company of Proprietors of the *Sheffield* Waterworks; for extending the Limits of the *Sheffield* Waterworks Act, 1853, so as to comprise the Parish of *Ecclesfield*; for making further Provisions with respect to the said Company; and for other Purposes. *Page* 1105

lxxi. An Act for changing the Name of the *Sirhowy* Tramroad Company to the Name "The *Sirhowy* Railway Company;" and for authorizing the Company to make new Works, and to maintain and work the *Sirhowy* Line as a Railway, and to raise further Funds; and for regulating their Capital and Borrowing Powers; and for other Purposes. 1106

lxxii. An Act for making a Railway from the *Ashchurch and Tewkesbury* Branch of the *Midland* Railway at *Ashchurch* in the County of *Gloucester* to *Great Malvern* in the County of *Worcester*, and for other Purposes. 1107

lxxiii. An Act for authorizing the *East Somerset* Railway Company to abandon the making of their authorized Railway from *Shepton Mallett* to *Wells*, and to make instead thereof another Railway from *Shepton Mallett* to *Wells*; and for other Purposes. *Ibid.*

lxxiv. An Act for authorizing the *Grand Surrey* Docks and Canal Company to make additional Docks and other Works, and to raise further Monies; and for other Purposes. 1108

lxxv. An Act to incorporate a Company for manufacturing and supplying Gas within the Parishes of *Tormoham* (including the Town of *Torquay*), *Saint Mary Church*, and *Cockington*, in the County of *Devon*; and for other Purposes. *Ibid.*

lxxvi. An Act to enable the *Oxford, Worcester, and Wolverhampton* Railway Company to take on Lease the Undertaking of the *Severn Valley* Railway Company. *Ibid.*

lxxvii. An Act to authorize Arrangements with reference to the Use by the *London and North-western* Railway Company of the Station at *Normanton*, and the Railway between the same and *Goose Hill*, and for other Purposes. 1109

lxxviii. An Act for supplying *Dartford, Crayford, Eltham*, and other Places in *Kent* with Water. 1110

lxxix. An Act to authorize the Transfer to the *London and North-western* Railway Company of Part of the Undertaking of the *Saint Helens* Canal and Railway Company, and for the Increase of the Capital of the *Saint Helens* Company. *Ibid.*

lxxx. An Act for repairing the Roads from *Horsham* to *Steyning*, and from thence to the Top of *Steyning Hill* in the County of *Sussex*, and from the Bottom of *Steyning Hill* to *Slaughter's Corner* in the Parish of *Beeding*, and from thence to *Shoreham Bridge* in the Parish of *Old Shoreham* in the said County. 1112

lxxxi. An Act for the Amalgamation of the *Newport, Abergavenny, and Hereford*, and the *Worcester and Hereford* Railway Companies with the *Oxford, Worcester, and Wolverhampton* Railway Company, under the Name of "The *West Midland* Railway Company." *Ibid.*

lxxxii. An Act for making a Railway from the *Oxford, Worcester, and Wolverhampton* Railway to *Bourton-on-the-Water* in the County of *Gloucester*, and for other Purposes. 1114

lxxxiii. An Act for making a Railway commencing by a Junction with the *Glasgow and South-western* Railway at or near the North or North-east End of the Passenger Station of that Railway at the Town of *Dumfries*, and terminating by a Junction with the *Caledonian* Railway at or near the North End of the *Lockerby* Station on that Line; and for other Purposes. *Ibid.*

lxxxiv. An Act to increase the Capital and amend the Powers of the *Dover* Gaslight Company. *Ibid.*

lxxxv. An Act for authorizing the *London* Hydraulic Power Company, Limited, to acquire Powers under "The Waterworks Clauses Acts, 1847;" and for other Purposes. *Page* 1115

lxxxvi. An Act to amend the Local Act, Fifty-fourth of *George* the Third, Chapter One hundred and three, for making a fair and equal County Rate for the County of *Buckingham*. *Ibid.*

lxxxvii. An Act to grant additional Powers to the *Newry, Warrenpoint, and Rostrevor* Railway Company. 1116

lxxxviii. An Act for better defining the Powers and Liabilities of the *Eau Brink* Drainage Commissioners; for making Provision for the Repair and Maintenance of the *Eau Brink Bridge*; for simplifying the Mode of levying and collecting Drainage Taxes; for constituting from the Body of Commissioners a new Board, to be called Conservators of the *Ouse* Outfall; and for other Purposes. *Ibid.*

lxxxix. An Act for making a Railway from *Buckley* to *Connah's Quay* in the County of *Flint*, and for other Purposes. 1121

xc. An Act for making a Railway from *Altrincham* through *Knutsford* to *Northwich* in the County of *Chester*, and for other Purposes. *Ibid.*

xci. An Act to change the Name of the *Nuncaton and Hinckley* Railway Company; and to enable that Company to extend their Railway from *Hinckley* in the County of *Leicester* to the *Midland* Railway at *Wigston Magna* near *Leicester* in the same County; and for other Purposes. 1122

xcii. An Act for the Alteration at *Yeovil* of the *Salisbury and Yeovil* Railway leased to the *London and South-western* Railway Company, and of the *Yeovil and Durston* Branch of the *Bristol and Exeter* Railway; and for the making at *Yeovil* of a Joint Station for the *London and South-western* and the *Bristol and Exeter* Railway Companies; and for other Purposes. *Ibid.*

xciii. An Act to alter and amend the several Acts relating to the *Manchester* Corporation Waterworks, and for other Purposes. 1123

xciv. An Act for making a Railway from *Stourbridge* in the County of *Worcester* to *Old Hill*, with Branches to *Cradley Park* and *Corngreaves* Ironworks, and for other Purposes. 1124

xcv. An Act for incorporating the *Wellington* Waterworks Company, and granting Powers to them for better supplying with Water the Town of *Wellington* and Places adjacent thereto in the County of *Salop*, and for other Purposes. *Ibid.*

xcvi. An Act for better supplying with Water the Town and Parish of *Maidstone* in the County of *Kent*, and for other Purposes. *Ibid.*

xcvii. An Act for more completely merging in the Undertaking of the *Caledonian* Railway Company certain Railways known as the *Lesmahagow* Branches; for incorporating the Holders of the *Lesmahagow* Branches Stock, and securing to them a fixed Annuity; and for other Purposes. *Ibid.*

xcviii. An Act for incorporating "The *City of Dublin* Steam Packet Company;" and for authorizing them to raise additional Capital; and for other Purposes. 1126

xcix. An Act for making a Railway from *Letterkenny* to the *Londonderry and Enniskillen* Railway in the County of *Donegal*; and for other Purposes. *Ibid.*

c. An Act for making a Railway from the *Great Southern and Western* Railway near *Charleville* to the *Limerick and Foynes* Railway near *Patrick's Well*, and also a short Line of Railway at *Limerick*, to be called "The *Cork and Limerick Direct* Railway," and for other Purposes.

ci. An Act for enabling the *Oswestry and Newtown* Railway Company to raise additional Capital, to lease their Undertaking; and for other Purposes. *Page* 1126

cii. An Act for better supplying with Water the Towns of *Staines, Hounslow, Ealing, Acton,* and *Hanwell,* and the several Parishes and Places adjacent thereto, in the County of *Middlesex,* and for other Purposes. 1127

ciii. An Act for authorizing the *London and South-western* Railway Company to make and maintain a Railway in extension of their *Exeter Extension* Railway, and to connect that Railway with the *Bristol and Exeter* Railway; and for authorizing Alterations of the *Saint David's* Station on the *Bristol and Exeter* Railway, and the laying down of Rails on the Narrow Gauge on divers Railways, and the working by the *London and South-western* Railway Company, over those Narrow Gauge Lines of Railway, from their *Exeter Extension* Railway to *Bideford;* and for other Purposes. 1128

civ. An Act to carry into effect an Arrangement between the Corporation of the Royal Naval School and Her Majesty's Commissioners of the Patriotic Fund, for the Admission of Pupils into the said School. 1129

cv. An Act for enabling the *Cardiff* Waterworks Company to construct additional Works, and obtain a further Supply of Water for the Town of *Cardiff* and the surrounding Districts in the County of *Glamorgan;* and for other Purposes. 1132

cvi. An Act to amend "The *Blyth* Harbour and Dock Act, 1858;" to extend the Time for Completion of Works, and to levy additional Tolls and Rates; and for other Purposes. *Ibid.*

cvii. An Act for continuing the Powers of the Trustees of the *Wexford* Free Bridge; for enabling them to complete that Bridge, and to construct and improve Approaches thereto; for authorizing the Grand Jury of the County of *Wexford* to present additional Sums of Money; and for other Purposes. *Ibid.*

cviii. An Act for making a Turnpike Road from the *Oswestry and Newtown* Railway near *Cilgwrgan* in the County of *Montgomery* over the River *Severn* to *Tregynon* in the same County. 1133

cix. An Act to authorize the *London, Brighton, and South Coast* Railway Company to make a Railway from the *London, Brighton, and South Coast* Railway in the Parish of *Croydon* to the *West End of London and Crystal Palace* Railway near *Balham Hill,* all in the County of *Surrey,* with a Branch Railway connected therewith; and for other Purposes. *Ibid.*

cx. An Act for better supplying with Water the Inhabitants of *Consett* and other Districts in the County of *Durham.* 1134

cxi. An Act for making a Railway from the *London and North-western* Railway at *Watford* to *Rickmansworth;* and for other Purposes. *Ibid.*

cxii. An Act to create a further Term in the *Egleston* Roads; to add other Roads to the Trust; to repeal, amend, and extend the Act relating to the said Roads; and for other Purposes. *Ibid.*

cxiii. An Act for the *Bolton and Saint Helen's* Road in the County Palatine of *Lancaster.* *Ibid.*

cxiv. An Act to enable the *Dublin and Drogheda* Railway Company to extend their Railway from *Kells* to *Oldcastle;* and for other Purposes. 1135

cxv. An Act to amend and extend the Powers of Management of the Corporation of the *North British* Insurance Company. *Ibid.*

cxvi. An Act to enable the *Morayshire* Railway Company to construct a Railway from *Elgin* to *Rothes;* and for other Purposes. *Ibid.*

cxvii. An Act to enable the *Sovereign* Life Assurance Company to sue and be sued; to alter and amend some of the Provisions of their Deed of Settlement; and to confer further Powers on the Company. *Page* 1136

cxviii. An Act for the *Doncaster and Tadcaster* Road in the West Riding of the County of *York.* *Ibid.*

cxix. An Act to authorize the Improvement of the Common Muir of *Auchterarder* in the County of *Perth,* and to regulate the Management thereof, and the Application of the Revenues arising therefrom for the Benefit of that Burgh or Town. *Ibid.*

cxx. An Act to enable the *Symington, Biggar, and Broughton* Railway Company to extend their Railway from *Broughton* to *Peebles;* and for other Purposes. 1137

cxxi. An Act for enabling the *Portadown, Dungannon, and Omagh Junction* Railway Company to alter the Line of their Extension Railway, and to make a Branch Railway at *Omagh;* for authorizing certain Arrangements with the *Ulster* Railway Company and *Londonderry and Enniskillen* Railway Company; and for other Purposes. *Ibid.*

cxxii. An Act for making a Railway from the *Stockport, Disley, and Whaley Bridge* Railway in the Parish of *Stockport* and County of *Chester* to *Hayfield* in the County of *Derby,* and for other Purposes. 1138

cxxiii. An Act to enable the *London and Blackwall* Railway Company to provide additional Station Accommodation and other Works connected with their Railway; to make a Branch Railway to the *London* Docks; to enter into Arrangements with certain other Companies; and for other Purposes. *Ibid.*

cxxiv. An Act to enable the *Salisbury and Yeovil* Railway Company to make a Deviation from their authorized Main Line near *Yeovil,* and for other Purposes connected with their Undertaking. 1139

cxxv. An Act for vesting in a Body of Trustees, to be called "The *Upper Mersey* Dues Trustees," a certain Portion of the *Liverpool* Town and Anchorage Dues; and for other Purposes. *Ibid.*

cxxvi. An Act to continue and amend Two Acts, passed in the First and Tenth Years of the Reign of His Majesty King *George* the Fourth relating to certain Roads and Bridges in the Counties of *Lanark* and *Dumbarton.* 1140

cxxvii. An Act to enable the *Hereford, Hay, and Brecon* Railway Company to relinquish the Junction of their Line with the *Shrewsbury and Hereford* Railway, and in substitution therefor to form a Junction with the *Newport, Abergavenny, and Hereford* Railway. 1141

cxxviii. An Act for making a Railway from *Tenbury* in the County of *Worcester* to the *Severn Valley* Railway near *Bewdley* in the County of *Worcester.* *Ibid.*

cxxix. An Act to incorporate a Company for the Improvement of Buildings, and for other Purposes. 1142

cxxx. An Act for extending the Time for the Completion of Portions of the *Dorset Central* Railway; for enabling the *Somerset Central* Railway Company to subscribe to the Undertaking; and for other Purposes. 1144

cxxxi. An Act for making a Railway from *Inverness* to *Invergordon,* to be called "The *Inverness and Ross-shire* Railway;" and for other Purposes. *Ibid.*

cxxxii. An Act to provide for Alterations in the Appointment of Overseers, Collectors, and other Poor Law Officers in the Township of *Leeds;* for the Incorporation of Overseers for specific Purposes; and for the levying and Collection of Poor Rates in that Township; and for other Purposes. 1145

cxxxiii. An Act to enable the *Mid-Wales* Railway Company to make a Deviation in their authorized Railway, and to construct Railways to connect their Railway with the *Hereford, Hay, and Brecon*, and the *Brecon and Merthyr* Junction Railways; and for other Purposes. *Page* 1146

cxxxiv. An Act to alter, amend, and extend the Powers of the Acts relating to the *Port Carlisle* Dock and Railway, and *Carlisle and Silloth Bay* Railway and Dock Companies; to enable the *Port Carlisle* Dock and Railway Company to raise additional Capital; to enable both or either of the said Companies to run over and use Portions of the Railways of the *Newcastle-upon-Tyne and Carlisle* Railway Company; to compel the *Newcastle-upon-Tyne and Carlisle* Railway Company to afford Facilities and Accommodation upon their Railways to the Traffic of the said Companies; and for other Purposes. *Ibid.*

cxxxv. An Act to extend the Period limited by "The *Swansea* Harbour Act, 1859," for the Construction and Completion of the Works authorized by "The *Swansea* Harbour Act, 1854." 1148

cxxxvi. An Act to empower the *Stockport, Disley, and Whaley Bridge* Railway Company to raise additional Money; and for other Purposes connected with their Undertaking. *Ibid.*

cxxxvii. An Act for amending "The *Abergavenny* Improvement Act, 1854;" for enabling the Commissioners to construct Works, and supply their District with Water and Gas; and for other Purposes. *Ibid.*

cxxxviii. An Act for renewing the Term and for more effectually repairing and maintaining the Road from the *Marchburn*, through *Kelso* in the County of *Roxburgh*, to *Lauder* in the County of *Berwick*, with a Branch from the said Road near *Fansloanend* in the County of *Berwick*, through the Village of *Earlstone*, to the *Roxburghshire* Turnpike Road. 1149

cxxxix. An Act for making a Branch Railway from the *Oswestry and Newtown* Railway at *Llynclly*s to the *Porthywaen* Lime Rocks in the County of *Salop*. *Ibid.*

cxl. An Act to amalgamate the *Jedburgh* Railway Company with the *North British* Railway Company, and for other Purposes. *Ibid.*

cxli. An Act for making a Railway from *Llandrindod* in the County of *Radnor* to *Llandovery* in the County of *Carmarthen*, to be called "The *Central Wales Extension* Railway;" and for other Purposes. *Ibid.*

cxlii. An Act for making a Railway from the Royal Burgh of *Bervie* or *Inverbervie* in the County of *Kincardine* to the *Montrose* Branch of the *Scottish North-eastern* Railway in the County of *Forfar*, to be called "The *Montrose and Bervie* Railway." 1150

cxliii. An Act to extend the *Epping* Railways to *Great Dunmow* in the County of *Essex*. *Ibid.*

cxliv. An Act to enable the *Caledonian* Railway Company to acquire, make, and maintain certain Branch Railways to *Lanark* and to the *Douglas* Minerald Field, and also to their *Granton* Branch. *Ibid.*

cxlv. An Act to enable the *West of Fife Mineral* Railway Company to extend the *Kingseat* Branch of their Railway; and for certain other Purposes. *Ibid.*

cxlvi. An Act to repeal an Act of the First Year of the Reign of King *William* the Fourth, intituled *An Act for repairing the Road from* Wimborne Minster *to* Blandford Forum *in the County of* Dorset, and to make other Provisions in lieu thereof, and for other Purposes. *Ibid.*

cxlvii. An Act for the Transfer of the remaining Property of the *Hungerford Market* Company and the *Charing Cross Bridge* Company respectively to the *Charing Cross* Railway Company, and for the winding-up of the Affairs and the Dissolution of the *Hungerford Market* Company and the *Charing Cross Bridge* Company respectively, and for other Purposes. *Page* 1151

cxlviii. An Act for enabling the Local Board of Health for the Town and District of *Swansea* to construct and maintain an improved System of Waterworks; and for other Purposes. *Ibid.*

cxlix. An Act for making a Railway from the *Chester and Holyhead* Railway near *Conway* to *Llanrwst*. 1152

cl. An Act to enable the *Mersey* Docks and Harbour Board to erect Floating Bridges and other Works at *Liverpool* and *Woodside*, for improving the Communication between *Liverpool* and *Birkenhead*; and for other Purposes. *Ibid.*

cli. An Act for making better Provision for the Maintenance, Regulation, and Improvement of *Watchet* Harbour; and for other Purposes. 1153

clii. An Act to enable the *Wimbledon and Dorking* Railway Company to raise further Capital; and for other Purposes. 1154

cliii. An Act for making a Railway from the *Waterford and Kilkenny* Railway at *Kilkenny* to the *Great Southern and Western* Railway at *Mountrath*, and for other Purposes. *Ibid.*

cliv. An Act to consolidate into One Act, and to amend, extend, and enlarge the Powers and Provisions of the several Acts for embanking and draining certain Low Lands and Grounds in the Parishes or Townships of *Everton, Scaftworth, Gringley-on-the-Hill, Misterton*, and *Walkeringham* in the County of *Nottingham*, and to make further and better Provision for such Embankment and Drainage. *Ibid.*

clv. An Act for making a Railway from *Kilrush* to *Kilkee*, and for embanking and reclaiming certain Waste Lands in the Estuary of *Poulnasherry* in the County of *Clare*. 1155

clvi. An Act for authorizing the Construction of a Railway and Docks and other Works on the North Side of *Milford Haven* in the County of *Pembroke*, and for other Purposes. *Ibid.*

clvii. An Act for the Extension of the *Waveney Valley* Railway from *Bungay* to *Beccles* in *Suffolk*. 1156

clviii. An Act for authorizing the Transfer of the *Epsom and Leatherhead* Railway, and for other Purposes. *Ibid.*

clix. An Act to confer Powers on the *North British* Railway Company to enlarge their Station at *Edinburgh*, and with respect to the *Carlisle Citadel* Station. *Ibid.*

clx. An Act to enable the *Waterford and Limerick* Railway Company to construct a Tramway to the Market Place at *Limerick*, and a Railway with a Pier or Wharf in connexion therewith at their Terminus at *Waterford*; to raise additional Capital; and for other Purposes. 1157

clxi. An Act for authorizing a Lease in perpetuity of the *Vale of Towy* Railway to the *Llanelly* Railway and Dock Company, and for increasing the Capital of the Company, and for other Purposes. 1158

clxii. An Act for making Railways for the Purpose of connecting *Ryde* with *Ventnor* and the East Coast of the *Isle of Wight*, and for other Purposes. 1159

clxiii. An Act for making a Railway from *Sudbury*, through *Melford*, to *Clare*. *Ibid.*

clxiv. An Act for making a Railway from the *Vale of Clwyd* Railway at *Denbigh* in the County of *Denbigh* to *Corwen* in the County of *Merioneth*, to be called "The *Denbigh, Ruthin, and Corwen* Railway." *Ibid.*

clxv. An Act to repeal an Act, intituled *An Act for the Improvement of the Navigation of the River* Moy *in the Counties of* Mayo *and* Sligo *in* Ireland, and to grant other and further Powers for the Improvement of the said Navigation. *Ibid.*

clxvi. An Act for making Railways between the *London, Brighton, and South Coast* and *Direct Portsmouth* Railways and *Hayling Ferry*, and for other Purposes. *Page* 1160
clxvii. An Act to empower the *Bradford, Wakefield, and Leeds* Railway Company to construct a Railway to *Ossett* in the West Riding of the County of *York*; and for other Purposes. *Ibid.*
clxviii. An Act for making an improved Communication between the *Great Northern* Railway and the *Metropolitan* Railway near the *King's Cross* Station, and for authorizing certain Arrangements between the *Great Northern* and *Metropolitan* Railway Companies with reference thereto. *Ibid.*
clxix. An Act for incorporating and granting other Powers to "The Land Loan and Enfranchisement Company." *Ibid.*
clxx. An Act to alter and amend "The *Scottish* Drainage and Improvement Company's Act, 1856." 1163
clxxi. An Act to enable the *London, Brighton, and South Coast* Railway Company to make certain Alterations in their Coast Lines and in the Line of the *West End of London and Crystal Palace* Railway, a new Channel for the River *Arun*, and other Works; and for other Purposes. 1164
clxxii. An Act for enabling the *Mid-Sussex and Midhurst Junction* Railway Company to deviate a Portion of the authorized Line of the *Mid-Sussex and Midhurst Junction* Railway, 1859. 1166
clxxiii. An Act for making a Railway from the *Mid-Sussex and Midhurst Junction* Railway to *Petersfield* in the County of *Southampton*. 1167
clxxiv. An Act for the Transfer of the *Farnborough Extension* Railway to the *London, Chatham, and Dover* Railway Company, and for the Dissolution of the *West End of London and Crystal Palace* Railway Company; and for other Purposes. *Ibid.*
clxxv. An Act for making a Railway from *Llanidloes* in the County of *Montgomery* to *Pencader* in the County of *Carmarthen*, and for other Purposes. 1169
clxxvi. An Act for consolidating the Acts relating to the Widow's Fund of the Royal College of Surgeons of *Edinburgh*, for regulating the future Management of the said Fund, and for other Purposes. *Ibid.*
clxxvii. An Act for enabling the *London, Chatham, and Dover* Railway Company to extend their Railway Communications to the Metropolis; and for other Purposes connected with their Undertaking. 1170
clxxviii. An Act to enable the *Monkland* Railways Company to make and maintain a Branch Railway to *Shotts* Ironworks, and certain other Branches and Works in the Counties of *Lanark* and *Linlithgow*; and for other Purposes. 1173
clxxix. An Act for vesting the *Hay* Railway in the *Hereford, Hay, and Brecon* Railway Company, and for dissolving the *Hay* Railway Company, and for other Purposes. 1174
clxxx. An Act for making a Railway from the *Mid-Sussex* Railway to the *Godalming* Branch of the *London and South-western* Railway at *Guildford*, to be called "The *Horsham and Guildford Direct* Railway." 1175
clxxxi. An Act to confer upon the Local Board of Health for *Macclesfield* further Powers with reference to the Supply of Gas, and for other Purposes. 1176
clxxxii. An Act to authorize the Lease or Sale of the *Athenry and Tuam* Railway to the *Midland Great Western* Railway of *Ireland* Company, and for other Purposes. 1177
clxxxiii. An Act for establishing Railway Communication between *Bedford* and *Cambridge*, and for other Purposes. 1180
clxxxiv. An Act for confirming, with certain Variations, an Agreement made in the Year 1682 between the Masters of the Bench of the Honourable Society of *Lincoln's Inn* and *Henry Serle* Esquire, and for the future Government and Regulation of *Serle's Court*, now commonly called *New Square, Lincoln's Inn*. *Page* 1183
clxxxv. An Act for authorizing the *London and South-western* Railway Company to alter their *Kingston Bridge* Line; and for authorizing divers Arrangements between them and other Companies; and for other Purposes. 1187
clxxxvi. An Act for enabling the Local Board of Health for the Borough of *Wigan* to abandon a Portion of their Waterworks, and to construct and maintain other Waterworks; and for other Purposes. 1193
clxxxvii. An Act for the Creation of Capital Stocks and Debenture Stock of the *London, Chatham, and Dover* Railway Company, and for other Purposes. 1194
clxxxviii. An Act for making a Railway from *Llangollen* in the County of *Denbigh* to *Corwen* in the County of *Merioneth*, and for other Purposes. 1195
clxxxix. An Act for providing and constructing Markets, Market Places, and Slaughter-houses, with all necessary Conveniences, within the Parishes of *Burnham* and *Huntspill* in the County of *Somerset*, and for supplying and lighting with Gas the Town or Hamlet of *Highbridge* and the Parishes or Places adjacent, all in the County of *Somerset*. 1196
cxc. An Act for the improving of the Navigation of the River *Fergus*, and the embanking and reclaiming from the Sea of Waste Lands subject to be overflowed by the Tide on the Eastern and Western Sides of the River in the County of *Clare*. 1197
cxci. An Act for converting Part of the River *Brue* into a Tidal Harbour, for making a Quay or Landing Place at *Burnham* in the County of *Somerset*, for regulating the Access thereto, and for other Purposes. *Ibid.*
cxcii. An Act for making a Railway from the Town of *Aylesbury* to join the *Buckinghamshire* Railway at or near the *Claydon Junction*, to be called "The *Aylesbury and Buckingham* Railway," and for other Purposes. 1198
cxciii. An Act to establish at *Smithfield* in the City of *London* a Metropolitan Market for Meat, Poultry, and other Provisions; and for other Purposes connected therewith. 1199
cxciv. An Act to rectify a Mistake in an Act of the present Session, "for incorporating and granting other Powers to 'The Land Loan and Enfranchisement Company.'" 1205
cxcv. An Act to authorize the Amalgamation of the *Border Counties* Railway Company with the *North British* Railway Company: and for other Purposes. 1206
cxcvi. An Act for making a Railway from the *Great Western* Railway to the Town of *Faringdon*, to be called "The *Faringdon* Railway." 1207
cxcvii. An Act for forming a new Street and Railway to connect the *Metropolitan* Railway with the proposed Meat Market at *Smithfield* in the City of *London*, with a Depôt and Storehouses, and for other Purposes. *Ibid.*
cxcviii. An Act to enable the *Hamilton and Strathaven* Railway Company to create Preference Shares; to extend the Time for completing their Line; and for other Purposes. 1211
cxcix. An Act to extend the Time for the Completion of the *Forest of Dean Central* Railway, and for other Purposes. 1212
cc. An Act for making a Railway from the *Midland Great Western* Railway of *Ireland* to the *Limerick and Ennis* Railway, to be called "The *Athenry and Ennis Junction* Railway," and for other Purposes. *Ibid.*

cci. An Act for more effectually making, maintaining, and keeping in repair the Highways, Roads, and Bridges within the County of *Caithness*, and for other Purposes. *Page* 1213
ccii. An Act to revive some of the Powers of "The *Galway* Harbour and Port Act, 1853," and to confer additional Powers on the *Galway* Harbour Commissioners, and for other Purposes. *Page* 1214
cciii. An Act to incorporate a Company for making Railways in the West Part of the County of *Cork*, and for other Purposes. 1215

PRIVATE ACTS,

PRINTED BY THE QUEEN'S PRINTER,

AND WHEREOF THE PRINTED COPIES MAY BE GIVEN IN EVIDENCE.

1. AN Act for the Sale of certain Estates at *Gibraltar* held on the Trusts of the Will of *John Maria Boschetti* deceased, and for the Investment of the Proceeds thereof in this Country. 1216
2. An Act to incorporate the Governors of the Hospital in *Edinburgh* founded by *Daniel Stewart*, and to amend and explain his Trust Settlement. *Ibid.*
3. An Act for the better leasing of the *Walworth* Manor Estate in the Parish of *Newington* in the County of *Surrey* to the respective Trustees of the Wills of *Samuel Brandon* deceased and *Thomas Brandon* deceased, and for Exchanges and a Partition, and other Purposes. *Ibid.*
4. An Act for the Sale of the Settled Estates in the Counties of *Sligo* and *Galway* of *John* Lord *De Freyne*, and for the Purchase of Estates in the County of *Roscommon*, to be limited to the Uses of those Settled Estates. *Ibid.*
5. An Act to enable the Trustees of Lord *Beauchamp*'s Charity to purchase the Right of Nomination to the Chapelry of *Newland* in the County of *Worcester*, and to vest in them the Site of the Church or Chapel of *Newland*. 1216
6. An Act for granting further Power to lease for Building and Improving Purposes certain Parts of the Estates situate in the County of *Dublin* of Sir *Charles Compton William Domvile* Baronet, and to accept Surrenders of Leases of such Portions of the said Estates, and for other Purposes. *Ibid.*
7. An Act to vary or extend certain borrowing Powers contained in the Settlement of the Duke of *Norfolk*'s Estates, and for other Purposes. *Ibid.*
8. An Act for amending the Powers of Leasing contained in the Will of the Right Honourable *Edward Michael* late Earl of *Longford* and Baron *Silchester* deceased, and for other Purposes. *Ibid.*
9. An Act for authorizing the raising of Money for Payment of Incumbrances on the Estates in the Counties of *Roscommon* and *Sligo* and *Queen's County* of which the Right Honourable *Robert* Viscount *Lorton* is Tenant for Life in Possession, by Mortgage instead of Sale. *Ibid.*

PRIVATE ACT,

NOT PRINTED.

10. An Act for naturalizing *Charles Maria Joseph Livy Anthony James Joachim Levingstone Bandini Giustiniani*, *Caroline Maria Elena Gioacchina Bandini Giustiniani*, and *Elena Maria Concetta Isabella Gioacchina Guiseppa Bandini Giustiniani*, the Infant Children of *Sigismund Nicholas Venantius Gaietano Francis Bandini Giustiniani* Esquire, commonly called Viscount *Kynnaird* Marquess *Bandini* in the *Roman* States, the only Son and Heir Apparent of *Maria Cecilia Agatha Anna Josepha Laurentia Donata Melchiora Balthassara Gaspara* Countess of *Newburgh*.

THE

STATUTES at Large, &c.

Anno Regni VICTORIÆ, Britanniarum Reginæ, Vicesimo Primo & Vicesimo Secundo.

'AT the Parliament begun and holden at *Westminster*, the Thirtieth Day of *April*, *Anno Domini* 1857, in the Twentieth Year of the Reign of our Sovereign Lady *Victoria*, by the Grace of God, of the United Kingdom of *Great Britain* and *Ireland*, Queen, Defender of the Faith: And from thence continued, by several Prorogations, to the Third Day of *December* 1857; being the Second Session of the Seventeenth Parliament of the United Kingdom of *Great Britain* and *Ireland*.'

CAP. I.

An Act to indemnify the Governor and Company of the Bank of *England* in respect of certain Issues of their Notes, and to confirm such Issues, and to authorize further Issues for a Time to be limited. [12th *December* 1857.]

'WHEREAS by the Act of the Session holden in the Seventh and Eighth Years of Her Majesty, Chapter Thirty-two, "to regulate the Issue of Bank Notes and for giving to the Governor and "Company of the Bank of *England* certain Privileges for a limited Period," the Governor and Company of the Bank of *England* are prohibited from issuing Bank of *England* Notes either into the Banking Department of the Bank of *England* or to any Persons or Person whatsoever, save in exchange for other Bank of *England* Notes, or for Gold Coin, or for Gold or Silver Bullion received or purchased for the Issue Department of the said Bank under the Provisions of that Act, or in exchange for Securities acquired and taken in the said Issue Department under the Provisions therein contained: And whereas under the said Act and an Order in Council issued under the Provisions thereof the Amount of Securities to be acquired and taken in the said Issue Department stands limited not to exceed the Sum of Fourteen million four hundred and seventy-five thousand Pounds: And whereas by a Letter dated the Twelfth Day of *November* last the First Lord of the Treasury and the Chancellor of the Exchequer informed the Governor and Deputy Governor of the Bank of *England* that Her Majesty's Government had observed with great Concern the serious Consequences which had ensued from the recent Failure of certain Joint Stock Banks in *England* and *Scotland*, as well as of certain large mercantile Firms chiefly connected with the *American* Trade; that the Discredit and Distrust which had resulted from these Events, and the Withdrawal of a large Amount of the Paper Circulation authorized by the existing Bank Acts, appeared to Her Majesty's Government to render it necessary for them to inform the Bank of *England* that if they should be unable in the present Emergency to meet the Demands for Discounts and Advances upon approved Securities without exceeding the Limits of their Circulation prescribed by the Act of One thousand eight hundred and forty-four, the Government would be prepared to propose to Parliament upon its meeting a Bill of Indemnity for any Excess so issued; and that, in order to prevent that temporary Relaxation of the Law being extended beyond the actual Necessities of the Occasion, Her Majesty's Government were of opinion that the Bank Terms of Discount should not be reduced below their then present Rate: And whereas the Governor and Company of the Bank of *England* have since the said Twelfth Day of *November* One thousand eight hundred and fifty-seven issued Bank of *England* Notes in exchange for Securities acquired and taken in the said Issue Department beyond the Amount limited by Law, and it is expedient that the Acts of the said Governor and Company in relation to the Matters aforesaid should be confirmed, and that the Restriction on the Amount of the Securities to be acquired and taken in the said Issue Department should be suspended for a limited Time:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same as follows: 7 & 8 Vict. c. 32.

Issues of Bank of England Notes since 12th Nov. 1857 in excess of those authorized by Law confirmed and made valid.

I. All such Issues of Bank of *England* Notes as may have been made by the said Governor and Company, or by their Order or Direction, since the said Twelfth Day of *November* One thousand eight hundred and fifty-seven, although beyond the Amount authorized by Law, and all Acts necessary for the making of such Issues, and for the acquiring and taking since the said Twelfth Day of *November* One thousand eight hundred and fifty-seven Securities in the Issue Department of the Bank of *England* beyond the Amount authorized by Law, shall be confirmed and made valid; and the said Governor and Company, and all Persons who have been concerned in such Issues or in doing or advising any such Acts as aforesaid, are hereby indemnified and discharged in respect thereof, and all Indictments and Informations, Actions, Suits, Prosecutions, and Proceedings whatsoever commenced or to be commenced against the said Governor and Company or any Person or Persons in relation to the Acts and Matters aforesaid, or any of them, are hereby discharged and made void.

The Restriction on the Amount of Securities to be taken in the Issue Department suspended.

II. So much of the said Act of the Seventh and Eighth Years of Her Majesty as limits the Amount of the Securities to be acquired and taken in the Issue Department of the Bank of *England* shall be and be deemed to have been suspended as from the Twelfth Day of *November* One thousand eight hundred and fifty-seven, and shall continue suspended until the Expiration of Twenty-eight Days after the First Meeting or Sitting of Parliament in the Year One thousand eight hundred and fifty-eight, subject to the Proviso herein-after contained, and during such Suspension the Provisions of the said Act in relation to the Issue of Bank of *England* Notes shall be construed and take effect as if the Restriction on the Amount of Securities in the said Issue Department, and the Prohibition of the Increase of such Amount and of the Issue of additional Bank of *England* Notes thereon, had not been contained in the said Act: Provided always, that if before the Expiration of the Time herein-before limited the Governor and Company of the Bank of *England* give public Notice that they have reduced the minimum Rate of Interest required by them below the Rate of Ten *per Centum per Annum*, the said Suspension shall cease.

The Issues in excess to be reduced on or before the Expiration of the Suspension.

III. Upon or before the Expiration or Cesser of the Suspension aforesaid the Excess of Issues herein-before confirmed shall be reduced to the Amount which would have been authorized by Law if this Act had not been passed; and, subject to the Indemnity and discharge hereby given, all the Provisions of the said recited Act shall, after such Expiration or Cesser, be and remain in full Force.

CAP. II.

An Act to settle Annuities on Lady *Havelock* and Sir *Henry Marshman Havelock*, in consideration of the eminent Services of the late Major General *Havelock*. [22d *March* 1858.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of *Great Britain* and *Ireland* in Parliament assembled, duly considering the Approbation graciously signified by Your Majesty of the eminent and distinguished Services rendered by the late Major General *Havelock*, in Command of a Body of *British* and Native Troops in *India*, and particularly in the gallant and successful Operations undertaken for the Relief of the Garrison of *Lucknow*, do most humbly beseech Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Power to grant an Annuity of 1,000*l.* to Lady Havelock, Widow of Sir H. Havelock; and a like Annuity to Sir H. M. Havelock, Bart.

I. An Annuity of One thousand Pounds shall be paid to *Hannah Shepherd* Lady *Havelock*, Widow of the late Major General *Henry Havelock* of *Lucknow*, Knight Commander of the Most Honourable Order of the Bath, for the Term of her natural Life; and a like Annuity of One thousand Pounds shall be paid to Sir *Henry Marshman Havelock*, Baronet, eldest Son of the said late Major General *Havelock*, for the Term of the natural Life of the said Sir *Henry Marshman Havelock*, and the said Annuities shall issue and be payable out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, and shall be deemed to have commenced and taken effect from the Fifth Day of *February* One thousand eight hundred and fifty-eight, and the First Payment of a proportionate Part thereof respectively for the Period from such Commencement to the Fifth Day of *April* One thousand eight hundred and fifty-eight shall be made on the said Fifth Day of *April* One thousand eight hundred and fifty-eight, and such Annuities shall thereafter be paid quarterly, (that is to say,) on the Fifth Day of *July*, the Tenth Day of *October*, the Fifth Day of *January*, and the Fifth Day of *April* in every Year; and the Receipts of the said Lady *Havelock* and Sir *Henry Marshman Havelock* respectively, or of such other Persons as shall be duly authorized and appointed by her or him to receive her or his respective Annuity, shall be a good and sufficient Discharge for the Payments thereof; and the said Annuities shall be clear of all Taxes and all other Charges whatsoever, except Income Tax.

CAP. III.

An Act for enabling the *East India* Company to raise Money in the United Kingdom for the Service of the Government of *India*. [22d *March* 1858.]

'WHEREAS in consequence of the Disturbances in *India* it is expedient that the *East India* Company should be enabled to raise Money in the United Kingdom on the Credit of the 'Revenues of *India*:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the

Advice

Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Power to East India Company to raise any Sum not exceeding 8,000,000*l.*

I. It shall be lawful for the Court of Directors of the *East India* Company, under the Direction and Control of the Board of Commissioners for the Affairs of *India*, at any Time or Times before the Thirtieth Day of *April* One thousand eight hundred and fifty-nine, or if Parliament be then sitting before the End of the then Session of Parliament, to raise in the United Kingdom for the Service of the Government of *India* any Sum or Sums of Money not exceeding in the whole Eight Millions as herein-after provided.

Money may be raised on Bonds of the Company.

II. It shall be lawful for the said Court of Directors, under such Direction and Control as aforesaid, from Time to Time to borrow upon Bonds, to be issued under the Common Seal of the said Company, all or any Part of the Money hereby authorized to be raised as aforesaid, such Bonds to be for such respective Amounts payable after such Notice and at such Rate or Rates of Interest as the said Court of Directors, under such Direction and Control, may think fit.

When Money not borrowed on Bond, Debentures may be issued by the Company.

III. For raising all or any Part of the Money by this Act authorized to be raised which may not be borrowed on Bond as aforesaid, it shall be lawful for the said Court of Directors, under such Direction and Control as aforesaid, to issue from Time to Time Debentures, under the Common Seal of the said Company, for such respective Amounts and at such Rate or Rates of Interest as the said Court of Directors, under such Direction and Control as aforesaid, think fit, such Debentures to be issued at or for such Prices and on such Terms as may be determined by the said Court of Directors, under such Direction and Control as aforesaid.

As to Payment of Principal and Interest on Debentures.

IV. All Debentures issued under the Authority of this Act shall be paid off at Par at a Time or Times to be mentioned in such Debentures respectively, and the Interest on all such Debentures shall be payable half-yearly on such Days as shall be mentioned therein, and the Principal Monies and Interest secured by such Debentures shall be payable at the Treasury of the said Company in *London*.

Debentures transferable by Delivery.

V. All Debentures issued under the Authority of this Act, and all Right to and in respect of the Principal Monies secured thereby, and all Interest due and accruing thereon, shall be transferable by the Delivery of such Debentures respectively.

The whole Amount secured by Bonds, &c. not to exceed 8,000,000*l.*

VI. The whole Amount of Principal Monies to be secured by Bonds or Debentures, or by Bonds and Debentures, to be issued under this Act, shall not exceed Eight Millions; and no Money shall be raised or secured under the Authority of this Act after the said Thirtieth Day of *April* One thousand eight hundred and fifty-nine, or if Parliament be then sitting after the End of the then Session of Parliament, save for or upon the Repayment of Principal Monies previously secured under this Act, as herein-after provided.

Power to raise Money for Repayment of Principal Monies.

VII. Upon or for the Repayment of the Principal Money secured under the Authority of this Act, or any Part of such Money, the Court of Directors may, at any Time, under such Direction and Control as aforesaid, borrow or raise by Bonds or Debentures as aforesaid all or any Part of the Amount of Principal Money repaid or to be repaid, and so from Time to Time as all or any Part of any Principal Money for the Time being secured under this Act may require to be repaid; but the Amount to be secured by new Securities shall not in any Case exceed the Principal Money required to be repaid.

Securities to be charged on Revenues of India.

VIII. All Bonds and Debentures to be issued under this Act, and the Principal Monies and Interest thereby secured, shall be charged on and payable out of the Revenues of the Territories under the Government of the said Company, in like Manner as other Liabilities incurred on account of the Government of the said Territories.

Composition for Stamp Duties on India Bonds extended to Bonds, &c. under this Act.

IX. The Provisions contained in Section Four of the Act of the Session holden in the Fifth and Sixth Years of King *William* the Fourth, Chapter Sixty-four, with respect to the Composition and Agreement for the Payment by the said Company of an annual Sum in lieu of Stamp Duties on their Bonds, and the Exemption of their Bonds from Stamp Duties, shall be applicable with respect to the Bonds and Debentures to be issued under the Authority of this Act, as if such Provisions were here repeated and re-enacted with reference thereto.

Forgery of Debentures to be punishable as Forgery of East Indian Bonds.

X. All Provisions now in force in anywise relating to the Offence of forging or altering, or offering, uttering, disposing of, or putting off, knowing the same to be forged or altered, any *East India* Bond, with Intent to defraud, shall extend and be applicable to and in respect of any Debenture issued under the Common Seal of the said Company under the Authority of this Act, as well as to and in respect of any Bond issued under the Seal of the said Company under such Authority.

Returns to be annually prepared of Monies raised on Loan, &c. and presented to Parliament.

XI. Provided always, That, on or before the First Day of *February* in each Year, the Court of Directors of the *East India* Company, under such Direction and Control as aforesaid, shall prepare or cause to be prepared a Return of all Monies raised on Loan under the Provisions of this Act; also, a Return of all Stocks, Loans, Debts, and Liabilities then chargeable on the *East India* Revenues at Home and Abroad, up to the latest Period of Time to which such Return can be made out; that all such Returns shall be presented to both Houses of Parliament on or before the First Day of *February* in each Year, if Parliament is then sitting, and if Parliament is not sitting, then such Returns shall be presented within Ten Days of the First Meeting of Parliament after the First Day of *February* in each Year.

Existing Powers of Company not prejudiced.

XII. This Act shall not prejudice or affect any Power of raising or borrowing Money vested in the said Company at the Time of the passing thereof.

CAP. IV.

An Act to continue an Act of the last Session to authorize the embodying of the Militia. [25th *March* 1858.]

'WHEREAS by an Act of the last Session of Parliament, Chapter Eighty-two, it was enacted, that 'it should be lawful for Her Majesty, and for the Lord Lieutenant or other Chief Governor or 'Governors of *Ireland*, respectively, at any Time after the passing of that Act, and before the Twenty-'fifth Day of *March* One thousand eight hundred and fifty-eight, to cause all or any Part of the 'respective Militias in *England*, *Scotland*, and *Ireland* to be drawn out and embodied in like Manner as 'in the respective Cases in which such Militias were then by Law authorized to be drawn out and 'embodied: And whereas it is expedient that the said Act should be continued as herein-after men-'tioned:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Powers of 20 & 21 Vict. c. 82. continued to 25th March 1859.

I. All the Powers and Provisions of the said Act shall be continued and shall have effect as if the Twenty-fifth Day of *March* One thousand eight hundred and fifty-nine had been mentioned therein instead of the Twenty-fifth Day of *March* One thousand eight hundred and fifty-eight.

CAP. V.

An Act to apply the Sum of Ten Millions out of the Consolidated Fund to the Service of the Year One thousand eight hundred and fifty-eight. [26th *March* 1858.]

CAP. VI.

An Act to apply the Sum of Five hundred thousand Pounds out of the Consolidated Fund to the Service of the Year ending the Thirty-first Day of *March* One thousand eight hundred and fifty-eight. [26th *March* 1858.]

CAP. VII.

An Act for the Regulation of Her Majesty's Royal Marine Forces while on shore. [26th *March* 1858.]

[*In* §§ 1, 8, 9, 24, 25, *and* 27 *the Punishment of Transportation is taken away, in accordance with* 20 *&* 21 *Vict. c.* 3. *In other respects, except as to Dates and the Sections and Parts of Schedule here inserted, this Act is the same as* 20 *Vict. c.* 14.]

Provisions of this Act to extend to Jersey, &c.

III. This Act shall extend to the Islands of *Jersey*, *Guernsey*, *Alderney*, *Sark*, and *Man*, and the Islands thereto belonging, as to the Provisions herein contained for enlisting of Recruits, whether Minors or of full Age, and swearing and attesting such Recruits, and for mustering and paying, and to the Provisions for Trial and Punishment of Officers and Marines who shall be charged with Mutiny and Desertion or any other of the Offences which are by this Act declared to be punishable by the Sentence of a Court-martial, and also to the Provisions which relate to the Punishment of Persons who shall fraudulently confess themselves to be Deserters, or who shall conceal Deserters, or shall knowingly buy, exchange, or otherwise receive any Arms, Medals for Good Conduct or for distinguished or other Service, Clothes, Military Furniture, or Regimental Necessaries from any Marine or Deserter, or who shall cause the Colour of any such Clothes to be changed; and also to the Provisions for exempting Marines from being taken out of Her Majesty's Service for not supporting or for leaving chargeable to any Parish any Wife or Child or Children, or on account of any Breach of Contract to serve or work for any Employer, or on account of any Debts under Thirty Pounds in the said Islands.

Commutation of Death for Penal Servitude or other Punishment.

XXIII. Whensoever any General Court-martial by which any Marine shall have been tried and convicted of any Offence punishable by Death shall not think the Offence deserving of Capital Punishment, such Court-martial may adjudge the Offender, according to the Degree of the Offence, to be kept in Penal Servitude for any Term not less than Four Years: Provided always, that in all Cases where the Punishment of Death shall have been awarded by a General Court-martial or by a Detachment General Court-martial it shall be lawful for Her Majesty, or, if in the *East Indies*, for the Officer commanding in chief the Forces in *India*, or if out of Her Majesty's Dominions for the Officer commanding in chief Her Majesty's Forces there serving, instead of causing such Sentence to be carried into execution, to order the Offender to be kept to Penal Servitude for any Term not less than Four Years, or to suffer such Term of Imprisonment, with or without Hard Labour, and with or without Solitary Confinement, such Confinement not exceeding the Period herein-after prescribed, as shall seem meet to Her Majesty, or, if in the *East Indies*, or out of Her Majesty's Dominions, to the Officers commanding as aforesaid.

As to Execution of Sentences of Penal Servitude in the Colonies.

XXVI. Whenever any Sentence of Penal Servitude heretofore or hereafter passed upon any Offender by any Court-martial holden in the *East Indies*, or in any Part of Her Majesty's Foreign Dominions, or elsewhere beyond the Seas, is to be carried into execution for the Term specified in such Sentence, or for any shorter Term, or when Sentence of Death passed by any such Court-martial has been or shall

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as aforesaid be commuted to Penal Servitude, the same shall be notified by the Officer commanding Her Majesty's Forces at the Presidency or Station where the Offender may come or be to some Judge of One of the Supreme Courts of Judicature in the *East Indies*, or the Chief Justice or some other Judge, as the Case may be, in any Part of Her Majesty's Foreign Dominions, who shall make Order for the Penal Servitude or intermediate Custody of such Offender; and upon any such Order being made it shall be duly notified to the Governor of the Presidency if in the *East Indies*, or to the Governor of the Colony if in any of Her Majesty's Colonies, or to the Person who shall for the Time being be exercising the Office of Governor of such Presidency or Colony, who on Receipt of such Notification shall cause such Offender to be removed or sent to some other Colony or Place, or to undergo his Sentence within the Presidency or Colony where the Offender was so sentenced or where he may come or be as aforesaid in obedience to the Directions for the Removal and Treatment of Convicts which shall from Time to Time be transmitted from Her Majesty through One of Her Principal Secretaries of State to such Presidency or Colony; and such Offender shall, according to such Directions, undergo the Sentence of Penal Servitude which shall have been passed upon him either in the Presidency or Colony in which he has been so sentenced, or in the Colony or Place to which he has been so removed or sent, and whilst such Sentence shall remain in force shall be liable to be imprisoned and kept to Hard Labour, and otherwise dealt with under such Sentence, in the same Manner as if he had been sentenced to be imprisoned with Hard Labour during the Term of his Penal Servitude by the Judgment of a Court of competent Jurisdiction in such Presidency or Colony or in the Colony or Place to which he has been so removed or sent respectively: Provided always, that in any Case where a Sentence of Penal Servitude shall have been awarded by a General Court-martial or Detachment General Court-martial, it shall be lawful for Her Majesty, or, if in the *East Indies*, for the Officer commanding in chief the Forces in *India*, or if out of Her Majesty's Dominions for the Officer commanding in chief Her Majesty's Forces there serving, instead of causing such Sentence to be carried into execution, to order that the Offender be imprisoned with or without Hard Labour and with or without Solitary Confinement, such Confinement not exceeding the Period herein-after prescribed, for the same or such lesser Term as shall seem meet to Her Majesty, or, if in the *East Indies*, or out of Her Majesty's Dominions, to the Officers commanding as aforesaid.

Power to commute Corporal Punishment.

XXX. In all Cases in which Corporal Punishment shall form the whole or Part of the Sentence awarded by any Court-martial, it shall be lawful for the Lord High Admiral of the United Kingdom of *Great Britain* and *Ireland*, or the Commissioners for executing the Office of Lord High Admiral of the United Kingdom of *Great Britain* and *Ireland*, or for the Officer authorized to confirm the Sentences of Courts-martial, to commute such Corporal Punishment to Imprisonment for any Period not exceeding Forty-two Days, with or without Hard Labour, and with or without Solitary Confinement, or to mitigate such Sentence, or instead of such Sentence to award Imprisonment, for any Period not exceeding Twenty Days, with or without Hard Labour, and with or without Solitary Confinement, and Corporal Punishment, to be inflicted in the Prison, not exceeding Twenty-five Lashes, and the Solitary Confinement herein-before mentioned shall in no Case exceed Seven Days at a Time, with Intervals of not less than Seven Days between each Period of such Confinement.

Forfeiture of Pay and Pension by Sentence of Court-martial.

XXXI. Any General Court-martial may, in addition to any other Punishment which such Court may award, sentence any Offender to Forfeiture of all Advantage as to additional Pay, Good-conduct Pay, and to Pension on Discharge, which might have otherwise accrued from the Length of his former Service, or to Forfeiture of such Advantage absolutely, whether it might have accrued from past Service, or might accrue from future Service, or to Forfeiture of any Annuity and Medal which may have been granted for former meritorious Service, or of the Gratuity and Medal awarded for former Good Conduct, and of all Medals and Decorations, according to the Nature of the Case; and any District or Garrison Court-martial may also, in addition to any Punishment which such Court may award, sentence any Offender to such Forfeiture for Desertion, or for disgraceful Conduct,

In wilfully maiming or injuring himself or any other Marine, whether at the Instance of such other Marine or not, or of causing himself to be maimed or injured by any other Person, with Intent thereby to render himself or such other Marine unfit for Service:

In wilfully doing any Act, or wilfully disobeying any Orders, whether in Hospital or otherwise, thereby producing or aggravating Disease or Infirmity, or delaying his Cure:

In malingering or feigning Disease:

In tampering with his Eyes, with Intent thereby to render himself unfit for Service:

In stealing or embezzling Government Property or Stores, or in receiving the same knowing the same to have been stolen:

In stealing any Money or Goods the Property of a Comrade, of a Marine Officer, or of any Marine Mess or Band, or in receiving any such Money or Goods knowing the same to have been stolen:

In making any false or fraudulent Accounts, Returns, Matters, or Entries, or assisting or conniving at the same being made, or producing the same as true, knowing the same to be false or fraudulent:

In stealing or embezzling or fraudulently misapplying Public Money intrusted to him:

Or in committing any other Offence of a felonious or fraudulent Nature, to the Injury of, or with Intent to injure, any Person, Civil, Marine, or Military:

Or for any other disgraceful Conduct, being of a cruel, indecent, or unnatural Kind.

XXXII. Every

Forfeiture of Pay on Conviction of Desertion or Felony.

XXXII. Every Marine who shall be found guilty by a Court-martial of Desertion, of wilfully maiming or injuring himself or any other Marine, whether at the Instance of such other Marine or not, or of causing himself to be maimed or injured by any other Person, with Intent thereby to render himself or such other Marine unfit for Service, of tampering with his Eyes with Intent thereby to render himself unfit for Service, such Finding having been confirmed, or of Felony in any Court of ordinary Criminal Jurisdiction in *England* or *Ireland*, or of any Crime or Offence in any Court of Criminal Judicature in any Part of the United Kingdom, or in any Dominion, Territory, Colony, Settlement, or Island belonging to or occupied by Her Majesty out of the United Kingdom, which would, if committed in *England*, amount to Felony, shall thereupon forfeit all Advantage as to additional Pay, Good-conduct Pay, and to Pension on Discharge which might have otherwise accrued from the Length of his former Service, in addition to any Punishment which such Court may award.

Stoppages.

XXXVI. In addition to any other Punishment which the Court may award, a Court-martial may further direct that any Offender may be put under Stoppages until he shall have made good—

Any Bounty fraudulently obtained by him by Desertion from his Corps and enlisting in some other Corps or in the Militia:

Any Loss, Disposal of, or Damage occasioned by him in any of the Instances of disgraceful Conduct herein specified:

Any Loss, Disposal of, or Destruction of, or Damage or Injury to, any Property whatsoever, occasioned by his wilful or negligent Misconduct:

Any Loss, Disposal of, or Destruction of, or Damage or Injury to, his Arms, Clothing, Instruments, Equipments, Accoutrements, or Necessaries, or any extra Article of Clothing or Equipment that he may have been put in possession of and ordered to wear on the Recommendation of the Surgeon for the Benefit of his Health, or making away with or pawning any Medal or Decoration for Service or for general Good Conduct which may have been granted to him by Order of Her Majesty or by Order of the *East India* Company, or any Medal or Decoration which may have been granted to him by any Foreign Power, or any Loss, Disposal of, or Destruction of, or Damage or Injury to the Arms, Clothing, Instruments, Equipments, Accoutrements, or Necessaries of any Officer or Marine, occasioned by his wilful or negligent Misconduct:

Any Expense necessarily incurred by his Drunkenness or other Misconduct:

Provided always, that, except in the Case of the Loss, Disposal of, or Destruction of, or Damage or Injury to, Arms, Clothing, Instruments, Equipments, Accoutrements, or Necessaries, in which Case the Court may by its Sentence direct that the said Stoppages shall continue till the Cost of replacing or repairing the same be made good, the Amount of any Loss, Disposal, Destruction, Damage or Injury, or Expense, shall be ascertained by Evidence, and the Offender shall be placed under Stoppages for such an Amount only as shall be proved to the Satisfaction of the Court: Provided also, that when an Offender is put under Stoppages for making away with or pawning any Medal or Decoration, the Amount shall be credited to the Public, but the Medal or Decoration in question shall not be replaced, except under special Circumstances, to be determined by the Lord High Admiral or the Commissioners for executing the Office of Lord High Admiral aforesaid: Provided also, that after satisfying the Charges for his messing and washing, so much only of the Pay of the Marine may be stopped and applied as shall leave him a Residue at the least of One Penny a Day.

Proviso for Removal of Prisoners.

XLII. In the Case of a Prisoner undergoing or liable to Imprisonment under Sentence of a Court-martial, or as Part of commuted Punishment, in any public Prison, or in any Gaol or House of Correction, or elsewhere, in any Part of Her Majesty's Dominions, it shall be lawful for the said Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral for the Time being, in all Cases, or for the Officer commanding the Division in the Case of a Prisoner imprisoned under the Sentence of a Divisional Court-martial, of his sole Authority, and in all other Cases with the Consent of the Officer commanding the District, Garrison, Island, or Colony, or of the Officer by whom the Sentence of the Court shall have been confirmed, as the Case may be, to give, as often as Occasion may arise, an Order in Writing directing that the Prisoner be discharged, or be delivered over to Military Custody, whether for the Purpose of being removed to some other Prison or Place, there to undergo the Remainder or any Part of his Sentence, or for the Purpose of being brought before a Court-martial either as a Witness or for Trial or otherwise; and such Prisoner shall accordingly, on the Production of such Order, be discharged or be delivered over, as the Case may be: Provided always, that the Time during which any Prisoner under Sentence of Imprisonment by a Court-martial shall be detained in Military Custody shall be reckoned as Imprisonment under the Sentence, for whatever Purpose such Detention shall take place.

Offences connected with Enlistment.

LXI. If any Recruit shall receive Enlisting Money, knowing it to be such, from any Person employed in the Recruiting Service and authorized to enlist Recruits, and shall abscond or refuse to go before such Justice, or shall after his Enlistment absent himself from the Recruiting Party or Person with whom he enlisted, and shall not voluntarily return to go before some Justice within such Period of Ninety-six Hours as aforesaid, such Recruit shall at the Expiration of such Period of Ninety-six Hours be deemed to be enlisted and a Private in Her Majesty's Royal Marine Forces as fully to all Intents and Purposes as if he had been duly attested, and may be apprehended and punished as a Deserter, or

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for being absent without Leave, under any Articles of War made for the Punishment of Mutiny and Desertion; and such Recruit shall not be discharged by any Justice of the Peace after the Expiration of such Ninety-six Hours as aforesaid, unless it shall be proved to the Satisfaction of such Justice that the true Name and Residence of the Recruit were disclosed and known to the Recruiting Party, and that no Notice was given to the Recruit, or left at his usual Place of Abode, of his having so enlisted, or that the true Name and Residence of the Recruit were not taken down in Writing: Provided always, that in every Case wherein any Recruit shall have received Enlisting Money, and shall have absconded so that it shall not be possible immediately to apprehend and bring him before a Justice, the Officer or Non-commissioned Officer commanding the Party shall produce to the Justice before whom the Recruit ought regularly to have been brought for Attestation a Certificate of the Name and Place of Residence of such Recruit; and the Justice to whom such Certificate shall be produced shall, after satisfying himself that the Recruit who had so absconded cannot be found and apprehended, transmit a Duplicate thereof to the Secretary of the Admiralty, in order that, in the event of such Recruit being afterwards apprehended and reported as a Deserter, the Facts of his having received Enlisting Money, and having absconded after having been enlisted, may be ascertained before he shall be finally adjudged to be a Deserter; and it shall be lawful for any Two Justices acting for the County, Division, District, or Place where any such Recruit shall at any Time happen to be when any such Recruit shall be brought, and shall be proved upon Oath before them to have concealed his belonging or having belonged to any Regiment, or to the Marines, Ordnance, Militia, or Navy, or the Forces of the *East India* Company, and discharged, or to have deserted therefrom, or to have concealed his having been discharged on any prior Enlistment, or to have wilfully concealed any Infirmity, or designedly made any false Representation at or previously to the Time of receiving Enlisting Money or upon being attested, to adjudge such Recruit, if in *England*, to be a Rogue and Vagabond, and to sentence him to such Punishment as by any Law may be inflicted on Rogues and Vagabonds, and to adjudge such Person, if in *Scotland* or *Ireland*, to be imprisoned with Hard Labour in any Prison or House of Correction for any Period not exceeding Three Months; and any Recruit who shall designedly make any false Representation of any Particular contained in the Oath, Declaration, and Certificates in the Schedule to this Act annexed before the Justice at the Time of his Attestation, and shall obtain any Enlisting Money, or any Bounty for entering into Her Majesty's Service, or any other Money, shall be deemed guilty of obtaining Money under false Pretences, within the true Intent and Meaning, if in *England*, of an Act passed in the Session holden in the Seventh and Eighth Years of His Majesty King *George* the Fourth, intituled *An Act for consolidating and amending the Laws in* England *relative to Larceny and other Offences connected therewith*, and if in *Ireland*, of an Act passed in the Ninth Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act for consolidating and amending the Laws in* Ireland *relative to Larceny and other Offences connected therewith*, and such Recruit, if in *Scotland*, shall be deemed guilty of Falsehood, Fraud, and wilful Imposition; and any attested Recruit who shall in any Part of Her Majesty's Dominions or elsewhere have committed any of the before-mentioned Offences regarding Enlistment may be summarily punished, or prosecuted, tried, and convicted, for any such Offence, at any Time during the Continuance of the Service for which he shall have enlisted, and in any County or Place where he may happen to be when such summary Proceeding or Prosecution shall be instituted; and the Production of the Oath or Declaration in the Schedule to this Act annexed taken by the Recruit on his Attestation, and the Certificate signed by the Justice before whom the Recruit was attested, certifying that the Questions and Answers contained in the Attestation were in his Presence put to and given by such Recruit, shall, in the Absence of Proof to the contrary, be deemed and taken to be sufficient Evidence of such Recruit having represented the several Particulars as in the Oath sworn or Declaration made by him; and Proof by the Oath of One or more credible Witnesses that the Person so prosecuted hath voluntarily acknowledged that at the Time of his Enlistment he belonged to the Militia, or to any Regiment or Corps in Her Majesty's Service, or to Her Majesty's Navy or Marine or Ordnance, or to the Forces of the *East India* Company, or that he designedly made any false Representation of any Particular contained in the said Oath, Declaration, and Certificates, or either of them, before the Justice at the Time of the Attestation of the Person being prosecuted, shall be deemed and taken as Evidence of the Fact so by him acknowledged, without Production of any Roll or other Document to prove the same; and such Proof of such Acknowledgment shall be certified to the Secretary of the Admiralty by the Justice before whom such Proof shall have been given; and any Man having been enrolled as a Volunteer under the Act Fifteenth and Sixteenth *Victoria*, Chapter Fifty, or any subsequent Acts, to serve in the Militia, who at the Time of offering to enlist into Her Majesty's Forces, Army, Ordnance, or Marines, or into the Forces of the *East India* Company, or to enter into Her Majesty's Navy, shall deny that he is a Militia Man then actually enrolled and engaged to serve in the Militia, and who shall not have completed his Engagement by Attestation or by being entered on the Books of the Navy, shall upon Conviction thereof before any One Justice of the Peace in the United Kingdom, either upon the Oath of One Witness or upon his own Confession, be committed to the Common Gaol or House of Correction for any Time not exceeding Fourteen Days; and any Man enrolled as aforesaid who may have denied or shall hereafter deny, or who may have confessed or shall hereafter confess, to the Justice before whom he shall have been or

7 & 8 G. 4. c. 29.

9 G. 4. c. 55.

shall be attested for the Army, Ordnance, or Marine Forces, or for the Forces of the *East India* Company, or who may have denied or shall hereafter deny, or who may have confessed or who shall hereafter confess, on the Completion of his Engagement to enter the Navy, that he belongs to the Militia, shall not be liable to Imprisonment for such Offence, but shall, upon Conviction thereof before any One Justice of the United Kingdom, or before a Divisional or Naval Court-martial, either upon his own Confession or upon the Oath of One Witness, forfeit all Militia Bounty which would have become payable to him during the Period of his belonging to Her Majesty's Forces, Army, Ordnance, or Marines, or to the Forces of the *East India* Company, or to the Royal Navy, if he had not therein enlisted or entered, and be subjected to a Stoppage of One Penny a Day from his Pay for Eighteen Calendar Months, to be applied as the Secretary of the Admiralty shall direct, or if enrolled in the Militia as a balloted Man or a Substitute shall, if convicted before any One Justice as aforesaid, be committed to the Common Gaol or House of Correction for and during any Time not exceeding Six Calendar Months, over and above any Penalty or Punishment to which such Person so offending may be otherwise liable, and such Person, whether he shall have been enrolled as a Volunteer or as a balloted Man or Substitute, shall from the Day on which his Engagement to serve in the Militia shall end, and not sooner, be and serve as a Marine of the Division of Her Majesty's Royal Marine Forces into which he has so enlisted or in the Navy into which he shall have entered: Provided also, that every such Person so enlisted shall be liable to serve in Her Majesty's Royal Marine Forces in which he has so enlisted, and shall be subject to all the Provisions of this Act, or if he had entered the Navy, to the Law, Rules, Regulations, and Customs by which the Navy is governed, and be liable to be apprehended and dealt with and punished as a Deserter from the Marines or from the Navy if he shall neglect or refuse to join and serve in the Marines or in the Navy as aforesaid.

Removal of Doubts as to Attestation of Marines.

LXVII. 'And whereas certain Marines who have heretofore been duly enlisted, and who have 'voluntarily taken the Oath of Allegiance and Fidelity, and are now receiving Her Majesty's Pay, have 'been sworn and attested, but Doubts have arisen whether the Justices before whom the said Marines 'have been so sworn and attested were the proper Justices to administer to such Marines the Oaths 'prescribed by the several Acts passed for the Regulation of Her Majesty's Royal Marine Forces while 'on shore:' Be it enacted, That in every Case where any such Marine having been duly enlisted shall have been so attested and sworn, and shall not have claimed to be discharged on or before the Seventeenth Day of *March* One thousand eight hundred and forty-six, he shall not be entitled to his Discharge by reason of any such Informality, but shall be liable to all the Provisions of this Act, and of the Act passed in the Twentieth Year of the Reign of Her Majesty for the Regulation of Her Majesty's Royal Marine Forces while on shore, where in force, and shall be entitled to the full Benefit of his past Service, and to all Pay and Pension in respect thereof, to all Intents and Purposes, and in like Manner, as if he had been duly attested and sworn.

Billeting of Marines.

LXIX. 'And whereas there is and may be Occasion for the marching and also for the quartering of the 'Royal Marine Forces when on shore:' Be it enacted, That during the Continuance of this Act, upon the Order or Orders in Writing in that Behalf under the Hand of the Lord High Admiral, or the Hands of Two or more of the Commissioners for executing the Office of Lord High Admiral, for the Time being, or upon the Order or Orders in Writing in that Behalf under the Hand of any Colonel Commandant or Commanding Officer of any Division of Royal Marines, it shall be lawful for all Constables and other Persons specified in this Act in *Great Britain* and *Ireland*, and they are hereby required, to billet the Officers and Marines, whether marching or otherwise, and all Staff and Field Officers Horses, and all Bât and Baggage Horses belonging to the Royal Marine Forces, when on actual Service, not exceeding for each Officer the Number for which Forage is or shall be allowed by Her Majesty's Regulations, in Victualling Houses and other Houses specified in this Act, taking care in *Ireland* not to billet less than Two Men in any One House; and they shall be received by the Occupiers of the Houses in which they are so billeted, and be furnished by such Victualler with proper Accommodation in such Houses, and with a separate Bed for each Marine, or if any Victualler shall not have sufficient Accommodation in the House upon which a Marine is billeted, then in some good and sufficient Quarters to be provided by such Victualler in the immediate Neighbourhood, and in *Great Britain* with Diet and Small Beer, and with Stables, Oats, Hay, and Straw for such Horses as aforesaid, paying and allowing for the same the several Rates herein-after provided; and at no Time when Marines are on their March shall any of them be billeted above One Mile from the Place mentioned in the Route, Care being always taken that the Billets be made out for the less distant Houses in which suitable Accommodation can be found before making out Billets for the more distant; and in all Places where Marines shall be billeted in pursuance of this Act, the Officers and their Horses shall be billeted in One and the same House, except in case of Necessity; and the Constables are hereby required to billet all Marines on their March in the Manner required by this Act upon the Occupiers of all Houses within One Mile of the Place mentioned in the Route, and whether they be in the same or a different County in like Manner in every respect as if such Houses were all locally situated within such Place: Provided always, that nothing herein contained shall be construed to extend to authorize any Constable to billet Marines out of the County to which such Constable belongs when the Constable of the adjoining County shall be present and shall undertake to billet the due Proportion of Men in such adjoining County; and no more Billets shall at any Time be ordered than there

there are effective Marines and Horses present to be billeted; all which Billets, when made out by such Constables, shall be delivered into the Hands of the Commanding Officer present, or to the Non-commissioned Officer on the Spot; and if any Person shall find himself aggrieved by having an undue Proportion of Marines billeted in his House, and shall prefer his Complaint, if against a Constable or other Person not being a Justice, to One or more Justices, and if against a Justice, then to Two or more Justices, within whose Jurisdiction such Marines are billeted, such Justices respectively shall have Power to order such of the Marines to be removed and to be billeted upon other Persons as they shall see Cause; and when any Horses belonging to the Officers of Her Majesty's Royal Marine Forces shall be billeted upon the Occupiers of Houses who shall have no Stables, then, upon a written Requisition of the Officer commanding such Marines, the Constable is hereby required to billet the Horses upon some other Person or Persons having Stables and who are by this Act liable to have Officers and Marines billeted upon them, and any Two or more Justices of the Peace may order a proper Allowance to be paid by the Persons relieved to the Persons receiving such Horses, or to be applied in the furnishing the requisite Accommodation; and the Commanding Officer may exchange any Man or Horse billeted in any Place with another Man or Horse billeted in the same Place, for the Convenience or Benefit of the Service, provided the Number of Men and Horses do not exceed the Number at that Time billeted on such Houses respectively; and the Constables are hereby required to billet such Men and Horses so exchanged accordingly; and it shall be lawful for any Justice, at the Request of any Officer or Non-commissioned Officer commanding any Marines requiring Billets, to extend any Route, or to enlarge the District within which Billets shall be required, in such Manner as shall appear to be most convenient to Her Majesty's Service: Provided also, that to prevent or punish all Abuses in billeting Marines, it shall be lawful for any Justice, within his Jurisdiction, by Warrant or Order under his Hand, to require any Constable to give him an Account in Writing of the Number of Officers and Marines who shall be quartered by such Constables, together with the Names of the Persons upon whom such Officers and Marines are billeted, stating the Street or Place where such Persons dwell, and the Signs, if any, belonging to the Houses: Provided always, that no Officer shall be compelled or compellable to pay anything for his Lodging where he shall be duly billeted: Provided also, that no Justice being an Officer of Royal Marines shall directly or indirectly be concerned in billeting or appointing Quarters under this Act.

Allowance to Innkeepers.

LXX. The Innholder or other Person on whom any Marine is billeted in *Great Britain* shall, if required by such Marine, furnish him for every Day on the March, and for a Period not exceeding Two Days, when halted at any intermediate Place upon the March, and for the Day of the Arrival at the Place of final Destination, with One hot Meal in each Day, the Meal to consist of such Quantities of Diet and Small Beer as may be fixed by Her Majesty's Regulations, not exceeding One Pound and a Quarter of Meat previously to being dressed, One Pound of Bread, One Pound of Potatoes or other Vegetables, and Two Pints of Small Beer, and Vinegar, Salt, and Pepper, and for such Meal the Innholder or other Person furnishing the same shall be paid the Sum of Tenpence; and all Innholders and other Persons on whom Marines may be billeted in *Great Britain*, except when on the March, and entitled to be furnished with the hot Meal as aforesaid, shall furnish such Marines with Candles, Vinegar, and Salt, and shall allow them the Use of Fire, and the necessary Utensils for dressing and eating their Meat, and shall be paid in consideration thereof such a Sum as the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral for the Time being, shall at any Time or Times direct, but not less than the Sum of a Halfpenny *per Diem* for each Marine; and the Sum to be paid to the Innholder or other Person on whom any of the Horses belonging to Her Majesty's Royal Marine Forces shall be billeted, in *Great Britain*, for Ten Pounds of Oats, Twelve Pounds of Hay, and Eight Pounds of Straw, shall be One Shilling and Ninepence *per Diem* for each Horse, and in *Ireland* the Sum to be paid for Twelve Pounds of Hay and Eight Pounds of Straw to the Innholder or other Persons for Horses billeted by virtue of this Act shall be the Rate established by the Lord Lieutenant or other sufficient Authority from Time to Time, the same to be regulated by the average Rate of Contracts for Forage in *Ireland;* and for the Use of Stables in *Ireland*, when such Horses are provided with Hay and Straw by Contract, and not by the Occupiers of the Houses in which they are billeted, the Sum of Fourpence *per* Week for each Horse shall be paid; and every Officer or Non-commissioned Officer commanding a Division, Detachment, or Party shall every Four Days pay or cause to be paid the just Demands of all Victuallers or other Persons upon whom any Officers, Non-commissioned Officers, Marines, or Horses shall be billeted, or if they shall not remain so long as Four Days, or whenever they shall quit their Quarters, pay or cause to be paid to the Constable of the Parish or Place a Sum of Money sufficient to settle and discharge the just Demands in respect to Billet Money of all Victuallers or other Persons upon whom such Officers, Marines, or Horses are billeted, together with a further Sum, at the Rate of One Shilling in the Pound, upon the Amount due to such Victuallers or other Persons for the Marines billeted upon them, as a Compensation to such Constable for his Trouble in the Matter, such further Sum to be repaid to the Officer or Non-commissioned Officer paying the same as aforesaid, as the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral aforesaid, shall at any Time or Times direct; and if any such Officer or Non-commissioned Officer shall not pay the same as aforesaid, then, upon Complaint and Oath made thereof by any Two Witnesses before Two Justices of the Peace for the County, Riding, Division, Liberty, City, Borough, or Place where such Quarters were situate, sitting in Quarter or Petty Sessions, the Secretary of the Admiralty is hereby required, upon

Certificate of the Justices before whom such Oath shall be made of the Sum due to Complainant, to order Payment of the Amount which shall be charged against such Officer; and any Constable who shall wilfully and without reasonable Cause omit to pay over to any such Victualler or other Person any Money paid to him for the Purpose of paying the same over as aforesaid, within the Space of Forty-eight Hours after the Receipt of the same by him as aforesaid, shall be liable on Conviction thereof before any Justice of the Peace to a Penalty not exceeding Five Pounds, over and above the Amount so paid to him, and not paid over by him as aforesaid; and in case of any Marines being suddenly ordered to march, and of the Commanding Officer or Non-commissioned Officer not being enabled to make Payment of the Sums due on account of Billets, every such Officer or Non-commissioned Officer shall before his Departure make up the Account with every Person upon whom any such Marines may have been billeted, and sign a Certificate thereof; which Account and Certificate, on being transmitted to the Secretary of the Admiralty, shall be immediately paid, and charged to the Account of such Officer or Non-commissioned Officer.

Penalties upon Civil Subjects offending against the Laws relating to Billets and Carriages.

LXXIX. If any Constable or other Person who by virtue of this Act shall be employed in billeting any Officers or Marines in any Part of the United Kingdom shall presume to billet any such Officer or Marine in any House not within the Meaning of this Act without the Consent of the Owner or Occupier thereof; or shall neglect or refuse to billet any Officer or Marine on Duty when thereunto required, in such Manner as is by this Act directed, provided sufficient Notice be given before the Arrival of such Marines; or shall receive, demand, or agree for any Money or Reward whatsoever, in order to excuse any Person from receiving any such Officer or Marine; or shall quarter any of the Wives, Children, Men or Maid Servants of any Officer or Marine in any such Houses against the Consent of the Occupiers; or shall neglect or refuse to execute such Warrants of the Justices as shall be directed to him for providing Carriages, Horses, or Vessels, or shall demand more than the legal Rates for the same; or if any Person ordered by any Constable in manner herein-before directed to provide Carriages, Horses, or Vessels, shall refuse or neglect to provide the same according to the Orders of such Constable, or shall demand more than the legal Rates for the same, or shall do any Act or Thing by which the Execution of any Warrants for providing Carriages, Horses, or Vessels shall be hindered; or if any Person liable by this Act to have any Officer or Marine quartered on him shall refuse to receive any such Officer or Marine, or to afford him proper Accommodation or Diet in the House of such Person in which he is quartered, or to furnish the several Things directed to be furnished to Officers and Marines, or shall neglect or refuse to furnish good and sufficient Stables, together with good and sufficient Oats, Hay, and Straw, in *Great Britain*, and good and sufficient Hay and Straw in *Ireland*, for each Horse, in such Quantities and at such Rates as herein-before provided, or if any Innkeeper or Victualler not having good and sufficient Stables shall refuse to pay over to the Person or Persons who may provide Stabling such Allowance by way of Compensation as shall be directed by any Justice of the Peace, or shall pay any Sum of Money to any Marine on the March in lieu of furnishing in Kind the Diet and Small Beer to which such Marine is entitled; such Constable, Victualler, and other Person respectively shall forfeit for every Offence, Neglect, or Refusal any Sum not exceeding Five Pounds nor less than Forty Shillings; and if any Person shall personate or represent himself to be a Marine or Marine Recruit with the view of fraudulently obtaining a Billet or Money in lieu thereof, he shall for every such Offence forfeit any Sum not exceeding Five Pounds nor less than Twenty Shillings.

Duration of Act.

XCIII. This Act shall be in force within *Great Britain* from the Twenty-fifth Day of *April* One thousand eight hundred and fifty-eight until the Twenty-fifth Day of April One thousand eight hundred and fifty-nine inclusive; and within *Ireland*, and in *Jersey*, *Guernsey*, *Alderney*, *Sark*, and the *Isle of Man* and the Islands thereto belonging, from the First Day of *May* One thousand eight hundred and fifty-eight until the First Day of *May* One thousand eight hundred and fifty-nine inclusive; and within the Garrison of *Gibraltar* and in *Spain* and *Portugal*, from the Twenty-fifth Day of *July* One thousand eight hundred and fifty-eight until the Twenty-fifth Day of *July* One thousand eight hundred and fifty-nine inclusive; and in all other Parts of *Europe* where Royal Marine Forces may be serving, and the *West Indies* and *North America*, and *Cape of Good Hope*, from the Twenty-fifth Day of *September* One thousand eight hundred and fifty-eight until the Twenty-fifth Day of *September* One thousand eight hundred and fifty-nine inclusive; and in all other Places from the Twenty-fifth Day of *November* One thousand eight hundred and fifty-eight until the Twenty-fifth Day of *November* One thousand eight hundred and fifty-nine inclusive.

SCHEDULE.

Notice to be given to a Recruit or left at his Place of Abode, or at the Place at which he stated that it was his Intention to sleep, agreeably to the Provisions of the Marine Mutiny Act, within Forty-eight but not sooner than Twenty-four Hours after his Enlistment, the Hours of Sunday, Christmas Day, or Good Friday not being counted.

[*Date*] 185 .

you enlisted with at o'Clock* on the Day of 185 , for the Royal Marines, and if you do not come forward on or before o'Clock* on the, for the Purpose of being taken before a Magistrate, either to be attested, or to

* A.M. or P.M., as the Case may be.

release

release yourself from your Engagement by repaying the Enlisting Shilling and any Pay you have received as a Recruit, and by paying Twenty Shillings as Smart Money, you will be legally adjudged to be a Marine without Attestation, and will be proceeded against as a Deserter.

Signature of the Officer or Non-commissioned Officer commanding the Party } _____

Name of the Recruit _____

Residing at _____

QUESTIONS to be separately put by the JUSTICE to a RECRUIT.

1. What is your Name?
2. In what Parish, and in or near what Town, and in what County, were you born?
3. What is your Age?
4. What is your Trade or Calling?
5. Are you an Apprentice?
6. Are you married?
7. Are you ruptured or lame; have you ever been subject to Fits; or have you any Disability or Disorder which impedes the free Use of your Limbs, or unfits you for ordinary Labour?
8. Are you willing to be attested to serve in the Royal Marine Forces for the Term of [*this Blank to be filled up by the Justice with* "Twelve Years," *if the Person enlisted is of the Age of Eighteen Years or upwards, but if under that Age then the Difference between his Age and Eighteen is to be added to such Twelve Years*], provided Her Majesty should so long require your Services, and also for such further Term, not exceeding Two Years, as shall be directed by the Commanding Officer on any Foreign Station?
9. At what Place, on what Day, at what Hour of the Day, and by whom, were you enlisted?
10. For what Bounty did you enlist?
11. Have you any Objection to make to the Manner of your Enlistment?
12. Do you now belong to the Militia, or to the Naval Coast Volunteers? *
13. Do you belong to any Regiment or Corps in Her Majesty's Army, or to the Marines, Ordnance, or Navy, or to the Forces of the East India Company?
14. Have you ever served in the Army, Marines, Ordnance, Militia, or Navy, or in the Forces of the East India Company?
15. Have you ever been rejected as unfit for Her Majesty's Service, or for the Service of the East India Company, upon any prior Enlistment?

DECLARATION to be made by a RECRUIT on Attestation.

I _____ do declare, That the above Questions have been separately put to me, that the Answers thereto have been read over to me, and that they are the same that I gave, and are true.

Declared before me, _____

_____ *Signature of Marine.*

_____ *Signature of Justice.*

OATH to be taken by a RECRUIT on Attestation.

I do make Oath, That I will be faithful and bear true Allegiance to Her Majesty, Her Heirs and Successors; and that I will, as in Duty bound, honestly and faithfully defend Her Majesty, Her Heirs and Successors, in Person, Crown, and Dignity, against all Enemies; and will observe and obey all Orders of Her Majesty, Her Heirs and Successors, and of the Generals and Officers set over me.

So help me GOD.

Witness my Hand, _____ *Signature of the Recruit.*

_____ *Witness present.*

Sworn before me at _____ this _____ Day of _____ One thousand eight hundred _____ and _____ at _____ o'Clock.

_____ *Signature of the Justice.*

* The Justice is directed, in putting the Twelfth Question to the Recruit, and before he receives his Answer, distinctly to apprize the Recruit that if he belongs to the Militia, and denies the Fact, he is liable to forfeit One Penny a Day of his Pay for Eighteen Calendar Months, and to Fourteen Days Imprisonment if he is not attested; and if he belongs to the Naval Coast Volunteers he is liable, under the Act Sixteenth and Seventeenth Victoria, Chapter Seventy-three, to Imprisonment for Six Months, and his Enlistment will be null and void.

CAP. VIII.

An Act to authorize the Inclosure of certain Lands in pursuance of a Report of the Inclosure Commissioners for *England* and *Wales*. [26th *March* 1858.]

'WHEREAS the Inclosure Commissioners for *England* and *Wales* have, in pursuance of "The "Acts for the Inclosure, Exchange, and Improvement of Land," issued their Provisional Orders 'for and concerning the proposed Inclosures mentioned in the Schedule to this Act, and have in their 'Thirteenth Annual General Report certified their Opinion that such Inclosures would be expedient; 'but the same cannot be proceeded with without the previous Authority of Parliament:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Inclosures in Schedule to be made.

I. That the said several proposed Inclosures mentioned in the Schedule to this Act be proceeded with.

Short Title.

II. In citing this Act in other Acts of Parliament and in legal Instruments it shall be sufficient to use either the Expression "The Annual Inclosure Act, 1858," or "The Acts for the Inclosure, Exchange, "and Improvement of Land."

SCHEDULE to which this Act refers.

Inclosure.	County.	Date of Provisional Order.
Paslow Wood Common	Essex	4th June 1857.
Whittlebury (Lillingstone Dayrell)	Northampton	16th July 1857.
Pipe and Lyde	Hereford	13th August 1857.
Rumney Meadow	Hereford	13th August 1857.
Wooferwood Common	Hereford	13th August 1857.
Landford Common	Wilts	30th July 1857.
Langdon Moor	Devon	12th October 1857.
Aylmarsh and Coughton Marsh	Hereford	21st June 1855.
Boyton	Cornwall	26th November 1857.
Caldicot	Monmouth	17th December 1857.
Shorncote	Wilts	4th December 1857.
Turwick	Sussex	22d January 1857.
High and Low Bishopside Moor	York	17th December 1857.
Haywards Heath	Sussex	30th December 1857.
Soberton	Southampton	13th January 1858.
Chilson and Whichwood	Oxford	15th January 1858.
Ascott and Whichwood	Oxford	15th January 1858.
Leafield and Whichwood	Oxford	15th January 1858.
Finstock Common Allotment	Oxford	15th January 1858.
Llandefeilog	Carmarthen	30th December 1857.
Ware Marsh	Hertford	23d December 1857.
Landford Wood	Wilts	23d December 1857.

CAP. IX.

An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters. [26th *March* 1858.]

[*In* §§ 1, 7, 8, 22, *and* 23 *the Punishment of Transportation is taken away in accordance with* 20 *&* 21 *Vict. c.* 3. *In other respects, except as to Dates and the Sections and Parts of Schedule here inserted, this Act is the same as* 20 *Vict. c.* 13.]

'WHEREAS the raising or keeping a Standing Army within the United Kingdom of *Great Britain* 'and *Ireland* in Time of Peace, unless it be with the Consent of Parliament, is against Law: 'And whereas it is adjudged necessary by Her Majesty and this present Parliament that a Body of 'Forces should be continued for the Safety of the United Kingdom, the Defence of the Possessions of 'Her Majesty's Crown, and the Preservation of the Balance of Power in *Europe*, and that the whole

Numbers, 130,135 Men.

'Number of such Forces should consist of One hundred and thirty thousand one hundred and thirty-five 'Men, exclusive of the Officers and Men belonging to the Regiments and other Corps employed in the 'Territorial Possessions of the *East India* Company, but including the Officers and Men of the Troops 'and Companies recruiting for those Regiments and Corps: And whereas no Man can be forejudged of 'Life or Limb, or subjected in Time of Peace to any Kind of Punishment within this Realm, by Martial 'Law, or in any other Manner than by Judgment of his Peers, and according to the known and esta-

'blished

'blished Laws of this Realm; yet nevertheless it being requisite, for the retaining all the before-mentioned 'Forces in their Duty, that an exact Discipline be observed, and that Soldiers who shall mutiny or stir 'up Sedition, or shall desert Her Majesty's Service, or be guilty of Crimes and Offences to the Prejudice 'of good Order and Military Discipline, be brought to a more exemplary and speedy Punishment than 'the usual Forms of the Law will allow:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Persons subject to this Act.

II. All the Provisions of this Act shall apply to all Persons who are or shall be commissioned or in Pay as an Officer, or who are or shall be listed or in Pay as a Non-commissioned Officer or Soldier, and to all Persons employed on the Recruiting Service receiving Pay in respect of such Service, and to the Officers and Soldiers belonging to the Forces of the *East India* Company while such Officers or Soldiers shall be in any Part of the United Kingdom, and to the Officers and Persons who are or shall be serving and hired to be employed in the Royal Artillery and Field Train, and to Master Gunners, and Gunners, and Conductors of Stores, and to all Officers and Persons who are or shall be serving in the Regiment of Royal Engineers or the Corps of Royal Sappers and Miners, or in the Corps of Royal Military Surveyors and Draftsmen, or in the Field Train or Medical Staff Corps, or Hospital Corps, or Military Train, or serving as Army Schoolmasters and Armourer Serjeants, and to Persons in the War Department, who are or shall be serving with any Part of Her Majesty's Forces at home or abroad, under the Command of any Officer having Commission from Her Majesty or from His late Majesty King *William* the Fourth, and to all Storekeepers and all Civil Officers who are or shall be employed by or act under the War Department at any of Her Majesty's Establishments in the Islands of *Jersey, Guernsey, Alderney, Sark,* and *Man,* and the Islands thereto belonging, or at Foreign Stations; provided that nothing in this Act contained shall extend to affect any Security which has been or shall be given by any Storekeeper, Barrack Master, or other Officer, or their Sureties, for the due Performance of their respective Offices, but that all such Securities shall be and remain in full Force and Effect.

Provisions of this Act to extend to Jersey, Guernsey, &c.

III. This Act shall extend to the Islands of *Jersey, Guernsey, Alderney, Sark,* and *Man,* and the Islands thereto belonging, as to the Provisions herein contained for enlisting of Recruits, whether Minors or of full Age, and swearing and attesting such Recruits, and for mustering and paying, and as to the Provisions for the Trial and Punishment of Officers and Soldiers who shall be charged with Mutiny and Desertion, or any other of the Offences which are by this Act declared to be punishable by the Sentence of a Court-martial, and also as to the Provisions which relate to the Punishment of Persons who shall fraudulently confess themselves to be Deserters, or who shall conceal Deserters, or shall knowingly buy, exchange, or otherwise receive any Arms, Medals for good Conduct or for distinguished or other Service, Clothes, Military Furniture, or Regimental Necessaries from any Soldier or Deserter, or who shall cause the Colour of any such Clothes to be changed, or who shall aid in the Escape of a Prisoner from a Military Prison, or who shall introduce forbidden Articles into such Prison, or shall carry out any such Articles, or who shall assault any Officer of such Prison, and also as to the Provisions for exempting Soldiers from being taken out of Her Majesty's Service for not supporting or for leaving chargeable to any Parish any Wife or Child or Children, or on account of any Breach of Contract to serve or work for any Employer, or on account of any Debts under Thirty Pounds in the said Islands.

Previous Convictions may be put in Evidence before passing Sentence.

XVI. After any Person subject to this Act has been found guilty of any Charge or Charges, the Court before which any such Person shall have been tried may, before passing Sentence on such Person, and for the Purpose only of awarding Punishment, receive in Evidence against him any previous Convictions by Courts-martial, and in like Manner and for the like Purpose the Court may receive in Evidence any previous Conviction of any such Person, not being a Commissioned Officer, by a Court of ordinary Criminal Jurisdiction, where the Offence charged in the Indictment was of a felonious, fraudulent, or unnatural Nature; and in the Case of Convictions by Courts-martial, duly confirmed, the Court-martial Book, or the Defaulter Book of the Regiment, Corps, Troop, or Company, and when none of those Books can conveniently be produced, a Certificate, which shall purport to contain a Copy of the Entry of such Convictions in any of such Books, and which shall be signed by the Adjutant or other Officer having the Custody of the Court-martial Book or of the Defaulters Book of the Regiment, Corps, Troop, or Company to which the Prisoner belongs, shall be sufficient Evidence of such Conviction; and it shall not be necessary to prove the Signature or official Character of the Person appearing to have signed such Certificate, nor, if the Court be satisfied from all the Circumstances of the Case that the Prisoner under Trial is the Person mentioned in any such Certificate, shall it be necessary to give other Proof of the Identity of the Person of the Offender; and in the Case of a Conviction by a Court of ordinary Criminal Jurisdiction, any Certificate transmitted as herein-after provided to the Officer commanding a Regiment or other Corps by the Clerk of any such Court, or other Officer having Custody of the Records of such Court, or the Deputy of such Clerk, containing the Substance and Effect of the Indictment, omitting the formal Part, together with the Judgment of the Court thereon, and purporting to be signed by such Clerk or other Officer, or by the Deputy of such Clerk, or if such Certificate cannot conveniently be obtained, a Copy thereof, duly certified by the Officer producing it, shall be sufficient Evidence of such last-mentioned Conviction; and it shall not be necessary to prove the Signature or official Character of the Person appearing to have signed such last-mentioned Certificate, nor, if the Court be satisfied from all the Circumstances of the Case that the Prisoner under Trial is the

Person mentioned in such Certificate, shall it be necessary to give other Proof of the Identity of the Person of the Offender: Provided always, that before any such Evidence shall be received it shall be proved to the Satisfaction of the Court that the Prisoner had previously to his Trial received Notice of the Intention to produce such Evidence against him; provided also, that the Court shall in no Case award to him any other Punishment or Punishments than may by this Act and by the Articles of War be awarded for the Offence of which he shall be so found guilty.

Judgment of Death may be commuted for Penal Servitude or other Punishments.

XXI. Whensoever any General Court-martial by which any Soldier shall have been tried and convicted of any Offence punishable with Death shall not think the Offence deserving of Capital Punishment, such Court-martial may adjudge the Offender, according to the Degree of the Offence, to be kept in Penal Servitude for any Term not less than Four Years: Provided always, that in all Cases where the Punishment of Death shall have been awarded by a General Court-martial or Detachment General Court-martial it shall be lawful for Her Majesty, or, if in the *East Indies*, for the Officer commanding in chief the Forces in *India*, or if out of Her Majesty's Dominions, for the Officer commanding in chief Her Majesty's Forces there serving, instead of causing such Sentence to be carried into execution, to order the Offender to be kept in Penal Servitude for any Term not less than Four Years, or to suffer such Term of Imprisonment, with or without Hard Labour, and with or without Solitary Confinement, such Confinement not exceeding the Period herein-after prescribed, as shall seem meet to Her Majesty, or, if in the *East Indies*, or out of Her Majesty's Dominions, to the Officers commanding as aforesaid.

As to Execution of Sentences of Penal Servitude in the Colonies.

XXIV. Whenever any Sentence of Penal Servitude heretofore or hereafter passed upon any Offender by any Court-martial holden in the *East Indies*, or in any Part of Her Majesty's Foreign Dominions, or elsewhere beyond the Seas, is to be carried into execution for the Term specified in such Sentence or for any shorter Term, or when Sentence of Death passed by any such Court-martial has been or shall as aforesaid be commuted to Penal Servitude, the same shall be notified by the Officer commanding Her Majesty's Forces at the Presidency or Station where the Offender may come or be, or in his Absence by the Adjutant General for the Time being, to some Judge of One of the Supreme Courts of Judicature in the *East Indies*, or the Chief Justice, or some other Judge, as the Case may be, in any Part of Her Majesty's Foreign Dominions, who shall make Order for the Penal Servitude or intermediate Custody of such Offender; and upon any such Order being made it shall be duly notified to the Governor of the Presidency if in the *East Indies*, or to the Governor of the Colony if in any of Her Majesty's Colonies, or to the Person who shall for the Time being be exercising the Office of Governor of such Presidency or Colony, who, on Receipt of such Notification, shall cause such Offender to be removed or sent to some other Colony or Place, or to undergo his Sentence within the Presidency or Colony where the Offender was so sentenced, or where he may come or be as aforesaid, in obedience to the Directions for the Removal and Treatment of Convicts which shall from Time to Time be transmitted from Her Majesty through One of Her Principal Secretaries of State to such Presidency or Colony; and such Offender shall according to such Directions undergo the Sentence of Penal Servitude which shall have been passed upon him either in the Presidency or Colony in which he has been so sentenced, or in the Colony or Place to which he has been so removed or sent, and whilst such Sentence shall remain in force shall be liable to be imprisoned, and kept to Hard Labour, and otherwise dealt with under such Sentence in the same Manner as if he had been sentenced to be imprisoned, with Hard Labour, during the Term of his Penal Servitude, by the Judgment of a Court of competent Jurisdiction in such Presidency or Colony, or in the Colony or Place to which he has been so removed or sent respectively: Provided always, that in any Case where a Sentence of Penal Servitude shall have been awarded by a General or Detachment General Court-martial it shall be lawful for Her Majesty, or, if in the *East Indies*, for the Officer commanding in chief the Forces in *India*, or if out of Her Majesty's Dominions, for the Officer commanding in chief Her Majesty's Forces there serving, instead of causing such Sentence to be carried into execution, to order that the Offender be imprisoned with or without Hard Labour, and with or without Solitary Confinement, such Confinement not exceeding the Period herein-after prescribed, for the same or such lesser Term as shall seem meet to Her Majesty, or if in the *East Indies*, or out of Her Majesty's Dominions, to the Officers commanding as aforesaid.

Power to commute Corporal Punishment for Imprisonment, &c.

XXVII. In all Cases in which Corporal Punishment shall form the whole or Part of the Sentence awarded by any Court-martial it shall be lawful for Her Majesty, or for the General or other Officer authorized to confirm the Sentences of Courts-martial, to commute such Corporal Punishment to Imprisonment, for any Period not exceeding Forty-two Days, with or without Hard Labour, and with or without Solitary Confinement, or to mitigate such Sentence, or instead of such Sentence to award Imprisonment for any Period not exceeding Twenty Days, with or without Hard Labour, and with or without Solitary Confinement and Corporal Punishment, to be inflicted in the Prison, not exceeding Twenty-five Lashes, and the Solitary Confinement herein-before mentioned shall in no Case exceed Seven Days at a Time, with Intervals of not less than Seven Days between each Period of such Confinement.

Court-martial may, in addition to other Punishment, order Forfeiture of Pay and Pension.

XXVIII. Any General Court-martial may, in addition to any other Punishment which such Court may award, sentence any Offender to Forfeiture of all Advantage as to additional Pay, Good-conduct Pay, and to Pension on Discharge, which might have otherwise accrued from the Length of his former Service, or to Forfeiture of such Advantage absolutely, whether it might have accrued from past Service or might accrue from future Service, or to Forfeiture of the Annuity and Medal which may have been granted

granted for former meritorious Service, or of the Gratuity and Medal awarded for former good Conduct, and of all Field Medals and Decorations, according to the Nature of the Case; and any District or Garrison Court-martial may also, in addition to any Punishment which such Court may award, sentence any Offender to such Forfeiture for Desertion or for disgraceful Conduct,—

In wilfully maiming or injuring himself or any other Soldier, whether at the Instance of such other Soldier or not, or of causing himself to be maimed or injured by any other Person, with Intent thereby to render himself or such other Soldier unfit for Service:

In tampering with his Eyes with Intent thereby to render himself unfit for the Service:

In wilfully doing any Act, or wilfully disobeying any Orders, whether in Hospital or otherwise, thereby producing or aggravating Disease or Infirmity, or delaying his Cure:

In malingering or feigning Disease:

In stealing or embezzling Government Property or Stores, or in receiving the same knowing the same to have been stolen:

In stealing any Money or Goods, the Property of a Comrade, of a Military Officer, or of any Military or Regimental Mess or Band, or in receiving any such Money or Goods knowing the same to have been stolen:

In making any false or fraudulent Accounts, Returns, Matters, or Entries, or assisting or conniving at the same being made, or producing the same as true, knowing the same to be false or fraudulent:

In stealing or embezzling or fraudulently misapplying Public Money intrusted to him:

Or in committing any other Offence of a felonious or fraudulent Nature, to the Injury of or with Intent to injure any Person, Civil or Military:

Or for any other disgraceful Conduct, being of a cruel, indecent, or unnatural Kind.

Forfeiture of Pay on being found guilty of Desertion, &c., or on Conviction for Felony.

XXIX. Every Soldier who shall be found guilty by a Court-martial of Desertion, of wilfully maiming or injuring himself or any other Soldier, whether at the Instance of such other Soldier or not, or of causing himself to be maimed or injured by any other Person, with Intent thereby to render himself or such other Soldier unfit for Service, or of tampering with his Eyes with Intent thereby to render himself unfit for Service, such Finding having been confirmed, or of Felony in any Court of ordinary Criminal Jurisdiction in *England* or *Ireland*, or of any Crime or Offence in any Court of Criminal Judicature in any Part of the United Kingdom, or in any Dominion, Territory, Colony, Settlement, or Island belonging to or occupied by Her Majesty out of the United Kingdom, which would, if committed in *England*, amount to Felony, shall thereupon forfeit all Advantage as to additional Pay, Good-conduct Pay, and to Pension on Discharge, which might have otherwise accrued from the Length of his former Service, in addition to any Punishment which such Court may award.

Stoppages.

XXXIII. In addition to any other Punishment which the Court may award, a Court-martial may further direct that any Offender may be put under Stoppages until he shall have made good—

Any Bounty fraudulently obtained by him by Desertion from his Corps and enlisting in some other Corps or in the Militia:

Any Loss or Damage occasioned by him in any of the Instances of disgraceful Conduct herein-before specified:

Any Loss or Destruction of, or Damage or Injury to, any Property whatsoever, occasioned by his wilful or negligent Misconduct:

Any Loss or Destruction of, or Damage or Injury to, his Horse, Arms, Clothing, Instruments, Equipments, Accoutrements, or Regimental Necessaries, or any extra Article of Clothing or Equipment that he may have been put in possession of and ordered to wear on the Recommendation of the Surgeon for the Benefit of his Health, or making away with or pawning any Medal or Decoration for Service in the Field or for general good Conduct which may have been granted to him by Order of Her Majesty or by Order of the *East India* Company, or any Medal or Decoration which may have been granted to him by any Foreign Power, or any Loss or Destruction of, or Damage or Injury to, the Arms, Horse, Clothing, Instruments, Accoutrements, or Regimental Necessaries of any Officer or Soldier, occasioned by his wilful or negligent Misconduct:

Any Expense necessarily incurred by his Drunkenness or other Misconduct:

Provided always, that, except in the Case of the Loss or Destruction of any Arms, Clothing, Instruments, Equipments, Accoutrements, or Regimental Necessaries, in which Case the Court may by its Sentence direct that the said Stoppages shall continue till the Cost of replacing the same be made good, the Amount of any Loss, Destruction, Damage, or Injury, or Expense, shall be ascertained by Evidence, and the Offender shall be placed under Stoppages for such an Amount only as shall be proved to the Satisfaction of the Court: Provided also, that when an Offender is put under Stoppages for making away with or pawning any Medal or Decoration, the Amount shall be credited to the Public, but the Medal or Decoration in question shall not be replaced, except under special Circumstances, to be determined by the Commander-in-Chief, with the Concurrence of the Secretary-at-War: Provided also, that after satisfying the Charges for his Messing and Washing, so much only of the Pay of the Soldier may be stopped and applied as shall leave him a Residue at the least of One Penny a Day.

Enlisting and swearing of Recruits.

LV. Every Person who shall receive Enlisting Money, knowing it to be such, from any Person employed in the Recruiting Service, and authorized to enlist Recruits, shall be deemed to be enlisted as a Soldier

a Soldier in Her Majesty's Service, and while he shall remain with the Recruiting Party shall be entitled to be billeted; and every Person who shall enlist any Recruit shall first ask the Person offering to enlist whether he does or does not belong to the Militia, and shall within Twelve Hours after the Receipt of the Enlisting Money cause to be taken down in Writing the Name and Place of Abode of such Recruit, and (if such Recruit shall not reside in or in the Vicinity of the Town or Place where he offered to enlist) the Place also at which he shall declare that he intends to sleep, in order that within Forty-eight but not sooner than Twenty-four Hours (any intervening *Sunday*, *Christmas Day*, or *Good Friday* not included) after his having received the Enlisting Money Notice of his having so enlisted may be given to the Recruit in the Form prescribed in the Schedule to this Act annexed, or left at his usual Place of Abode, or at the Place where he stated that it was his Intention to sleep; and when any Person shall be enlisted as a Soldier in Her Majesty's Land Service he shall, within Ninety-six Hours (any intervening *Sunday*, *Christmas Day*, or *Good Friday* not included), but not sooner than Twenty-four Hours after such enlisting, appear, together with some Person employed in the Recruiting Service of the Party with which he shall have enlisted, before any Justice or other Magistrate residing in the Vicinity of the Place where such Recruit shall have been enlisted, or before any Justice or other Magistrate acting for the Division, District, or Place where such Recruit shall have been enlisted, and not being an Officer in the Army; and if such Recruit shall declare that he voluntarily enlisted, the said Justice shall put to him the several Questions contained in the Schedule to this Act annexed, and shall then and there, and in the Presence of the said Recruit, record or cause to be recorded in Writing his Answers thereto; and the said Justice is hereby required forthwith to read over, or cause his Clerk in his Presence to read over, to such Recruit, the Fortieth and Forty-sixth Articles of the Articles of War against Mutiny and Desertion, and to administer to such Recruit the Declaration and Oath in the Schedule to this Act annexed, or for Service in the Forces of the *East India* Company, as may be applicable to the Case of the Recruit, and no other Declaration or Oath; and the Fee for administering the Declaration and Oath shall be One Shilling and no more; and the said Justice is hereby required to give under his Hand the Certificate in the Schedule to this Act annexed; and if any such Recruit so to be certified shall refuse to make the Declaration and take the Oath in the Schedule to this Act annexed before the said Justice, it shall be lawful for the Justice, at the Request of the Officer or Non-commissioned Officer with whom he enlisted, to detain and confine such Person until he shall take the said Oath of Fidelity.

Offences connected with Enlistment

LVII. If any Recruit shall receive Enlisting Money (knowing it to be such) from any Person employed in the Recruiting Service within the United Kingdom of *Great Britain* and *Ireland* and the *British Isles*, and authorized by Beating Order under the Hand of the Secretary at War to enlist Recruits, or from any Person employed in the Recruiting Service in any of the Colonies, or in any of the Presidencies of *India*, authorized to enlist Recruits, and shall abscond or refuse to go before such Justice, or shall after his Enlistment absent himself from the Recruiting Party or Person with whom he enlisted, and shall not voluntarily return to go before some Justice within such Period of Ninety-six Hours as aforesaid, such Recruit shall at the Expiration of such Period of Ninety-six Hours be deemed to be enlisted and to be a Soldier in Her Majesty's Service, or in the Service of the *East India* Company, as fully to all Intents and Purposes as if he had been duly attested, and may be apprehended and punished as a Deserter, or for being absent without Leave, under any Articles of War made for Punishment of Mutiny and Desertion; and such Recruit shall not be discharged by any Justice of the Peace after the Expiration of such Ninety-six Hours as aforesaid, unless it shall be proved to the Satisfaction of such Justice that the true Name and Residence of the Recruit were disclosed and known to the Recruiting Party, and that no Notice was given to the Recruit, or left at his usual Place of Abode, of his having so enlisted, or that the true Name and Residence of the Recruit were not taken down in Writing: Provided always, that in every Case wherein any Recruit shall have received Enlisting Money, and shall have absconded, so that it shall not be possible immediately to apprehend and bring him before a Justice, the Officer or Non-commissioned Officer commanding the Party shall produce to the Justice before whom the Recruit ought regularly to have been brought for Attestation a Certificate of the Name and Place of Residence of such Recruit; and the Justice to whom such Certificate shall be produced shall, after satisfying himself that the Recruit who had so absconded cannot be found and apprehended, transmit a Duplicate thereof to Her Majesty's Secretary-at-War, in order that in the event of such Recruit being afterwards apprehended and reported as a Deserter, the Facts of his having received Enlisting Money, and having absconded after having been enlisted, may be ascertained before he be finally adjudged to be a Deserter.

Further Offences connected with Enlistment.

LVIII. Any Recruit who shall have enlisted into and been attested for Her Majesty's Forces, and who shall be discovered to be incapable of active Service by reason of any Infirmity concealed or not declared by such Recruit before the Justice at the Time of his Attestation, may be transferred to any Garrison or Veteran or Invalid Battalion or Company, notwithstanding he shall have enlisted for any particular Regiment or Corps, and shall be entitled to receive such Proportion or Residue of Bounty only as Her Majesty may allow in that Behalf, instead of the Bounty upon which such Recruit shall have been enlisted, anything in any Act or Acts, or any Rules and Regulations relating to Soldiers, to the contrary notwithstanding; and it shall be lawful for any Two Justices acting for the County, District,

District, City, Burgh, or Place where any such Recruit shall at any Time happen to be when any such Recruit shall be brought before them, and shall be proved upon Oath upon being attested to have concealed his having been a Soldier and discharged, or to have concealed his having been discharged upon any prior Enlistment, or to have concealed any such Infirmity, or to have designedly made any false Representation, to adjudge such Recruit, if in *England*, to be a Rogue and Vagabond, and to sentence him to such Punishment as by any Law in force may be inflicted upon Rogues and Vagabonds, and to adjudge such Recruit, if in *Scotland* or *Ireland*, to be imprisoned, with Hard Labour, in any Prison or House of Correction for any Period not exceeding Three Months; and any Recruit who shall designedly make any false Representation of any Particular contained in the Declarations, Oaths, and Certificates in the Schedule to this Act annexed, before or at the Time of receiving Enlisting Money, or before the Justice, at the Time of his Attestation, and shall obtain any Enlisting Money or Bounty for entering into Her Majesty's Service, or into the Service of the *East India* Company, or any other Money, shall be deemed guilty of obtaining Money under false Pretences, within the true Intent and Meaning, if in *England*, of an Act passed in the Seventh and Eighth Years of His Majesty King *George* the Fourth, intituled *An Act for consolidating and amending the Laws in* England *relative to Larceny and other Offences connected therewith*, and, if in *Ireland*, of an Act passed in the Ninth Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act for consolidating and amending the Laws in* Ireland *relative to Larceny and other Offences connected therewith*, and such Recruit, if in *Scotland*, shall be deemed guilty of Falsehood, Fraud, and wilful Imposition; and any attested Recruit who shall in any Part of Her Majesty's Dominions or elsewhere have committed any of the before-mentioned Offences regarding Enlistment may be summarily punished or prosecuted, tried and convicted, for any such Offence, at any Time during the Continuance of the Service for which he shall have enlisted, and in any County or Place where he may happen to be when such summary Proceeding or Prosecution shall be instituted; and the Production of the Declaration in the Schedule to this Act annexed, made by the Recruit on his Attestation, and of the Certificate then signed by the Justice before whom the Recruit was attested, certifying that the Questions and Answers contained in the Attestation were in his Presence put to and given by such Recruit, shall, in the Absence of Proof to the contrary, be deemed and taken to be sufficient Evidence of such Recruit having represented the several Particulars as stated in the Declaration made by him; and Proof upon Oath that the Person so prosecuted hath voluntarily acknowledged that at the Time of his Enlistment he belonged to any Regiment or Corps in Her Majesty's Service, or to Her Majesty's Navy or Marines, or to the Forces of the *East India* Company, shall be deemed and taken as Evidence of the Fact so by him acknowledged without Production of any Roll or other Document to prove the same; and the Proof of such Acknowledgment shall be certified to the Secretary-at-War by the Justice before whom such Proof shall have been given; and any Man having been enrolled as a Volunteer under the Act Fifteenth and Sixteenth *Victoria*, Chapter Fifty, or any subsequent Acts, to serve in the Militia, who at the Time of offering to enlist into Her Majesty's Forces, Army or Marines, or into the Forces of the *East India* Company, or to enter into Her Majesty's Navy, shall deny that he is a Militia Man then actually enrolled and engaged to serve in the Militia, and who shall not have completed his Engagement by Attestation or by being entered on the Books of the Navy, shall, upon Conviction thereof before any Justice of the Peace in the United Kingdom, either upon the Oath of One Witness or upon his own Confession, be committed to the Common Gaol or House of Correction for any Time not exceeding Fourteen Days; and any Man enrolled as aforesaid who may have denied or shall hereafter deny, or who may have confessed or shall hereafter confess, to the Justice before whom he shall have been or shall be attested for the Army or Marine Forces, or for the Forces of the *East India* Company, or who may have denied or shall hereafter deny, or who may have confessed or shall hereafter confess, on the Completion of his Engagement to enter the Navy, that he belongs to the Militia, shall not be liable to Imprisonment for such Offence, but shall, upon Conviction thereof before any One Justice in the United Kingdom, or before a Regimental or Naval Court-martial, either upon his own Confession or upon the Oath of One Witness, forfeit all Militia Bounty which would have become payable to him during the Period of his belonging to Her Majesty's Regular Forces, or to the Forces of the *East India* Company, or to the Royal Navy, if he had not therein enlisted or entered, and be subjected to a Stoppage of One Penny a Day from his Pay for Eighteen Calendar Months, to be applied as the Secretary-at-War shall direct; or if enrolled in the Militia as a balloted Man or Substitute shall, if convicted before any One Justice as aforesaid, be committed to the Common Gaol or House of Correction for any Time not exceeding Six Calendar Months over and above any Penalty or Punishment to which such Person so offending may be otherwise liable; and such Person, whether he shall have been enrolled as a Volunteer or as a balloted Man or Substitute, shall, from the Day on which his Engagement to serve in the Militia shall end, and not sooner, belong as a Soldier to the Corps of Her Majesty's Regular Forces, or of the *East India* Company's Forces, into which he shall have so enlisted, or to the Navy into which he shall have entered: Provided always, that every such Person so enlisted shall be liable to serve within the United Kingdom of *Great Britain* and *Ireland* or elsewhere in any Regiment, Battalion, or Corps of Her Majesty's Regular Forces, or of the *East India* Company's Forces, in which he has so enlisted, and shall be subject to all the Provisions of this Act, or if he had entered the Navy to the Rules and Regulations by which that Force is governed, and liable to

7 & 8 G. 4. c. 29.

9 G. 4. c. 55.

be apprehended and dealt with and punished as a Deserter from the Corps in which he shall have so enlisted, or from the Navy, if he shall neglect or refuse to join and serve in such Corps, or in the Navy as aforesaid.

Removal of Doubts as to Attestation of Soldiers.

LXV. 'And whereas certain Soldiers who have heretofore been duly enlisted, and who have volun- 'tarily taken the Oath of Allegiance and Fidelity, and are now receiving Her Majesty's Pay, have been 'sworn and attested, but Doubts have arisen whether the Justices before whom the said Soldiers have 'been so sworn and attested were duly qualified to administer to such Soldiers the Oaths prescribed by 'the several Acts passed for punishing Mutiny and Desertion and for the better Payment of the Army 'and their Quarters:' In every Case where any such Soldier, having been duly enlisted, shall have been so attested and sworn, and shall not have claimed to be discharged on or before the Seventeenth Day of *March* One thousand eight hundred and forty-six, he shall not be entitled to his Discharge by reason of any such Informality, but shall be liable to all the Provisions of this Act, and of the Act passed in the Twentieth Year of the Reign of Her present Majesty, for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters, where in force, and shall be entitled to the full Benefit of his past Service, and to all Pay and Pension in respect thereof, to all Intents and Purposes and in like Manner as if he had been duly attested and sworn.

Authorized Deductions only to be made from the Pay of the Army.

LXVI. No Secretary-at-War, Paymaster General of the Army, Paymaster, or any other Officer whatsoever, or any of their under Officers, shall receive any Fees or make any Deductions whatsoever, out of the Pay of any Officer or Soldier in Her Majesty's Army, or from their Agents, which shall grow due from and after the Twenty-fifth Day of *April* One thousand eight hundred and fifty-eight, other than the usual Deductions, or such other necessary Deductions as shall from Time to Time be required by Her Majesty's Regulations, or by Her Majesty's Order signified by the Secretary-at-War; and every Paymaster or other Officer who having received any Officer's or Soldier's Pay shall unlawfully detain the same for the Space of One Month, or refuse to pay the same when it shall become due, according to the several Rates and agreeably to the several Regulations established by Her Majesty's Orders, shall, upon Proof thereof before a Court-martial, be discharged from his Employment, and shall forfeit One hundred Pounds, and the Informer, if a Soldier, shall, if he demand it, be discharged from any further Service; provided, as aforesaid, that it shall be lawful for Her Majesty's Secretary-at-War to give Orders for withholding the Pay of any Officer or Soldier for any Period during which such Officer or Soldier shall be absent without Leave, or improperly absent from his Corps and from his Duty, or, in case of any Doubt as to the proper Issue of Pay, to withhold it until Her Majesty's Orders shall have been signified by the Secretary-at-War.

How and where Troops may be billeted.

LXIX. It shall be lawful for all Constables of Parishes and Places, and other Persons specified in this Act, in *Great Britain* and *Ireland*, and they are hereby required, to billet the Officers and Soldiers in Her Majesty's Service, and Out-Pensioners when assembled as a local Force by competent Authority, and Persons receiving Pay in Her Majesty's Army, and the Horses belonging to Her Majesty's Cavalry, and also all Staff and Field Officers Horses, and all Bât and Baggage Horses belonging to any of Her Majesty's other Forces, when on actual Service, not exceeding for each Officer the Number for which Forage is or shall be allowed by Her Majesty's Regulations, in Victualling Houses and other Houses specified in this Act (taking care in *Ireland* not to billet less than Two Men in One House, except only in case of billeting Cavalry as specially provided); and they shall be received by the Occupiers of the Houses in which they are so billeted, and be furnished by such Victuallers with proper Accommodation in such Houses, or if any Victualler shall not have sufficient Accommodation in the House upon which a Soldier is billeted, then in some good and sufficient Quarters to be provided by such Victualler in the immediate Neighbourhood, and in *Great Britain* shall also be furnished with Diet and Small Beer, and with Stables, Oats, Hay, and Straw for such Horses as aforesaid, paying and allowing for the same the several Rates herein-after provided; and at no Time when Troops are on a March shall any of them, whether Infantry or Cavalry, be billeted above One Mile from the Place mentioned in the Route, Care being always taken that Billets be made out for the less distant Houses, in which suitable Accommodation can be found, before making out Billets for the more distant; and in all Places where Cavalry shall be billeted in pursuance of this Act, each Man and his Horse shall be billeted in One and the same House, except in case of Necessity; and, except in case of Necessity, One Man at least shall be billeted where there shall be One or Two Horses, and Two Men at least where there shall be Four Horses, and so in proportion for a greater Number; and in no Case shall a Man and his Horse be billeted at a greater Distance from each other than One hundred Yards; and the Constables are hereby required to billet all Soldiers and their Horses on their March, in the Manner required by this Act, upon the Occupiers of all Houses within One Mile of the Place mentioned in the Route, and whether they be in the same or in a different County, in like Manner in every respect as if such Houses were all locally situate within such Place; provided that nothing herein contained shall be construed to extend to authorize any Constable to billet Soldiers out of the County to which such Constable belongs when the Constable of the adjoining County shall be present and shall undertake to billet the due Proportion of Men in such adjoining County; and no more Billets shall at any Time be ordered than there are effective Soldiers and Horses present to be billeted; all which Billets, when made out by such Constables, shall be delivered into the Hands of the Commanding Officer present; and if any Person shall find himself aggrieved by having an undue

Proportion

Proportion of Soldiers billeted in his House, and shall prefer his Complaint, if against a Constable or other Person not being a Justice, to One or more Justices, and if against a Justice then to Two or more Justices within whose Jurisdiction such Soldiers are billeted, such Justices respectively shall have Power to order such of the Soldiers to be removed, and to be billeted upon other Persons, as they shall see Cause; and when any of Her Majesty's Cavalry or any Horses as aforesaid shall be billeted upon the Occupiers of Houses in which Officers or Soldiers may be quartered by virtue of this Act who shall have no Stables, then and in such Case, upon the written Requisition of the Commanding Officer of the Regiment, Corps, Troop, or Detachment, the Constable is hereby required to billet the Men and their Horses, or Horses only, upon some other Person or Persons who have Stables and who are by this Act liable to have Officers and Soldiers billeted upon them; and upon Complaint being made by the Person or Persons to whose House or Stables the said Men or Horses shall have been so removed to Two or more Justices within whose Jurisdiction such Men or Horses shall be so billeted, it shall be lawful for such Justices to order a proper Allowance to be paid by the Person relieved to the Persons receiving such Men and Horses or to be applied in furnishing the requisite Accommodation; and Commanding Officers may exchange any Man or Horse billeted in any Place, with another Man or Horse billeted in the same Place, for the benefit of the Service, provided the Number of Men and Horses do not exceed the Number at that Time billeted on such Houses respectively; and the Constables are hereby required to billet such Men and Horses so exchanged accordingly; and it shall be lawful for any Justice, at the Request of any Officer or Non-commissioned Officer commanding any Soldiers requiring Billets, to extend any Routes or to enlarge the Districts within which Billets shall be required, in such Manner as shall appear to be most convenient to the Troops; provided that, to prevent or punish all Abuses in billeting Soldiers, it shall be lawful for any Justice within his Jurisdiction, by Warrant or Order under his Hand, to require any Constable to give him an Account in Writing of the Number of Officers and Soldiers who shall be quartered by such Constables, together with the Names of the Persons upon whom such Officers and Soldiers are billeted, stating the Street or Place where such Persons dwell, and the Sign, if any, belonging to the Houses: Provided always, that no Officer shall be compelled or compellable to pay anything for his Lodging, where he shall be duly billeted.

Allowance to Innkeepers.

LXXII. The Innholder or other Person on whom any Soldier is billeted in *Great Britain* shall, if required by such Soldier, furnish him for every Day of the March, and for a Period not exceeding Two Days when halted at the intermediate Place upon the March, and for the Day of the Arrival at the Place of final Destination, with One hot Meal in each Day, the Meal to consist of such Quantities of Diet and Small Beer as may be fixed by Her Majesty's Regulations, not exceeding One Pound and a Quarter of Meat previous to being dressed, One Pound of Bread, One Pound of Potatoes or other Vegetables, and Two Pints of Small Beer, and Vinegar, Salt, and Pepper, and for such Meal the Innholder or other Person furnishing the same shall be paid the Sum of Tenpence; and all Innholders and other Persons on whom Soldiers may be billeted in *Great Britain*, except when on the March and entitled to be furnished with the hot Meal as aforesaid, shall furnish such Soldiers with Candles, Vinegar, and Salt, and shall allow them the Use of Fire, and the necessary Utensils for dressing and eating their Meat, and shall be paid in consideration thereof the Sum of One Penny Halfpenny *per Diem* for each Soldier; and the Sum to be paid to the Innholder or other Person on whom any of the Horses belonging to Her Majesty's Forces shall be billeted in *Great Britain*, for Ten Pounds of Oats, Twelve Pounds of Hay, and Eight Pounds of Straw, shall be One Shilling and Ninepence *per Diem* for each Horse; and in *Ireland* the Sum to be paid for Twelve Pounds of Hay and Eight Pounds of Straw to the Innholder or other Person, for Horses billeted by virtue of this Act, shall be the Rate established by the Lord Lieutenant or other sufficient Authority from Time to Time, the same to be regulated by the average Rate of Contracts for Forage in *Ireland;* and for the Use of Stables in *Ireland*, when such Horses are provided with Hay and Straw by Contract, and not by the Occupiers of the Houses on which they are billeted, the Sum of Fourpence *per* Week for each Horse shall be paid; and every Officer or Non-commissioned Officer commanding a Regiment, Detachment, or Party, shall every Four Days, or before they shall quit their Quarters if they shall not remain so long as Four Days, settle and discharge the just Demands of all Victuallers or other Persons upon whom such Officers, Soldiers, or Horses are billeted, out of the Pay and Subsistence of such Officers and Soldiers before any Part of the said Pay or Subsistence be distributed to them respectively; and if any such Officer or Non-commissioned Officer shall not pay the same as aforesaid, then, upon Complaint, and Oath made thereof by any Two Witnesses before Two Justices of the Peace for the County, Riding, Division, Liberty, City, Borough, or Place where such Quarters were situated, sitting in Quarter or Petty Sessions, the Secretary-at-War is hereby required (upon Certificate of the Justices before whom such Oath was made of the Sum due upon such Accounts, and the Persons to whom the same is owing,) to give Orders to the Agent of the Regiment or Corps to pay the Sums due to such Victuallers or other Persons as aforesaid, and to charge the same against such Officers; and in case any Soldier be suddenly ordered to march, and the respective Commanding Officers or Non-commissioned Officers are not enabled to make Payment of the Sums due for the Lodging or Victualling of the Men and Stabling or Forage for the Horses, every such Officer or Non-commissioned Officer shall, before his Departure, make up the Account with every Person upon whom such Soldier may have been billeted, and sign a Certificate thereof; which Account and Certificate shall be transmitted

mitted by such Officer or Non-commissioned Officer to the Agent of the Regiment or Corps, who is hereby required to make immediate Payment thereof, and to charge the same to the Account of such Officer or Non-commissioned Officer.

Penalty on unlawful recruiting.

LXXXVII. Every Person (except such Person or Persons as shall be authorized by beating Order under the Hand of the Secretary at War) who shall cause to be advertised, posted, or dispersed Bills for the Purpose of procuring Recruits or Substitutes for the Line, embodied Militia, or *East India* Company's Service, or shall open or keep any House, Place of Rendezvous, or Office, or receive any Person therein under such Bill or Advertisement, as connected with the Recruiting Service, or shall directly or indirectly interfere therewith, without Permission in Writing from the Adjutant General, or from the Directors of the *East India* Company, (as the Case may be,) shall forfeit for every such Offence a Sum not exceeding Twenty Pounds.

Penalties upon Civil Subjects offending against the Laws relating to Billets.

XCIII. If any Constable or other Person who by virtue of this Act shall be employed in billeting any Officers or Soldiers in any Part of the United Kingdom shall presume to billet any such Officer or Soldier in any House not within the Meaning of this Act, without the Consent of the Owner or Occupier thereof; or shall neglect or refuse to billet any Officer or Soldier on Duty, when thereunto required, in such Manner as is by this Act directed, provided sufficient Notice be given before the Arrival of such Troops; or shall receive, demand, or agree for any Money or Reward whatsoever, in order to excuse any Person from receiving such Officer or Soldier; or shall quarter any of the Wives, Children, Men or Maid Servants of any Officers or Soldiers, in any such Houses, against the Consent of the Occupiers; or shall neglect or refuse to execute such Warrants of the Justices as shall be directed to him for providing Carriages, Horses, or Vessels, or shall demand more than the legal Rates for the same; or if any Person ordered by any Constable in manner herein-before directed to provide Carriages, Horses, or Vessels shall refuse or neglect to provide the same according to the Orders of such Constable, or shall do any Act or Thing by which the Execution of any Warrants for providing Carriages, Horses, or Vessels shall be hindered; or if any Constable shall neglect to deliver in to the Justices at Quarter Sessions Lists of Officers and Soldiers of the Foot Guards quartered according to the Provisions of this Act, or shall wilfully cause to be delivered defective Lists of the same; or if any Person liable by this Act to have any Officer or Soldier quartered upon him shall refuse to receive and to afford proper Accommodation or Diet in the House in which such Officer or Soldier is quartered, and to furnish the several Things directed to be furnished to Officers and Soldiers, or shall neglect or refuse to furnish good and sufficient Stables, together with good and sufficient Oats, Hay, and Straw in *Great Britain* and good and sufficient Hay and Straw in *Ireland* for each Horse, in such Quantities and at such Rates as herein-before provided; or if any Innkeeper or Victualler not having good and sufficient Stables shall refuse to pay over to the Person or Persons who may provide Stabling such Allowance by way of Compensation as shall be directed by any Justice of the Peace, or shall pay any Sum or Sums of Money to any Soldier on the March in lieu of furnishing in Kind the Diet and Small Beer to which such Soldier is entitled; or if any Toll Collector shall demand and receive Toll from any of Her Majesty's Officers or Soldiers, they being in proper Staff or Regimental or Military Uniform, Dress or Undress, for themselves, or for their Horses, or from any Recruits marching by Route, or from any Prisoners under Military Escort, or from any Enrolled Pensioners in Uniform, when called out for Training or in aid of the Civil Power, or for any Carriages or Horses belonging to Her Majesty, or employed in Her Service under the Provisions of this Act, or in any of Her Majesty's Colonies, when conveying Persons or Baggage or returning therefrom, every such Constable, Victualler, Toll Keeper, or other Person respectively shall forfeit for every such Offence, Neglect, or Refusal any Sum not exceeding Five Pounds nor less than Forty Shillings; and if any Person shall personate or represent himself to be a Soldier, or a Recruit, with the view of fraudulently obtaining a Billet, or Money in lieu thereof, he shall for every such Offence forfeit any Sum not exceeding Five Pounds nor less than Twenty Shillings.

Penalty on Toll Collectors demanding Toll from Officers, Soldiers, or Carriages;

and on Persons personating Soldiers, &c.

Certain Soldiers to be deemed to have been duly attested.

CV. 'And whereas it may be doubtful whether certain Soldiers who have been enlisted for the 'Medical Staff Corps and the Military Train, and as Schoolmasters and Armourer Serjeants, and who 'have voluntarily taken the Oath of Allegiance and Fidelity, and are now receiving Military Pay, have 'been attested in entire Accordance with the Forms prescribed by the Statutes now in force relating to 'Enlistment:' It is hereby provided, That in every Case where any such Soldier having been duly enlisted shall not have claimed to be discharged on or before the Sixteenth Day of *March* One thousand eight hundred and fifty-seven, he shall not be entitled to his Discharge by reason of such Informality in his Attestation, but shall be liable to all the Provisions of this Act, and of the Act passed in the Twentieth Year of the Reign of Her present Majesty for the Punishment of Mutiny and Desertion, and for the better Payment of the Army and their Quarters, where in force, and shall be entitled to the full Benefit of his past Service, and to all Pay and Pension in respect thereof, to all Intents and Purposes, and in like Manner, as if he had been duly attested.

Duration of this Act.

CVII. This Act shall be and continue in force within *Great Britain* from the Twenty-fifth Day of *April* One thousand eight hundred and fifty-eight inclusive until the Twenty-fifth Day of *April* One thousand eight hundred and fifty-nine; and shall be and continue in force within *Ireland*, and in *Jersey*, *Guernsey*, *Alderney*, *Sark*, and *Isle of Man* and the Islands thereto belonging, from the First Day of *May* One thousand eight hundred and fifty-eight inclusive until the First Day of *May* One thousand eight

hundred and fifty-nine; and shall be and continue in force within the Garrison of *Gibraltar*, the *Mediterranean*, and in *Spain* and *Portugal*, from the First Day of *August* One thousand eight hundred and fifty-eight inclusive until the First Day of *August* One thousand eight hundred fifty-nine; and shall be and continue in force in all other Parts of *Europe* where Her Majesty's Forces may be serving, and in the *West Indies* and *America*, from the First Day of *September* One thousand eight hundred and fifty-eight inclusive to the First Day of *September* One thousand eight hundred and fifty-nine; and shall be and continue in force within the *Cape of Good Hope*, the *Isle of France* or *Mauritius* and its Dependencies, *Saint Helena*, and the Settlements on the Western Coast of *Africa*, from the First Day of *January* One thousand eight hundred and fifty-nine inclusive until the First Day of *January* One thousand eight hundred and sixty; and shall be and continue in force in all other Places from the First Day of *February* One thousand eight hundred and sixty inclusive until the First Day of *February* One thousand eight hundred and sixty-one: Provided always, that this Act shall, from and after the Receipt and Promulgation thereof in General Orders in any Part of Her Majesty's Dominions or elsewhere beyond the Seas, become and be in full Force, anything herein stated to the contrary notwithstanding.

SCHEDULES referred to by the foregoing Act.

NOTICE to be given to a RECRUIT, or left at his Place of Abode, or at the Place at which he stated that it was his Intention to sleep, agreeably to the Provisions of the Mutiny Act, within Forty-eight, but no sooner than Twenty-four, Hours after his Enlistment, the Hours of Sunday, Christmas Day, or Good Friday not being counted.

Date _____ 185 .

you enlisted with at o'Clock* on the Day of for the Regiment [*instead of the Words* "for the Regiment," *any Words may be substituted which are applicable to the Case*], and if you do not come forward on or before o'Clock* on the for the Purpose of being taken before a Magistrate, either to be attested or to release yourself from your Engagement by repaying the Enlisting Shilling and any Pay you have received as a Recruit, and by paying Twenty Shillings as Smart Money, you will be legally adjudged to be a Soldier without Attestation, and will be proceeded against as a Deserter.

Signature of the Officer or Non-commissioned Officer commanding the Party - - } _____

Name of the Recruit _____

Residing at _____

QUESTIONS to be put separately by the JUSTICE to a RECRUIT ON ENLISTING.

1. What is your Name?
2. In what Parish, and in or near what Town, and in what County, were you born?
3. What is your Age?
4. What is your Trade or Calling?
5. Are you an Apprentice?
6. Are you married?
7. Are you ruptured or lame; have you ever been subject to Fits; or have you any Disability or Disorder which impedes the free Use of your Limbs, or unfits you for ordinary Labour?
8. Are you willing to be attested to serve in the Regiment of for the Term of [*instead of the Words* "in the Regiment of" *any Words may be substituted denoting the particular Corps or Service in which the Recruit is willing to serve; the Blank after the Words* "*Term of*" *to be filled up by the Justices with Ten Years for Infantry, and Twelve for Cavalry or Artillery or other Ordnance Corps, if the Person enlisted is of the Age of Eighteen Years or upwards; but if under that Age, then the Difference between his Age and Eighteen is to be added to such Ten or Twelve Years* (*as the Case may be*)], provided Her Majesty should so long require your Services, and also for such further Term, not exceeding Two Years, as shall be directed by the Commanding Officer on any Foreign Station?
9. At what Place, on what Day, at what Hour of the Day, and by whom were you enlisted?
10. For what Bounty did you enlist?
11. Have you any Objection to make to the Manner of your Enlistment?
12. Do you now belong to the Militia, or to the Naval Coast Volunteers?
13. Do you belong to any Regiment or Corps in Her Majesty's Army, or to the Marines, Ordnance, or Navy, or to the Forces of the East India Company?
14. Have you ever served in the Army, Marines, Ordnance, Militia, or Navy, or in the Forces of the East India Company?

* A.M. or P.M., as the Case may be.

15. Have

15. Have you ever been rejected as unfit for Her Majesty's Service, or for the Service of the East India Company, upon any prior Enlistment?

Note.—The Justice is directed in putting the Twelfth Question to the Recruit, and before he receives his Answer, distinctly to apprize the Recruit that if he belongs to the Militia, and denies the Fact, he is liable to forfeit One Penny a Day of his Pay for Eighteen Months if attested and to Fourteen Days Imprisonment if he is not attested, and if he belong to the Naval Coast Volunteers he is liable under the Act 16 & 17 Victoria, c. 73. to Imprisonment for Six Months, and his Enlistment will be null and void.

Enlisting for Service in Her Majesty's Colonies.

Question 8. is to be put by the Justices as follows:

8. Are you willing to be attested to serve in Her Majesty's Colony of for the Term of [*this Blank to be filled up by the Justices with Ten Years for Infantry, and Twelve for Cavalry or Artillery or other Ordnance Corps, if the Person enlisted is of the Age of Eighteen Years or upwards; but if under that Age, then the Difference between his Age and Eighteen is to be added to such Ten or Twelve Years (as the Case may be)*], provided Her Majesty should so long require your Services, and also for such further Term, not exceeding Two Years, as shall be directed by the Commanding Officer on any Foreign Station?

Enlisting for either Her Majesty's or the East India Company's Service.

Question 8. is to be put by the Justices as follows:

8. Are you willing to be attested to serve in Her Majesty's Army, or in the Forces of the East India Company, according as Her Majesty shall think fit to order, for the Term of [*this Blank to be filled up by the Justices with Ten Years for Infantry, and Twelve for Cavalry or Artillery or other Ordnance Corps, if the Person enlisted is of the Age of Eighteen Years or upwards; but if under that Age, then the Difference between his Age and Eighteen is to be added to such Ten or Twelve Years (as the Case may be)*], provided your Services should so long be required, and also for such further Term, not exceeding Two Years, as shall be directed by the Commanding Officer on any Foreign Station?

DECLARATION to be made by a RECRUIT on ATTESTATION.

I do declare, That the above Questions have been separately put to me; that the Answers thereto have been read over to me; and that they are the same that I gave, and are true.

Declared before me,

_____ *Signature of Soldier.*

_____ *Signature of Justice.*

OATH to be taken by a RECRUIT on ATTESTATION.

I do make Oath, That I will be faithful and bear true Allegiance to Her Majesty, Her Heirs and Successors, and that I will, as in Duty bound, honestly and faithfully defend Her Majesty, Her Heirs and Successors, in Person, Crown, and Dignity, against all Enemies, and will observe and obey all Orders of Her Majesty, Her Heirs and Successors, and of the Generals and Officers set over me.

So help me GOD.

Witness my Hand, _____ *Signature of Recruit.*

_____ *Witness present.*

Sworn before me at this
Day of One thousand eight hundred
and at o'Clock.

Signature of Justice _____.

CAP. X.

An Act to confirm a certain Provisional Order of the General Board of Health, applying the Public Health Act, 1848, to the District of *Skipton* in the West Riding of the County of *York*; and to further declare the Limits of the District of *Toxteth Park* in the County Palatine of *Lancaster*, for the Purposes of the said Act. [11th *May* 1858.]

'WHEREAS the General Board of Health have, in pursuance of the Public Health Act, 1848, made, published, and deposited, according to the Provisions of that Act, a Provisional Order in the Schedule to this Act contained, and it is expedient that the said Order should be confirmed, and further Provisions made in relation thereto: And whereas Doubts have arisen as to the Limits of the District of *Toxteth Park*, as fixed by the Provisional Order of the said Board, bearing Date the Thirtieth Day of *July* One thousand eight hundred and fifty-five:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. The

General Board of Health (Skipton, &c.)

I. The Provisional Order of the General Board of Health contained in the Schedule hereunto annexed shall, from and after the passing of this Act, so far as the same is authorized by the said Public Health Act, be absolute, and be as binding, and of the like Force and Effect, as if the Provisions of the same had been expressly enacted in this Act. Provisional Order in Schedule as to Skipton confirmed.

II. Six of the Members of the Local Board of Health for the District of *Skipton*, the Boundaries of which are set forth in the Schedule to the Provisional Order appended to this Act, shall be elected from among Persons resident within the Boundaries of such District; and the remaining Three Members of the said Board shall be elected from among Persons resident within the Township of *Skipton*, and rated in respect of Property situate within the aforesaid District. Constitution of Local Board for Skipton.

III. The First Election of the Local Board of Health for the District of *Skipton*, for the Purposes of the said Public Health Act, shall take place on the Twenty-eighth Day of *April* in the Year of our Lord One thousand eight hundred and fifty-eight. First Election of Local Board for Skipton.

IV. The Provisional Order of the General Board of Health, bearing Date the Thirtieth Day of *July* One thousand eight hundred and fifty-five, and confirmed by "The Public Health Supplemental Act, 1855," applying the Public Health Act, 1848, with certain Exceptions set forth in that Order, to the Parts included within the Boundaries of the Extra-parochial Place of *Toxteth Park*, as defined in an Act passed in the Fifth and Sixth Years of the Reign of Her present Majesty, intituled *An Act for better paving and improving the Streets and Highways within the Extra-parochial Place of* Toxteth Park *in the County Palatine of* Lancaster, *and for the Sewerage of certain Parts of the said Place*, shall be taken and held to apply only to so much of the said Extra-parochial Place as is not included within the Boundaries of the Municipal Borough of *Liverpool;* and the said Order is hereby declared to be of full Force and Effect within and in respect of so much of the said Extra-parochial Place as is not so included as aforesaid, and all the Acts, Contracts, Instruments, and Proceedings done, entered into, or executed by the Local Board of Health, acting under the said Order, shall be and the same are hereby declared to be as valid and effectual as if the said Order had referred only to the Part of the said Extra-parochial Place not so included as aforesaid. Limits of the District of Toxteth Park further defined. 5 & 6 Vict. c. cv.

V. This Act shall be deemed to be incorporated with the Public Health Act, and shall be as if this Act and the Public Health Act were One Act. Act incorporated with 11 & 12 Vict. c. 63.

VI. In citing this Act in any other Act of Parliament, or in any Proceeding, Instrument, or Document whatsoever, it shall be sufficient to use the Words and Figures "The Public Health Supplemental Act, 1858." Short Title.

SCHEDULE.

Provisional Order for the Application of the Public Health Act to the District of Skipton in the West Riding of the County of York.

GENERAL BOARD OF HEALTH.

WHEREAS upon the petition of not less than one tenth of the inhabitants rated to the relief of the poor of and within the Township of Skipton in the West Riding of the County of York, the General Board of Health, appointed for the purposes of the Public Health Act, 1848, have, in pursuance of the provisions of that Act, directed William Ranger, a Superintending Inspector, appointed for the Purposes of the said Act, to visit the said Township, and to make public inquiry, and to examine witnesses as to the sewerage, drainage, and supply of water, the state of the burial grounds, the number and sanitary condition of the inhabitants, and as to any Local Acts of Parliament in force within the said Township for paving, lighting, cleansing, watching, regulating, supplying with water, or improving the said Township, or having relation to the purposes of the said Act; also as to the natural drainage areas, and the existing municipal, parochial, or other local boundaries, and the boundary which might be most advantageously adopted for the purposes of the said Act.

And whereas the said Superintending Inspector, having previously given the notices directed by the said Act, proceeded upon the said inquiry, and has reported in writing to the said General Board upon the several matters with respect to which he was directed to inquire, and upon certain other matters in respect of which he deemed it expedient to report for the purposes of that Act.

And whereas copies of the said Report, accompanied by a notice stating that written statements might be forwarded to the said Board with respect to any matter contained in or omitted from the said Report, or any amendment proposed to be made therein, have been duly published and deposited as directed by the said Public Health Act, and the time for forwarding such statements has now elapsed, and no such statements have been received by the said Board.

And whereas it having appeared to the said General Board that the boundary which might be most advantageously adopted for the purposes of the said Act was not the same as that of the said Township with respect to which the said inquiry had been made, the said Board caused the aforesaid William Ranger to visit the parts within the boundary proposed to be adopted for the purposes of the said Act.

And whereas the said Superintending Inspector, after having given such notice as is required by the said Act, did hear all persons desirous of being heard before him on the subject of the said Report, and

and of the boundary proposed to be adopted for the purposes of the said Act; and did make further inquiry, and report according to the directions of the said Board.

And whereas copies of such further Report, accompanied by a notice stating that, within the time directed by the said Act, written statements might be forwarded to the said Board with respect to any matter contained in or omitted from the said Report, or any amendment proposed to be made therein, have been duly published and deposited as required by the said Act; and the time for forwarding such statements has now elapsed, and no such statements have been received by the said Board.

And whereas it appears upon such Reports that there is a certain Local Act of Parliament in force within the said Township having relation to the purposes of the said Public Health Act; that is to say,

An Act passed in the fourth year of the reign of King George the Fourth, intituled "An Act for better supplying with Water the Town of Skipton in the West Riding of the County of York."

And whereas it appears to the said General Board to be expedient that the said Public Health Act should be applied to a district comprised within the boundary described in the Schedule to this Order annexed, and shown by the line described as "Proposed Boundary," on the map accompanying the said first printed Report to the General Board of Health, bearing date the 26th March 1857, and further described in the Appendix to the aforesaid Report (p. 23), but the same cannot be done without the authority of Parliament.

Now, therefore, in pursuance of the powers vested in the said Board by the Public Health Act, 1848, the said General Board of Health do, by this Provisional Order, under my hand as President of the said Board, and under their official Seal, order and direct, That from and after the day appointed for the first election of the Local Board of Health by any Act of Parliament confirming this Order—

1.—The Public Health Act, 1848, shall apply to the entire area comprised within the boundary described in the Schedule to this Order annexed, being the parts within which the said inquiry and further inquiry have been made, and such area shall be a District, for the purposes of the said Public Health Act, to be called the Skipton District.

2.—The Local Board shall consist of nine persons resident, in the manner provided by the Act confirming this Order.

3.—One-third of the said Local Board shall go out of office on the Twenty-fifth day of March in each year subsequent to that in which the first election of the said Local Board takes place.

4.—Every person shall, at the time of his election as member of the said Local Board, and so long as he shall continue in office by virtue of such election, be possessed of real or personal estate, or both, to the value of not less than one thousand pounds, or shall be rated to the relief of the poor of the said District, or of some township or place of which some part is within the said District, upon an annual value of not less than twenty pounds.

5.—At the first election of the said Local Board, Henry Alcock, Esquire, of Airville, Skipton, shall have the powers and perform the duties in relation to such election vested in or imposed upon the Chairman of the Local Board of Health by the Public Health Act, 1848, and all other duties which it may be requisite for him to perform in conducting and completing the said first election; and in case the said Henry Alcock, from illness or other sufficient cause, shall be absent, or shall refuse or be unable to act, then Stephen Bailey Hall, Esquire, of Skipton aforesaid, shall act in his place.

6.—The fourteen days' notice of qualification required by the Public Health Act, 1848, to be given by owners of property in order to entitle them to vote at the said first election shall be given to the said Henry Alcock, at his residence, Airville, Skipton; or in case he shall refuse or be unable to receive the same, then to the said Stephen Bailey Hall, at his offices, Skipton.

Given under my Hand and under the Seal of the General Board of Health, this Second day of February, in the year of our Lord One thousand eight hundred and fifty-eight.

(L.S.) (Signed) W. COWPER,
President of General Board of Health.

Schedule to which this Order refers.

The boundary of the District of the Skipton Local Board of Health, referred to in the preceding Order, is marked by a line upon the map accompanying the said first Report to the President of the General Board of Health, bearing date the 26th March 1857, the said line being described on that map as "Proposed Boundary." The said line commences at a small hull or building situate at or near Cross Bank, on the Skipton and Embsay Road, and runs thence in a northerly direction along the fence on the west side of a certain field belonging to Sir Richard Tufton, called the Storams, and in the occupation of John Kendall, to the brook called Eller Beck; thence along the course of the said brook to the point where a certain rivulet from the north-west runs into the said brook, near the reservoir or round dam of the Skipton High Mill; thence along the course of such rivulet to the point where it crosses the Short Lee Lane; thence along the said lane to the north point of the east fence of a close called Sodhill, in the occupation of John Moorhouse, and belonging to the township of Skipton; thence along the fence of the said close called Sodhill on the east and south sides thereof until it reaches the old Skipton and Gargrave Road; thence across the said road, along a certain occupation lane, to the north-west corner

of

of a certain close belonging to the said Sir Richard Tufton, called Bull Ing, late in occupation of Robert Twisleton and now in the occupation of William Scaife; thence along the line of fence on the west side of the said last-mentioned close and the line of fence on the west side of the Bull Ing plantation, also belonging to Sir Richard Tufton, and the line of fence on the west side of a close of meadow land abutting on the new Skipton and Gargran turnpike road; thence westerly along the said road to a point where it will be in a straight line with the sunk fence on the west side of a certain close called Harwoods, belonging to Henry Alcock, and thence across the shrubbery belonging to the said Henry Alcock, and along the said sunk fence on the west side of the said close called Harwoods to the Gowflat Lane; thence along the said lane leading towards the canal to a point where the fence on the west side of a close called Lambert Hills, belonging to Sir Richard Tufton, and in the occupation of William Stockdale, abuts on the said lane; thence along the said fence on the west side of the said last-mentioned close and a small garden upon the south of the said close to and across the Leeds and Liverpool Canal in a direct line to and across the Leeds and Bradford Railway Extension; thence in an easterly direction along the occupation road on the south of the said railway to the point where it reaches the lane called Golden Lane; thence along the said last-mentioned lane to the north-west point of a close called Low Crake Moor, in the occupation of John Howson; thence along the fences on the west sides of the said close and the adjoining close, also called Low Crake Moor, and also in the occupation of the said John Howson, to the southern extremity of such fence; thence along the brook called Eller Beck, in an easterly direction, until it passes into a certain close called Buck Dimples, also belonging to the said Sir Richard Tufton and in the occupation of John Metcalf; thence southerly along the western fence of the said close called Buck Dimples to the Waltonwrays occupation lane, leading into the Skipton and Carlton Road; thence along the said occupation lane in an easterly direction into the said Skipton and Carlton Road; thence in a southerly direction along the said last-mentioned road to the south corner of a certain close or inclosure, also belonging to the said Sir Richard Tufton, called Cross Close, and now in the occupation of Henry Hird; thence in an easterly direction along the south fence of the said last-mentioned close, and along the south fences of the two closes lying between the said close called Cross Close and the said railway, and across the said railway to the Skipton and Keighly Road; thence in a south-easterly direction along the said road to the south-west corner of a triangular close called the Paddock, also belonging to the said Sir Richard Tufton, and lying between the said road and the Leeds and Liverpool Canal; thence along the south fence of the said triangular close to and across the Leeds and Liverpool Canal to the south-west corner of a certain field edging the said canal, also belonging to the said Sir Richard Tufton, called the Far Lower Firth, in the occupation of John Howson; thence along the south fences of the last-mentioned close and the three adjoining closes called the Firth or Firth and Cornfield, in the occupation of the said John Howson, and Far Wood Bottom, in the occupation of Sarah Whitham; thence along the easterly fence of the last-mentioned close until such fence runs into the south fence of a certain other close adjoining thereon, called the Great Wood Pasture, in the occupation of John Wignall; thence along the south and east fences of the said last-mentioned close into a certain occupation lane, called the Great Wood Lane; thence along the said lane until it reaches the Old Rumblesmoor Road, and thence along the said last-mentioned road in a direction towards the town of Skipton to the south-west corner of a field or garden adjoining upon the Bath House; thence along the south fence of the said last-mentioned field or garden to the south fences of two other closes called Gill Pasture and Gill Meadow, also belonging to the said Sir Richard Tufton, now in the occupation of John Whittingham; thence in a northerly direction along the east fence of the said close called Gill Meadow; thence along the east fence of the two closes, also belonging to the said Sir Richard Tufton, called Sun Moor Meadow and Sun Moor, late in the occupation of Storey Watkinson, to the point where the brook called Skibedon Beck runs into the said close called Sun Moor Pasture; thence in a northerly direction along the said brook to the point where it passes under the Skipton and Otley Road; thence in a direct line to the south-west corner of a certain field called Far East Field, also belonging to the said Sir Richard Tufton, in the occupation of Robert Birtwhistle; thence along the western fence of the said last-mentioned close to the Skipton and Knaresbro' Road; thence along the said road in an easterly direction to a point opposite to the west fence of a close called Haw Bank or Rock Field, also belonging to the said Sir Richard Tufton, late in the occupation of Jeremiah Phillip, but now of his daughter Ann Wilkinson; thence along the west fences of the said last-mentioned close and the adjoining close called Cross Bank Meadow, also belonging to the said Sir Richard Tufton, and late in the occupation of the said Jeremiah Phillip, but now of his said daughter, to the Skipton and Embsay Road, and thence along the said road in a direction towards the town of Skipton to the said small hull or building first described at the commencement of the said boundary line.

CAP. XI.

An Act to repeal the Stamp Duties payable on Matriculation and Degrees in the University of *Cambridge*. [11th *May* 1858.]

'WHEREAS by an Act passed in the Session of Parliament holden in the Nineteenth and Twentieth Years of Her Majesty (Chapter Eighty-eight), "to make further Provision for the good Government and Extension of the University of *Cambridge*, of the Colleges therein, and of the College of "King 19 & 20 Vict. c. 88.

' " King *Henry* the Sixth at *Eton*," it was enacted, that the Stamp Duties then payable on Matricula-
' tions and Degrees should be abolished so soon as Provision should have been made by the University,
' to the Satisfaction of the Commissioners of Her Majesty's Treasury, in lieu of the Monies thereto-
' fore voted annually by Parliament: And whereas by a Grace or Statute of the said University, passed
' by the Senate in Congregation on the Tenth Day of *December* One thousand eight hundred and fifty-
' seven, Provision has been made for the Payment out of the University Chest of the Salaries and Allow-
' ances to certain Professors of the said University, mentioned in the Schedule to this Act, (being the same
' Salaries and Allowances as were heretofore annually voted by Parliament to the said Professors,) and
' the Commissioners of Her Majesty's Treasury are satisfied that such Statute is a due Provision in lieu
' of the Monies theretofore voted annually by Parliament, as intended by the said Act:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Stamp Duties on Admission or Matriculation and on Admission to Degrees in Cambridge repealed.

I. All Stamp Duties payable under the Act of the Fifty-fifth Year of King *George* the Third, Chapter One hundred and eighty-four, or under any other Act of Parliament, on the Admission or Matriculation of any Person in the said University of *Cambridge*, and on the Admission of any Person to any Degree in the said University (whether conferred in the ordinary Course of the University or otherwise), or for the Registry or Entry of any such Admission, shall, from and after the First Day of *April* next, cease to be payable.

Salaries payable to Professors in Schedule not discontinued without Consent of Treasury.

II. No Salary or Allowance payable under the said Grace or Statute of the said University to any Professor mentioned in the Schedule to this Act shall be discontinued or reduced without the Consent of the Commissioners of Her Majesty's Treasury.

SCHEDULE.

	£
To the Professor of Modern History	371
To the Professor of Civil Law	100
To the Professor of Chemistry	100
To the Professor of Anatomy	100
To the Professor of Botany	182
To the Jacksonian Professor	100
To the Professor of Mineralogy	100

CAP. XII.

An Act for the Alteration of certain Duties of Customs. [11th *May* 1858.]

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Duties of Customs on certain Articles to cease.

I. That the Duties of Customs now chargeable on the under-mentioned Articles on their Importation into *Great Britain* and *Ireland* shall cease and determine; (that is to say,)

Chloride of Limé.
Platina Wire.

New Duties of Customs to be charged on certain Articles.

II. That in lieu of the Duties of Customs now chargeable on the under-mentioned Articles on their Importation into *Great Britain* and *Ireland* the following Duties shall be charged; (that is to say,)

		d.
Bonnets of Felt	each	6
Caoutchouc, Manufactures of	per lb.	2

On and after 5th April 1858, Duties of Customs to be charged on certain other Articles.

III. On and after the Fifth Day of *April* One thousand eight hundred and fifty-eight, the following Duties of Customs shall be charged on the Articles under mentioned on the Importation thereof into *Great Britain* and *Ireland*; that is to say,

		s.	d.
Stearine	the Cwt.	3	6
Candles; *viz.*			
Stearine	the Cwt.	3	6

Commencement of Act. Short Title.

IV. This Act shall come into operation on the Day of the passing of this Act, except where otherwise herein mentioned, and in citing it in other Acts of Parliament and in legal Instruments it shall be sufficient to use the Expression " The Customs Duties Act, 1858."

CAP. XIII.

An Act for raising the Sum of Twenty million nine hundred and eleven thousand five hundred Pounds by Exchequer Bills, for the Service of the Year One thousand eight hundred and fifty-eight. [11th *May* 1858.]

CAP. XIV.

An Act for raising the Sum of Two Millions by Exchequer Bonds. [11th *May* 1858.]

Most Gracious Sovereign;

WE, Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of *Great Britain* and *Ireland* in Parliament assembled, towards raising the necessary Supplies which we have cheerfully granted to Your Majesty, have resolved to give and grant unto Your Majesty the Sum herein-after mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Treasury may cause Exchequer Bonds to be made out for Sums not exceeding 2,000,000*l.*

I. It shall be lawful for the Commissioners of Her Majesty's Treasury from Time to Time, but not later than the Thirty-first Day of *March* One thousand eight hundred and fifty-nine, to cause any Number of Exchequer Bonds to be made out at the Receipt of the Exchequer at *Westminster* for such Sum or Sums of Money as they shall direct, not exceeding in the whole the Sum of Two Millions, and such Bonds shall bear such Interest as shall be determined by the said Commissioners, not exceeding Three Pounds Ten Shillings *per Centum per Annum*, and shall be paid off at Par at the Expiration of any Period or Periods not exceeding Six Years from the Date of such Bonds.

As to Payment of Interest on Bonds and Repayment of Principal Money.

II. The Interest on such Bonds shall be paid half-yearly on such Days as shall be appointed by the said Commissioners, and shall be charged upon and issued out of the Consolidated Fund of the United Kingdom, or out of the growing Produce thereof; and the Principal Monies secured by such Bonds shall be repaid out of any Aids or Supplies which, at or after the Time when such Principal Monies shall become payable, shall be in the Bank of *England* standing to the Credit of the Exchequer.

Treasury may cause Exchequer Bonds to be prepared and issued.

III. The Commissioners of Her Majesty's Treasury may from Time to Time, by Warrant under their Hands, cause or direct the Exchequer Bonds to be issued under the Authority of this Act to be prepared for such Principal Sums, not less in any Case than One hundred Pounds, together with Receipts or Certificates specifying the Interest from Time to Time accruing thereon, to be made out in such Manner and Form and bearing such Date as shall be fixed by the said Commissioners; and such Exchequer Bonds and the Interest accruing thereon respectively shall be transferable by the Delivery of such Bonds and of the Receipts or Certificates for such Interest thereon respectively; and the said Commissioners may from Time to Time, subject to the Provisions herein contained, prescribe and regulate how and by what Officer or Officers such Exchequer Bonds shall be signed or otherwise authenticated, and how and to whom the same shall be issued, and provide for the Manner of Payment of the Interest accruing thereon, and also for the Issue of new Bonds in lieu of any such Bonds worn or defaced which may be delivered up to be cancelled, and for the Issue of new Bonds in lieu of such Exchequer Bonds as may be lost, at such Times, upon such Securities, and under such Conditions and Precautions as they may think fit, and generally make such Regulations for the Safety and Convenience of the Holders of such Bonds, and the Payment of Interest upon the Production or Delivery of such Receipts or Certificates, or otherwise, as they may think fit.

Application of Clauses 16, 17, 18, and 19 of 17 & 18 Vict. c. 23.

IV. The several Sections Sixteen, Seventeen, Eighteen, and Nineteen of the Act of the Session holden in the Seventeenth and Eighteenth Years of Her Majesty, Chapter Twenty-three, shall apply and be construed to and in relation to the Exchequer Bonds to be prepared under the Authority of this Act, in like Manner as if such several Sections had been repeated and re-enacted in this Act.

Money raised to be paid to the Consolidated Fund.

V. All such Sums of Money as shall be raised by Exchequer Bonds to be made out in pursuance of this Act shall be paid to the Account of Her Majesty's Exchequer at the Bank of *England*, and shall be carried to and form Part of the Consolidated Fund of the United Kingdom.

Bank may advance 2,000,000*l.* on Credit of Bonds, &c.

VI. It shall be lawful for the Governor and Company of the Bank of *England* to advance or lend to Her Majesty, upon the Credit of the Exchequer Bonds to be made out in pursuance of this Act, any Sum or Sums of Money not exceeding in the whole the Sum of Two Millions, (anything in an Act passed in the Session holden in the Fifth and Sixth Years of King *William* and Queen *Mary*, Chapter Twenty, or in any subsequent Act, notwithstanding;) and also for the Commissioners for the Reduction of the National Debt to invest in the Purchase of Exchequer Bonds issued under the Authority of this Act any Money in their Hands on account of Savings Banks.

CAP. XV.

An Act for granting certain additional Rates and Duties of Excise. [11th *May* 1858.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of *Great Britain* and *Ireland* in Parliament assembled, towards raising the Supply granted to Your Majesty, have freely and voluntarily resolved to give and grant unto Your Majesty the several additional Rates and Duties of Excise herein respectively mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Grant of additional Duties of Excise on Spirits, &c.

I. There shall be charged, raised, levied, collected, and paid, unto and for the Use of Her Majesty, Her Heirs and Successors, the following additional Duties of Excise; that is to say,

For and upon every Gallon of Spirits of the Strength of Hydrometer Proof which on or after the Nineteenth Day of *April* One thousand eight hundred and fifty-eight shall be distilled in *Ireland*, or be in the Stock, Custody, or Possession of any Distiller in *Ireland*, or of any Person in trust for him or for his Use, Benefit, or Account, or which, having been distilled in *England*, *Scotland*, or *Ireland*, shall on or after the said Day be in Warehouse in *Ireland*, and be taken out of Warehouse for Consumption in *Ireland*, or which, having been taken out of Warehouse in *England* or *Scotland* for Removal to *Ireland*, shall on or after the said Day be brought into *Ireland*, the additional Duty of One Shilling and Tenpence, and so in proportion for any greater or less Degree of Strength or any greater or less Quantity:

And for and upon every Gallon of Spirits of the Nature or Quality of plain *British* Spirits of the Strength of Hydrometer Proof, manufactured or distilled in the Islands of *Guernsey*, *Jersey*, *Alderney*, and *Sark* respectively, and imported from any of the said Islands into *Ireland*, there shall be charged and paid, on and after the Nineteenth Day of *April* One thousand eight hundred and fifty-eight, in lieu of the Countervailing Duties of Excise now chargeable thereon under any Act or Acts in force, the Countervailing Duty of Excise of Nine Shillings, and so in proportion for any greater or less Degree of Strength or any greater or less Quantity.

No Drawback to be allowed on Made Wines. Countervailing Duties to cease.

II. No Drawback of Excise shall be allowed or paid for or upon any Made Wines which on or after the Nineteenth Day of *April* One thousand eight hundred and fifty-eight shall be removed from *England* or *Scotland* to *Ireland*; and the Countervailing Duties now payable on the Removal from *Ireland* to *England* or *Scotland* of the several Mixtures, Compounds, Preparations, and Commodities enumerated or described under the Head of Spirit Mixtures in the Schedule (A.) of the Act passed in the Eighteenth Year of Her Majesty's Reign, Chapter Twenty-two, shall also cease to be payable on any such Removal made on or after the said last-mentioned Day.

Duties, &c. to be under the Management of the Commissioners of Inland Revenue, and to be collected and paid under the Provisions of Acts relating to Excise.

III. The said several Duties by this Act granted and imposed shall be under the Management of the Commissioners of Inland Revenue, and shall be charged, raised, levied, collected, recovered, paid, and applied in such and the like Manner, and by the same Ways, Means, and Methods, by which other Duties of Excise upon or in respect of Goods or Commodities of the same Sorts or Kinds respectively are or may be respectively charged, raised, levied, collected, recovered, paid, and applied; and all Acts relating to the Duties of Excise, and all Fines, Forfeitures, Pains, and Penalties for any Offence against or in breach of any Act for securing Duties of Excise, or for the Regulation or Improvement thereof, and the several Clauses, Provisions, Powers, and Directions contained in such Acts, shall and are hereby directed and declared (except as altered by this Act) to extend to and shall be respectively applied, practised, and put in execution for and in respect of the said Duties hereby granted and imposed respectively, in as full and ample a Manner, to all Intents and Purposes, as if all and every the said Acts, Clauses, Provisions, Powers, and Directions, Pains, Penalties, and Forfeitures, were particularly repeated and re-enacted in the Body of this Act with reference to the said Duties hereby granted and imposed as aforesaid.

Where Contracts have been made, additional Duties to be added to the Price of the Articles contracted for.

IV. 'And whereas Contracts or Agreements may have been made for the Sale or Delivery of some 'of the Goods or Commodities on which increased or additional Duties of Excise are by this Act 'granted and imposed, which Contracts or Agreements may have been made with no Reference to 'such additional Duties, and thereby the several Contractors may be materially affected:' For Remedy thereof be it enacted, That every Person who shall have made or entered into any such Contract or Agreement shall be and is hereby authorized and empowered, in the Case of any such Contract or Agreement, to add so much Money as will be equivalent to the increased or additional Duty hereby granted on any such Goods or Commodities respectively to the Price thereof, and shall be entitled by virtue of this Act to be paid and to sue for and recover the same accordingly.

Duty-paid Spirits may be removed from the Stores of Distillers and others to and from different Parts of the Kingdom.

V. All Spirits on which the full Duties of Excise chargeable by Law shall have been paid may lawfully be removed from the respective Stores or Stocks of Distillers, Rectifiers, Compounders, Dealers, and Retailers of Spirits in *Great Britain* and *Ireland* respectively to and from and between the said respective Parts of the United Kingdom in like Manner as such Spirits may now be removed, and under and subject to the like Rules and Regulations as the same are now subject and liable to on the Removal thereof from any such Stores or Stocks as aforesaid to and from and between Places both of which are situated in one and the same Part of the United Kingdom.

19 & 20 Vict. c. 34.

20 & 21 Vict. c. 61.

VI. 'Whereas by an Act passed in the Nineteenth and Twentieth Years of Her Majesty's Reign, 'Chapter Thirty-four, a Duty of Excise at the Rate of Two Shillings *per* Hundredweight was imposed 'on all Sugar used in the brewing or making of Beer after the Fifth Day of *April* One thousand eight 'hundred and fifty-eight, such Rate of Duty, together with the reduced Rate of Customs Duty on 'Sugar appointed by Law to take effect after the said last-mentioned Day, being deemed to be an 'Equivalent for the Duty of Excise on the Malt for which such Sugar would be substituted in the 'brewing or making of Beer: And whereas by an Act passed in the last Session of Parliament, 'Chapter Sixty-one, certain increased Rates of the Duties of Customs on Sugar were granted until the 'Thirty-first Day of *March* One thousand eight hundred and sixty inclusive, in lieu of the said

'reduced

' reduced Rates :' Be it enacted, That the charging and levying of the said Duty of Excise granted by the said Act of the Nineteenth and Twentieth Years of Her Majesty's Reign on Sugar used as aforesaid shall be deferred until the First Day of *April* One thousand eight hundred and sixty, and shall then be charged and levied only on Sugar so used on or after the said last-mentioned Day.

Charging of Excise Duty on Sugar used in brewing deferred until 1st April 1860.

CAP. XVI.

An Act for the further Amendment of the Duties of Customs. [11th *May* 1858.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of *Great Britain* and *Ireland* in Parliament assembled, towards raising the necessary Supplies to defray Your Majesty's Public Expenses and making an Addition to the Public Revenue, have freely and voluntarily resolved to give and grant unto Your Majesty the additional Rates and Duties hereinafter respectively mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Additional Rates and Duties on Spirits, &c. imported into Ireland.

I. That, towards raising the Supply granted to Her Majesty, the following Duties of Customs shall be charged on and after the Nineteenth Day of *April* One thousand eight hundred and fifty-eight on the Articles under mentioned, on their Importation into *Ireland*, in lieu of the Duties now payable thereon; *viz.*

	s.	d.
Spirits,		
—— not being sweetened or mixed with any Article so that the Degree of Strength thereof cannot be ascertained by *Sykes*'s Hydrometer; for every Gallon of the Strength of Proof by such Hydrometer, and so in proportion for any greater or less Strength than the Strength of Proof, and for any greater or less Quantity than a Gallon, of and from a *British* Possession in *America*, or the Island of *Mauritius*, and Rum of and from any *British* Possession within the Limits of the *East India* Company's Charter, in regard to which the Conditions of the Act 4 *Vict.* c. 8. have or shall have been fulfilled the Gallon	8	2
—— Rum Shrub, Cordials, and Liqueurs of and from a *British* Possession in *America*, or the Island of *Mauritius*, or a *British* Possession within the Limits of the *East India* Company's Charter, qualified as aforesaid - - - - - - - - - the Gallon	8	2

CAP. XVII.

An Act to apply the Sum of Eleven Millions out of the Consolidated Fund to the Service of the Year One thousand eight hundred and fifty-eight. [21st *May* 1858.]

CAP. XVIII.

An Act to effect an Exchange between the Commissioners of *Chelsea Hospital* and the Governor and Company of *Chelsea* Waterworks of Lands in the Parishes of *Saint George Hanover Square* and *Saint Margaret Westminster* in the County of *Middlesex*. [21st *May* 1858.]

Recital of Agreement, dated 24th Sept. 1857, for an Exchange of Lands specified in the First Schedule belonging to Chelsea Hospital, for Lands specified in the Second Schedule belonging to Chelsea Waterworks Company.

' WHEREAS by an Agreement in Writing, made and entered into the Twenty-fourth Day of ' *September* in the Year of Our Lord One thousand eight hundred and fifty-seven, between the ' Lords and other Commissioners for the Government of the Royal Hospital at *Chelsea* and the Out-' Pensioners thereunto belonging, in the County of *Middlesex*, therein-after called the Commissioners of ' *Chelsea Hospital*, of the One Part, and the Governor and Company of *Chelsea* Waterworks of the ' other Part, after reciting that the said Commissioners of *Chelsea Hospital* were seised for an Estate in ' Fee Simple in possession of the Piece or Parcel of Ground specified in the First Schedule to this Act, ' subject nevertheless to certain Annuities and Fee-farm Rents charged thereon by the Will of the ' Right Honourable Richard late Earl *Grosvenor*, and otherwise, but which Annuities and Rents were ' also charged on other large Estates of great Value, and on the Purchase of which said Land and ' Hereditaments specified in the said First Schedule to this Act, together with other Hereditaments, by ' the said Commissioners of *Chelsea Hospital*, from the *Grand Junction* Waterworks Company, the said ' *Grand Junction* Waterworks Company gave to the said Commissioners of *Chelsea Hospital* their Bond ' under their Common Seal, dated the Eighth Day of *November* One thousand eight hundred and forty-' three, in the Sum of Twelve thousand Pounds, for indemnifying the said Commissioners of *Chelsea* ' *Hospital*, their Heirs and Assigns, and the said Hereditaments so purchased by them, from the said ' Annuities and Fee-farm Rents, and all Costs occasioned thereby; and reciting that the said Governor ' and Company of *Chelsea* Waterworks were seised for an Estate in Fee Simple in possession of the ' Piece or Parcel of Ground specified in the Second Schedule to this Act; and reciting that the said ' Two Parcels of Ground were of the same Value, and that it would be greatly for the Advantage of ' both the Parties thereto to exchange the same; it was by the said Agreement now in recital mutually ' agreed between the Parties thereto in manner following; that is to say, that they the said Commis-

' sioners

'sioners of *Chelsea Hospital* should and would, at their own Costs and Charges, use their best Endea-'vours to obtain an Act of Parliament to effect an Exchange of the said Parcels of Land, so that the 'said Land and Hereditaments specified in the said First Schedule to this Act, with their Rights, 'Members, and Appurtenances, might become and be vested in the said Governor and Company of '*Chelsea* Waterworks, their Successors and Assigns, freed and discharged from all Uses, Estates, 'Charges, Trusts, Conditions, Rights, and Powers then affecting the same, and to be by them held to 'the same Uses, for the same Estates, upon the same Trusts, and with, under, and subject to the same 'Charges, Rights, Powers, and Provisions, as the Land and Hereditaments specified in the said Second 'Schedule to this Act were then held upon or subject to; and so that the said Land and Hereditaments 'specified in the said Second Schedule to this Act, with their Rights, Members, and Appurtenances, 'might become and be vested in the said Commissioners of *Chelsea Hospital*, their Successors and 'Assigns, freed and discharged from all Uses, Estates, Charges, Trusts, Conditions, Rights, and Powers 'then affecting the same, and to be by them held to the same Uses, for the same Estates, upon the same 'Trusts, and with, under, and subject to the same Charges, Rights, Powers, and Provisions, as the Land 'and Hereditaments specified in the said First Schedule to this Act were then held upon or subject to; 'and to the Intent that the Benefit of the said Bond of the said *Grand Junction* Waterworks Company, 'and of all other Bonds or Covenants for the Indemnity of the said Commissioners of *Chelsea Hospital*, 'and the said Land and Hereditaments specified in the said First Schedule to this Act, from the said 'Annuities and Fee-farm Rents, might enure or continue for the Benefit of the same Commissioners, 'their Successors and Assigns, and of the said Land and Hereditaments specified in the said Second 'Schedule to this Act; and that they the said Governor and Company of *Chelsea* Waterworks should 'and would, at their own Costs and Charges, give such Consents as should be necessary on their Part 'for obtaining an Act of Parliament to effect such Exchange as was therein-before mentioned: And 'whereas it is expedient that the Exchange mentioned in the said Agreement should be carried into 'effect, but the same cannot be accomplished without the Authority of Parliament:' May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Land specified in First Schedule to vest in the Governor and Company of Chelsea Waterworks, and Land specified in Second Schedule to vest in the Commissioners of Chelsea Hospital.

I. The said Land and Hereditaments specified in the said First Schedule to this Act shall forthwith absolutely vest in the said Governor and Company of *Chelsea* Waterworks, their Successors and Assigns, to the Intent and in the Manner in the said Agreement expressed; and the said Land and Hereditaments specified in the said Second Schedule to this Act shall forthwith absolutely vest in the said Lords and other Commissioners for the Government of the Royal Hospital at *Chelsea* and the Out-Pensioners thereunto belonging, their Successors and Assigns, to the Intent and in the Manner in the said Agreement expressed; and the Benefit of the said Bond of the *Grand Junction* Waterworks Company, and of all other Bonds or Covenants for the Indemnity of the said Commissioners of *Chelsea Hospital*, and of the said Land and Hereditaments comprised in the said First Schedule hereto, from the said Annuities and Fee-farm Rents, shall henceforth enure or continue for the Benefit and Indemnity of the same Commissioners, their Successors and Assigns, and of the said Land and Hereditaments specified in the said Second Schedule to this Act, in the same Manner in all respects as if the said Land and Hereditaments specified in the said Second Schedule to the said Act had been mentioned or referred to in the said Bonds and Covenants, in lieu of the said Land and Hereditaments comprised in the said First Schedule to this Act.

SCHEDULES to which the foregoing Act refers.

The FIRST SCHEDULE referred to by this Act.

All that Piece or Parcel of Ground in the Parish of Saint George Hanover Square in the County of Middlesex, containing One Rood Nine Poles and Twenty-four Yards, or thereabouts, bounded on the North-west by the Centre of the Ranelagh or Common Sewer, on the North-east by Lands now belonging to the said Governor and Company of Chelsea Waterworks, on the South-east by the Commercial Road, and on the South-west by the Line of a proposed new Street intended to lead from Lower Sloane Street to the new Chelsea Bridge, and which Piece of Land is also delineated in a Plan drawn in the Margin of the said Agreement, and is therein coloured Pink.

The SECOND SCHEDULE referred to by this Act.

All that Piece or Parcel of Ground in the Parishes of Saint Margaret Westminster and Saint George Hanover Square, or One of them, in the County of Middlesex, heretofore Marsh or Meadow Ground, and being Part of a Meadow heretofore called Hooker's Meadow, containing One Rood and Thirty Poles and Fourteen Yards, or thereabouts, and bounded on the North-west by the Centre of the said Ranelagh Sewer, on the South-east by the said Commercial Road, on the South-west by Land belonging to the Commissioners of Chelsea Hospital, and on the North-east by Land belonging to the said Commissioners, and which Piece of Land is also delineated in the said Plan drawn in the Margin of the said Agreement, and is therein coloured Yellow.

CAP. XIX.

An Act to continue an Act of the Third and Fourth Years of Her Majesty, Chapter One hundred and ten, to amend the Laws relating to Loan Societies. [21st *May* 1858.]

'WHEREAS an Act was passed in the Session holden in the Third and Fourth Years of Her Majesty, Chapter One hundred and ten, "to amend the Laws relating to Loan Societies," which Act was limited to continue until the Thirty-first Day of *August* One thousand eight hundred and forty-one, but has been continued by several Acts, and lastly by an Act of the last Session of Parliament, Chapter Forty-one, until the First Day of *August* One thousand eight hundred and fifty-eight: And whereas in the said Act of the last Session of Parliament are contained Enactments which are to take effect after the Termination of the Period thereby limited for the Continuance of the said Act of the Third and Fourth Years of Her Majesty: And whereas it is expedient that the said Act of the Third and Fourth Years of Her Majesty should be further continued:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

3 & 4 Vict. c. 110.

20 & 21 Vict. c. 41.

I. The said Act of the Third and Fourth Years of Her Majesty shall continue in force until the First Day of *August* One thousand eight hundred and sixty-three; and the Provisions of the said Act of the last Session of Parliament, which were to take effect after the Termination of the Period thereby limited for the Continuance of the first-mentioned Act, shall take effect whensoever the said first-mentioned Act may expire, and not otherwise.

3 & 4 Vict. c. 110. further continued.

CAP. XX.

An Act for granting a Stamp Duty on certain Drafts or Orders for the Payment of Money. [21st *May* 1858.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of *Great Britain* and *Ireland* in Parliament assembled, towards raising the Supply granted to Your Majesty, have freely and voluntarily resolved to give and grant unto Your Majesty the Stamp Duty herein mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. From and after the Twenty-fourth Day of *May* One thousand eight hundred and fifty-eight, all Drafts or Orders for the Payment of any Sum of Money to the Bearer on Demand, which being drawn upon any Banker, or any Person or Persons acting as a Banker, and residing or transacting the Business of a Banker, within Fifteen Miles of the Place where such Drafts or Orders are issued, are now exempt from Stamp Duty, shall be chargeable with the Stamp Duty of One Penny for every such Draft or Order.

After 24th May 1858 certain Drafts to be chargeable with a Stamp Duty of 1*d*.

II. The Duty by this Act granted shall be under the Care and Management of the Commissioners of Inland Revenue for the Time being; and all the Powers, Provisions, and Regulations, Pains and Penalties, contained in or imposed by any Act or Acts relating to any Duties of the same Kind or Description payable in *Great Britain* and *Ireland* respectively, and in force at the Time of the passing of this Act, shall respectively be in full Force and Effect with respect to the Duty by this Act granted, and to the Paper and Instruments chargeable therewith, so far as the same are or shall be applicable, and shall be observed, applied, enforced, and put in execution for and in the collecting and securing of the said Duty hereby granted, and otherwise in relation thereto, so far as the same shall be consistent with the express Provisions of this Act, as fully and effectually to all Intents and Purposes as if the same had been herein repeated and specially enacted with reference to the said Duty by this Act granted.

The Duty to be under the Care of the Commissioners of Inland Revenue. Powers and Provisions of former Acts to apply to this Act.

CAP. XXI.

An Act to confirm a Contract for the Sale by the Commissioners of Her Majesty's Works of certain Lands to the Commissioners of *Chelsea Hospital*. [14th *June* 1858.]

'WHEREAS by an Agreement made and entered into the Twenty-third Day of *February* One thousand eight hundred and fifty-eight, between the Commissioners of Her Majesty's Works and Public Buildings incorporated for the Purposes of the Acts of Parliament therein-after mentioned of the one Part, and the Right Honourable *Robert Lowe*, the Right Honourable Sir *Edward Blakeney*, a General in Her Majesty's Army, G.C.B., G.C.H., and Sir *Alexander Woodford*, a General in Her Majesty's Army, G.C.B, G.C., M.G., Three of the Commissioners of the Royal Hospital for Soldiers at *Chelsea* in the County of *Middlesex*, on behalf of themselves and the other Commissioners of the said Hospital, of the other Part, after reciting that by an Act of Parliament passed in the Session held in the Ninth and Tenth Years of the Reign of Her Majesty Queen *Victoria*, being Chapter

Agreement between Commissioners of Public Works and Chelsea Hospital, dated Feb. 23, 1858.

'Thirty-

'Thirty-nine of the Statutes of the same Session, the Commissioners of Her Majesty's Woods, Forests, 'Land Revenues, Works, and Buildings were empowered (amongst other things) to construct and 'complete an Embankment and Roadway along the North Bank of the River *Thames* from *Battersea* '*Bridge* to *Vauxhall Bridge*, and that by Section Sixty-two of the said Act the said Commissioners 'were authorized to sell and dispose of and absolutely to grant and convey any Part or Parts of any 'of the Hereditaments which might be acquired under the Powers of the said Act, but which should 'not be required for the Purpose of the same Act (other than the Lands to be acquired or reclaimed 'between the Embankment and Roadway on the North Shore of the River, as therein aforesaid), and which 'they should not think proper to let on Building Leases, as therein aforesaid, subject nevertheless to 'such Stipulations and Conditions as they might think fit, and thereupon to convey and assure the 'same; and reciting that by virtue of the Provisions of the Forty-second Chapter of the Statutes passed 'in the Session held in the Fourteenth and Fifteenth Years of the Reign of Her said Majesty the Com-'missioners of Her Majesty's Works and Public Buildings were and are substituted for the Commis-'sioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, for the Purposes of 'the first-mentioned Act; and reciting that by the Eighty-seventh Chapter of the Statutes passed in 'the Session held in the Sixteenth and Seventeenth Years of the Reign of Her said Majesty the last-'mentioned Commissioners were authorized to proceed with and complete the said Embankment and 'Roadway, subject to certain Alterations in the original Plans and Designs thereof, and the Time 'limited by the said first-mentioned Act for the Purpose of constructing and completing such Embank-'ment and Roadway was extended; and reciting that under and by virtue of the Statutes aforesaid or 'some of them the Piece or Parcel of Land, containing by Admeasurement Three Acres and Thirty-'seven Perches, or thereabouts, in the said Agreement now in recital afterwards described, and the Fee 'Simple and Inheritance thereof, are vested in the said Commissioners of Her Majesty's Works and 'Public Buildings; and reciting that the said Piece or Parcel of Land is not nor is any Part thereof 'between the Embankment and Roadway on the North Shore of the said River, but the same is 'altogether on the North Side of the Embankment Road, as appears by the Plan thereto annexed; 'and reciting that the Slip of Land tinted a Violet Colour in the said Plan, containing by Admeasure-'ment Two Roods and Thirty-two Perches, Part of the said Piece or Parcel of Land containing Three 'Acres and Thirty-seven Perches, was acquired or reclaimed by the Embankment authorized by the 'therein first-mentioned Statute, and before such Embankment was Part of the North Shore of the said 'River; and reciting that by the Nineteenth Section of the said first-mentioned Statute it was enacted 'that all Lands and Hereditaments which should be acquired or reclaimed within and by the then 'intended Embankment between the then present North Shore of the said River and Line of the said 'intended Roadway might (subject nevertheless as therein mentioned) be planted or otherwise laid out 'in public Walks or Gardens by the Commissioners for executing the said Act, as they should think fit, 'but that no Houses or other Buildings should be erected on any Part thereof (except such as might be 'erected under any such Agreement as therein mentioned), and that by the Sixtieth Section of the same 'Statute it was also enacted that as regards all or any Grounds or Hereditaments which should be 'purchased and which should not be wanted for the Purposes of the said Act (but exclusive of any Lands 'which should be acquired or reclaimed between the said Embankment and Roadway and the then 'present North Shore of the River as aforesaid) it should be lawful for the said Commissioners and 'they were thereby authorized to demise and lease the same as therein mentioned; and reciting that 'the said Commissioners of Her Majesty's Works and Public Buildings were willing to sell (if they had 'Power so to do) to the said Commissioners of *Chelsea Hospital* aforesaid, who were desirous of pur-'chasing the said Piece or Parcel of Land containing Three Acres and Thirty-seven Perches, therein-'after described, and the Inheritance thereof in Fee Simple in possession, at or for the Price or Sum of 'Sixteen thousand five hundred Pounds, subject to the Conditions, Stipulations, and Agreements therein-'after contained; and reciting that in consequence of the aforesaid Enactments contained in the said 'Nineteenth and Sixtieth Sections of the said Statute of the Ninth and Tenth Years of the Reign of Her 'said Majesty, Chapter Thirty-nine, it was considered doubtful whether the said Commissioners of Her 'Majesty's Works and Public Buildings had Power to sell so much of the Premises last aforesaid as 'consisted of the said Slip of Land containing Two Roods and Thirty-two Perches, in the said Plan 'tinted with a Violet Colour, notwithstanding the said Power to sell given as aforesaid by the said 'Sixty-second Section of the same Statute; and reciting that the Parties respectively thereto, in con-'sideration of the Premises, had agreed to enter into the Agreement now in recital, but provisionally 'only, in case of the Contract for Sale by the said Commissioners of Her Majesty's Works and 'Public Buildings being confirmed by Act of Parliament, as therein-after mentioned; it is witnessed 'that the said Commissioners of Her Majesty's Works and Public Buildings did for themselves and 'their Successors (but provisionally only, as therein-after mentioned) agree to sell, and the said *Robert* '*Lowe*, Sir *Edward Blakeney*, and Sir *Alexander Woodford*, as such Commissioners of *Chelsea* '*Hospital* aforesaid, on behalf of themselves and the other Commissioners of the said Hospital, '(in case of the Contract for Sale therein being confirmed by Act of Parliament,) did agree to 'purchase of and from the said Commissioners of Her Majesty's Works and Public Buildings, 'subject as therein-after mentioned, all that Piece or Parcel of Land situate, lying, and being in

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'the Parish of *Saint George Hanover Square* in the said County of *Middlesex*, containing by Admeasurement Three Acres and Thirty-seven Perches, be the same more or less, near to and adjoining the Royal Hospital at *Chelsea* aforesaid, bounded on the West and North-west by the Gardens and Grounds belonging to the said Royal Hospital, on the North-east by the new Road forming from *Chelsea New Bridge* to *Lower Sloane Street, Chelsea*, and on the South by the Embankment Road next the River *Thames*, which said Piece or Parcel of Land was more particularly delineated and described in the Plan thereof drawn in the Margin of the said Agreement, or thereunto annexed, and was thereon coloured Red and Violet, and the Inheritance thereof in Fee Simple in possession, with the Rights, Members, and Appurtenances thereunto belonging, at or for the Price or Sum of Sixteen thousand five hundred Pounds, and the said *Robert Lowe*, Sir *Edward Blakeney*, and Sir *Alexander Woodford* thereby agreed that the said Commissioners of *Chelsea Hospital*, their Successors or Assigns, with and out of Monies of the said Hospital applicable in that Behalf, should and would, in case of the said Contract being confirmed by Parliament, well and truly pay or cause to be paid unto the said Commissioners of Her Majesty's Works and Public Buildings, their Successors or Assigns, on or before the Second Day of *August* One thousand eight hundred and fifty-eight, the said Sum of Sixteen thousand five hundred Pounds (the Purchase Money aforesaid), together with Interest thereon at the Rate of Four Pounds *per Centum per Annum* from the Thirty-first Day of *December* last, on a proper Conveyance of the said Piece or Parcel of Land and Premises, and the Inheritance thereof in Fee Simple in possession, being executed to the Commissioners of *Chelsea Hospital*, their Successors and Assigns, by the said Commissioners of Her Majesty's Works and Public Buildings, or their Successors; and it is by the said Agreement further witnessed, that for the Considerations therein-before mentioned they the said Commissioners of Her Majesty's Works and Public Buildings, for themselves and their Successors, also agreed with the said *Robert Lowe*, Sir *Edward Blakeney*, and Sir *Alexander Woodford*, as such Commissioners of *Chelsea Hospital* aforesaid, that in case of the said Contract for Sale being confirmed by Parliament, and on receiving from them the said Sum of Sixteen thousand five hundred Pounds, together with such Interest thereon as aforesaid, on or before the Second Day of *August* One thousand eight hundred and fifty-eight, they the said Commissioners of Her Majesty's Works and Public Buildings, or their Successors, would convey or cause to be conveyed to the said Commissioners of *Chelsea Hospital*, their Successors and Assigns, or as the said Commissioners should direct, the said Piece or Parcel of Land and Premises therein-before described, with the Appurtenances; subject nevertheless to a Condition in the said Conveyance to be contained for making the same void if the said Commissioners of *Chelsea Hospital*, their Successors or Assigns, should at any Time or Times thereafter erect, build, or set up, or cause or permit or suffer to be erected, built, or set up, in or upon the said Piece or Parcel of Land or any Part or Parts thereof any Messuage or other Buildings whatsoever, without the Licence, Consent, and Approbation in Writing of the said Commissioners of Her Majesty's Works and Public Buildings, their Successors or Assigns, being previously had and obtained to the Erection of such Buildings, and without submitting the Plans and Elevations for any such Erections or Buildings to the said Commissioners of Her Majesty's Works and Public Buildings, their Successors or Assigns, for their Approval thereof, previously to any such Erections and Buildings being commenced, and also subject to a Covenant to be inserted in such Conveyance on the Part of the Commissioners of *Chelsea Hospital*, their Successors or Assigns, that they the said Commissioners of *Chelsea Hospital*, their Successors or Assigns, should and would, at their own Expense, inclose and keep the Piece or Parcel of Land inclosed with an open Iron Railing of such Pattern, Height, and other Particulars and Dimensions as should be from Time to Time approved by the said Commissioners of Her Majesty's Works and Public Buildings, their Successors or Assigns: And whereas the Sale by the said Commissioners of Her Majesty's Works and Public Buildings of the said Piece or Parcel of Land described in the said recited Agreement to the said Commissioners of *Chelsea Hospital* aforesaid, at or for the Price or Consideration and upon the Terms respectively therein expressed, hath been approved of and authorized by the Lords of Her Majesty's Treasury, and it is desirable that the same should be carried into effect, in pursuance of the said Agreement; but in consequence of the Doubt recited or mentioned in the said Agreement whether the Power of Sale contained in the said Statute, Chapter Thirty-nine of the Statutes passed in the Session of the Ninth and Tenth Years of the Reign of Her said Majesty, extends to such Part of the said Piece or Parcel of Land as is distinguished by a Violet Colour in the said Plan to the said Agreement, it is necessary, for the Safety of the said Purchasers under the said Agreement, that the said Sale should be confirmed by Parliament:' May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Agreement for the Sale approved by the Treasury.

I. The said Sale by the Commissioners of Her Majesty's Works and Public Buildings in and by the herein-before recited Agreement of the said Piece or Parcel of Land thereby described, and the Inheritance in Fee Simple thereof, at or for the Price or Consideration and upon the Terms respectively expressed in the said Agreement, shall be valid and effectual, and the same is hereby confirmed, in all respects as if the said Commissioners of Her Majesty's Works and Public Buildings were by the said recited

Agreement confirmed.

9 & 10 V. c. 39. recited Act of the Ninth and Tenth *Victoria*, Chapter Thirty-nine, authorized to sell the same, and the said Commissioners of Her Majesty's Works and Public Buildings are hereby authorized and directed, upon or after Payment by the Commissioners of *Chelsea Hospital* aforesaid of the said Price or Consideration of Sixteen thousand five hundred Pounds mentioned in the said Agreement, and in pursuance of the Provisions of the said Agreement, to convey the said Piece or Parcel of Land, and the Inheritance thereof in Fee Simple in possession, unto and to the Use of the Commissioners of *Chelsea Hospital* aforesaid, their Successors and Assigns, or as the Commissioners for the Time being of the same Hospital shall direct, subject to such Condition and Covenant respectively as are expressed in the said Agreement.

Short Title. II. It shall be sufficient for all Purposes to cite this Act as "The *Chelsea Hospital* Purchase Act, 1858."

CAP. XXII.

An Act to abolish Franchise Prisons. [14th *June* 1858.]

'WHEREAS it is expedient that the several Prisons mentioned in the Schedule to this Act, which are now used for the Confinement of Debtors, should be abolished:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

After Aug. 1, 1858, no Persons to be confined in Prisons in the Schedule. I. From and after the First Day of *August* One thousand eight hundred and fifty-eight, no Person shall be confined in any Prison or Gaol mentioned in the Schedule to this Act; and all Persons who, if this Act had not been passed, might have been confined in any such Prison or Gaol shall be confined in the Common Gaol of the County or Riding in which such Persons respectively may be arrested.

All Writs, &c. authorizing Arrests to be executed by Bailiffs of Liberties, &c. II. Provided always, That all Writs, Process, Warrants, and Authorities authorizing the Arrest of any Person within any Liberty or Franchise to which any of the Prisons and Gaols mentioned in the Schedule to this Act belongs who might, if this Act had not been passed, have been confined in such Prison or Gaol, shall be executed within such Liberty or Franchise by such Bailiff or Officer as might have executed the same if this Act had not been passed, and such Bailiff or Officer shall have all such Powers and Authorities for conveying such Person to the Common Gaol of the County as the Bailiffs of the Sheriff have in the Execution of Writs, Process, Warrants, or Authorities for the like Purposes, and the like Punishments and Penalties shall attach in the Case of an Escape or Rescue from the Bailiff or Officer of such Liberty or Franchise, or other Interference with such Bailiff or Officer in the Discharge of his Duty, as in the Case of an Escape or Rescue from or like Interference with the Bailiff of the Sheriff.

Prisoners confined on Aug. 1, 1858, in Prisons named in Schedule, to be removed to County Gaol. III. Every Person who on the said First Day of *August* may be confined in any of the Prisons or Gaols mentioned in the Schedule to this Act shall, as soon as conveniently may be thereafter, without Writ of Habeas Corpus or other Writ for that Purpose, be removed by the Gaoler or Keeper of such Prison or Gaol to the Common Gaol of the County or Riding in which he may have been arrested under the Writ or other Process for his Arrest and Imprisonment, and shall be by such Gaoler or Keeper delivered into the Custody of the Gaoler or Keeper of such Common Gaol, together with the Writ or other Process by virtue of which such Person was arrested and imprisoned, and all Writs or other Process lodged with such first-mentioned Gaoler or Keeper by virtue of which such Person was or might be detained in the Prison or Gaol from which he is so removed; and the Gaoler or Keeper of the said Common Gaol shall give a Receipt in Writing for every Person so removed to such Common Gaol; and the reasonable Expenses of such Removal shall be paid by the Treasurer of the County or Riding to the Common Gaol of which such Persons are so removed; and all Persons who may be lawfully confined in any of the Prisons or Gaols mentioned in the said Schedule on the said First Day of *August* shall, until removed as aforesaid, and for and during the Time of such Removal, be to all Intents and Purposes deemed and considered to be in the proper legal Custody, unless and until they respectively be sooner discharged in due Course of Law; and all Persons so removed shall, after being delivered into the Custody of the Gaoler or Keeper of the Common Gaol of such County or Riding as aforesaid, be deemed to be in the legal Custody of the Sheriff and of such Gaoler or Keeper, in like Manner as if all such Persons had been originally arrested in Parts of such County or Riding (not within any Liberty or Franchise), and not been originally imprisoned in such Common Gaol.

SCHEDULE.

Swansea Debtors Prison for the Liberty of Gower.
Newark Liberty Prison for Debtors.
Halifax Home Gaol for the Manor of Wakefield.
Gaol for the Forest and Forest Liberty of Knaresborough, belonging to the Duchy of Lancaster.
Gaol for the Borough and Township of Knaresborough, belonging to the Duchy of Lancaster.
Sheffield Debtors Gaol for the Liberty of Hallamshire.
Hexham Debtors Prison.

CAP. XXIII.

An Act for abolishing the Tolls now levied on the Bridge over the *Shannon* at *Portumna* in *Ireland*. [14th *June* 1858.]

'WHEREAS by an Act passed in the Session of Parliament in the Fourth and Fifth Years of the Reign of His late Majesty King *William* the Fourth, Chapter Sixty-one, it was enacted, amongst other things, that the then existing Bridge of *Portumna*, and all Tolls, Revenues, and Profits of the same, should be vested in the Commissioners of Public Works in *Ireland*, and that a new Bridge should be built as therein provided; and it was thereby enacted, that it should be lawful for the said Commissioners to take and receive certain Tolls for the passing over the said Bridge as therein set forth, and that the said Tolls should be applied in the first instance towards the Expense of repairing and maintaining the said Bridge, and in the next place towards the Repayment of any Public Monies theretofore advanced under any Acts for the Advance of Monies in aid of Public Works in *Ireland*, as therein referred to, and that the Surplus (if any) thereof should be applied in such Manner as the Commissioners for executing the Office of Lord High Treasurer should direct: And whereas previously to the passing of the said Act, and in the Year One thousand eight hundred and eighteen, there had been advanced out of the Public Monies, for the Purpose of completing the then existing Bridge at *Portumna*, a Sum of Two thousand seven hundred and sixty-nine Pounds Four Shillings and Eightpence, the whole of which at the Time of the passing of the said Act was due and owing to the said Commissioners of Public Works in *Ireland*: And whereas since the passing of the said Act the said Commissioners have received a Sum of One thousand three hundred and twenty-four Pounds Ten Shillings and Elevenpence only out of the Tolls payable in respect of the said Bridge, leaving a Balance of One thousand four hundred and forty-four Pounds Thirteen Shillings and Ninepence still due on foot of the said Sum of Two thousand seven hundred and sixty-nine Pounds Four Shillings and Eightpence on the Thirty-first *December* One thousand eight hundred and fifty-seven: And whereas it would be of great Advantage to the Public that such Tolls should be abolished:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: 4 & 5 W. 4. c. 61.

I. From and after the First Day of *September* One thousand eight hundred and fifty-eight the Sections of the said Act of the Fourth and Fifth *William* Fourth, Chapter Sixty-one, set forth in the Schedule to this Act annexed, shall be and the same are hereby repealed, save as to any Matters or Things heretofore done or which have heretofore taken place under the Authority thereof. Clauses of 4 & 5 W. 4. c. 61. in Schedule repealed.

II. From and after the said First Day of *September* One thousand eight hundred and fifty-eight all Tolls, Revenues, Rights, Emoluments, Income, and Benefits arising out of the said Bridge, and vested by the said Act in the said Commissioners of Public Works, shall cease, determine, and become void. Tolls of Bridge to cease.

III. The Property in the said Bridge at *Portumna*, with the Approaches thereto, shall be deemed and taken to be the public Property of the County of *Galway* and of the County of *Tipperary* respectively, and (save as herein-after provided) shall henceforth be maintained and preserved at the Expense of the County of *Galway* and County of *Tipperary*, in equal Shares and Proportions; and the Grand Juries of the said Counties respectively shall and they are hereby required from Time to Time to make Presentment accordingly for such Repairs and Maintenance, without any Application to Presentment Sessions for that Purpose: Provided always, that the Part of the said Bridge forming the Drawbridge or Swivel Bridge shall, for the Purposes of Navigation, be maintained by the said Commissioners of Public Works out of the Tolls of the *Shannon* Navigation, and be under the Control and Conservancy of the said Commissioners, to be made use of by them in like Manner as the other Swivel or Draw Bridges over the said River *Shannon*. Bridge, &c. at Portumna vested in the Counties of Galway and Tipperary.

IV. From and after the passing of this Act, all Enactments, Clauses, and Provisions in any Act or Acts of Parliament relating to the rebuilding, repairing, or maintaining or keeping in repair any Bridges in *Ireland*, whether made wholly or in part at the Public Expense or otherwise, or over Rivers forming the Boundaries between Two Counties or otherwise, shall be deemed and taken to apply to the said Bridge at *Portumna*, so far as the Facts and Circumstances shall admit. Certain Provisions, &c. of other Acts applicable to this Act.

SCHEDULE referred to in the foregoing Act,

Showing the Clauses of the Act Fourth and Fifth William the Fourth, Chapter Sixty-one, repealed by this Act.

Section	16
„	17
„	18
„	19
„	20
„	21
„	22

CAP. XXIV.

An Act to reduce the Stamp Duty on Passports. [14th *June* 1858.]

'WHEREAS it is expedient to reduce the Stamp Duty on Passports:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Stamp Duty on Passports reduced to 6*d.*

1. That from and after the passing of this Act the Stamp Duty of Five Shillings now payable on a Passport shall be reduced to the Sum of Sixpence.

CAP. XXV.

An Act to amend the Act concerning Non-parochial Registers, and the Acts for Marriages, and for registering Births, Deaths, and Marriages, in *England*, and concerning Vaccination. [14th *June* 1858.]

3 & 4 Vict. c. 92.

'WHEREAS by an Act passed in the Session of Parliament holden in the Third and Fourth Years of Her Majesty (Chapter Ninety-two), "for enabling Courts of Justice to admit Non-"parochial Registers as Evidence of Births or Baptisms, Deaths or Burials, and Marriages," Provisions were made for the Deposit in the General Register Office of certain Non-parochial Registers, and for making the same receivable in Evidence, and other Provisions were thereby made in relation to such Registers: And whereas by Commission under the Great Seal, bearing Date the First Day of *January* in the Twentieth Year of the Reign of Her Majesty, certain Persons were appointed Commissioners to inquire into the State, Custody, and Authenticity of any Registers or Records of Births or Baptisms, Deaths or Burials, and Marriages lawfully solemnized, kept in *England* or *Wales*, other than the Parochial Registers, and the Copies thereof deposited with the Diocesan Registrars, and which had not been inquired into and examined by certain former Commissioners, and also for inquiring whether any and what Measures could be beneficially adopted for collecting and arranging all or any of such Registers or Records, and for depositing the same, or Copies thereof, in the Office of the Registrar General of Births, Deaths, and Marriages in *England*, or for otherwise preserving the same, and also for considering and advising the proper Measures to be adopted for giving full Force and Effect, as Evidence in all Courts of Justice, to all such Registers as were found accurate and faithful, and for facilitating the Production and Reception of the same: And whereas by the Report of the said Commissioners, bearing Date the Thirty-first Day of *December* One thousand eight hundred and fifty-seven, it appears that they have received Two hundred and Ninety-two Non-parochial Registers or Records, and that of this Number Two hundred and sixty-five have after Examination, as in such Report mentioned, been judged by them to be accurate and faithful, and that a Certificate to that Effect, and signed by Three of the said Commissioners, has been affixed to each of such Two hundred and sixty-five Registers or Records; that there are certain Cases, however, where only some of the Entries have been found accurate and faithful, and that in these Cases the Certificate has been so framed as clearly to distinguish such Entries from the rest, and to confine the Sanction of the Commissioners to the unobjectionable Portion of the Registers; and a complete List of the Registers thus wholly or partially sanctioned by the said Commissioners is annexed to their Report in the Appendix (A.) thereto; and the said Commissioners have by their said Report recommended that a Bill be introduced into Parliament providing that the Registers or Records in the Custody of the said Commissioners, and certified in the Manner described (and herein-before mentioned), should be deposited in the General Register Office in the Custody of the Registrar General of Births, Deaths, and Marriages in *England*, and should then be deemed to be in legal Custody and be receivable in Evidence in all Courts of Justice, subject as in the said Report mentioned:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Certain Registers to be deposited with the Registrar General.

I. The Registrar General of Births, Deaths, and Marriages in *England* shall receive and deposit in the General Register Office all the Registers and Records of Births, Baptisms, Deaths, Burials, and Marriages now in the Custody of the said Commissioners, and which they have by their said Report recommended to be deposited in the General Register Office in the Custody of the said Registrar General, and which are mentioned in Appendix (A.) to their said Report.

Certain other Registers may be deposited in the Office after Examination by Order of Secretary of State.

II. 'And whereas certain Non-parochial Registers and Records in addition to those mentioned in the said Report of the said Commissioners were sent to them before the Date of such Report, but too late to allow of such Registers or Records being examined and reported on by them, and other Non-parochial Registers or Records have been sent to them since the Date of their said Report:' It shall be lawful for One of Her Majesty's Principal Secretaries of State to appoint or authorize Three or more Persons to inquire into the State, Custody, and Authenticity of the Non-parochial Registers or Records of Births or Baptisms, Deaths or Burials, and Marriages, which have been sent to the said Commissioners as aforesaid, and have not been reported on by them, and such of the same Registers or Records as the Persons so authorized shall find accurate and faithful, they or Three of them shall certify under their Hands as fit to be placed with the other Registers and Records hereby directed to be deposited

deposited in the General Register Office, and the Registrar General, upon receiving the Certificate of such Persons and an Order of One of Her Majesty's Principal Secretaries of State for this Purpose, shall receive such Registers and Records and deposit them in the General Register Office.

3 & 4 Vict. c. 92. ss. 5 to 19 to extend to Registers deposited under this Act.

III. The Provisions of the said Act of the Third and Fourth Years of Her Majesty, from Section Five to Section Nineteen, both inclusive, and the Rules, Orders, and Regulations made under the said Act, shall extend and be applicable to the Registers or Records deposited in the General Register Office under this Act, in like Manner as the same are applicable to the Registers or Records deposited under the said Act of the Third and Fourth Years of Her Majesty.

Power to increase Salary of Registrar General, but to include all Duties under this Act, &c.

IV. So much of the Act of the Session holden in the Sixth and Seventh Years of King *William* the Fourth, Chapter Eighty-six, as enacts that the Salary of the Registrar General of Births, Deaths, and Marriages in *England* shall not at any Time exceed the Sum of One thousand Pounds yearly, shall be repealed; and it shall be lawful for the Commissioners of Her Majesty's Treasury to appoint from Time to Time the Salary of the said Registrar General, so that the same shall not at any Time exceed the Sum of Twelve hundred Pounds yearly; the Salary so to be appointed to be deemed to include the Remuneration for all Duties which under any Act or Acts of Parliament the said Registrar General is or may hereafter be appointed or required to perform.

Information of Particulars furnished by Coroner to be in Writing, and signed by him, and Entry in Register need not be signed by him.

V. 'And whereas by Section Twenty-five of the Act of the Session holden in the Sixth and Seventh 'Years of King *William* the Fourth, Chapter Eighty-six, it was provided that in every Case in which 'an Inquest should be held on any dead Body the Jury should inquire of the Particulars therein re- 'quired to be registered concerning the Death, and the Coroner should inform the Registrar of the 'Finding of the Jury, and the Registrar should make the Entry accordingly; and it was by Section 'Twenty-eight of the same Act enacted, that every Person by whom the Information contained in any 'Register of Birth or Death under that Act should have been given should sign his Name, Description, 'and Place of Abode in the Register, and no Register of Birth or Death according to that Act should 'be given in Evidence which should not be signed by some Person professing to be the Informant, and 'to be such Party as was therein required to give such Information to the Registrar:'

The Information to be furnished to any Registrar by a Coroner, under the Provisions herein-before recited, shall be in Writing signed by the Coroner, which shall specify, in addition to the Particulars required as aforesaid, the Time and Place at which the Inquest was holden; and it shall not be necessary for the Coroner to sign his Name, Description, and Place of Abode in the Register, as required by Section Twenty-eight of the said Act; but the Registrar shall enter in the Column of the Register Book in which the Signature of the Informant of the Death is in other Cases required to be made a Memorandum as follows; "Information received from [*inserting the Name of the Coroner*], Coroner for Inquest held [*Date of Inquest*];" and any Register of Death containing such Entry shall be receivable in Evidence in like Manner as if signed by the Coroner as required by the Enactment in that Behalf herein-before recited; and the written Information furnished as aforesaid by the Coroner shall be kept by the Registrar until the Delivery by him to the Superintendent Registrar as required by Law, of a certified Copy of the Entry of such Death, and shall be delivered together with such certified Copy to the Superintendent Registrar, and shall be by him sent with such certified Copy to the Registrar General, and shall be thereafter kept in the General Register Office.

So much of 6 & 7 W. 4. cc. 85. and 86. and 7 W. 4. & 1 Vict. c. 22. as provides tha the Cost of Register Books, &c. to be paid to Registrar General, repealed.

VI. So much of the Acts of the Session holden in the Sixth and Seventh Years of King *William* the Fourth, Chapters Eighty-five and Eighty-six, and of an Act of the Session holden in the Seventh Year of King *William* the Fourth and the First Year of Her Majesty, Chapter Twenty-two, as provides that the Cost of Register Books of Births and Deaths, Marriage Register Books, and Forms of certified Copies thereof respectively, and of Marriage Notice Books furnished by the said Registrar General, shall be paid by Guardians, or by Churchwardens and Overseers, or by the Registering Officer of the Society of Friends called Quakers, or the Secretary of any Synagogue of Persons professing the Jewish Religion, and also so much of the said Act of the Sixth and Seventh Years of King *William* the Fourth, Chapter Eighty-five, as enacts that the Cost of Forms of Certificates for Marriages furnished by the said Registrar General to any Superintendent Registrar shall be accounted for by such Superintendent Registrar to the said Registrar General, shall be repealed.

So much of 16 & 17 Vict. c. 100. as enacts that Vaccination Forms shall be furnished to Registrars, and delivered by them to Medical Officers and Practitioners, repealed.

VII. 'And whereas by the Act of the Session holden in the Sixteenth and Seventeenth Years of 'Her Majesty, Chapter One hundred, it was enacted, that the said Registrar General should within 'Two Months after the passing of that Act frame and provide such Books, Forms, and Regulations as 'he might deem requisite for carrying into full Effect the Provisions of that Act, and should transmit 'the same to the Superintendent Registrars of each District in *England* and *Wales*, who should deliver 'to the Medical Officers appointed as in the said Act mentioned, and other duly qualified Medical Prac- 'titioners in the said District, such of the said Books, Forms, and Regulations as they might require for 'the Performance of the Duties imposed upon them by that Act, and the Expenses to be incurred by 'the Registrar General under the Provisions of that Act should be defrayed in the same Manner as the 'Expenses under the said Act of the Sixth and Seventh Years of King *William* the Fourth, Chapter 'Eighty-five:'

The said Enactment, except so much thereof as directs the Registrar General to frame and provide such Books, Forms, and Regulations as therein mentioned, shall be repealed; and the Registrar General

shall

shall transmit from Time to Time to the Registrar of Births and Deaths in every Sub-District such Books, Forms, and Regulations as may be requisite for the Use of the Medical Officers appointed as in the said Act mentioned, and other duly qualified Medical Practitioners in the Sub-District; and every such Registrar shall deliver to such Medical Officers and Practitioners respectively, without requiring Payment for the same, such of the said Books, Forms, and Regulations as they may require for the Performance of the Duties imposed upon them by that Act.

Registrars to deliver Books, &c. to Medical Officers, &c. without requiring Payment for the same.

CAP. XXVI.

An Act to abolish the Property Qualifications of Members of Parliament. [28th *June* 1858.]

'WHEREAS by the several Acts and Parts of Acts herein-after mentioned Provisions have been made for requiring, on the Part of Members of the House of Commons elected for *England* and *Ireland* respectively, certain Qualifications in respect of Property: And whereas it is expedient that the said Provisions should be repealed:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

9 Anne, c. 5., 33 G. 2. c. 20., 59 G. 3. c. 37., 1 & 2 Vict. c. 48., and so much of 39 & 40 G. 3. c. 67., 40 G. 3. c. 38. (I.), and 41 G. 3. c. 101., as relates to the Qualification of Members elected to serve in Parliament repealed.

I. The several Acts and Parts of Acts herein-after mentioned; (that is to say,) an Act of the Ninth Year of the Reign of Queen *Anne*, intituled *An Act for securing the Freedom of Parliament, by farther qualifying the Members to sit in the House of Commons*, an Act of the Thirty-third Year of the Reign of King *George* the Second, intituled *An Act to enforce and render more effectual the Laws relating to the Qualification of Members to sit in the House of Commons*, an Act of the Fifty-ninth Year of the Reign of King *George* the Third, intituled *An Act for further regulating the Qualification of Members to serve in the United Parliament of* Great Britain *and* Ireland, and an Act of the Session of Parliament holden in the First and Second Years of the Reign of Her present Majesty, intituled *An Act to amend the Laws relating to the Qualification of Members to serve in Parliament*, and so much of an Act of Parliament of *England*, and of an Act of Parliament of *Ireland*, respectively passed in the Fortieth Year of King *George* the Third, and respectively intituled *An Act for the Union of* Great Britain *and* Ireland, as provides that the Qualifications in respect of Property of the Members elected on the Part of *Ireland* to sit in the House of Commons of the United Kingdom shall be respectively the same as were then provided by Law in the Cases of Elections for Counties and Cities and Boroughs respectively in that Part of *Great Britain* called *England*, unless any other Provisions should thereafter be made in that respect by Act of Parliament of the United Kingdom, and so much of an Act of the Forty-first Year of the Reign of King *George* the Third, intituled *An Act for regulating, until the First Day of* May *One thousand eight hundred and two, the Trial of controverted Elections or Returns of Members to serve in the United Parliament of* Great Britain *and* Ireland *for that Part of the United Kingdom called* Ireland, *and for regulating the Qualification of Members to serve in the said United Parliament*, as relates to the Qualifications of Members elected to serve in Parliament, shall be repealed: Provided always, that the Repeal of the said recited Acts and Parts of Acts respectively shall not be construed to revive or re-enact any Act or Part of Act heretofore repealed by any of the said Acts or Parts of Acts respectively.

Repeal of Acts, &c. not to revive any heretofore repealed.

CAP. XXVII.

An Act to amend the Course of Procedure in the High Court of Chancery, the Court of Chancery in *Ireland*, and the Court of Chancery of the County Palatine of *Lancaster*. [28th *June* 1858.]

'WHEREAS it is expedient to amend further the Practice and Course of Proceeding in the High Court of Chancery, the Court of Chancery in *Ireland*, and the Court of Chancery of the County Palatine of *Lancaster*:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Commencement of Act. Short Title.

I. This Act shall commence and take effect from and after the First Day of *November* One thousand eight hundred and fifty-eight, and may be cited and referred to as "The Chancery Amendment Act, 1858."

Power to Court of Chancery to award Damages in certain Cases.

II. In all Cases in which the Court of Chancery has Jurisdiction to entertain an Application for an Injunction against a Breach of any Covenant, Contract, or Agreement, or against the Commission or Continuance of any wrongful Act, or for the specific Performance of any Covenant, Contract, or Agreement, it shall be lawful for the same Court, if it shall think fit, to award Damages to the Party injured, either in addition to or in substitution for such Injunction or specific Performance, and such Damages may be assessed in such Manner as the Court shall direct.

Damages may be assessed or Question of Fact arising in any Suit may be tried by a

III. It shall be lawful for the Court of Chancery, if it shall think fit, to cause the Amount of such Damages in any Case to be assessed or any Question of Fact arising in any Suit or Proceeding to be tried by a Special or Common Jury before the Court itself; and the Court of Chancery may make all such Rules and Orders upon the Sheriff or any other Person for procuring the Attendance of a Special or Common Jury, for such Assessment of Damages or the Trial of such Question of Fact, as may be made

made by any of the Superior Courts of Common Law at *Westminster*, and may also make any other Orders which to the Court of Chancery may seem requisite; and every such Jury shall consist of Persons possessing the Qualifications, and shall be struck, summoned, balloted for, and called in like Manner, as if such Jury were a Jury for the Trial of any Cause in any of the said Superior Courts; and every Juryman so summoned shall be entitled to the same Rights and subject to the same Duties and Liabilities as if he had been duly summoned for the Trial of any such Cause in any of the said Superior Courts; and every Party to any such Proceeding shall be entitled to the same Rights as to Challenge and otherwise as if he were a Party to any such Cause; and generally for all Purposes of or auxiliary to the Assessment of Damages or the Trial of Questions of Fact by a Jury before the Court itself, and in respect of new Trials, the Court of Chancery shall have the same Jurisdiction, Powers, and Authority in all respects as belong to any Superior Court of Common Law, or to any Judge thereof for the like Purposes; provided that from any Order made by the Court on an Application made for a new Trial there shall be the same Right of Appeal as from any other Order of the Court. Jury before the Court itself.

IV. Any Question of Fact and any Question as to the Amount of Damages which shall be so ordered to be tried by a Jury before the Court itself shall be reduced into Writing in such Form as the Court shall direct, and at the Trial the Jury shall be sworn to try the said Question, and a true Verdict to give thereon according to the Evidence; and upon every such Trial the Court of Chancery shall have the same Powers, Jurisdiction, and Authority as belong to any Judge of any of the said Superior Courts sitting at Nisi Prius. Questions ordered to be tried by Jury to be reduced into Writing.

V. It shall also be lawful for the Court of Chancery, if it shall think fit, to cause the Amount of such Damages in any Case to be assessed, or any Question of Fact arising in any Suit or Proceeding to be tried before the Court itself without a Jury, and to cause the Evidence on the Trial of that Question to be taken by the oral Examination of Witnesses and other Proofs in open Court; and any Question of Fact, and any Question as to the Amount of Damages which shall be so ordered to be tried before the Court itself, shall be reduced into Writing in such Form as the Court shall direct; and the Verdict of the Judge shall be of the same Effect as the Verdict of a Jury under this Act; and the Proceedings upon and after such Trial, as to the Power of the Court, the Evidence, and otherwise, shall be the same as in the Case of Trial by Jury under this Act: Provided, that, in the Case of a Trial under this Section, any Person may apply for a new Trial, either to the Judge before whom the Trial was had or to the Court of Appeal in Chancery. Damages may be assessed or Questions of Fact tried before the Court itself without a Jury.

VI. It shall also be lawful for the Court of Chancery, in any Case in which it shall think fit so to do, to cause the Amount of such Damages to be assessed by a Jury before any Judge of One of the Superior Courts of Common Law at Nisi Prius, or at the Assizes, or before the Sheriff of any County or City, and for that Purpose to issue a Precept to the Sheriff of such County or City as the Court of Chancery shall think fit, or where the Sheriff is interested then to the Coroner, requiring him to return, summon, and impanel a Common or Special Jury for the Purpose aforesaid, in like Manner as is done in Cases of Writs of Inquiry at Common Law, which are to be executed before a Judge or before the Sheriff; and the Court of Chancery shall have Power to set aside the Verdict or Inquisition on such Inquiry, and to direct a new Inquiry, in such Manner and on such Terms as the Court shall think fit. Damages may be assessed by Jury before Judge of Superior Courts of Common Law at Nisi Prius, or before a Sheriff.

VII. In any Case in which all Parties to a Suit are competent to make Admissions, any Party may call on any other Party by Notice to admit any Document, saving all just Exceptions; and in case of Refusal or Neglect to admit, the Cost of proving the Document shall be paid by the Party so neglecting or refusing, whatever the Result of the Cause may be, unless the Court shall certify that the Refusal to admit was reasonable; and no Costs of proving any Document shall be allowed unless such Notice be given, except in Cases where the Omission to give the Notice is, in the Opinion of the Taxing Master, a saving of Expense. One Party may call on another to admit Documents.

VIII. Sections I., II., III., IV., V., VI., and VII. of this Act shall extend to and all the Powers therein contained may be exercised by the Court of Chancery in *Ireland* in all Suits and Proceedings within its Jurisdiction, and the Court may, for the Purposes of this Act, make such Rules and Orders upon the Sheriff, or any other Person, for procuring the Attendance of a Jury as may be made by any of the Superior Courts of Common Law at *Dublin*. Ss. 1. to 7. of this Act to extend to Court of Chancery in Ireland.

IX. The Lord Chancellor of *Ireland*, with the Advice and Assistance of the Master of the Rolls and the Lord Justice of Appeal in *Ireland*, or either of them, may and they are hereby required from Time to Time to make General Rules and Orders for carrying the Purposes of this Act into effect as regards the Court of Chancery in *Ireland*, and for regulating the Times and Forms and Mode of Procedure, and generally the Practice of the said Court in respect of the Matters to which this Act relates, and for regulating the Fees and Allowances to all Officers of the said Court and Solicitors thereof in respect to such Matters, and so far as may be found expedient for altering the Course of Proceeding herein-before prescribed in respect to the Matters to which this Act relates or any of them, and such Rules and Orders may from Time to Time be rescinded or altered by the like Authority, and all such Rules and Orders shall take effect as General Orders of the said Court. Lord Chancellor, &c. in Ireland may make Rules for Procedure and for regulating Fees.

X. Sections I., II., III., IV., V., VI., and VII. of this Act shall extend to and all the Powers therein contained may be exercised by the Court of Chancery of the County Palatine of *Lancaster* within the Jurisdiction of the said Court; and the Chancellor of the Duchy and County Palatine of *Lancaster*, Sections 1. to 7. of this Act to extend to Court

of Chancery of County Palatine of Lancaster.

with the Advice and Assistance of the Lords Justices of the Court of Appeal in the High Court of Chancery, or One of them, and of the Vice Chancellor of the County Palatine, may and they are hereby required from Time to Time to make such General Rules and Orders as may be necessary for assimilating the Procedure and Practice of the Palatine Court in respect of the Matters aforesaid to those of the High Court of Chancery, and for regulating the Fees and Allowances in respect thereof.

Lord Chancellor, &c. may make Rules for Procedure and for regulating Fees.

XI. The Lord Chancellor, with the Advice and Assistance of the Master of the Rolls, the Lords Justices of the Court of Appeal in Chancery, and the Vice Chancellors, or any Three of them, may, and they are hereby required, from Time to Time to make General Rules and Orders for carrying the Purposes of this Act into effect, and for regulating the Times and Form and Mode of Procedure, and generally the Practice of the said Court, in respect of the Matters to which this Act relates, and for regulating the Fees and Allowances to all Officers of the said Court and Solicitors thereof in respect to such Matters, and so far as may be found expedient for altering the Course of Proceeding herein-before prescribed in respect to the Matters to which this Act relates, or any of them, and such Rules and Orders may from Time to Time be rescinded or altered by the like Authority, and all such Rules and Orders shall take effect as General Orders of the said Court.

Rules and Orders to be laid before Parliament.

XII. All General Rules and Orders made in pursuance of the Powers contained in this Act shall, immediately after the making and issuing thereof, be laid before both Houses of Parliament, if Parliament be then sitting, or, if Parliament be not then sitting, within Five Days after the next Meeting thereof: Provided always, that if either of the Houses of Parliament shall, by any Resolution passed within Thirty-six Days after such Rules or Orders have been laid before such Houses of Parliament, resolve that the whole or any Part of such Rules or Orders ought not to continue in force, in such Case the whole, or such Part thereof as shall be so included in such Resolution, shall from and after such Resolution cease to be binding.

CAP. XXVIII.

An Act to continue the Peace Preservation (*Ireland*) Act, 1856. [28th *June* 1858.]

[*Act continued till 1st July 1860, and from thence till End of then next Session.*]

CAP. XXIX.

An Act for confirming a Scheme of the Charity Commissioners for Sir *Eliab Harvey's* Charity in the Town of *Folkestone*. [28th *June* 1858.]

5th Report, dated 26th Feb. 1858, approving Scheme for Harvey's Charity.

'WHEREAS the Charity Commissioners for *England* and *Wales*, in their Report to Her Majesty of their Proceedings during the Year One thousand eight hundred and fifty-seven, have reported that they have provisionally approved and certified (among other Schemes for the Application and Management of Charities, a Scheme for Sir *Eliab Harvey's* Charity in the Town of *Folkestone*, and such Scheme is set out in the Appendix to the said Report, and is also set out in the Schedule to this Act: And whereas it is expedient that the said Scheme should be confirmed:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Scheme confirmed.

I. The said Scheme shall be confirmed and take effect.

SCHEDULE.

SCHEME for the ADMINISTRATION of the CHARITY called "SIR ELIAB HARVEY'S CHARITY," at Folkestone, in the County of Kent.

1. The Charity shall be managed by the present and future trustees thereof, for the purposes and according to the provisions of this scheme, from the time herein-after appointed for its coming into operation.

2. The tan-house or tan-lade near the Stade at Folkestone, settled upon the trust that the same might be used in perpetuity by the freemen and other inhabitants of Folkestone, and the fishermen there, for tanning their nets, upon payment of certain sums to be applied to its repair and to the repair also of a farm-house at Lympne, in the same county, settled upon different charitable trusts, shall continue subject to the same trusts, except that the persons using the same shall make therefore such rateable payments only to the trustees as shall be required by them for its necessary repair, maintenance, and management. The trustees shall also be at liberty, in their discretion, to apply or set aside any sums of money, not exceeding altogether 5*l.* in any year, out of the rents of the said farm at Lympne, towards the expenses of the repair, maintenance, management, or improvement of the said tan-lade, and shall have power also to establish and enforce such reasonable orders for the government of the persons using the said tan-lade as in their judgment shall be necessary for securing or extending its benefit.

3. The

3. The former trusts for providing or appropriating any fisher-boats with the income of the Charity, and for apprenticing boys, otherwise than according to this scheme, shall cease, in order that the funds of the Charity may be more sufficient for the other beneficial purposes thereof to be hereby enlarged or established.

4. The school directed to be maintained out of the income of the Charity for teaching 20 poor children to write and read English, and (if willing) the Latin tongue, shall be open to so many boys, to be admitted thereto under the provisions of this scheme, as the income or funds from time to time applicable to the support thereof, and the sufficiency of the buildings and establishment of the said school, and other circumstances, shall, in the judgment of the trustees, permit or render expedient.

5. The instruction to be given in the said school shall comprise, besides reading and writing, the truths of the Christian religion and Scripture history, grammar, and English history and composition, the Latin and French languages, so far as shall be required by the trustees, arithmetic, algebra, and elementary mathematics, geography and the use of the globes, navigation, mapping, linear drawing, and land measuring, and such physical sciences most applicable to the industrial arts and occupations, and such other subjects, as shall from time to time be required by the trustees for giving to all the scholars a sound practical education, enabling them to advance themselves in life.

6. The religious instruction to be given generally to the scholars shall be in accordance with the doctrines of the Established Church, except that boys whose parents or next friends shall object upon conscientious grounds to their receiving instruction in the catechism or distinctive doctrines of the Established Church, or attending its services, and shall claim for them in writing this exemption, shall be exempted from such instruction and attendance.

7. Subject to any different regulations which may from time to time be made by the trustees, with the assent of the mayor and aldermen of the borough of Folkestone, or, in case of difference, with the approval of the Board of Charity Commissioners for England and Wales, boys shall be admissible to the school at and after the age of eight years, and may remain therein until their completion of the age of sixteen years, or longer, with the special consent of the trustees.

8. The admission of boys and their removal shall belong to the trustees, under such regulations in this behalf as shall be established by them, with the assent of the said mayor and aldermen, or, in case of difference, with the approval of the said Board, a preference among applicants for admission being always given, cæteris paribus, to boys whose parents or next friends shall for the time being be inhabitants of the borough of Folkestone, and, as far as reasonably may be, to the sons of fishermen there; and a list of applicants for admission, in the order of their application, and stating their parentage, ages, and such other circumstances as shall be directed by the trustees, shall be kept by the master of the school, whose duty it shall be to receive such applications, and such list shall be open to examination by the trustees and the said mayor and aldermen, and every of them.

9. For providing sufficient funds in aid of the endowments for the maintenance and improvement of the school, and the reward and advancement of the scholars, such reasonable fees shall be paid by them as the trustees, with the assent of the said mayor and aldermen, or, in case of difference, with the approval of the said Board, shall from time to time require, not exceeding, for boys under the age of twelve years, the rate of 1*l.* per quarter, and for boys above that age, 2*l.* per quarter, such fees to be paid quarterly, in advance, and to be received by the master, or by such person as the trustees shall from time to time appoint, for their account and disposal; and the trustees shall pay one moiety of the net amount of such fees to the master for his use, and shall carry the other moiety thereof to the account of the school fund herein-after directed to be constituted by them; but the said fees may be remitted in any particular cases, wholly or partially, by the trustees and the said mayor and aldermen, or by the trustees, under any regulations established by them, with the assent of the said mayor and aldermen, or, in case of difference, with the approval of the said Board, to any number of scholars not exceeding ten at the same time, as a reward of superior merit, or on account of the comparative poverty of their parents or next friends, or for other sufficient reasons, and particularly to sons of fishermen resident in the said borough. The books and stationery required by the scholars shall be provided by themselves.

10. The master of the school shall be appointed and shall be also removable by the trustees and the said mayor and aldermen jointly, or, in case of difference, then by either of the said bodies, with the approval of the said Board.

11. The master shall be permitted to receive boarders or private pupils to be instructed in the school, under such regulations and upon such terms as shall be made or authorized by the trustees; but such boarders or private pupils shall be taught and placed in the school indifferently with the other scholars, without any distinction of their position, instruction, or treatment in the school.

12. One or more of the houses on the Charity estate near the school-house at Folkestone shall be appropriated therewith by the trustees to the master of the school for his residence and for the uses of the school; and the net rents and profits of all the residue of the said houses and premises which shall remain after paying or providing for all the rates, taxes, or expenses of repair, maintenance, and insurance, and other outgoings payable in respect of all the said buildings and premises, shall be paid to the master for his use.

13. The accumulation of the rents and profits of the said farm at Lympne, which has been commenced by the trustees for replacing a principal sum of 323*l.* belonging to the Charity, and heretofore expended in the repair and improvement of the Charity estate, shall be continued by the trustees by means of their appropriation to that purpose of the yearly sum of 20*l.* out of the same rents and profits and out of the income of the prior accumulations, until, by means of such accumulations, which already exceed the sum of 200*l.*, the whole of the said sum of 323*l.* shall be made up, unless, upon the representation of the trustees to the said Board that the interests of the Charity will be more beneficially promoted by suspending or determining such accumulations, the said Board shall authorize such suspension or determination.

14. The amount of all such accumulations, or so much thereof as shall not be otherwise applied under the following provisions, shall be invested by the trustees, with the approval of the said Board, in the purchase of real estate, to be settled upon the same trusts and for the same purposes to which the said farm at Lympne will be subject under or according to the provisions of this scheme, and until such purchase shall be made, the dividends arising from the investment to be made of the said accumulations under the following provisions shall be applicable in the same manner as the rents of such real estate if purchased would be applicable.

15. Provided, nevertheless, that it shall be lawful for the trustees, with the approval of the said Board, and subject to any directions or conditions under which such approval shall have been expressed, to apply all or any part of the said existing and future accumulations, instead of investing the same in the purchase of real estate under the foregoing provision, in or towards any permanent improvement of the school-buildings or of any other buildings or property of the Charity.

16. The Charity shall also be subject specifically to the provisions of the "Charitable Trusts Act, 1853," and the "Charitable Trusts Amendment Act, 1855," relating respectively to the improvement and leasing of Charity estates, and to all other provisions of the said Acts not inconsistent with this scheme.

17. All principal monies belonging, or which shall from time to time belong to the Charity, and which shall not be presently applicable and applied to other purposes under this scheme, shall be invested, with the approval of the said Board, in the public funds, either in the name of the Official Trustees of Charitable Funds, or in the names of four or more of the acting trustees, as their stock committee, and the dividends arising from such stock, and not otherwise appropriated by this scheme, shall be applicable as part of the general income of the Charity, and shall be paid for that purpose to or according to the direction of the managing trustees.

18. All the real estate belonging to the Charity when this scheme shall come into operation shall be vested by virtue thereof in the Official Trustee of Charity Lands, in trust for the managing trustees, and all real estate of the Charity subsequently acquired may be conveyed to such Official Trustee upon the same trust by order of the said Board.

19. The managing trustees shall from time to time pay out of the net rents and profits of the said farm and the general income of the Charity which shall remain after paying or providing for the payment of all rates, taxes, expenses of repair, and insurance, and other outgoings payable in respect of the premises, all expenses incident to the execution of the trusts, among which they may include the costs reasonably incurred by them in relation to the establishment of this scheme; and shall divide the ultimate residue of the same rents, profits, and income into two moieties, of which one shall be paid to the master of the school for his use, and the other moiety shall be carried to the account of a school fund, to be constituted by the trustees, and to be applied by them to the purposes herein-after directed.

20. The trustees shall pay out of the said school fund the general expenses of warming, cleaning, and managing the school-rooms and buildings; the wages of any servants necessarily employed for the purposes thereof; the salaries, so far as the fund will extend, of any additional teachers to be employed by the trustees in the school; and the costs of any other provisions to be made by them, with the approval of the said Board, for the extension of its benefits. They shall also be at liberty from time to time to appropriate, in their discretion, any proportion of the said fund, not exceeding altogether in any year a moiety thereof, to the increase of the emoluments of the master of the school.

21. The trustees shall cause a public examination of the scholars to be held in the month of June in every year, or at such time as shall be appointed for this purpose by the trustees, with the consent of the Board, by an examiner to be from time to time appointed by themselves, and may pay to such examiner any reasonable remuneration for the discharge of his duties, and they may also award prizes of any value, not exceeding altogether 5*l.* in any year, to the boys who, in proficiency evinced at such public examinations and in general diligence and conduct, shall be found to be most meritorious.

22. The remuneration of the said examiners and the prizes to be awarded to the scholars shall be provided out of the school fund, and all the residue thereof which shall remain after answering the payments herein-before directed or authorized to be made thereout, shall from time to time be applied by the trustees in apprenticing or otherwise advancing in life the most meritorious scholars of the said school on their leaving the same, a preference among the candidates for such advancement being always given, cæteris paribus, firstly, to the sons of fishermen resident in the borough of Folkestone, and secondly, to the sons of other inhabitants thereof.

23. The

23. The trustees shall hold meetings for auditing the accounts and transacting the general business of the Charity on the second Wednesday in each of the months of June and December in every year, or on such other days of the same months as shall have been appointed for that purpose by the trustees present at any previous meeting, or at such other times or time in every year as shall be approved for this purpose by the said Board, and also so often as shall be requisite for the due administration of the Charity; they shall also hold a meeting on the first Wednesday next after the time at which this scheme shall come into operation.

24. Special meetings of the trustees may be convened from time to time, as occasion shall be, by any two or more trustees, by notices delivered or sent by the post or otherwise to every other trustee, by the space of fourteen days at the least previously, in which the business to be discussed or transacted at such meeting shall be stated, and no other business shall be transacted thereat.

25. All notices required to be given to the trustees shall be sufficiently given by writing, either delivered personally or addressed to them by the post at their usual or last-known places of abode in England, and shall be so delivered or sent, where the circumstances of the case will permit, by the space of fourteen days at the least before the time of holding any meetings to which they shall respectively relate.

26. All meetings of the trustees shall be held in the borough of Folkestone, and, unless otherwise appointed by any such previous resolution as aforesaid, at noon, and in the schoolhouse belonging to the Charity.

27. The trustees may, at their first or any subsequent meeting, appoint a permanent chairman of their meetings, and may make like appointments as often as occasion shall be, and may remove any such chairman at any subsequent meeting; provided that no proposal for the appointment of a permanent chairman, except at such first meeting, or for his removal, shall be made or dealt with at any meeting unless a previous notice of the intention to make such proposal shall have been given in manner aforesaid by the space of fourteen days previously at the least to every trustee other than the trustee making the proposal. If there shall be no permanent chairman, or in case of his absence from any meeting, the trustees present thereat may elect a chairman thereof, and in default of such election the senior of the trustees present, according to the dates or order of their appointment, shall be the chairman of such meeting.

28. Four trustees shall form a quorum at any meeting, and so soon as that number shall be present after the time appointed for holding the same, they shall proceed to the transaction of the business thereof.

29. The resolutions and proceedings of a majority of the trustees present at any meeting shall bind the minority and all absent trustees. In the event of there being an equality of votes at any meeting, the chairman shall have a second or casting vote.

30. If for the space of one hour after the time appointed for holding a meeting less than five trustees shall attend, the present trustees or trustee, if any, or otherwise the clerk to the trustees, may adjourn the same to some convenient period not distant less than seven days; and all meetings may be adjourned by the resolution of the trustees present thereat.

31. The trustees shall keep minute books, in which the names of the trustees attending each meeting and all the proceedings thereat shall be recorded, and the minutes of every meeting shall be signed by the chairman and countersigned by the clerk, if any.

32. The trustees, with the approval of the said Board, may from time to time establish, revoke, or vary any regulations for the government of their proceedings under or according to this scheme.

33. The trustees may employ a clerk and a receiver for the purposes of the Charity, who shall be respectively removable at their pleasure, or may vest both those offices in the same person, and may assign to every such clerk or receiver any reasonable salary or remuneration, to be accounted as part of the expenses incident to the discharge of the trusts.

34. It shall be the duty of the clerk, subject to any special orders of the trustees, to give notice to them of all general and adjourned and special meetings, and of all business to be transacted thereat, requiring previous notice, and to attend such meetings, and to enter and keep minutes of all proceedings thereat, and to keep also the accounts of the Charity, and to make all payments directed by the trustees to be made by him, and to perform all such acts relating to the Charity as they shall from time to time reasonably require.

35. The full number of the trustees shall be ten, and all vacancies in their body may from time to time be filled up by the surviving or continuing trustees, by election to be made at their first meeting, without previous notice, or at any other meeting, after special notice given of the intention to proceed to such election thereat; but every such election shall require the approval of the said Board of Charity Commissioners for England and Wales to its validity, and shall not be operative without or previously to such approval; and such election, in order to its being forthwith considered by the said Board, shall be certified to the said Commissioners, at the meeting at which the same shall have been made, by the chairman thereof, by writing under his hand, countersigned by the clerk, if any.

36. The present trustees, or such of them as shall be willing to act, shall continue to be trustees of the Charity, subject to such of the following provisions as shall be respectively applicable to them.

37. Every trustee to be hereafter appointed shall become disqualified, and his office shall become vacant, on his ceasing to reside within the borough, or within 20 miles from the parish church of Folkestone, and every present or future trustee also, who shall become bankrupt or insolvent, or shall be permanently resident out of the United Kingdom, or shall become incapable to act, or shall neglect to attend any meeting of the trustees during two consecutive years, or shall resign his office by writing addressed to the clerk, if any, of the trustees, or otherwise to the other trustees for the time being, shall, in any of the said cases, cease to be a trustee.

38. This scheme shall come into operation at the expiration of two calendar months next after the passing of the Act establishing the same.

39. If any doubt or question shall arise among the trustees as to the proper construction or application of any of the provisions of this scheme, or the management of the Charity, application may be made by them to the Charity Commissioners for England and Wales for direction thereon, which direction, when given, shall be binding on the trustees; and any provision hereof which may be found inconvenient or insufficient, or to require to be more exactly adapted to the circumstances of the Charity for the time being, may be modified, explained, extended, or adapted accordingly, by an order either of the Court of Chancery or of the said Commissioners, to be made upon the application of the trustees, so that no such order shall involve any deviation from the main objects and principles of this scheme.

CAP. XXX.

An Act for confirming a Scheme of the Charity Commissioners for certain Municipal Charities in the City of *Bristol*. [28th *June* 1858.]

5th Report, dated 26th Feb. 1858, approving Scheme for Bristol Charities.

'WHEREAS the Charity Commissioners for *England* and *Wales*, in their Report to Her Majesty of their Proceedings during the Year One thousand eight hundred and fifty-seven, have reported that they have provisionally approved and certified (among other Schemes for the Application and Management of Charities, a Scheme for certain Municipal Charities in the City of *Bristol*, and such Scheme is set out in the Appendix to the said Report, and is also set out in the Schedule to this Act: And whereas it is expedient that the said Scheme should be confirmed:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Scheme confirmed.

I. The said Scheme shall be confirmed and take effect.

SCHEDULE.

SCHEME for the APPLICATION of certain ACCUMULATED FUNDS and SURPLUS INCOME belonging to the following CHARITIES in the City of BRISTOL now under the Administration of the Trustees of the Municipal Charities of that City, viz.:—Dr. Thomas White's Road Money and Loan Charities, Mary Ann Peloquin's Charity, George Harrington's Charity, Alderman Joseph Jackson's Charity, Sir Abraham Elton's Charity, Mrs. Anne Snigge's Exhibition Charity, George White's Exhibition Charity, and Robert Kitchen's Charity.

AS TO DR. THOMAS WHITE'S ROAD MONEY AND LOAN CHARITIES.

1. The accumulated surplus funds of the above-mentioned Road Money Charity now in the hands of the trustees thereof (amounting, according to the account rendered by the said trustees for the year ending 30th September 1857, to the sum of 3,869*l.* 8*s.* 7*d.*,) shall be applied and appropriated by the trustees as follows, viz.:—

I. The sum of 700*l.* shall be invested by the said trustees in the public funds in augmentation of the endowment of Queen Elizabeth's Hospital in the said city of Bristol, and the dividends and income arising therefrom shall be appropriated and applied by the trustees towards the support of an additional number of boys at the said Hospital, to be selected from the natives of that portion of the present borough of Bristol which was added by the Municipal Corporations Act to the ancient city or borough.

II. The sum of 1,200*l.* shall be invested by the said Trustees in like manner in augmentation of the endowment of the Free Grammar School in the city of Bristol, and the dividends and income arising therefrom shall be applicable to the general purposes of the same school.

III. The sum of 91*l.* 9*s.* 7*d.* shall be paid by the said trustees to the governors of Dr. Thomas White's Temple Hospital at Bristol, in discharge of an excess of expenditure incurred by such governors in the erection of their Livery House beyond the amount already paid to the said governors by the predecessors of the said trustees, in pursuance of an order of the Court of Chancery, dated 6th June 1822.

IV. The residue of the said sum of 3,869*l.* 8*s.* 7*d.* shall be invested by the said trustees in the public funds, and placed to the account of a fund to be called "The Grammar School Exhibition Fund," and the dividends and income to arise therefrom shall be applied by the trustees to the purposes herein-after mentioned and directed with regard to the income of the said last-mentioned fund.

If in any future year or years there shall be any surplus income of the said Road Money Charity which shall not be required for the purposes of the same Charity, the amount of such surplus income shall

shall be invested by the said trustees from time to time in the public funds, in augmentation of the endowment of the said Grammar School, and the dividends and income to arise from such investments shall be applied by the said trustees to the general purposes of the same school.

2. The annual payment or sum of 60*l.* now applicable under the trusts of the said Loan Charity in the grant of loans of 30*l.* each for two years to tradesmen of Bristol, shall continue to be applied by the said trustees in granting such loans as heretofore, if and so far as the same shall be required for that purpose; and the accumulated fund (amounting to the sum of 1,540*l.*) which has arisen from the annual payments heretofore received by the said trustees for the purposes of the said Loan Charity, shall be applied by the said trustees as follows, that is to say, the sum of 600*l.*, part of the said last-mentioned accumulated fund, shall be reserved and set apart by the said trustees as a permanent loan fund, which shall be applicable in future, in addition to the said annual payment of 60*l.*, in the grant of loans as heretofore; and the residue of the said last-mentioned accumulated fund shall be invested by the said trustees in the public funds, in augmentation of the endowment of the said Free Grammar School, and the dividends and income thereof shall be applicable to the general purposes of the same school.

3. The said permanent loan fund or sum of 600*l.* shall, with the aforesaid annual payment of 60*l.*, constitute in future the total amount applicable in the grant of loans in respect of the said Loan Charity, and the sums to be hereafter received by the trustees of the same Charity in repayment of loans already granted or to be hereafter granted, shall be applicable, in the first place, in making good any losses which may arise from time to time from the nonpayment of any loan or loans, so as to maintain the said permanent loan fund at the full amount of 600*l.*, and subject thereto, the amount of the sums to be so repaid to the said trustees shall be carried by them from time to time to the account of the income of the aforesaid "Grammar School Exhibition Fund," and shall be applicable as part of the income of the same fund, in the manner and for the purposes herein-after mentioned and directed in that behalf.

As to Mary Ann Peloquin's, George Harrington's, and Alderman Joseph Jackson's Charities.

4. The accumulated surplus funds belonging to these Charities respectively, now in the hands of the said trustees, and amounting, according to the account rendered by the said trustees for the year ending 30th September 1857,—

	£	s.	d.
As to Mary Ann Peloquin's Charity, to the sum of - - - -	1,217	6	10
As to George Harrington's Charity, to the sum of - - - -	68	10	0
And as to Alderman Joseph Jackson's Charity, to the sum of - - -	29	4	0

shall respectively be invested by the said trustees in the public funds, and placed to the account of a fund to be called "The Freemen's Sons' Fund;" and if in any future year or years there shall be any surplus income of the same three Charities respectively, which shall not be required for the respective immediate objects thereof, the amount of such surplus income shall be invested by the said trustees from time to time in like manner, and placed to the account of the same last-mentioned fund; and the dividends and income to arise from the said "Freemen's Sons' Fund" shall be applied by the said trustees in maintaining at Queen Elizabeth's Hospital aforesaid so many sons of freemen of the city of Bristol, to be elected by the trustees, as the amount of such income shall from time to time permit, and subject to such conditions and regulations as the trustees may from time to time prescribe. Provided, nevertheless, that so far as such income may not be required for the foregoing purpose, the same may be appropriated and applied by the trustees to the general objects of Queen Elizabeth's Hospital aforesaid.

As to Sir Abraham Elton's Charity and Mrs. Anne Snigge's and George White's Exhibition Charities.

5. The accumulated surplus funds of the three last-mentioned Charities respectively (consisting, according to the account rendered by the said trustees for the said year ending the 30th September 1857, as to Sir A. Elton's Charity, of the sum of 30*l.* 5*s.* 9*d.*; as to Mrs. Anne Snigge's Charity, of the sums of 550*l.*, 3*l.* per cent. consols, and 38*l.* cash; and as to George White's Charity, of the sums of 300*l.* 3*l.* per cent. consols, and 36*l.* 3*s.* 10*d.* cash,) shall be placed by the trustees to the account of the said fund called "The Grammar School Exhibition Fund," (the said several sums of cash being first invested by the said trustees in the public funds,) and the dividends and income thereof shall be applied by the trustees to the purposes herein-after mentioned and directed with respect to the income of the same last-mentioned fund; and all future surplus income of the same three Charities respectively, which shall not be required for the immediate purposes thereof, shall also be placed by the trustees from time to time to the account of the income of the said last-mentioned fund, and applied by them as part of such income.

As to Robert Kitchen's Charity (so far as regards the Annual Payment or Sum of 26*l.*, distributed in pursuance of the Trusts of the same Charity in Gifts of 10*s.* each amongst the Poor of the several Parishes in the City of Bristol).

6. The accumulated surplus fund which has arisen from the above-mentioned annual payment of 26*l.* (amounting, according to the account rendered by the said trustees for the year ending 30th September 1857,

1857, to the sum of 69*l.* 10*s.*), and any future annual surplus of the same payment which shall not be required for distribution in the manner prescribed by the founder of the said last-mentioned Charity, shall be placed by the said trustees to the account of the fund for general charitable uses belonging to the same Charity, and shall be applied and disposed of by them to or for such charitable objects or purposes for the benefit of the poor of the city or borough of Bristol as the trustees, or the majority of them, shall from time to time determine.

AS TO "THE GRAMMAR SCHOOL EXHIBITION FUND" TO BE CREATED UNDER THE PROVISIONS OF THIS SCHEME.

7. The dividends and annual income arising from the investments and securities, which shall for the time being be placed to the account of this fund in pursuance of the provisions of this scheme, shall be applied by the trustees (so far as the same shall be required for the purpose) in providing two exhibitions, of the amount of 60*l.* each, for boys proceeding from the said school to any University in England (such exhibitions being respectively tenable for three years, and being subject in all other respects to the regulations respecting exhibitions which are contained in the scheme established and now in force under the authority of the Court of Chancery for the government of the said school), and the annual surplus or residue of such dividends and income which shall remain after providing such two exhibitions, or which shall not be actually required for that purpose, shall be applied by the said trustees to the general purposes of the said Grammar School as part of the income thereof. Provided, nevertheless, that the trustees for the time being of the said Municipal Charities of Bristol shall be at liberty to increase the number of the exhibitions under this scheme whenever the income of the said exhibition fund shall permit, if and so far as the circumstances of the school shall, in the opinion of the trustees, require or justify such increase.

CAP. XXXI.

An Act for confirming a Scheme of the Charity Commissioners for certain Charities in the Parishes of *Saint Nicholas* and *Saint Leonard* in the City of *Bristol*. [28th *June* 1858.]

5th Report, dated 26th Feb. 1858, approving Schemes for certain Charities in St. Nicholas and St. Leonard, Bristol.

'WHEREAS the Charity Commissioners for *England* and *Wales*, in their Report to Her Majesty of their Proceedings during the Year One thousand eight hundred and fifty-seven, have reported that they have provisionally approved and certified (among other Schemes for the Application and Management of Charities) a Scheme for certain Charities in the Parishes of *Saint Nicholas* and *Saint Leonard* in the City of *Bristol*, and such Scheme is set out in the Appendix to their said Report, and is also set out in the Schedule to this Act: And whereas it is expedient that the said Scheme should be confirmed:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Scheme confirmed.

I. The said Scheme shall be confirmed and take effect.

SCHEDULE.

SCHEME for the ADMINISTRATION and MANAGEMENT of the several CHARITIES in the Parishes of SAINT NICHOLAS and SAINT LEONARD, in the City of Bristol, herein-after mentioned or referred to.

1. The almshouse in the parish of Saint Nicholas, Bristol, founded in or about the year 1652, now under the management of the vestry of the said parish, and its site shall be legally vested in fee simple in the vicar and churchwardens of the same parish, and their successors, as a corporation for this purpose, upon trust that the same may be perpetually used and occupied by fifteen poor aged women of the said parish who shall possess the qualifications, and shall be admitted thereto, as herein-after provided. And the said almshouse and its inmates shall be under the management and direction of a governing body, to be called the Almshouse Committee, to consist of the said vicar and churchwardens and eight other persons to be appointed from time to time as may be necessary for constituting or keeping up their number by the vestry of the said parish, and to be removable in like manner.

2. The inmates shall be appointed by such Committee, and shall be respectable poor women of irreproachable character of not less than fifty years of age, who shall have been resident in the said parish for not less than five years immediately preceding their admission, and shall not have been in the receipt of parochial relief during any part of the last of such years; and that as between applicants whose claims or merits shall be considered by the Committee to be in other respects equal, a preference shall be given to persons in decayed circumstances or condition reduced by unavoidable misfortune or calamity.

3. The vestry of the said parish, or the trustees or others having the disposal of the income arising from the several charitable endowments mentioned in the first schedule hereto heretofore distributable in pecuniary doles or bread or other articles in kind among the poor of the said parish, and of the proportion which is equal to 84*l.* 10*s.* 1*d.* out of every 100*l.* heretofore applicable in like manner of the net rents and profits arising from the property called the Forlorn Hope estate, in the present parish of Saint

Saint Paul, Bristol, shall from time to time pay out of such income of each kind, to or for the disposal of the said Almshouse Committee, the clear yearly sum of 200*l.*, or such less yearly sum as shall be equal to one-third part of the net amount of such income, to be applied by the said Committee to the repair and maintenance, and, if occasion shall be, to the improvement or extension of the said almshouse, and to the support and benefit of the inmates thereof appointed under this scheme. And the said Committee shall have a discretionary power to apply any proportions of the monies applicable to the support and benefit of the said inmates in providing for them fuel, clothing, food, attendance in sickness or infirmity, medical aid, or other necessaries, and in direct pecuniary allowances to them, or in any of the said modes, as the said Committee shall think fit. The said Committee shall also have power to make any such payments or allowances which, under the circumstances of the case, they may consider expedient, to any persons who shall be inmates of the said almshouse when this scheme shall come into operation, and to permit also such persons to remain therein for such respective periods as in the judgment of the said Committee shall be convenient.

All payments directed to be made to or for the disposal of the said Committee may be made to such treasurer, bankers, or other persons as shall from time to time be appointed by them for the purpose of receiving the same.

4. Suitable regulations shall be established by the said Committee, with the approval of the Board of Charity Commissioners for England and Wales, for the direction of their own proceedings, and for the administration, management, and government of the said almshouse, and its endowments, and the inmates thereof, in conformity to this scheme, and such regulations may from time to time be added to or varied by the Committee for the time being, with the like approval.

5. All the residue of the net income arising from the several charitable endowments enumerated in the first schedule hereto, and of the before-mentioned proportion of the net rents and profits of the Forlorn Hope estate, and the net dividends also arising from the several stocks mentioned in the second schedule hereto, with the exception of 200*l.*, part of the therein mentioned sum of 798*l.* 10*s.* 6*d.* 3*l.* per cent. consolidated annuities, the gift of Richard Aldridge, all which said dividends have been also hitherto distributable in pecuniary doles, or bread, or other articles in kind among the poor of the said parish, and also so much of the dividends of the said excepted sum of 200*l.* stock as is now eventually applicable to the like purposes; and also all the dividends arising from a sum of 466*l.* 2*s.* 9*d.* 3*l.* per cent. consolidated bank annuities, constituting a fund called the Almshouse School Fund, standing in the names of Peter Maze the younger, William Henry Terrell, John Smith, and William Hassell, Esquires, and being the investment of contributions formerly made for the support of a parochial school in the said almshouse, or in a building attached thereto, for the benefit of the poor of the said parish of Saint Nicholas, but which school has been discontinued; and, lastly, an annuity of 41*l.*, created by the will of William Pennoyre, dated in the year 1670, and distributable, as to the sum of 5*l.*, in pecuniary doles among the poor of the parish of Saint Leonard, Bristol, and as to the residue to educational purposes for the benefit of the same poor, shall altogether constitute a fund, to be called, for the purposes of this scheme, "The Saint Nicholas and Saint Leonard Parochial School Fund," and shall be applicable from time to time in aid or towards the support of the parochial schools recently established, or in a course of construction and establishment by principal inhabitants of the said parishes of Saint Nicholas and Saint Leonard, with the aid of certain public grants, for the joint instruction of the children of the poor of both the same parishes, and for the benefit of the children attending the same schools, as herein-after provided, and shall be paid for such purposes by the respective vestries or trustees of the said several charitable endowments, or other persons liable to pay the same respectively to, or for the disposal, or according to the directions of the School Committee herein-after constituted, or, with the assent of such School Committee, directly to or for the use of the managers of the said parochial schools for the time being, by the hands of their treasurer or other officer authorized to receive the same.

6. The application of the said "Saint Nicholas and Saint Leonard Parochial School Fund" shall belong to or be under the supervision of a Committee, to be called "The Saint Nicholas and Saint Leonard School Committee," and to consist of the vicar and churchwardens for the time being of each of the said parishes of Saint Nicholas and Saint Leonard, and twelve other persons, of whom eight shall be appointed, as occasion shall be for constituting or completing their number, by the vestry of the said parish of Saint Nicholas, and shall be removable in like manner, and the remaining four shall be appointed, and shall be also removable in like manner, by the vestry of the said parish of Saint Leonard.

7. Such a proportion of the said school fund as shall be approved by the said School Committee shall from time to time be appropriated under their inspection, and to their satisfaction, to the purpose of providing, so far as the amounts appropriated to this purpose will extend, one or more daily meals, either gratuitously or at a reduced cost, for all the children attending the said schools, or for any such children to whom the distance of their residence from the schools, or the poverty of their parents or next friends, or other circumstances, shall render this provision most beneficial, or to whom this benefit may be assigned by the managers of the schools as a reward of merit, in order particularly to the exemption of such children from the difficulties and loss of time incident to their passing to and from the said schools,

and

and to the promotion of their comfort therein, and the relief of their parents or next friends; and the residue of the said school fund shall be applicable to the general support and purposes of the said schools, either directly by the School Committee, or by means of its transfer by them for that purpose to the managers of the said schools. Provided always, and it shall be part of the terms upon which the said school fund shall be appropriated in manner aforesaid, that reasonable regulations shall be made by the managers of the said schools for exempting children, for whom this exemption shall be claimed in writing by their parents or next friends, dissenting from the Established Church, from receiving compulsory instruction in the catechism or distinctive doctrines of the Church, and from attending services.

8. The said School Committee, subject to the approval of the Board of Charity Commissioners for England and Wales, may make and establish and from time to time extend, revoke, or vary regulations not inconsistent with this scheme in relation to their proceedings, and to the administration and management of the said parochial school fund, and the discharge of the duties hereby imposed on them.

9. At all meetings of either of the Committees hereby constituted five members thereof shall be sufficient to form a quorum, and a majority of the members present shall be competent to bind by their votes a minority and all absent members, and in case of an equality of votes the chairman shall have a second or casting vote. The vicar of the said parishes, if present, shall be the chairman of every such meeting, and in his absence the chairman shall be elected by the members present.

10. This scheme shall commence and take effect from and after the first day of January next after the establishment thereof by the authority of Parliament, but the trustees or administrators of the several Charities comprised therein shall be at liberty to continue any allowances of money or in kind for a period not exceeding twelve calendar months from that date, or with the consent of the Board of Charity Commissioners for England and Wales, for any longer period or periods to any then recipients of such allowances to whom, on account of any special circumstances, the said trustees or administrators shall consider it desirable to continue such allowances.

11. If any doubt or question shall arise between the members of either of the said Committees, or among any persons liable to make any payments under this scheme, as to the proper construction or application of any of the provisions thereof or the management of the Charity, application may be made by the said parties respectively, or any of them, to the Board of Charity Commissioners for England and Wales for their opinion and advice thereon, which, when given, shall be binding on all parties; and any provision in this scheme which may require to be explained, or more closely adapted to the circumstances for the time being of the Charity, may be explained and adapted accordingly by an order either of the Court of Chancery or of the said Board, to be made upon the application of either of the said Committees; and any provision in this scheme which shall be found inconvenient or objectionable may be modified accordingly by an order of the Court of Chancery upon the application of either of the said Committees, provided that no such alteration shall be made involving a deviation from the main objects and principles of this scheme.

First SCHEDULE referred to above.

Name of Donor or Founder.	Particulars or Nature of Endowment.	Annual Income. £	s.	d.
	Fixed Annual Sums.			
William Tucker - -	Annual Sum charged partly on real estate, and partly on funds, both under the management of the vestry of the parish of St. Nicholas.	2	0	0
John Brown - - -	Same charged on house in Red Cross Street, and due to the stated Charities, in two of every three years.	1	6	8
John Matthews - -	Same charged on real estate under the management of the same vestry.	2	0	0
George Snow - - -	Same charged on house in Tucker Street, Bristol -	1	0	0
Elizabeth Tudor - -	Same charged on house in Thomas Street, Bristol -	0	10	0
Abraham Birking - -	Same on land at Barton Regis - - - -	2	0	0
Michael Deyos - -	Same on house on the Back, Bristol - - -	2	12	0
	Real Estate yielding Rent Service.			
Alice Webb - -	Houses and garden in Lewin's Mead, Bristol, present rents.	7	10	0
	Carried forward - -	18	18	8

Name of Donor or Founder.	Particulars or Nature of Endowment.	Annual Income.
		£ s. d.
	Brought forward - - -	18 18 8
	Principal Monies all in the hands of the Vestry of the Parish of Saint Nicholas, and as Part of their General Stock charged on the Parish or Church Estate. £	
William Pitt - - -	- - - - 50 - - - -	2 12 0
Joan Mitchell - - -	- - - - 10 - - - -	0 10 0
Charles Reynon - -	- - - - 20 - - - -	1 0 0
John Reed - - -	- - - - 20 - - - -	1 0 0
William Evans - -	- - - - 10 - - - -	0 10 0
James Croft - - -	- - - - 50 - - - -	2 10 0
William Jackson - -	- - - - 50 - - - -	2 10 0
William Bailey - -	- - - - 50 - - - -	2 10 0
John Williams - - -	- - - - 10 - - - -	0 10 0
Christopher Wallis - -	- - - - 30 - - - -	1 10 0
Joseph Whitechurch - -	- - - - 20 - - - -	1 0 0
John Britam - - -	- - - - 20 - - - -	1 0 0
Alice James - - -	- - - - 20 - - - -	1 0 0
Richard Leversedge - -	- - - - 50 - - - -	2 10 0
John Gaskarth - -	- - - - 30 - - - -	1 10 0
John Haythorne - -	- - - - 10 - - - -	0 10 0
John Stephens - -	- - - - 20 - - - -	1 0 0
Thomas Hungerford - -	- - - - 50 - - - -	2 10 0
Gregory Bush - - -	- - - - 50 - - - -	2 0 0
Pane Weston - - -	- - - - 20 - - - -	0 16 0
Richard Willett - -	- - - - 24 - - - -	0 19 2
Nathan Drew - - -	- - - - 12 - - - -	0 12 0
Thomas Hungerford, jun. -	- - - - 50 - - - -	2 10 0
Walter Lougher - -	- - - - 100 - - - -	4 0 0
Mary Potter - - -	- - - - 25 - - - -	1 0 0
Mary Packer - - -	- - - - 100 - - - -	4 0 0
Thomas Terrett - -	- - - - 10 - - - -	0 10 0
Mary Innys - - -	- - - - 200 - - - -	8 0 0
	Total income - - - -	69 7 10

SECOND SCHEDULE.

A sum of 798*l.* 10*s.* 6*d.* 3*l.* per cent. consolidated bank annuities, standing in the names of Peter Maze, junior, William Henry Terrell, John Smith, and William Hassell, and arising from the several gifts of—

Henry Bright,	Abraham Wiggington,
John Help,	Benjamin Hill,
James Stevens,	Richard Aldridge, and
Mary Bannister,	—— Henderson.

A sum of 126*l.* 13*s.* 4*d.* 3*l.* per cent. reduced annuities, standing in the names of the same persons, and arising from the gifts of Elizabeth Holmes and Mary Holmes.

A sum of 105*l.* new 3*l.* per cent. annuities, standing in the names of the same persons, and arising from the gift of Robert Salmon.

CAP. XXXII.

An Act to make valid certain Acts of the late Chief Justice of *Bombay*. [12th *July* 1858.]

'WHEREAS Sir *William Yardley*, Knight, late Chief Justice of the Supreme Court of Judicature at *Bombay*, in the Month of *December* last transmitted to the Board of Commissioners for the Affairs of *India* a Notification of his Intention to resign his said Office of Chief Justice on the Ninth Day of *April* One thousand eight hundred and fifty-eight, and Her Majesty, by Letters Patent under the Great Seal of the United Kingdom, bearing Date the Twenty-second Day of *February* One thousand eight hundred and fifty-eight, appointed Sir *Henry Davison* Chief Justice of the said Court: And whereas the said Sir *William Yardley* continued to act as Chief Justice of the said Court until the

'said Ninth Day of *April* One thousand eight hundred and fifty-eight; but it is apprehended that the 'Appointment of the said Sir *Henry Davison* operated to revoke as from the Date of the said Letters 'Patent the Appointment of his Predecessor: And whereas it is expedient that the Acts of the said 'Sir *William Yardley* should be made valid:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Acts of Sir W. Yardley as Chief Justice up to 9th April 1858 confirmed.

I. All Acts, Matters, and Things whatsoever done, ordered, or authorized by the said Sir *William Yardley* in or in relation to the Supreme Court of Judicature at *Bombay*, between the Date of the said Letters Patent and the Ninth Day of *April* One thousand eight hundred and fifty-eight, shall be as valid and shall have the same Force and Effect as if his Appointment as Chief Justice of the said Supreme Court had not been revoked or determined.

CAP. XXXIII.

An Act for the better Management of County Rates. [12th *July* 1858.]

15 & 16 Vict. c. 81.

'WHEREAS by an Act passed in the Fifteenth and Sixteenth Years of the Reign of Her present 'Majesty, Chapter Eighty-one, intituled *An Act to consolidate and amend the Statutes relating to 'the Assessment and Collection of County Rates in* England *and* Wales, the Justices of the Peace of the 'several Counties or Divisions of Counties in *England* and *Wales* are respectively empowered to appoint 'a Committee for the Purpose of preparing a Basis or Standard for fair and equal County Rates to be 'made in their respective Counties and Divisions: And whereas by the Fifty-first Section of the said 'Act it is amongst other things declared that in the Construction of the said Act the Word "County" 'shall mean and include any Riding or Division having a separate Commission of the Peace or separate 'County Treasurer: And whereas certain Counties having One Commission of the Peace are for certain 'Purposes divided into separate Divisions, each Division having a separate County Treasurer, and such 'Divisions have been unequally assessed, and Doubts are entertained concerning the Application of the 'said Act in such Counties, and it is expedient that the Provisions of the said Act should be deemed 'and declared to be applicable to such Counties generally, and not to separate Divisions thereof par-'ticularly:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Provisions of 15 & 16 Vict. c. 81. to apply to Counties having separate Divisional County Treasurers.

I. In any County having One Commission of the Peace, and being divided into separate Divisions, having each a separate County Treasurer, the Provisions of the Act passed in the Fifteenth and Sixteenth Years of the Reign of Her present Majesty, Chapter Eighty-one, for the Purpose of preparing the Basis or Standard as aforesaid, may be taken and considered to apply to the whole of such County generally, and not to separate Divisions thereof particularly, notwithstanding any Provision contained in the Fifty-first Section of the said Act.

Justices of Divisions to raise all County Rates and to administer all Disbursements thereout in such Divisions as heretofore.

II. The Justices of such Divisions shall nevertheless at their General or Quarter Sessions of the Peace, or at any Adjournment thereof, raise all County Rates and administer all Disbursements thereout in respect of Expenses incurred in and for such Divisions, in like Manner as they may have heretofore been accustomed to raise and administer the same in such Divisions: Provided always, that the Justices usually acting in Two or more of such Divisions may, if they shall think fit, at any General or Quarter Sessions of the Peace to be held in each of such Divisions by an Order of such several Sessions, agree to raise and administer such Disbursements jointly, and such Divisions shall, on and after the making of such Orders as aforesaid, be considered for the Purposes aforesaid as One Division only and not separate Divisions: Provided also, that any Sum heretofore levied or which may be levied hereafter for Expenses incurred generally for the whole of any such County shall be levied and paid by the Divisions of such County, in proportion to the total Assessment of such Divisions respectively, as ascertained by the Basis or Standard aforesaid.

CAP. XXXIV.

An Act to continue "The Railways Act (*Ireland*), 1851." [12th *July* 1858.]

[*Act continued for a Year; and thence till the End of the next Session of Parliament.*]

CAP. XXXV.

An Act to remove Doubts as to the Operation of a Convention between Her Majesty and the Emperor of the *French* relative to *Portendic* and *Albreda*. [12th *July* 1858.]

'WHEREAS a Convention was, on the Seventh Day of *March* One thousand eight hundred and 'fifty-seven, concluded between Her Majesty and His Majesty the Emperor of the *French*, of 'which the Ratifications were exchanged on the Twenty-seventh Day of the same Month, whereby it 'was agreed as follows:

'"ARTICLE

'"ARTICLE I.—Her Majesty the Queen of the United Kingdom of *Great Britain* and *Ireland* re-
'"linquishes the Right hitherto enjoyed, under Treaty, by the Subjects of Her *Britannic* Majesty,
'"of trading from the Mouth of the River *St. John* to the Bay and Fort of *Portendic* inclusively.

'"ARTICLE II.—His Majesty the Emperor of the *French* cedes to Her *Britannic* Majesty the
'"*French* Factory or Comptoir at *Albreda*, on the North Bank of the River *Gambia*, on the
'"Western Coast of *Africa*, together with all possessory or other Rights whatever appertaining to
'"the said Factory.

'"ARTICLE III.—Her *Britannic* Majesty consents that *French* Subjects shall have free Access
'"to the River *Gambia* for the Purposes of their Commerce. They shall be allowed to reside at
'"the Town of *Bathurst*, and at such other Trading Station or Stations as may hereafter be
'"appointed by Her *Britannic* Majesty in Council, but not elsewhere; except so far as regards
'"*Albreda*, where such *French* Subjects as are now resident, and may wish to remain, are autho-
'"rized so to do by Article IV. of the present Convention, conforming themselves, however, to the
'"Laws and local Regulations which are or may be in force in the *British* Settlements in the
'"*Gambia*. *French* Vessels in the River *Gambia* shall be subject to the same Duties, Tolls, and
'"Regulations as *British* Vessels; and every Article imported or exported in *French* Vessels shall
'"pay the same Duty as is or may be imposed upon the like Article when imported or exported in
'"*British* Vessels. The *French* Government shall be allowed to maintain a Consular Agent at
'"*Bathurst*; it being clearly understood that such Consular Agent must first be approved and
'"admitted in the usual Manner by the Government of Her *Britannic* Majesty.

'"ARTICLE IV.—*French* Subjects already settled at *Albreda*, and who may wish to remain there
'"after the Cession to Her *Britannic* Majesty of the *French* Factory or Comptoir, shall preserve
'"their Property, and the Rights attached thereto, and shall be protected and treated in all respects
'"in the same Manner as all other *French* Subjects in the Possessions of Her *Britannic* Majesty."

'And whereas Doubts are entertained whether certain of the Provisions of the said Convention are
'consistent with certain Provisions concerning the Coasting Trade of the *British* Possessions contained
'in an Act of the Session holden in the Sixteenth and Seventeenth Years of Her Majesty, Chapter One hundred and seven, "to amend and consolidate the Laws relating to the Customs of the United
'"Kingdom and of the *Isle of Man*, and certain Laws relating to Trade and Navigation, and the
'"*British* Possessions:"' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: 16 & 17 Vict. c. 107.

I. The above-recited Convention is hereby confirmed, and shall be deemed to have full Force and Operation, anything in the said recited Act or in any other Act of Parliament notwithstanding. Recited Convention confirmed.

CAP. XXXVI.

An Act for releasing the Lands of the Commissioners for the Exhibition of 1851, upon the Repayment of Monies granted in aid of their Funds. [12th *July* 1858.]

'WHEREAS the Commissioners for the Exhibition of 1851 have purchased Lands at *Kensington Gore* with a view to secure adequate Space in the Metropolis for Institutions connected with
'Science and Art: And whereas in aid of the Funds of the said Commissioners, arising from the said
'Exhibition, which were applied to such Purchases, Two several Sums of One hundred and fifty
'thousand Pounds and Twenty-seven thousand five hundred Pounds were granted by Parliament in
'the Sessions holden in the Sixteenth and Seventeenth and in the Seventeenth and Eighteenth Years of
'Her Majesty, and it was agreed, on the Issue of such Sums, that the Lands purchased as aforesaid
'should be held subject to such Directions of Appropriation as should from Time to Time be issued by
'the Treasury in respect to such Part, not exceeding One Moiety, as should by Agreement between the
'Lords of the Treasury and the said Commissioners for the Exhibition be set apart for such Institutions
'connected with Science and Art as were more immediately dependent upon and supported by the
'Government from Funds voted by Parliament, and subject also, with respect to the other Part thereof,
'to such general Superintendence by the Lords of the Treasury as might be necessary to secure that
'the Appropriation proposed to be made, and all the Arrangements in relation thereto, as regards
'Buildings to be erected thereon, should be in conformity with some general Plan, which should be
'adopted as applicable to all Parts of the Property, whether such Buildings should be erected from
'Public Monies or by private Subscription: And whereas the said Commissioners have proposed to
'repay the Sums granted by Parliament as aforesaid, together with a Moiety of the net Rents received
'by the said Commissioners up to the Thirty-first Day of *March* last, amounting to Three thousand
'eight hundred and seventy-nine Pounds Four Shillings and Twopence (making, together with the
'Sums granted as aforesaid, the Sum of One hundred and eighty-one thousand three hundred and
'seventy-nine Pounds Four Shillings and Twopence), upon having the said Lands released from the
'Trusts or Obligations created in respect of the Sums granted as aforesaid: And whereas it is expe-
'dient that the said Proposal should be accepted, subject to such Provision as is herein-after contained

'with reference to a Part of the said Lands of which the Possession may be retained for the Purposes 'of the Department of Science and Art:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Lands purchased by Commissioners for the Exhibition of 1851 to be released on Repayment of Parliamentary Grants and Moiety of Rents.

I. Upon Payment by the Commissioners for the Exhibition of 1851 of a Sum or Sums amounting together to the said Sum of One hundred and eighty-one thousand three hundred and seventy-nine Pounds Four Shillings and Twopence into the Receipt of the Exchequer in such Manner as the Commissioners of Her Majesty's Treasury may direct, the Commissioners for the said Exhibition, and all the Lands purchased or to be purchased by or in the Name of such Commissioners, shall be absolutely released and discharged from the Agreement herein-before recited, and from all Trust, Obligation, Control, Claim, and Demand to which such Lands may be subject in respect of the Sums granted by Parliament as aforesaid: Provided always, that if such Payment be not made within Six Months from the passing of this Act, there shall be added to the said Sum a further Sum equal to One Half of the net Rental which shall accrue to the Time when such Payment shall be made.

Land occupied by the Department of Science and Art may be retained for such Department.

II. Provided always, That it shall be lawful for the Commissioners of Her Majesty's Treasury to require that Part of the said Lands now in the Occupation of the Department of Science and Art, that is to say, the Piece of Land containing Twelve Acres or thereabouts, bounded on the West by *Exhibition Road* and on the South by *Cromwell Road*, with the Museum, Gallery, and other Buildings thereon, shall be retained in the Occupation and for the Use of Her Majesty's Government for Purposes connected with Science or the Arts, so long as the said Commissioners of the Treasury think fit, with Liberty to erect, add to, or alter any Buildings on the said Piece of Land, and, if such Commissioners of the Treasury think fit, to cause to be taken down, removed, and disposed of all or any of the Buildings which have been already erected or which may hereafter be erected thereon; and it shall be lawful for the Commissioners of the Treasury to direct that the Payment of such Portion of the said Sum of One hundred and eighty-one thousand three hundred and seventy-nine Pounds Four Shillings and Twopence as they may think fit, not exceeding what may appear to them to be the Value of the said Piece of Land, may be postponed so long as such Piece of Land is so retained as aforesaid; and upon Payment in manner herein-before mentioned of the Residue of the said Sum of One hundred and eighty-one thousand three hundred and seventy-nine Pounds Four Shillings and Twopence, after Deduction of the Amount of which the Payment may be so postponed, the said Commissioners of the Treasury shall, by Warrant under the Hands of Two of such Commissioners, declare that the Residue of the said Lands shall be absolutely released and discharged from the said Agreement, and all such Trust, Obligation, Control, Claim, and Demand as aforesaid, and the same shall be released and discharged accordingly.

Monies paid to be carried to the Consolidated Fund.

III. All Monies paid into the Receipt of the Exchequer under this Act shall be carried to and form Part of the Consolidated Fund of the United Kingdom.

CAP. XXXVII.

An Act to provide for the Allotment of the Commonable Lands within the Boundaries of the late Forest of *Hainault* in the County of *Essex*. [23d *July* 1858.]

14 & 15 Vict. c. 43.

'WHEREAS by an Act passed in the Session of Parliament held in the Fourteenth and Fifteenth 'Years of Her Majesty's Reign, intituled *An Act for disafforesting the Forest of* Hainault *in the 'County of* Essex, after reciting (amongst other things) that the Queen's most Excellent Majesty, in 'right of Her Crown, was or claimed to be seised to Herself, Her Heirs and Successors, of and in '*Waltham Forest*, formerly called the Forest of *Essex* in the County of *Essex*, One Portion of which 'was usually called or known by the Name of *Hainault Forest;* and reciting that Her Majesty, in right 'of Her Crown, was or claimed to be seised to Herself, Her Heirs and Successors, of the Soil of that 'Portion of the said Forest of *Hainault* which was commonly called the *King's Forest* or *King's Woods*, 'and of the Timber and other Trees, Bushes, and Underwood standing and growing thereon, and that 'the said Forest of *Hainault* was subject to divers Claims or Rights of Common and other Rights and 'Interests of Her Majesty's Subjects in and over the same, and that Her Majesty had been graciously 'pleased to signify Her Consent that the said Forest of *Hainault* should be disafforested, and the Royal 'Deer therein removed or destroyed with all convenient Speed; it was enacted that the now-reciting 'Act should be carried into execution by Commissioners to be appointed as therein directed, and that 'the said Commissioners when appointed should proceed to ascertain the Boundaries of the said Forest 'of *Hainault*, and also of that Portion of the said Forest called the *King's Forest* or *King's Woods*, and 'that the said Commissioners, so soon as they should have ascertained the aforesaid Boundaries, should 'proceed to set out and allot to Her Majesty such Part or Parts of the said *King's Forest* or *King's 'Woods* as they should think a sufficient Compensation to Her Majesty for all Her Forestal Rights in and 'over the said Forest of *Hainault*, for Her Rights of Soil in the said *King's Forest* or *King's Woods* and 'in other the uninclosed Portions of the said Forest of *Hainault*, if any, for Her Right of Timber 'and other Trees, Bushes, and Underwood in the said Woods or elsewhere in the said Forest, and that 'such Allotment or Allotments, when made, should be vested in Her Majesty, Her Heirs and Successors, 'as Part of the Hereditary Possessions and Land Revenues of Her Crown, freed and discharged from

'all

'all Right or Claims of Common of Pasture, Estovers or Assignments of Fuel, Wood, and all other 'Rights and Claims whatsoever, and that on the making of such Award the said Forest of *Hainault* 'should be for ever disafforested, and that the Residue of the said *King's Forest* or *King's Woods* and all 'other Parts of the said Forest of *Hainault* (not then inclosed) should become the Property of the 'Queen's Majesty and the several Persons entitled to Rights of Common in and over the said Forest or 'any Part thereof, as they then were entitled to the same, freed and discharged from all Right of Soil, 'Rights of Timber, and all Forestal Rights of Her Majesty, Her Heirs and Successors; and in the 'said Act were contained Provisions for a Trial at Law between Sir *Charles Hulse* Baronet on the one 'hand, and Her Majesty's Attorney General and the Commissioners of Her Majesty's Woods on the other 'hand, for the Purpose of determining whether Her Majesty or the said Sir *Charles Hulse* was entitled 'to the Right of Soil in the said *King's Forest* or *King's Woods* or in some Portion thereof (which Right 'of Soil was claimed by the said Sir *Charles Hulse*), with Power for the Commissioners of Her Majesty's 'Woods to accept Proposals from the said Sir *Charles Hulse* for compromising the Matters in dispute, 'all which Compromises were by the said Act declared to be binding and conclusive, and if the Verdict 'in any such Trial as before mentioned should be in favour of the said Sir *Charles Hulse*, then the Com- 'missioners under the Act now in recital were to set out and allot to the said Sir *Charles Hulse* so much 'and such Part of the Allotment therein-before directed to be set out to Her Majesty as the said Commis- 'sioners should by Writing under their Hands award to be a just Equivalent and Compensation for and in 'lieu of the Right of Soil claimed by the said Sir *Charles Hulse*, and to which he should appear entitled 'by such Verdict; and it was by the said Act enacted that nothing therein contained should in anywise 'extend to or prejudice the Title, Right, or Claim of Her Majesty to any Right of Common appended 'or appurtenant to any anciently inclosed Lands of Her Majesty, or the Title, Right, or Claim of Her 'Majesty, or any Person or Persons, to the inclosed Part of the said Forest of *Hainault*, or otherwise, 'as therein is mentioned: And whereas certain Commissioners were, in the Manner directed by the 'said recited Act, duly appointed for carrying the said Act into execution, and they did by their 'Award, bearing Date the Sixth Day of *November* One thousand eight hundred and fifty-two, in 'pursuance of the Powers of the said Act, ascertain and award the Boundaries of the said Forest of '*Hainault* and of the said *King's Forest* or *King's Woods*, and which said Boundaries were described 'in their Award and the Map therein referred to; and by the said Award, after reciting that by an 'Instrument in Writing, dated the Twenty-sixth Day of *August* One thousand eight hundred and fifty- 'two, and made between the Commissioners of Her Majesty's Woods of the One Part, Her Majesty's 'Attorney General of the Second Part, and the said Sir *Charles Hulse* Baronet of the Third Part, it 'was among other things agreed that the Claim made by Sir *Charles Hulse*, therein and in this Act 'before mentioned, should be compromised, upon the Terms therein-after contained, and that it should for 'the Purpose of such Compromise be considered that the said Sir *Charles Hulse* had proceeded to a 'Trial of the Action before mentioned, and had obtained a Verdict in his Favour, and that the said 'Commissioners should allot to Her Majesty the Lands coloured Red on the Plan therein referred to, 'and should allot to the said Sir *Charles Hulse* the Lands coloured Green on such Plan, the said Com- 'missioners did set out and allot to Her Majesty certain Parts of the *King's Forest* or *King's Woods* 'containing One thousand nine hundred and seventeen Acres or thereabouts, and in the said Award 'mentioned, and the said Commissioners did declare what Portion of the said Allotment was by the said 'Compromise to become the Property of the said Sir *Charles Hulse*, and they did by their Award, so 'far as they had Power so to do, award and allot such Portion to the said Sir *Charles Hulse*, and other 'Parts of the said *King's Forest* or *King's Woods*, which on the Map referred to in the said Award are 'stated to contain in the whole Nine hundred and sixty-nine Acres Three Roods and Seventeen Perches, 'remain unallotted and uninclosed: And whereas Her Majesty, in right of Her Crown, and divers of 'Her Majesty's Subjects, are or claim to be entitled to certain Rights of Common of Estovers or of 'cutting Wood for Fuel commonly called Fuel Assignments in the late Forest of *Hainault:* And 'whereas there are within the Boundary of the late Forest of *Hainault*, in addition to the Commonable 'Lands within that Part of the said Forest which is situate within the Parishes of *Barking* and *Dagen- 'ham*, and usually known as the *King's Forest* or *King's Woods*, divers other Commonable Lands situate 'in various other Parishes, and Doubts exist whether the Queen's Majesty and the Persons possessing 'Rights of Common within the Boundaries of the said late Forest are entitled to exercise them over all 'Commonable Lands within the Boundaries of such Forest, or only over such as lie in the same Parish 'or District as the Lands in respect of which such Rights are claimed: And whereas it is expedient 'that Provision should be made for setting out a Part of the unallotted Portion of the *King's Forest* 'or *King's Woods* to the Queen's Majesty and other the Persons entitled to Common of Estovers or 'Fuel Assignments, and for dividing and allotting such Part between them in satisfaction of their said 'Rights, and it is also expedient to ascertain and define the Commonable Lands within the Boundaries 'of the said late Forest, to make such Provisions in respect thereof as are after contained, and that such 'other Provisions should be made as after mentioned:' May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. The

Act to be executed by a Commissioner appointed by Inclosure Commissioners.

I. The Provisions of this Act shall be carried into execution by a Commissioner to be appointed in Writing by Two of the Inclosure Commissioners for *England* and *Wales* for the Time being, within Three Calendar Months from the passing of this Act; and in case of the Death, Resignation, or Incapacity of such Commissioner, a new Commissioner shall be appointed in like Manner as often as the same shall be necessary.

Power for the Commissioner to appoint a Surveyor.

II. It shall and may be lawful for the said Commissioner so to be appointed to appoint a Surveyor or Valuer for the Purposes of this Act; and the said Commissioner shall be paid such Sum of Money not exceeding Three hundred Pounds as the said Inclosure Commissioners shall think reasonable; and the said Surveyor or Valuer shall be paid such a Sum of Money by way of Remuneration, not exceeding Two hundred Pounds, as the said Inclosure Commissioners shall think reasonable.

Commissioner to make Allotments to Persons entitled to Fuel Assignments.

III. The Commissioner so to be appointed as aforesaid shall, immediately after his Appointment, ascertain and determine the Persons, including Her Majesty, respectively entitled to such Common of Estovers or Fuel Assignments, as herein-before recited, and shall estimate in the Manner herein-after directed the Value of such Rights at the Time of the passing of the said Act of the Fifteenth Year of Her present Majesty; and in estimating the Value at the Time aforesaid of the said Rights of Common of Estovers or Fuel Assignments, the Commissioner shall have regard, not only to the Value of such Rights alone, but also to the Value of the other Rights of Common exerciseable over the Land subject to the said Fuel Assignments, and the Amount to which the other Rights of Common would be lessened in Value by the Exercise or Existence of the said Rights of Common of Estovers, in such Manner that the Value of the Fee Simple and Inheritance of the Land over which the said several Rights are exerciseable may be fairly and justly apportioned between the Owners of the said Rights of Common of Estovers or Fuel Assignments on the one hand, and the Owners of other Rights of Common on the other hand; and the Commissioner shall set out such Part of the unallotted Portion of the said *King's Forest* or *King's Woods*, estimated to contain Nine hundred and sixty-nine Acres Three Roods and Seventeen Perches, as he may consider equivalent to the Value of the said Fuel Assignments at the Time aforesaid, after deducting from such Value a fair and reasonable Proportion of the estimated Expense of the passing of this Act and of carrying the same into execution, other than and except the Expenses of making the Fences between Allotments, which the Commissioner is by this Act authorized to cause to be made, and except as herein-after provided with respect to the Cost of making and forming Roads, and shall allot and divide the same Part in Severalty by his Award under his Hand and Seal unto and among the Queen's Majesty and other the Persons respectively entitled to such Rights, in proportion to the Extent or Value of such Rights respectively, and the said Allotments shall respectively go and be held with and as Part of the Hereditaments in respect of which such Fuel Assignments exist, subject to such Conditions as to Fencing or Rights of Way or otherwise as the Commissioner may think proper, but freed and discharged from all Rights of Common and other Rights; and the same Award shall be accompanied by a Plan defining the Situation and Extent of the Allotment made to every Person entitled to a Fuel Assignment; and any Allotments to be made to Her Majesty, Her Heirs and Successors, shall go and be held as by the said recited Act is provided with respect to the Allotment thereby directed to be made to Her; and from and after such Award shall be made all the Commonable Lands in the said late Forest shall be discharged from all such Rights of Common of Estovers or Fuel Rights in all respects whatsoever; and for the Purpose of ascertaining the Right or Title to the said Fuel Assignments the said Commissioner may hear or receive such Evidence, at such Time and in such Manner as he may think fit to require; and the Award of the said Commissioner shall be binding on all Parties; and the Commissioner may call for the Production of any Books, Papers, or Writings, or require the Attendance of any Witness, and examine him or her upon Oath, as he may think fit; and the said Commissioner may by his said Award give such Directions as to the fencing of the said Allotments to be made as aforesaid and the keeping the same in repair as he shall think fit.

Power to Persons to sell Rights of Common of Fuel Assignments before Execution of Award.

IV. It shall be lawful for any Person or Persons at any Time before the Execution of the Award of the said Commissioner, to sell any Right of Common of Estovers or Fuel Assignment upon or over the said unallotted Lands in the *King's Woods*, and the Right to any Allotment or Allotments to be made in respect thereof, by virtue of this Act, separate and apart from the Estate in respect whereof the said Right of Common exists, and in every Case of any such Sale, the Commissioner is hereby authorized and required to make the Allotment in respect of the Rights purchased to the Purchaser or Purchasers thereof respectively, who shall, on the Execution of the Award of the said Commissioner, become entitled to such Allotment or Allotments, in the same Manner as the former Proprietor of the said Rights would have been entitled in case such Sale or Sales had not been made.

Power for the Commissioner to sell unallotted Lands for Expenses of Act, &c.

V. The said Commissioner may, with the Consent of the Inclosure Commissioners, to be signified in Writing under the Hand of One of such Commissioners, sell any Part of the said unallotted Lands in the *King's Forest* or *King's Woods*, containing, according to the said Award and Map, Nine hundred and sixty-nine Acres Three Roods and Seventeen Perches, which may not be set apart by him as the Portion to be allotted in respect of the said Fuel Assignments, as he may think necessary for the Purpose of defraying the Expenses of the passing of this Act of Parliament and the Expenses of carrying this Act into execution, and any such Sale may be made before the Allotment shall have been actually made in respect of such Fuel Assignments, and may be made by Public Auction or Private Contract, and

and subject to any Provisions or Stipulations as to fencing, Rights of Way, or otherwise, as the said Commissioners shall think fit; and any Parts so sold shall be conveyed by the said Commissioner to the Purchasers, or as they shall direct; and no Purchaser shall inquire as to the Title to the said Part so sold, or as to the Amount of the Money necessary to be raised by any such Sale; and the Receipts of the said Commissioner shall be good Discharges to the Purchasers for the Purchase Monies; and the Monies shall, when received, be applied, under the Direction of the said Inclosure Commissioners, in the paying the Costs and Expenses herein-before mentioned, and if there should be any Surplus the same shall be applied as the said Inclosure Commissioners shall direct.

Commissioner to cause a Plan to be made of the Commonable Lands in Hainault Forest.

VI. The said Commissioner shall cause a Plan or Plans to be made, showing what Commonable Lands there are now situate within the Boundaries of the said late Forest, other than the Commonable Lands within the Boundaries of the *King's Forest* or *King's Woods*, as such several Boundaries are respectively defined by the Award of the said Commissioners and the Plan therein referred to, and the Plan so to be made shall also show the said unallotted Lands containing Nine hundred and sixty-nine Acres Three Roods and Seventeen Perches in the *King's Forest* or *King's Woods*, and what Portions thereof have been allotted to the said Fuel Rights, and have been sold under the Power by this Act given, and in making such Plan the said Commissioner is to adopt as far as in his Opinion is practicable the Plan made by the said Commissioners under the said recited Act; and further the said Commissioner shall ascertain and determine by his said Award whether the Rights of Common, or any of them, other than the said Fuel Rights, in the said late Forest of *Hainault*, extend indiscriminately over all the said Commonable Lands which he may find to be situate within the Boundaries of the said late Forest, including the unallotted Portion of the *King's Forest* or *King's Woods* containing Nine hundred and sixty-nine Acres Three Roods and Seventeen Perches, or whether such Rights or any of them are limited to the Commons in the particular Parish, District, or Place in which are situate the Lands in respect of which the Rights are claimed, or what is the Nature of such Rights; and in case the said Commissioner shall find that the Rights of Common or any of them are exerciseable generally over all the Commonable Lands within the said late Forest, or over any other Commonable Lands than those in the Parish, District, or Place in respect of which the Rights exist, or if the Commissioner shall find that Inhabitants of the Parishes in which the Commonable Lands in the *King's Forest* or *King's Woods* are situate are alone entitled to Rights of Common over such Lands, then the said Commissioner shall, by his Award set out a specific Portion of the said Commonable Lands in any Part of the said late Forest of *Hainault* to each Parish, District, or Place in which the Inhabitants have Rights of Common as and for a Common for such Parish, District, or Place, and thenceforth the Right of such Parish, District, or Place, or of the Persons therein entitled to any such Rights of Common, shall, as regards such Rights of Common, be confined to such specific Portion so set out and apportioned as aforesaid, and in lieu of the general or other Right of Common over the whole or any Part of the uninclosed Lands aforesaid; and all Rights of Intercommonage shall upon the Execution of the Commissioner's Award cease and determine, and such Allotments of specific Rights of Common in respect of each such Parish, District, or Place shall be made with reference to the whole Amount of Commonable Land, and the Extent of the Rights of the Commoners in respect of each such Parish, District, or Place for which an Allotment shall be so made as aforesaid; and for all or any of the Purposes aforesaid the said Commissioner may hear or receive such Evidence at such Time and Place and in such Manner as he may think fit; and the Commissioner may call for the Production of any Books, Papers, or Writings, and require the Attendance of any Witness, and examine him or her upon Oath, as he may think fit; and his Decision in the Premises shall be final and binding on all Parties; and the said Commissioner shall have Power to cause such Fences, if any, as he may think fit, to be made between the different Commonable Lands in the *King's Forest* or *King's Woods* to be allotted to different Parishes, Districts, or Places, and to direct how and by whom such Fences shall be kept in repair, and the Expenses of making such Fences shall be taken as Part of the Costs of carrying this Act into execution; except that no Part of such Expenses shall be chargeable upon the Allotments by this Act directed to be made to the Owners of Fuel Assignments; and the Commissioner shall have regard to the Costs of any Fences which he may think fit to be made in considering the Extent of the Commonable Land to be allotted to each such Parish, District, or Place, and the Commissioner shall have Power to set out such Ways in the *King's Forest* or *King's Woods*, but not elsewhere, and generally to make such Regulations with respect to the said Allotments as he may deem expedient: All Encroachments made since the Award of the Commissioner under the said recited Act on any Part of the said unallotted Lands containing by Estimation Nine hundred and sixty-nine Acres Three Roods and Seventeen Perches, within the Boundaries of the *King's Forest* or *King's Woods*, shall be deemed to be Part of the Lands to be allotted under the Provisions of this Act.

Power of Appeal.

VII. In case any Person shall be dissatisfied with any Decision of the Commissioner in reference to the Nature of any of the Rights of Common which he is by the last preceding Section of this Act directed to ascertain and determine, or as to the Lands over which such Rights extend or are exerciseable, or to which they are limited, the Commissioner shall, on the Application of the Person so dissatisfied, prepare a Case to be submitted to Her Majesty's Court of Common Pleas, to be argued before and decided on by the said Court; and the Judgment and determination of such Court shall be taken as the

Judgment

Judgment of the Commissioner: Provided always, that no such Application shall be received by the Commissioner unless the same is made to him within One Calendar Month from the Time when the Decision to which it relates was given.

No Allotment or Consent in respect of the Soil to be made or given to the Inclosure of Land in the King's Forest or King's Woods.

VIII. Notwithstanding anything contained in any Act relating to the Inclosure of Land, it shall not, in any Proceeding before the said Inclosure Commissioners or otherwise, for the Inclosure or Appropriation as a regulated Pasture of any Part of the *King's Forest* or *King's Woods* aforesaid which may under the Provisions of this Act in manner aforesaid have been allotted as Commonable Lands for any such Parish, District, or Place as aforesaid, be necessary to procure the Consent of Her Majesty or of any other Person claiming any Right or Interest in the Soil of the Lands to be inclosed, either as Lord or otherwise; and the whole of any such Lands which may have been allotted to any Parish, District, or Place as Commonable Lands shall be allotted to and amongst the Persons entitled to Rights of Common over the same, and according to their several Rights of Common, and without making any Allotment to the Lord or other Person claiming any Interest in the Soil; and after the Execution of the Award by this Act directed to be made, neither the Queen's Majesty nor any other Person shall be entitled to exercise any other Right than a Right of Common of Pasture in, upon, or over the Portion of the said Lands containing Nine hundred and sixty-nine Acres Three Roods and Seventeen Perches which may not have been sold or allotted to the Owners of Fuel Assignments under the Provisions of this Act, unless and until the said Portion or any Part thereof shall have been inclosed under the Provisions of any General Act relative to the Inclosure of Land.

Power for the Commissioner to set out Roads and declare them Highways.

IX. The Commissioner may, if he shall so think fit, set out, and may also, if he shall so think fit, cause to be made any Road or Roads in the *King's Forest* or *King's Woods*, but not elsewhere, for the more convenient Occupation of any of the Allotments in the same Forest or Woods by this Act directed to be made, and may cause the same to be fenced, and the Cost of making and fencing any such Roads shall be deemed to be Part of the Costs of carrying this Act into execution, and the Commissioner may declare any of the said Roads to be public Highways, and the same shall in that Case, upon the Execution of the Commissioner's Award, become and be public Highways, and shall thereafter be maintained as such, and the Commissioner's Award shall be conclusive that the Roads therein mentioned have been duly set out and made and fenced, as the Case may be.

Commissioner to set out an Allotment to be annexed to the District Chapelry of Barkingside.

X. The Commissioner shall set out and award a Portion containing Twenty Acres of the said unallotted Part of the *King's Forest* or *King's Woods* as and for Glebe Land to be annexed to the Ecclesiastical District Chapelry of *Barkingside*, and the same shall upon the Execution of the Commissioner's Award become and thenceforth shall continue annexed to the said District Chapelry as Glebe Land for the Use and Benefit of the Incumbent for the Time being of such Chapelry, and shall be vested in such Incumbent for the Time being, and such Allotment shall thereupon be freed and discharged from all Rights of Common and other Rights, and shall be fenced in such Manner and by such Persons as the Commissioner may direct.

Award to be made in Three Years, and to be executed in Duplicate.

XI. The said Commissioner shall make his Award in Writing as regards all the Matters and Things hereby by him directed to be done within Three Years from the passing of this Act; and such Award shall be executed in Duplicate, and One Part thereof shall be deposited at the Office of Land Revenue Records and Inrolments, and the other Part thereof shall be deposited with the Clerk of the Peace for the said County of *Essex*, there to remain, and to be examined by all Persons at all reasonable Times, on Payment of a Fee of One Shilling for each Examination, and until the Commissioner has made his Award any Writing under his Hand shall be sufficient Evidence of any Proceeding or Decision under the Provisions of this Act.

Power for Commissioner to examine Witnesses on Oath.

XII. The said Commissioner may examine upon Oath or upon Declaration, as he may think fit, all such Persons as may attend before him for the Purpose of giving Evidence upon any Matter or Proceeding under the Authority of this Act, and for that Purpose may administer or receive Oaths or Declarations: If any Person or Persons examined on his or their Oath or Declaration, under the Provisions of this Act, shall wilfully give false Evidence, or shall make or subscribe a false Declaration, he shall be guilty of Perjury in case he shall have been sworn, or of a Misdemeanor if he shall have made a Declaration.

Saving Rights under recited Act of 14 & 15 Vict. c. 43.

XIII. Nothing herein contained shall authorize the Commissioner in any Manner to deal or interfere with any Lands which were allotted to Her Majesty or to any other Person by the Award made under the said recited Act of the Fifteenth Year of the Reign of Her present Majesty, or with any other inclosed Lands in the Possession of Her Majesty or Her Lessees or Tenants.

Short Title.

XIV. In citing this Act in other Acts of Parliament and in legal Instruments it shall be sufficient to use the Expression "*Hainault Forest* (Allotment of Commons) Act, 1858."

CAP. XXXVIII.

An Act to repeal certain Provisions for the Issue out of the Consolidated Fund of fixed Amounts for the Reduction of the Funded Debt. [23d *July* 1858.]

10 G. 4. c. 27.

'WHEREAS by an Act of the Tenth Year of King *George* the Fourth, Chapter Twenty-seven, "to amend the several Acts for regulating the Reduction of the National Debt," Provision was made for giving effect to a Resolution of the House of Commons, that, in lieu of the Sum of Three million

'million Pounds directed to be issued annually towards the Reduction of the National Debt under an 'Act then in force, there should be issued for that Purpose such annual Sum as should appear to be the 'actual surplus Revenue of the United Kingdom beyond the actual annual Expenditure thereof: And 18 & 19 Vict. 'whereas by an Act of the Session holden in the Eighteenth and Nineteenth Years of Her Majesty, c. 18. 'Chapter Eighteen, "for raising the Sum of Sixteen million Pounds by way of Annuities," it is enacted, 'that "for the Purpose of the Extinction of a Portion of the Funded Debt of *Great Britain* and '"*Ireland* equal to the Amount to be added to the Joint Stock of Annuities therein mentioned, there '"should be issued and paid out of the Consolidated Fund, or out of the growing Produce thereof, to '"the Commissioners for the Reduction of the National Debt, in the Financial Year commencing on '"the First Day of *April* which should first happen Twelve Months after the Ratification of a Defini- '"tive Treaty of Peace with *Russia*, and in every subsequent Year until such Portion of the said '"Funded Debt is extinguished by means of the Monies to be issued to the said Commissioners '"under that Enactment, the Sum of One million Pounds:" And whereas in the Acts of the Session 19 & 20 Vict. 'holden in the Nineteenth and Twentieth Years of Her Majesty, Chapter Six and Chapter Twenty-one, cc. 6. and 21. 'like Enactments are contained for the Issue and Payment out of the Consolidated Fund, or out of the 'growing Produce thereof, to the Commissioners for the Reduction of the National Debt, of the yearly 'Sums of Two hundred and fifty thousand Pounds and Two hundred and fifty thousand Pounds, for the 'Purpose of the Extinction of Portions of the Funded Debt equal to the Amount to be added to the 'Joint Stock of Annuities therein mentioned by the said Acts: And whereas the Issue for the Reduc- 'tion of the Funded Debt of fixed Sums, without reference to the relative Amounts of the Income and 'Expenditure of the United Kingdom, is inconsistent with the Principle established by the said Act of 'the Tenth Year of King *George* the Fourth; and it is expedient that the said Provisions for the Issue 'of the said Sums of One million Pounds and Two hundred and fifty thousand Pounds and Two hun- 'dred and fifty thousand Pounds should be repealed:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. The said Enactments herein-before recited and referred to respectively of the said Act of the Eighteenth and Nineteenth Years of Her Majesty, and the said Acts of the Nineteenth and Twentieth Years of Her Majesty, shall be repealed. Recited Enactments repealed.

CAP. XXXIX.

An Act to suspend the making of Lists and the Ballots for the Militia of the United Kingdom. [23d *July* 1858.]

[*All Proceedings relating to Ballot for Militia suspended until October* 1, 1859.]

CAP. XL.

An Act to confer Powers on the Commissioners of Her Majesty's Works and Public Buildings to acquire the Theatre Royal *Edinburgh*, and adjacent Property, for the Erection of a new General Post Office; and for other Purposes. [23d *July* 1858.]

'WHEREAS the Premises in *Waterloo Place* within the City of *Edinburgh* at present occupied as 'a General Post Office have become insufficient for the Accommodation of the increasing Business 'of that Establishment, and from their Position are not capable of further Extension or Enlargement: 'And whereas, with a view to facilitate the Dispatch of the public Business of Her Majesty in that 'Department, it is necessary and expedient that a Site of adequate Extent, and conveniently situated 'for the Erection of a new General Post Office for *Scotland*, within the City of *Edinburgh*, should be 'provided, and that certain Lands, Tenements, and others of divers of Her Majesty's Subjects, compre- 'hending the Building commonly known as the Theatre Royal, *Edinburgh*, and certain Houses, Build- 'ings, Lands, and other Properties situate near the said Theatre in the City Parish of *Edinburgh*, or 'Parishes of *St. Andrew* and *Trinity College* respectively, within the Royalty and City of *Edinburgh*, 'described in the Schedule of this Act, should be acquired and appropriated by the Commissioners of 'Her Majesty's Works and Public Buildings, herein-after called "the Commissioners," as herein-after 'mentioned, for the Purposes aforesaid: And whereas a Map or Plan, describing the Lands and Heri- 'tages to be acquired by the said Commissioners under the Authority of this Act, has been prepared 'under the Direction of the said Commissioners: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in the present Parliament assembled, and by the Authority of the same, as follows:

I. This Act may be cited for all Purposes as "The New General Post Office, *Edinburgh*, Act, 1858." Short Title.

II. The Lands Clauses Consolidation (*Scotland*) Act, 1845, save and except such Parts as and so far only as such Parts relate to Compensation for any Damage or Injury to or injuriously affecting any Lands by reason of the Execution of any Works, and also save and except Sections 15., 16., 80. to 98. inclusive, Certain Parts of 8 & 9 Vict. c. 19. incorporated.

inclusive, 120. to 128. inclusive, 132., 135., 142., and 143. of the said Act, shall, so far as the same may be applicable to and is not inconsistent with or modified by this Act, be incorporated with and for all Intents and Purposes whatever form Part of this Act.

Interpretation of Terms.

III. In the Construction of this Act, and of the Act herewith incorporated, so far as it relates to the Purposes of this Act, unless there be something in the Context repugnant to such Construction,

"The Commissioners" shall mean the Commissioners of Her Majesty's Works and Public Buildings for the Time being, under the Provisions of the Act passed in the Session of Parliament of the Fourteenth and Fifteenth of *Victoria*, Chapter Forty-two:

"Special Act," in the Act herewith incorporated, shall mean this Act:

"Promoters of the Undertaking," in the Act herewith incorporated, shall mean "the Commissioners:"

"Company," in the Act herewith incorporated, shall mean "the Commissioners:"

"Lands and Heritages" shall mean and include Houses, Buildings, Tenements, Piazzas, Cellars, Areas, Streets, Squares, Ways, Paths, Passages, Stairs, Galleries, Walls, Yards, Sheds, Workshops, Water-tanks, Gardens, vacant Ground, and Subjects of every Description and of every Tenure, and all public and private Rights, Liberties, Privileges, and Servitudes of every Description in, over, upon, under, or through the same or any of them.

Commissioners acting under 14 & 15 Vict. c. 42. to be incorporated for the Purposes of this Act.

IV. The Persons who for the Time being, under the Provisions of the Act passed in the Session of Parliament of the Fourteenth and Fifteenth of *Victoria*, Chapter Forty-two, shall be Commissioners of Her Majesty's Works and Public Buildings, shall for the Purposes of this Act be and are hereby constituted a Corporation by the Name and Style of the Commissioners of Her Majesty's Works and Public Buildings, and by that Name shall have perpetual Succession and use a Common Seal, to be by them from Time to Time altered as they may think fit.

Commissioners of Works to carry this Act into execution.

V. It shall be lawful for the Commissioners and they are hereby authorized, out of any Monies which have been or which may be appropriated by Parliament and put at their Disposal for that Purpose, to purchase as provided in this Act and in the Act herewith incorporated, the Lands and Heritages in the City of *Edinburgh* and Parishes foresaid mentioned in the Schedule to this Act, and to pull down and remove the Buildings thereon when so purchased, and to appropriate the Sites of the said Buildings, and all the Ground and Buildings mentioned in the Schedule to this Act, whether now used as Streets, Squares, Ways, Paths, Passages, Yards, Gardens, vacant Ground or otherwise, as a Site for the Erection thereon or on some Part or Parts thereof of a Building or Buildings for a new General Post Office, and the necessary Accesses and Approaches thereto, and to carry the Purposes of this Act into execution in manner herein mentioned.

No Purchases to be made but with Consent of the Treasury.

VI. No Purchase shall be made by the Commissioners for the Purposes of this Act except with the Consent of the Commissioners of Her Majesty's Treasury; but it shall not be necessary for any Seller to ascertain that such Consent has been given, nor shall the Commissioners be bound to produce to any such Seller any Evidence of such Consent: Provided, nevertheless, that such Consent may be given either generally or for any particular Purchase or Purchases as to the said Commissioners of Her Majesty's Treasury as aforesaid shall seem meet.

Lands, &c. purchased to be vested in Commissioners for the Public Service.

VII. All Lands and Heritages purchased by the Commissioners under the Authority of this Act and of the Act herewith incorporated shall be vested in them for the Public Service, and shall be subject to the Provisions of an Act passed in the Session of Parliament held in the Fifteenth Year of the Reign of Her present Majesty, Chapter Twenty-eight, and in all respects as if the same had been acquired under the Provisions of that Act.

Materials, &c. vested in the Commissioners for Purposes of this Act.

VIII. The Right and Property of all the Materials, Implements, Utensils, and Things whatsoever which may be provided by the Commissioners or by their Order, or under any Contract or Contracts to be entered into by them, or which may otherwise belong to and be used by them for the Purposes of this Act, and also any Materials which formed Part of any Buildings which may be pulled down by the Direction of the Commissioners, in pursuance of the Powers of this Act, shall be vested in the Commissioners, and they are hereby empowered to dispose of and apply the same for the Purposes of this Act as they shall think fit, and to bring any Action or Actions, and to prosecute any Person or Persons who shall steal, secrete, injure, damage, or dispose of the same or any of them respectively to their own Use and Uses, or shall disturb them the Commissioners, or their Officers or other Persons acting under them, in the Possession thereof.

Power to shut up and alter Streets and Ways connected with Lands, &c. acquired by Commissioners.

IX. It shall be lawful for the Commissioners to shut up, alter, widen, or otherwise vary all such Streets, Ways, Paths, Passages, Roads, or Accesses connected with or adjoining the Lands and Heritages to be purchased or acquired as aforesaid as shall be necessary for the Purposes of this Act; and the Ground and Soil of such Streets, Ways, Paths, Passages, Roads, or Accesses, or Parts thereof respectively, as shall be so shut up, altered, widened, or otherwise varied, shall be and are hereby vested in the Commissioners and their Successors for the Purposes of this Act: Provided always, that the said Commissioners shall in lieu of the present Stair make and maintain a suitable Public Stair from the *North Bridge Street*, at or near the South-west Corner of the Premises so to be acquired, in continuation of the present Stair leading from the said Theatre Royal and other Houses and Buildings adjacent thereto, to the existing Street or Streets below.

X. It

Streets may be raised or lowered.

X. It shall be lawful for the Commissioners and they are hereby empowered to raise or lower the Ground of any Streets or Ways which shall communicate with the Building or Buildings so to be erected as aforesaid, or any Part or Parts thereof.

Property may be taken notwithstanding Errors in Schedule upon Certificate of Two Justices.

XI. It shall be lawful for the Commissioners to purchase, take down, and use for the Purposes of this Act any of the Subjects comprehended within or described on said Plan as intended to be taken for the Purposes of this Act, although such Subjects, or the Name or Names of the Owner, Lessee, or Occupier thereof, may happen to be erroneously stated or omitted in the said Schedule, provided it shall appear to and be certified by any Two or more of the Justices of the Peace for the City of *Edinburgh* that such Error or Omission proceeded from Mistake or erroneous Information.

Power to Commissioners to pull down Houses, &c. and sell old Materials.

XII. It shall be lawful for the Commissioners and they are empowered to pull down or cause to be pulled down all Houses, Buildings, and other Erections purchased under this Act, or such of them or such Parts thereof as they shall deem expedient to be pulled down, and to level and clear the Ground whereon the same stand, and all other Ground to be purchased under this Act, in such Manner as they shall think proper, and, if they shall see fit, to sell or cause to be sold the Materials of the Houses and other Buildings so to be taken down and removed, and the Monies produced by the Sale thereof (after deducting the Expenses of pulling down such Houses and Buildings respectively, and of such Sale or Sales), and also the Rents and Profits of such Lands and Heritages as may be purchased or taken by virtue of this Act, until the same shall be pulled down or cleared, shall be received and applied by the Commissioners for the Purposes of this Act.

Power to bring Actions for Breach of Contract.

XIII. In case any Contract entered into in pursuance of this Act with the Commissioners, or in case all or any of the Works to be done in pursuance of this Act, shall not be well and sufficiently performed according to the Intent and Meaning of any Contract or Contracts to be entered into by the Commissioners for any of the Purposes of this Act, or shall not be completed within the Time or Times specified in such Contract or Contracts, then and in every such Case the Commissioners may cause an Action to be brought in any of Her Majesty's Courts of Law in *Scotland* against any such Contractor or Contractors, or their Sureties, for any Penalty contained in his Contract, and on Proof of the Nonperformance thereof at the Time or Times for that Purpose therein mentioned the Commissioners shall be entitled to and shall recover the full Penalty contained in any such Contract, any Law, Custom, or Usage to the contrary in anywise notwithstanding, which Penalty, when recovered, shall be applied to the Purposes of this Act: Provided always, that it shall be lawful for the Commissioners, if they think fit, to compound and agree with any such Contractor for any Penalty incurred by him or his Sureties for the Breach or Nonperformance of any such Contract, for such Sum of Money as the said Commissioners shall think proper.

Power to Commissioners to sell surplus Lands.

XIV. It shall be lawful for the Commissioners, from Time to Time, in such Manner as they may deem most advantageous, with Consent of the Commissioners of Her Majesty's Treasury, to sell, excamb, feu, or in any other Manner dispose of or to let, all or any of the Lands and Heritages purchased or acquired by them under the Authority of this Act, and which may not be required for the Purposes foresaid; and it shall be lawful for the Commissioners to execute all Conveyances, Deeds of Excambion, Feu Contracts, Leases, or other Writings that may be requisite and necessary therefor.

Lands acquired on Excambion to vest in Commissioners.

XV. All Lands and Heritages that may be acquired by the Commissioners on such Excambion shall vest in them upon the same Trusts and with the like Powers in all respects as hereby declared as to Lands and Heritages hereby authorized to be purchased.

Monies payable to Commissioners of Works to be paid to Paymaster General.

Application of such Monies.

XVI. All Monies payable to the Commissioners under the Provisions of this Act arising from the Sale of any Materials, Lands, and Heritages, or otherwise, or which may be paid by way of Rent, Premium, Feu Duty, Compensation, or otherwise, shall be paid to Her Majesty's Paymaster General for the Time being, whose Receipt shall be a sufficient Discharge for the same to the Person or Persons paying the same; and such Monies so paid as aforesaid shall from Time to Time be by such Paymaster General paid over and applied as the Commissioners shall by any Order direct, and in the meantime shall be applied or invested in the Purchase of Exchequer Bills, if the Commissioners should so direct.

Lands sold by Commissioners to vest in Purchasers free of prior Claims.

XVII. Immediately from and after the Payment of any such Monies, and the Execution of any Conveyance, Deed of Excambion, Feu Contract, Lease, or other Writing as aforesaid, by the Commissioners, the Purchaser, Feuar, or Lessee therein named shall stand possessed of the Lands and Heritages so purchased by or feued or leased to him freed and disburdened of and from all prior Rights, Interests, Charges, Incumbrances, and Demands whatsoever, save and except such Rights, Interests, Charges, Incumbrances, or Demands as in any such Conveyance, Deed of Excambion, Feu Contract, Lease, or other Writing may be specially excepted.

Contracts made by First Commissioner of Works to be valid.

XVIII. All Contracts made by the First Commissioner of Her Majesty's Works and Public Buildings in the Execution of any of the Powers by this Act given to the Commissioners hereby incorporated as aforesaid shall be valid and binding on the Commissioners, as if the same had been under their Corporate Seal.

As to Notices given by Commissioners.

XIX. All Notices which under this Act are to be given by the Commissioners may be given under the Hand of *Donald Horne* Writer to the Signet, their Solicitor in *Scotland*, or of their Solicitor in *Scotland* for the Time being, or of *Robert Matheson* their Surveyor of Works in *Scotland*, or of their Surveyor of Works in *Scotland* for the Time being.

As to Notices, &c. given to or served on Commissioners.

XX. All Notices and other Proceedings which under this Act are to be given to or served on the Commissioners shall be served on their said Solicitor or Surveyor of Works in *Scotland* for the Time being by being left at or transmitted through the Post to their respective Places of Business in *Edinburgh*.

Deeds, &c. not liable to Stamp Duty.

XXI. No Deed, Bond, Discharge, Receipt, or other Instrument which shall be made or executed by, to, or with the Commissioners, or otherwise, for any of the Purposes of this Act, shall be subject or liable to any Stamp Duty imposed by any Act now in force, nor to any Stamp Duty to be imposed by any future Act, unless such Instruments be specially subjected and specially charged therewith by any future Act.

Saving of Rights of Her Majesty.

XXII. Nothing herein contained shall defeat, abridge, or injuriously affect, in any Action, Suit, or other Proceedings, the legal Rights, Privileges, or Prerogatives of Her Majesty, Her Heirs and Successors; and in all such Actions, Suits, or other Proceedings commenced under or in pursuance of this Act, and in all Matters relating thereunto, it shall be lawful for the Commissioners to claim, exercise, and enjoy all the same Rights, Privileges, and Prerogatives which have been heretofore claimed, exercised, and enjoyed, in any Actions, Suits, or other Proceedings whatsoever in any Court of Law or Equity, by Her Majesty or Her Predecessors, in the same Manner as if the Subject Matter of the said Action, Suit, or other Proceeding were vested immediately in Her Majesty, Her Heirs or Successors, and as if Her Majesty, Her Heirs or Successors, were actually a Party to such Action, Suit, or other Proceeding.

Provision for Protection of Commissioners personally.

XXIII. Nothing contained in this Act, and nothing done under or in pursuance thereof, shall extend to charge the Commissioners or any of them with the Payment of any Penalty or Penalties, or to charge, affect, or make liable the Person or Persons of the Commissioners or of any of them, or their Heirs, Executors, or Administrators, or their own proper Lands, Tenements, Goods, Chattels, or Property, in, under, or by reason of any Actions, Suits, Arbitrations, or other Proceedings whatsoever, at Law, in Equity, or otherwise, instituted, agreed, made, or taken under or in pursuance of this Act, nor shall the Commissioners or any of them be personally liable, nor shall the Property of the Commissioners or any of them be liable, to any legal Process or Execution in any such Actions, Suits, Arbitrations, or other Proceedings as aforesaid.

SCHEDULE referred to in the foregoing Act.

The City Parish of Edinburgh, or Parishes of St. Andrew and Trinity College respectively, within the Royalty and City of Edinburgh.

No. on Plan.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
1.1.1.1. 1.	Building known as the "Theatre Royal," with Piazza, Area, and Cellars.	Mrs. Sarah Elizabeth Siddons or Grant, and William Patrick Grant of Rothiemurcus, her Husband, No. 20, Abercromby Place, Edinburgh; and Sir William Gibson Craig, of Riccarton, Baronet; James Gibson Craig, W.S., Edinburgh, and Major Arthur Mair, No. 29, Abercromby Place, Edinburgh, Trustees under their Marriage Contract; Mrs. Elizabeth Harriet Siddons or Mair, and the said Major Arthur Mair, her Husband, No. 29, Abercromby Place, Edin.; Miss Sarah Siddons, No. 14, Upper Wimpole Street, Cavendish Square, London; and the said William Patrick Grant of Rothiemurcus, John Brown, M.D., Rutland Street, Edinburgh, Professor Horace Hayman Wilson, No. 14, Upper Wimpole Street, Cavendish Square, London, William Richard Young, Oldfield Lodge, Maidenhead, Berks, and David Maclagan, C.A., No. 129, George Street, Edinburgh, her Curators.	Robert Henry Wyndham, No. 95, Princes Street, Edinburgh.	Robert Henry Wyndham, No. 95, Princes Street, Edinburgh.

New General Post Office (Edinburgh).

No. on Plan.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
2.2.2.2. 2.2.2.2. 2.2.2.2.	Tenement of Dwelling Houses, with Cellars, Areas, Outbuildings, Back-yard, and Wall.	James M'Laren, Boot and Shoe Maker, No. 6, Duncan Street, Drummond Place, Edinburgh; John Pattison, W.S., No. 16, Broughton Place, Edinburgh; Thomas Hill Pattison, M.D., No. 39, London Street, Edinburgh; Miss Joanna Pattison, No. 39, London St., Edinburgh; Mrs. Christina Beatrice Pattison or Anderson, and John Francis Anderson, both residing at Pau, South of France; the said John Pattison, W. S., Agent; Donald Fraser, No. 2, Shakespeare Square, Edinburgh; Mrs. Isabella Johnston, No. 11, Castle Street, Banff; Mrs. Jane Messer, Baker, Portobello; William Milne, No. 19, Broughton St., Edinburgh, for Behoof of himself and others; Mrs. Ann Donaldson or Dobie, and John Dobie her Husband, No. 7, Hill Place, Edinburgh; and Miss Wilhelmina Maria Donaldson, No. 19, Dundas Street, Edinburgh.	Robert Smart, Tavern Keeper; Andw. Wood, Shakespeare Hotel; Donald Fraser; Jas. Clark, Spirit Dealer; Robert Dixson, Baker; Wm. Sibbald, Fruitseller; Alex. Lockhart Carstairs, Engraver; Mrs. Elizabeth Brotchie; John Hosea, Turner; Robert Ritchie, Shoemaker, all of No. 2, Shakespeare Square, Edinburgh.	Robert Smart, Tavern Keeper; Andw. Wood, Shakespeare Hotel; Donald Fraser; Jas. Clark, Spirit Dealer; Robert Dixson, Baker; Wm. Sibbald, Fruitseller; Alex. Lockhart Carstairs, Engraver; Mrs. Elizabeth Brotchie; John Hosea, Turner; Robert Ritchie, Shoemaker, all of No. 2, Shakespeare Square, Edinburgh.
3.3.3.3. 3.3.	Tenement of Dwelling Houses, with Cellars, Areas, Outbuildings, Back-yard, and Wall.	Miss Jane Thomson, No. 51, Broughton Street, Edinburgh; Charles Scott King, Spirit Dealer, No. 6, Shakespeare Square, Edinburgh; Robt. Dixson, Baker, No. 2, Shakespeare Square, Edinburgh; Wm. Archibald Thomson, No. 179, Causewayside, Curator for John Thomson and the other Children of the late John Charles Thomson, Spirit Dealer, Shakespeare Square, Edinburgh; Dr. John S. Mushet, Birkhill by Stirling; David Chisholm, No. 33, Montague Street, Edinburgh; J. Chisholm, No. 27, Booth St. East, Oxford Road, Manchester; J. Pattison, W.S., No. 16, Broughton Pl., Edinburgh; Thomas Hill Pattison, M.D., No. 39, London Street, Edinburgh; Miss Joanna Pattison, No. 39, London Street, Edinburgh; Mrs. Christina Beatrice Pattison or Anderson, and John Francis Anderson, both residing at Pau, South of France; the said John Pattison, W.S., Agent.	James Clark, Spirit Dealer, No. 4, Shakespeare Square, Edinburgh; Charles Scott King, Spirit Dealer, No. 6, Shakespeare Square, Edinburgh; Mrs. Isabella Hall, Mangle Keeper, No. 6, Shakespeare Square, Edin.; Thomas Currie, Tavern Keeper; David Currie, Boot Closer; Miss Jane Currie; Mrs. James Chisholm; William M'Ewen, Coachman; Robert Hunter, Engraver; Mrs. Janet Brown, Blackborderer; Mrs. John Greig; Mrs. Andrew Lee, all of No. 5, Shakespeare Square, Edinburgh.	James Clark, Spirit Dealer, No. 4, Shakespeare Square, Edinburgh; Charles Scott King, Spirit Dealer, No. 6, Shakespeare Square, Edinburgh; Mrs. Isabella Hall, Mangle Keeper, No. 6, Shakespeare Square, Edin.; Thomas Currie, Tavern Keeper; David Currie, Boot Closer; Miss Jane Currie; Mrs. James Chisholm; David M'Farlane; William M'Ewen, Coachman; Robert Hunter, Engraver; Mrs. Janet Brown, Blackborderer; Mrs. John Greig; Mrs. Andrew Lee, all of No. 5, Shakespeare Square Edinburgh.

New General Post Office (Edinburgh).

No. on Plan.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
4.4.4.4. 4. 4.	Tenement of Dwelling Houses, with Cellars, Areas, Outbuildings, Back-yard, and Wall.	Robt. Wilson, Plumber, No. 24, Earl Grey Street, Edinburgh; Miss Christina Moffat, No. 18, Elm Row, Edinburgh; William Moffat, Painter, No. 18, Elm Row, Edinburgh; George Sime, No. 14, Lauriston St., Edinburgh; Patrick Hunter, at present residing in America; James Readdie, Architect, Perth, Mandatory for the said Patrick Hunter.	Mrs. Isabella M'Laren, No. 104, Rose Street, Edinburgh; Donald Kennedy, Oyster Tavern; John Hutton, Silversmith; Charles Wallace, Joiner; Mrs. Helen Kay; Mrs. Marion Stewart, Mrs. Alexander Duff; Archibald Bathgate, Cabinet Maker; Mrs. Janet Park, all of No. 7, Shakespeare Square, Edinburgh.	Miss Julia Fitzclarence; Donald Kennedy, Oyster Tavern; William Barris; Miss Sarah Proctor; John Hutton, Silversmith; Charles Wallace, Joiner; Mrs. Helen Kay; Mrs. Marion Stewart; Mrs. Alexander Duff; Archibald Bathgate, Cabinet Maker; Mrs. Janet Park, all of No. 7, Shakespeare Square, Edinburgh.
5.5.5.5. 5.5.5.	Tenement of Dwelling Houses, with Cellars, Areas, Outbuildings, Back-yard, and Wall.	Misses Margaret and Isabella Neillans, New Pentland by Loanhead; Dr. David Ramsay, No. 38, Broughton St., Edinburgh, Liferenter; Sir William Gibson Craig of Ricarton, Bart., Fiar.	Alexander Gray, Shoemaker; Duncan M'Cowan, Slater; John Robertson, Shoemaker; William Foote, Comedian; William Wood, Brassfounder; William Armet, Tailor; Daniel Stewart, Coachman; Mrs. John Kemp; Mrs. Jane Stephenson; Adam Howie, Bookbinder; Francis Murray, Jeweller; John Dunse, Slater; Mrs. Anne Mackenzie; Thomas Cochrane, Tailor, all of No. 8, Shakespeare Square, Edinburgh.	Alexander Gray, Shoemaker; Duncan M'Cowan, Slater; John Robertson, Shoemaker; William Foote, Comedian; William Wood, Brassfounder; William Armet, Tailor; Daniel Stewart, Coachman; Mrs. John Kemp; Mrs. Jane Stephenson; Adam Howie, Bookbinder; Francis Murray, Jeweller; John Dunse, Slater; Mrs. Anne Mackenzie; Thomas Cochrane, Tailor, all of No. 8. Shakespeare Square, Edinburgh.
6.6.6.6. 6.6.6.	Warehouse and Offices, with Areas and Cellars.	Francis Garden Mitchell, No. 23, East Claremont St., Edinburgh; Mrs. Isabella Wilson Scott or Alexander, and Dr. James T. Alexander, her Husband, No. 6, Stafford Street, Edinburgh; and Mrs. Alison, Graham Scott or Braund, and William Braund, her Husband, residing at Dartford, Kent.	Messrs. Fraser Hogg, Robert Honeyman, and John Wilson, junior, the individual Partners of the Firm of Hogg, Honeyman, and Wilson, Tea and Spice Merchants, No. 10, Shakespeare Sq., Edinburgh; Daniel Cormack and Son, Smiths and Ironmongers, No. 1, Leith Street Terrace, and Shakespeare Square, Edinburgh.	Messrs. Fraser, Hogg, Robert Honeyman, and John Wilson, junior, the individual Partners of the Firm of Hogg, Honeyman, and Wilson, Tea and Spice Merchants, No. 10, Shakespeare Sq., Edinburgh; Daniel Cormack and Son, Smiths and Ironmongers, No. 1, Leith St. Terrace, and Shakespeare, Square, Edinburgh.
7.7.7.7. 7.7.	Tenement occupied as Hotels and Taverns, with Areas and Cellars.	Mrs. Isabella Wilson Scott or Alexander, and Dr. James T. Alexander, her Husband, No. 6, Stafford Street, Edinburgh; and Mrs. Alison Graham Scott or Braund, and William Braund, her Husband, residing at Dartford, Kent.	Mrs. Jane Thomson or Paton, Tavern and Hotel Keeper, No. 11, Shakespeare Square, Edinburgh; Charles Campbell, Tavern and Hotel Keeper, No. 12, Shakespeare Sq., Edin.; Daniel Cormack & Son, Smiths and Ironmongers, No. 1, Leith Street Terrace, and Shakespeare Sq., Edinburgh.	Mrs. Jane Thomson or Paton, Tavern and Hotel Keeper, No. 11, Shakespeare Sq., Edinburgh; Charles Campbell, Tavern and Hotel Keeper, No. 12, Shakespeare Square, Edinburgh; Daniel Cormack & Son, Smiths and Ironmongers, No. 1, Leith Street Terrace, and Shakespeare Sq., Edinburgh.
8.8.8.8. 8.8.8.	Back-yard, Sheds, and Workshops.	The same	Daniel Cormack and Son, Smiths and Ironmongers, No. 1, Leith Street Terrace, and Shakespeare Square, Edinburgh.	Daniel Cormack and Son, Smiths and Ironmongers, No. 1, Leith Street Terrace, and Shakespeare Square, Edinburgh.
9.9.9.9.	Stone Wall and Counterforts of North Bridge.	The Lord Provost, Magistrates, and Council of the City of Edinburgh, John Sinclair and James Laurie, conjunct City Clerks, No. 10, Royal Exchange, Edinburgh.		

New General Post Office (Edinburgh). *Navigation Advances (Ireland).*

No. on Plan.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
10.10. 10.	Sloping Bank of Earth and Water Tank and Part of Railway Station.	The North British Railway Company, James Nairne, Secretary, No. 4, Princes Street, Edinburgh.	- - - -	The North British Railway Company, James Nairne, Secretary, No. 4, Princes Street, Edinburgh.
11.11.	Retaining or Support Wall and Piece of Ground.	The same - -	- - - -	The same.
12.	Ashpit - -	The Lord Provost, Magistrates, and Council of the City of Edinburgh, John Sinclair and James Laurie, conjunct City Clerks, No. 10, Royal Exchange, Edinburgh.		
13	Urinals - -	The same - - - -	- - - -	The Public.
14.	Shop called "The Box."	The Lord Provost, Magistrates, and Council of the City of Edinburgh, John Sinclair and James Laurie, conjunct City Clerks, No. 10, Royal Exchange, Edinburgh.	Messrs. James & John Gray, North British Advertiser Office, No. 8, Melbourne Place, Edinburgh.	Messrs. James & John Gray, North British Advertiser Office, No. 8, Melbourne Place, Edinburgh; David Mathers, Bookseller and News Agent, No. 71, Causewayside, Edinburgh.
15. 15. 15. 15. 15. 15. 15. 15. 15. 15. 15. 15. 15.	Streets, Paved Ways, Roadways, Stairs, and Passages.	The same, and the City of Edinburgh Paving Board, William Duncan, S.S.C., No. 1, Heriot Row, Edinburgh, Clerk.	-	The Lord Provost, Magistrates, and Council of the City of Edinburgh, John Sinclair and James Laurie, conjunct City Clerks, No. 10, Royal Exchange, Edinburgh; the City of Edinburgh Paving Board, William Duncan, S.S.C., No. 1, Heriot Row, Edinburgh, Clerk.

The Lord Provost, Magistrates, and Council of the City of Edinburgh are the reputed Superiors of the whole of the Properties above described.

CAP. XLI.

An Act to extend the Time for making Advances towards Navigations in *Ireland*, under the Provisions of an Act of the Nineteenth and Twentieth *Victoria*, Chapter Sixty-two.

[23d *July* 1858.]

'WHEREAS an Act was passed in the Session of Parliament holden in the Nineteenth and Twentieth Years of the Reign of Her present Majesty, Chapter Sixty-two, intituled *An Act to provide for the Maintenance of Navigations made in connexion with Drainage, and to make further Provision in relation to Works of Drainage in* Ireland: And whereas it is by the said Act, amongst other things, provided, that it should be lawful for the Commissioners of the Treasury, at any Time, and from Time to Time, within the first Two Years after the passing of the said Act, to direct that certain Advances of Money should be made to the Trustees of such Navigations respectively, to be applied for the Purposes in the said Act mentioned: And whereas the Commissioners of Public Works in *Ireland* have not yet made the final Award in respect to any of the said Navigations required to be made before such Money could be advanced, and it is expedient that the Time for making such Advances should be extended:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: 19 & 20 Vict. c. 62.

Time limited by recited Act extended.

I. The Time by the said Act limited for enabling the Commissioners of the Treasury to direct Advances of Money to be made for the Purposes of the Navigations, or any of them, in the said Act mentioned, shall be extended to Two Years from the Date of the Awards to be made by the Commissioners of Public Works in *Ireland* in relation to the said Navigations respectively.

Recited Act and this Act to be as One.

II. The said recited Act and this Act shall be construed together as One Act.

CAP.

CAP. XLII.

An Act for shortening the Time of Prescription in certain Cases in *Ireland*. [23d *July* 1858.]

'WHEREAS by an Act passed in the Session of Parliament holden in the Second and Third Years of the Reign of King *William* the Fourth, Chapter Seventy-one, Provisions were made for shortening the Time of Prescription in certain Cases, and it is expedient that the Provisions of the said Act should be extended to *Ireland*:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Provisions of 2 & 3 W. 4. c. 71. extended to Ireland.

I. The Provisions of the said Act of the Second and Third Years of the Reign of King *William* the Fourth, Chapter Seventy-one, shall, from and after the First Day of *January* One thousand eight hundred and fifty-nine, extend and apply to *Ireland*.

CAP. XLIII.

An Act to amend the Municipal Franchise in certain Cases. [23d *July* 1858.]

59 G. 3. c. 12.

'WHEREAS by Section Nineteen of an Act passed in the Session holden in the Fifty-ninth Year of His late Majesty King *George* the Third, Chapter Twelve, intituled *An Act to amend the Laws for the Relief of the Poor*, the Inhabitants of any Parish in Vestry assembled are empowered to resolve and direct that the Owner or Owners of all Houses, Apartments, or Dwellings in such Parishes, being the immediate Lessor or Lessors of the actual Occupier or Occupiers, which shall respectively be let to the Occupiers thereof at any Rent or Rate not exceeding Twenty Pounds nor less than Six Pounds by the Year, for any less Term than One Year, or on any Agreement by which the Rent shall be reserved or made payable at any shorter Period than Three Months, shall be assessed to the Rates for the Relief of the Poor for or in respect of such Houses, Apartments, or Dwellings, and the Outhouses and Curtilages thereof, instead of the actual Occupiers: And whereas it is doubtful whether in such Case such Occupier is entitled to any Municipal Privileges and Franchises to which, by virtue of an Act passed in the Session of Parliament held in the Fifth and Sixth Years of the Reign of King *William* the Fourth, intituled *An Act to provide for the Regulation of Municipal Corporations in* England *and* Wales, he would have been entitled if he himself had been rated and had paid such Rate or Rates: And whereas, when the Owner of any Tenement is rated to the Relief of the Poor by virtue of an Act passed in the Session of Parliament held in the Thirteneth and Fourteenth Years of Her present Majesty, intituled *An Act for the better assessing and collecting the Poor Rates and Highway Rates in respect of Small Tenements*, instead of the Occupier thereof, and has paid all Money due on account of any Rate or Rates in respect of such Tenement, such Occupier is entitled to all Municipal Privileges and Franchises to which by virtue of the said recited Act of King *William* the Fourth, he would have been entitled if he himself had been rated and had paid such Rate or Rates:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Where Owner is rated, Occupier to be entitled to the same Municipal Privileges under 5 & 6 W. 4. c. 76. as if he was rated instead of the Owner.

I. Where the Owner of any such House, Apartment, or Dwelling in the said first-recited Act mentioned shall be rated to the Relief of the Poor by virtue of Section Nineteen of the said first-recited Act, instead of the Occupier thereof, and such Owner shall have paid all Money due on account of any Rate or Rates in respect of such House, Apartment, or Dwelling, such Occupier shall be entitled to all Municipal Privileges and Franchises to which by virtue of the said Act passed in the Session of Parliament held in the Fifth and Sixth Years of the Reign of King *William* the Fourth, intituled *An Act to provide for the Regulation of Municipal Corporations in* England *and* Wales, he would have been entitled if he himself had been rated and had paid such Rate or Rates; and if such Owner so rated as aforesaid shall not have paid such Rate or Rates, it shall be lawful for such Occupier to tender to the Overseers of the Poor or other Person authorized by Law to receive the same the Amount of any Rate or Rates then due from such Owner in respect of such House, Apartment, or Dwelling, and such Overseer or other Person so authorized as aforesaid shall be bound to receive the same, and such Occupier shall, on the Payment or Tender of such Amount, be entitled to exercise all such Privileges and Franchises as herein-before mentioned: Provided always, that any Occupier so paying any Rate or Rates in respect of any such House, Apartment, or Dwelling, where the Owner is rated to the same, shall be entitled to deduct and retain the Amount so paid by him from the next Payment of Rent to be made by him to such Owner, or to recover the same from such Owner as Money paid to and for the Use of such Owner, and upon such Payment being so made by such Occupier, and being by him so deducted or retained from his Rent, the Production by such Owner of the Receipt of such Occupier for the Amount so deducted shall be sufficient Proof of such Rate or Rates having been duly paid.

Recited Act and this Act to be read as One.

II. So much of the said Act of the Fifty-ninth Year of His late Majesty King *George* the Third as remains unrepealed and this Act shall be read and construed together as One Act.

CAP.

CAP. XLIV.

An Act to give to the Universities of *Oxford*, *Cambridge*, and *Durham*, and the Colleges in those Universities, and to the Colleges of *Saint Mary* of *Winchester* near *Winchester*, and of King *Henry* the Sixth at *Eton*, Power to sell, enfranchise, and exchange Lands under certain Conditions, and also to grant Leases for Agricultural, Building, and Mining Purposes, and to deal with the Interests of their Lessees under proper Reservations and Restrictions.

[23d *July* 1858.]

'WHEREAS it is expedient that the Universities of *Oxford*, *Cambridge*, and *Durham*, and the 'Colleges in those Universities, and the Colleges of *St. Mary* of *Winchester* near *Winchester*, and 'of King *Henry* the Sixth at *Eton*, should be empowered to sell, enfranchise, and exchange their Lands 'under certain Conditions, and also to grant Leases for Agricultural and Building and Mining Purposes 'under proper Reservations and Restrictions, and to deal with the Interests of their Lessees in manner 'herein-after provided: And whereas the several Acts now in force in relation thereto are inadequate 'for such Purposes:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Power to the Universities and Colleges to sell, enfranchise, and exchange Lands under certain Conditions.

I. It shall be lawful for the said Universities and for any College therein respectively, and for the Colleges of *Saint Mary* of *Winchester* near *Winchester*, and of King *Henry* the Sixth at *Eton*, with the Consent of the Copyhold Commissioners to sell any Estate in Lands either at Law or in Equity which now is or at any Time hereafter shall be vested in such Universities respectively, or in any such College, and also with such Consent as aforesaid to enfranchise any Copyhold or Customary Lands held of any Manor belonging to such Universities respectively, or any such College, or to exchange any Estate in Lands for any other Lands, whether the same shall be of a like Nature or not, and upon any such Exchange to receive or pay any Money by way of Equality of Exchange; and all Monies which on any such Sale, Enfranchisement, or Exchange shall be received by or become payable to or for the Benefit of such Universities respectively, or for any such College, shall from Time to Time be paid into the Bank of *England* for the Benefit of such Universities respectively, or of any such College, to an Account to be entitled "The Account of the Copyhold Commissioners Exparte the University or the College for "whose Benefit such Monies shall have been so paid in (describing such University or College by its "Corporate Name) in the Matter of this Act;" and the Receipt of the said Copyhold Commissioners shall be an effectual Discharge to any Purchaser or other Person for any Money therein expressed to be received, and all Monies so paid into the Bank of *England* shall be applicable and be applied in Payment for Equality of Exchange as aforesaid, or shall be laid out by such University or College with such Consent as aforesaid in the Purchase of other Lands in Fee Simple, or of any Lands of a Leasehold Tenure, (such Leaseholds to be holden for a Term of not less than Five hundred Years yet to come and unexpired at the Time of such Purchase at a nominal Rent, and to be contiguous to or convenient to be held with any other Lands belonging to such Universities respectively, or to any such College,) such Lands to be conveyed and assigned respectively to the Use or for the Benefit of such University or College, and to be held together with any Lands received in Exchange by such University or College upon the like Trusts and for the like Purposes as the Lands sold or given in Exchange by such University or College respectively; and the Monies from Time to Time remaining unapplied for the Purposes aforesaid shall be invested by and in the Names of the said Copyhold Commissioners to the Account aforesaid in the Purchase of Government Stocks, Funds, or Securities, which the said Copyhold Commissioners shall hold in trust for such University or College; and the said Copyhold Commissioners may sell and dispose of the same for the Purposes of this Act as Occasion may require, and in the meantime the Interest, Dividends, and annual Proceeds of such Monies, Stocks, Funds, and Securities shall be paid to such University or College to be applied to the same Purposes as the annual Income was applicable which arose out of the Lands from the Sale, Enfranchisement, or Exchange of which the Money invested in such Stocks, Funds, or Securities was produced: Provided that, except as hereafter is mentioned, nothing in this Section contained shall apply to any Estate of the Universities respectively, or any such College as aforesaid, in reversion in Lands expectant upon any Lease for a Life or Lives, or for a Term of Years determinable upon any Life or Lives, or for a Term of Years whereof more than Seven shall be unexpired, on which a Rent less than Three Fourths of the clear yearly Value of such Lands shall have been reserved, except where the Lessee has a Right of Renewal.

Mode in which Consents of Copyhold Commissioners to be evidenced.

II. The Consent herein-before required to be given by the Copyhold Commissioners to any Sale, Enfranchisement, or Exchange to be effected under the Authority of this Act, shall be evidenced in manner following; (that is to say,) the said Commissioners, upon Consideration of the proposed Sale, Enfranchisement, or Exchange, and the Report thereon of the Surveyor of the University or College proposing the same, and being satisfied as to the Propriety thereof, shall issue an Order under their Hands and the Common Seal of their Board, authorizing such proposed Sale, Enfranchisement, or Exchange, to be carried into effect by the University or the College making Application under the Provisions of this Act; and the Consent of the said Commissioners herein-before required to the Re-investment of the Monies to be received upon any such Sale, Enfranchisement, or Exchange in the

Purchase of other Lands, shall also be evidenced by a similar Order, to be issued by the said Commissioners in manner aforesaid, approving of the proposed Purchase, and authorizing the University or College (as the Case may be) to carry the same into effect; and it shall not in any Case be necessary that the said Commissioners should be made Parties to, or should execute any Conveyance, Assignment, or other Assurance to be made by such University or College for effecting any Sale, Enfranchisement, Exchange, Purchase, or Mortgage under the Powers of this Act, or satisfy themselves as to the Title of any Lands, the Subject of any such Exchange or Purchase: Provided, that notwithstanding anything herein contained, the said Commissioners shall be at liberty (if they shall think fit) to require a Valuation to be made by any Surveyor to be selected or approved by them, and also a Plan to be furnished of the Lands, the Subject of any such Sale, Enfranchisement, Exchange, Purchase, or Mortgage; and all Costs and Expenses of and incidental to the obtaining such Consent shall be borne by the University or College applying for the same.

Form of Orders to be issued by Commissioners.

III. The several Orders to be issued by the said Commissioners pursuant to the foregoing Provisions shall respectively be in the Form or to the Effect set forth in the Schedule to this Act, with such Variations only as Occasion may require.

Power to accept Surrenders from Lessees in consideration of annual Payments, and to sell and exchange to or with such Lessees.

IV. For facilitating such Transactions by way of Sale and Exchange between the University or College and their Lessees, it shall be lawful for the said Universities, and for any College therein respectively, and for the Colleges of *Saint Mary* of *Winchester* near *Winchester*, and of King *Henry* the Sixth at *Eton*, upon accepting the Surrender of the whole or any Part of the Lands comprised in any Lease for Years or for a Life or Lives, to covenant or agree to grant to the Person so surrendering during the Residue then unexpired of the Term, or so long as such Lease but for such Surrender would have continued, such an annual Sum as may be agreed upon between such University or College and Lessee respectively; and it shall also be lawful for such University or College upon accepting such Surrender, and with such Consent and so evidenced as aforesaid, to contract with the Lessee or Person so surrendering for the Sale or Exchange to or with such Lessee or Person of the Lands comprised in the Surrender, such Lands being for the Purpose of such Sale or Exchange valued as if in the Possession of such University or College discharged of such Lease, and to convey the same in pursuance of such Contract accordingly.

Repeal of 19 & 20 Vict. c. 95. and of Sect. 48. of 19 & 20 Vict. c. 88.

V. The Act passed in the Session of Parliament holden in the Nineteenth and Twentieth Years of the present Reign (Chapter Ninety-five), intituled *An Act to give to the University of* Oxford *and to Colleges in the said University, and to the College of* Saint Mary *of* Winchester *near* Winchester, *Power to sell and exchange Lands under certain Conditions;* also the Forty-eighth Section of the Act passed in the same Session (Chapter Eighty-eight), intituled *An Act to make further Provision for the good Government and Extension of the University of* Cambridge, *of the Colleges therein, and of the College of King* Henry *the Sixth at* Eton, shall be and the same are hereby repealed; so, nevertheless, as not to prejudice or affect any Negotiations or Arrangements which shall have been entered upon or made under the Provisions of the said Act and Section, and which shall be actually pending at the Time of the passing of this Act, and which Negotiations or Arrangements the University or College shall, notwithstanding anything herein contained, be at liberty to complete under the said last-mentioned Provisions; but all Monies which shall become payable thereunder shall be paid and applied in manner herein-before particularly mentioned; and any Monies which at the Time of the passing of this Act shall be standing to any Account appointed by the Church Estates Commissioners by virtue of the said Act and Section, and any Stocks, Funds, or Securities in or upon which any such Monies shall have been invested, shall be paid and transferred to the like Account, as is herein-before directed in respect of the Monies to become payable under the Provisions of this Act.

Provisions as to Purchase of Lessees Interests.

Power to purchase the Interests of Lessees in consideration of a gross Sum of Money or by an annual Charge.

VI. It shall be lawful for the said Universities and any College therein respectively, and the Colleges of *Saint Mary* of *Winchester* near *Winchester*, and of King *Henry* the Sixth at *Eton*, to purchase by Agreement from any Lessee holding under any Lease for Years or for a Life or Lives granted by such University or College, whereon a Rent less than Three Fourths of the clear yearly Value of such Lands shall have been reserved, the Term, Estate, and Interest of such Lessee in all or any of the Lands comprised in such Lease for such Consideration, either by Payment to such Lessee of a gross Sum of Money (to be provided or raised as hereafter mentioned), or by the Grant to such Lessee during the Residue then unexpired of the Term, or so long as such Lease but for such Purchase would have continued, such an annual Sum as may be agreed on between such University or College and Lessee respectively.

Apportionment of Rent in case of the Purchase of Part only of the Lands comprised in Lease.

VII. Upon the Purchase by such University or College of the Estate or Interest of any Lessee in a Part only of the Lands comprised in any Lease, it shall be lawful for the Steward, Chapter Clerk, Solicitor, or Agent of such University or College and such Lessee, by a Memorandum in Writing under their respective Hands, which may be indorsed on such Lease, to apportion the Rent reserved thereby, and declare what Part thereof shall continue payable thereunder; and thereupon such apportioned Part of the Rent shall be payable as if the same had been the Rent originally reserved in respect of the Lands not purchased; and where the Rent originally reserved was an ancient and accustomed Rent, the Part so continuing payable shall be deemed and taken to be the ancient and accustomed Rent for the Lands

not

not purchased, and the Reservations, Covenants, and Agreements contained in such Lease, and the Powers and Authorities of such University or College, so far as the same shall be applicable to the Lands not purchased, shall remain in full Force as if such Purchase had not been made.

Consent of Sub-lessee in case of Covenant for Renewal.

VIII. If any Lands held under Lease from such University or College shall have been sublet, with a Covenant on the Part of the original Lessee to renew the Under-lease upon any Renewal of the original Lease, the Interest of the Lessee in such Lands shall not be purchased under this Act by such University or College, without the Consent in Writing of such Sub-lessee: Provided always, that such University or College shall not be prevented from making such Purchase, nor shall their Title to any such Lands be affected in respect of the Existence of any such Under-lease, unless such University or College shall have had Notice thereof in Writing, but the Sub-lessee shall, in Cases where a Purchase shall have been made without such Notice, be entitled to recover such Damages for the Loss of the Benefit of such Covenant against the Party bound by the Covenant for the Loss to be sustained by him as he would be entitled to in respect of its Non-performance on a Renewal by the original Lessee.

Power to University or College with Consent of Copyhold Commissioners to raise Money by Mortgage, to be applied to such Purchases.

IX. In case there shall not be any Monies, Stocks, Funds, or Securities, belonging to such University or College, properly and conveniently applicable in or towards such last-mentioned Purchase, it shall be lawful for such University or College, with the Consent of the said Copyhold Commissioners (such Consent to be evidenced by an Order to be issued under their Hands and Common Seal in the Form or to the Effect set forth in the said Schedule hereto) to raise such Sum or Sums of Money as shall be required for that Purpose, and be stated in such Order, together with all reasonable Costs and Expenses by Mortgage for a specified determinable Term of Years of all or any of the Lands comprised in any such Lease which shall be so purchased as aforesaid.

Leasing Powers.

Power to grant Leases for a Term not exceeding 21 Years at Rackrent.

X. It shall be lawful for the said Universities and for any College therein respectively, and for the Colleges of *Saint Mary* of *Winchester* near *Winchester*, and of King *Henry* the Sixth at *Eton*, from Time to Time after the passing of this Act, by Indenture sealed by such University or College with their Common Seal, to lease all or any of the Lands which now are or at any Time hereafter shall be either at Law or in Equity vested in such University or College (except as herein-after is mentioned), with the Appurtenances, for any Term or Number of Years, not exceeding Twenty-one Years, to take effect in possession and not in reversion or by way of future Interest, and at the best Rent that can be reasonably obtained for the same, so as there be not any Fine, Premium, or Foregift taken for the making thereof, and so as the Rent be made payable half-yearly or oftener, and so as sufficient Power of Entry be reserved for securing the Payment of the Rent and the Performance and Observance of the Lessee's Covenants therein, and so as the Lessee be not thereby made dispunishable for Waste, and so as the Lessee execute a Counterpart of the Lease; and every such Lease may be on such Terms and Conditions as such University or College may think reasonable.

Power to grant Building and Repairing Leases for a Term not exceeding 99 Years.

XI. It shall be lawful for the said Universities and for any College therein respectively, and for the Colleges of *Saint Mary* of *Winchester* near *Winchester*, and of King *Henry* the Sixth at *Eton*, from Time to Time after the passing of this Act, by Indenture sealed by such University or College with their Common Seal, to lease all or any of the Lands which now are or at any Time hereafter shall be either at Law or in Equity vested in such University or College (except as herein-after is mentioned), with the Appurtenances, for any Term or Number of Years not exceeding Ninety-nine Years, to take effect in possession and not in reversion or by way of future Interest, to any Person or Persons who may be willing to improve or repair the present or any future Houses thereon, or any of them, or to erect other Houses and Buildings in lieu thereof or in addition thereto, or to erect any Houses or other Buildings on any Land whereon no Building shall be standing, or who shall be willing to annex any Part of the same Lands to Buildings erected or to be erected on the said Lands or any Part thereof, or otherwise to improve the said Premises or any Part thereof, and with or without Liberty for the Lessee to take down any Buildings standing on the Lands in any such Lease to be comprised and to dispose of the Materials thereof to such Uses and for such Purposes as shall in such Lease be agreed upon, and with or without Liberty for the Lessee to lay out and appropriate any Part or Parts of the Lands to be comprised in any such Lease, as and for Accommodation Lands, Plantations, Gardens, Pleasure Grounds, Yards, or other Conveniences or Appendages, for the Use or Convenience of the Tenants or Occupiers of the said Houses or other Buildings, and also to set out and allot any Part or Parts of the Lands to be comprised in any such Lease, as and for Streets, Squares, or other similar Spaces of Ground, Roads, Avenues, Approaches, Courts, Ways, Passages, Sewers, Drains, Wells, Reservoirs, Yards, or otherwise, for the Use and Convenience of the Tenants or Occupiers for the Time being of the said Houses or Buildings, or of adjoining Houses or Buildings, or for the general Improvement thereof, or of any Part thereof; and also with or without Liberty for the Lessee to dig, take, and carry away and dispose of such Earth, Clay, Sand, or Gravel as it shall be found convenient to remove for effecting any of the Purposes aforesaid; and also with or without any other Liberties, Easements, or Privileges which are or may be usual in Leases of a similar Description, so as there be reserved by every such Lease the best and most improved yearly Rent that can be reasonably obtained for the Premises comprised therein at the Time of the granting or making of such Lease, or the Contract for the same, payable half-yearly or oftener, during the Continu-

ance of the Term thereby granted, and to be incident to and go along with the Reversion immediately expectant on the Determination thereof; and so as any such Lease be made without taking any Fine, Premium, or Foregift, or anything in the Nature thereof, for or in respect of the making of the same; and so as in every such Lease made for the Purpose of having Buildings erected there shall be contained a Covenant on the Part of the Lessee to build, complete, and finish such Buildings within a Time to be therein specified for that Purpose; and so as in every such Lease made for the Purpose of having Buildings repaired or rebuilt there shall be contained a Covenant on the Part of the Lessee substantially to rebuild or repair the same within a Time to be therein specified for that Purpose; and so as in every such Lease, whether for building or repairing, or otherwise, there be contained on the Part of the Lessee a Covenant for the due Payment of the Rent to be thereby reserved and (subject to the Provisions in this Behalf hereafter contained) of all Taxes, Charges, Rates, Assessments, and Impositions whatsoever affecting the Lands therein comprised (except only the Tax (if any) for the Time being upon Property or Income in respect of the Rent reserved); and also a Covenant for keeping the Buildings erected and built, or to be erected and built, in repair during the Term thereby granted; and also a Covenant for keeping the Houses and Buildings (subject to the Provision in this Behalf hereafter contained) insured from Damage by Fire to the Amount of Three Fourths at least of the Value thereof in some or one of the Public Offices of Insurance, to be selected or approved from Time to Time by such University or College, and to lay out the Money to be received by virtue of such Insurance, and also all such other Sums as shall be necessary in rebuilding, repairing, and reinstating such Houses and Buildings as shall be destroyed or damaged by Fire; and also to surrender the Possession of, and leave in good Condition and Repair the Houses and Buildings erected and to be erected or rebuilt or repaired on the Premises therein comprised, on the Expiration or other sooner Determination of the Term to be thereby granted, or such Covenants on the Part of the Lessee as shall be in substance and effect the same as or equivalent to the Covenants hereinbefore specified; and so as in every such Lease there be contained a Power for such University or College, their Stewards, Surveyors, or Agents, to enter upon the Premises and inspect the Condition thereof, and also a Proviso or Condition of Re-entry for Nonpayment of the Rent thereby reserved for any Space not exceeding Forty Days, or for Nonperformance of any of the Covenants or Agreements on the Part of the Lessee therein contained; and also with or without a Proviso that no Breach of any of the Covenants or Agreements to be therein contained (except the Covenant for Payment of the Rent and other such Covenants or Agreements (if any) as such University or College shall think it reasonable to except) shall occasion any Forfeiture of such Lease, or of the Term thereby granted, or give any Right of Reentry, unless or until Judgment shall have been obtained in an Action for such Breach, nor unless the Damages and Costs to be recovered in such Action shall have remained unpaid for the Space of Three Calendar Months after Judgment shall have been obtained in such Action, and so as there be not contained in any such Lease any Clause or Words authorizing the Lessee to commit Waste or exempting him from Punishment for committing Waste, save so far as may be necessary for or incident to the Purposes aforesaid, or any of them; and every such Lease may also contain any other Covenants, Provisoes, Conditions, Restrictions, and Stipulations which shall appear reasonable to such University or College, and particularly any Provisions that where any such Lease is granted with Liberty to erect thereafter any House or Houses on the Land thereby demised in addition to the House in respect of which the original yearly Rent thereby reserved shall be payable, then in addition to such original yearly Rent to be so reserved as aforesaid, there shall also be reserved any such additional yearly Rent, to become payable only in the event of such additional House or Houses being thereafter built as shall be the best and most improved additional yearly Rent that can, at the Time of the making or granting of such Lease, or for the Contract for the same, and considering the Nature and Circumstances of the Case, be reasonably obtained, and shall be made payable half-yearly or oftener, from a Time not later than the Time when the respective additional House is fit for Habitation and Use, and shall continue payable during the Remainder of the Term granted by such Lease, and be incident to and go along with the Reversion immediately expectant on the Determination thereof; and also a Provision for apportioning the Rent to be reserved in and by any such Lease, and for exonerating any Part of the Lands to be comprised in any such Lease from the Payment of any specified Portion of the whole Rent to be thereby reserved, and so that the respective Lessees execute Counterparts of their respective Leases.

Power to enter into Contracts for granting Leases, and afterwards to grant Leases pursuant thereto.

XII. It shall be lawful for the said Universities and for any College therein respectively, and for the Colleges of *Saint Mary* of *Winchester* near *Winchester*, and of King *Henry* the Sixth at *Eton*, by themselves, or by any Person or Persons acting on their Behalf, to enter into any Contract in Writing, either conditional or absolute, for making or granting any Lease authorized to be granted under the Provisions of this Act, and in any such Contract or Contracts (with the Consent of the Contractor or Contractors) to reserve Power to rescind and vary the same, and to enter into fresh Contracts or not, as such University or College shall think fit, and by any such Contract to agree when and as any Land or Buildings thereby agreed to be let, or any Part or Parts thereof shall be respectively built upon, rebuilt, or repaired, laid out, formed, or improved in the Manner and to the Extent to be stipulated in such Contract by One or more Indenture or Indentures to lease or cause to be leased the same Lands or Buildings or any Part thereof to the Person or Persons contracting to take the same as aforesaid, or his or her Executors, Administrators, or Assigns, or to his, her, or their Nominee or Nominees, for and during

during the Remainder of the Term to be specified in such Contract, and in such Parcels and under and subject to such Portion or Portions of the yearly Rent to be specified in such Contract as shall be thought proper; and also (if such University or College shall think the same expedient) to agree that the yearly Rent agreed to be reserved in any such Contract may be made to commence at any such Periods within Two Years from the Date of such Contract, and may be made to increase periodically, beginning with such Portion of the full Rent thereby agreed to be paid as shall be thought advisable, and increasing up to the full Rent as shall be thought proper, and as in such Contract shall be expressed, Regard being had to the Quantity of Land from Time to Time agreed to be leased, and the Progress of the Buildings, Rebuildings, or Repairs stipulated to be erected or made thereon, or on some Part thereof; but so, nevertheless, that the full yearly Rent shall be made to commence at a Period not exceeding Five Years from the Date of the said Contract, with Liberty nevertheless to make Provisions in the same Contract for the Payment of an additional yearly Rent or Rents, in the event of any House or Houses being thereafter built on the Land comprised in the same Contract, in addition to the House or Houses in respect of which such original yearly Rent was reserved or made payable, and also to agree that when and as any Lease shall be granted of any Part of the Lands so contracted to be leased the Lands so for the Time being leased shall be discharged from such Contract, and that the Person with whom such Contract shall have been entered into shall remain liable in respect of such Part of the Lands comprised in such Contract as shall not for the Time being be leased to the Payment of such Portion only of the Rent by such Contract agreed to be paid as may be thought proper and shall in such Contract be provided for, and also to agree that the Person with whom such Contract shall be entered into may have, exercise, and enjoy all or any of the Liberties, Easements, and Privileges therein authorized to be granted, except such thereof as such University or College shall think reasonable to except: Provided also, that there may be contained in every such Contract as aforesaid such further or other Agreements and Stipulations as to such University or College shall seem reasonable.

Variations in Terms between Leases and Contracts not to be material, and Contracts not to form Part of Title.

XIII. No Lease granted or to be granted under the Powers of this Act shall be invalid by reason of any Variation between any such Lease and any prior Contract for a Lease which may have preceded the granting of such Lease, but every Lease to be granted as aforesaid shall be valid and effectual, notwithstanding such Variation, and no Person taking such Lease or claiming under such Lease shall be bound to inquire whether such Lease is in pursuance of or authorized by any such prior Contract, nor shall any such Person be in any Manner affected by anything contained in any such Contract, and the Contract or Contracts which shall have preceded such Lease shall not at Law or in Equity form a Part of the necessary Evidence of the Title of the Lessee or Lessees named in such Lease, or of his, her, or their Executors, Administrators, or Assigns, whether such Lease is or is not expressed to be granted under or in pursuance of any such previous Contract, provided that such Lease shall not be inconsistent or at variance with the Provisions and Restrictions herein contained with respect to the Leases hereby authorized to be granted.

Power to Universities and Colleges to insure Buildings, &c. comprised in any Lease, and to charge the Tenants with the Premiums.

XIV. It shall be lawful for the University and College, if they shall think fit, in any Lease to be granted under the Powers of this Act to cause to be omitted the Covenant on the Part of the Lessee, herein-before directed to be inserted, for keeping the Houses and Buildings comprised in such Lease, or to be erected and built on the Lands therein comprised, insured from Loss or Damage by Fire, and in lieu of such Covenant to insert or cause to be inserted in any such Lease a Covenant on the Part of such University or College to keep such Houses and Buildings insured from Loss or Damage by Fire to the Amount of Three Fourths at least of the Value thereof, and to lay out the Money which shall be received by virtue of such Insurance in substantially rebuilding, repairing, and reinstating such Houses or Buildings as shall be destroyed or damaged by Fire, and to cause to be inserted in such Lease such Covenants, Stipulations, and Provisions for securing to such University or College the Repayment of the Sum or Sums of Money which shall be paid by them in effecting or keeping on foot any such Insurance as such University or College shall think fit.

Power to Universities and Colleges to dispose of Brick Earth, &c.

XV. From and after the passing of this Act it shall be lawful for the said Universities, and any College therein respectively, and the Colleges of *Saint Mary* of *Winchester* near *Winchester*, and of King *Henry* the Sixth at *Eton*, either by themselves or by any Person or Persons on their Behalf, to enter into such Contract or Contracts in Writing, as they may deem expedient, with any Person who may be willing to purchase the Liberty or Privilege of digging and raising Gravel or Sand, or Earth, Loam, or Clay, suitable for making Bricks or Tiles, out of any Part of the Lands belonging to such University or College, and to grant to such Person, either by Indenture sealed with the Common Seal of such University or College, or by such other Ways or Means as may be deemed expedient, and for such Considerations as to such University or College shall appear reasonable or proper, the Liberty or Privilege of digging and raising such Gravel, Sand, Earth, Loam, or Clay, and of selling and disposing of the same, together with all such Powers as may be requisite for carrying such Contract or Contracts into effect: Provided always, that the Net Monies which shall be received by the University or College for or in respect of the Grant of such Liberty or Privilege as aforesaid, shall be applied and disposed of by such University or College, in the Manner herein-after directed, respecting the Net Rents, Tolls, Duties, Royalties, and Reservations which shall be received by such University or College for or in respect of any Lease to be granted under the Authority of the Twentieth Section of this Act.

XVI. From

Lessors may enter into Arrangements with Lessees as for lighting, paving, &c.

XVI. From and after the passing of this Act it shall be lawful for the said Universities, and any College therein respectively, and the Colleges of *Saint Mary* of *Winchester* near *Winchester*, and of King *Henry* the Sixth at *Eton*, at any Time or Times to make or enter into any Arrangement or Arrangements with the Lessees or Tenants of the Lands leased under the Authority of this Act, or any or either of them, either alone or in conjunction with any other Person or Persons, for the lighting, paving, draining, and cleansing, or otherwise for the general Improvement or more convenient Use and Enjoyment of such Lands, or any Part thereof, or the Roads, Streets, Ways, Approaches, Avenues, or Passages in or about the same, and for such Purposes or any or either of them, to give and grant or allow such Easements, Rights, Liberties, and Privileges in or over such Lands, or any Part thereof, to any Person or Persons whomsoever, as by such University or College shall be deemed expedient, and under and subject to such Provisoes, Conditions, and Restrictions as shall be deemed proper; and for carrying into effect any such Arrangement, to enter into and to insert or cause to be inserted in any Lease or Leases or Contract or Contracts for any Lease or Leases, to be made or entered into by virtue of this Act, such Covenants, Agreements, and Stipulations on the Part of such University or College, or the said Lessee or respective Lessees, his, her, or their Heirs, Executors, Administrators, and Assigns, as by such University or College shall be thought requisite or proper.

Universities and Colleges may enter into Arrangements with Lessees as to Payment of Land Tax and Tithe Rentcharges.

XVII. It shall be lawful for the said Universities and any College therein respectively, and the Colleges of *Saint Mary* of *Winchester* near *Winchester*, and of King *Henry* the Sixth at *Eton*, if they shall think it expedient so to do, to enter into any Arrangement for the Payment by them of the Land Tax and Tithe Rentcharge, or either of them, for the Time being payable for or in respect of any of the Lands comprised in any Lease to be granted under the Authority of this Act, or any Part thereof, in exoneration therefrom of the respective Lessees or Tenants of such Lands, any or either of them, and to accept and reserve an additional or increased Rent or Rents in consideration thereof, and in any Lease or Leases, Contract or Contracts, to be made or entered into in pursuance of this Act to enter into or cause to be inserted such Covenants, Stipulations, and Agreements on the Part of such University or College, or the Lessee or Lessees, his, her, or their Heirs, Executors, Administrators, or Assigns, with respect to the Land Tax and Tithe Rentcharges, or either of them, to which the Lands thereby leased or agreed to be leased are or may be respectively liable, or any Part thereof, as upon a due Consideration of all Circumstances shall to such University or College seem advisable.

Power to appropriate any Part of Lands for Streets, Squares, &c.

XVIII. It shall be lawful for the said Universities and any College therein respectively, and the College of *Saint Mary* of *Winchester* near *Winchester*, and of King *Henry* the Sixth at *Eton*, to lay out and appropriate any Part or Parts of the Lands authorized to be leased on Building or Repairing Leases under the Provisions of this Act, as and for a Way or Ways, Streets, Squares, Approaches, Avenues, Roads, Courts, Passages, Sewers, Drains, Yards, Gardens, or Pleasure Grounds, or other Easements or Conveniences for the general Improvement of the said Lands, or for the Accommodation or Convenience of the Tenants and Occupiers thereof, in such Manner and upon such Terms, and either subject to or without being subject to any annual or other Payments by such Tenants or Occupiers as shall be mentioned or agreed upon in any Lease to be made in pursuance of this Act, or in any general Deed to be executed for that Purpose under the Common Seal of such University or College and to be enrolled in One of Her Majesty's Courts of Record at *Westminster*, and also by such Lease or by such general Deed to give such Privileges and other Easements in or over the said Lands or any Part thereof as such University or College shall deem reasonable or convenient.

Power to Lease running Water and Waterleaves and Way-leaves, &c.

XIX. It shall be lawful for the said Universities and any College therein respectively, and the Colleges of *Saint Mary* of *Winchester* near *Winchester*, and of King *Henry* the Sixth at *Eton*, from Time to Time after the passing of this Act, under such Restrictions as are hereafter mentioned, by any Deed to be executed under their Common Seal to grant by way of Lease unto any Person or Persons whomsoever any Liberties, Licences, Powers, or Authorities to have, use, or take, either in common with or to the Exclusion of any other Person or Persons, all or any of the Water flowing or which shall or may flow or be made to flow in, through, upon, or over any Lands belonging to such University or College, or any Part or Parts thereof (except as herein-after is mentioned), and also all Wayleaves or Waterleaves, Canals, Watercourses, Tramroads, Railways, and other Ways, Paths, Passages, either subterraneous or over the Surface of any Lands, Yards, Wharfs, or other like Easements or Privileges in, upon, out of, or over any Part or Parts of the Lands belonging to such University or College (except as herein-after is mentioned) for any Term or Number of Years, not exceeding Sixty Years, to take effect in possession and not in reversion, or by way of future Interest, so as there be reserved on every such Grant by way of Lease as last aforesaid, payable half-yearly or oftener, during the Continuance of the Term thereby granted, the best yearly Rent or Rents, either in the shape of a stated or fixed Sum of Money, or by way of Toll or otherwise, that can be reasonably obtained for the same, without taking any Fine, Premium, or Foregift, or anything in the Nature of a Fine, Premium, or Foregift, for the making thereof, (other than any Provision or Provisions which it may be deemed expedient to insert in any such Grant, rendering it obligatory on the Grantee or Lessee, or Grantees or Lessees, to repair or contribute to the Repair of any Roads or Ways, or to keep open or otherwise use in any specified Manner any Water or Watercourse to be comprised in or affected by any such Grant or Lease,) and so as there be contained in every such Grant by way of Lease as last aforesaid a Condition or Power of Re-entry

or a Power to make void the same, in case the Rent thereby reserved or made payable, or any Part thereof, shall not be paid within some reasonable Time to be therein specified in that Behalf; and so as the respective Grantees or Lessees do execute Counterparts of the respective Grants or Leases; and generally that in and by any such Grant by way of Lease as last aforesaid there shall or may be reserved and contained any other Reservations, Covenants, Agreements, or Stipulations whatsoever, not inconsistent with those hereby required to be reserved or contained, which it shall be deemed expedient to introduce therein.

Power to grant Mining Leases for a Term not exceeding Sixty Years.

XX. It shall be lawful for the said Universities and for any College therein respectively, and for the Colleges of *Saint Mary* of *Winchester* near *Winchester*, and of King *Henry* the Sixth at *Eton*, from Time to Time after the passing of this Act, by Indenture sealed with their Common Seal, to lease any Mines, Quarries, Minerals, and Substances in, under, or upon any Lands belonging to such University or College, either with or without any Messuages, Buildings, or Lands convenient to be held or occupied with the same respectively, and either with or without the Surface of any Lands in or under which the same or any Part thereof respectively shall lie, and whether the same have or have not been hitherto opened or worked, unto any Person or Persons for any Term or Number of Years not exceeding Sixty Years, to take effect in possession and not in reversion, or by way of future Interest, together with full Liberty, Power, and Authority to search, bore, dig, sink for, work, and raise the said Mines, Quarries, Minerals, and Substances, and to work any adjacent Mine by way of Outstroke or other underground Communication, and for those Purposes from Time to Time to do whatever shall be needful or requisite for, in, or about the winning, working, getting, cleansing, and smelting of the said Minerals and Substances, and for the manufacturing and carrying away the same, or otherwise incident to Mining Operations, so as in every such Lease there be reserved and made payable during the Term thereby granted the best and most improved yearly or other Rent or Rents, whether certain or contingent, either in Money or in Tolls, Duties, Royalties, and Reservations, by the Acre, or by the Ton, or otherwise, as can under the Circumstances of the Case be reasonably obtained for the same, and so as such Lease be made without any Fine, Premium, or Foregift for the same, and so as in every such Lease there be contained on the Part of the Lessee a Covenant for the due Payment of the Rent to be thereby reserved, and of all Taxes, Charges, Rates, Assessments, and Impositions whatsoever affecting the Lands therein comprised; and also a Proviso or Condition of Re-entry for Nonpayment of the Rent thereby respectively reserved for some reasonable Time to be therein specified, or for Nonperformance or Nonobservance of any of the Covenants or Agreements on the Part of the Lessee therein contained (except such, if any, of the same Covenants and Agreements, not being for the Payment of Rent, as such University or College shall think it reasonable to except), and so as there be not contained in such Lease any Clause or Words authorizing the Lessee to commit Waste, or exempting him from Punishment for committing Waste, save so far as may be necessary for the Purposes aforesaid, and so as the Lessee do execute a Counterpart of such Lease, and enter into such further or other Covenants and Agreements as such University or College granting such Lease shall deem expedient, due Regard being had in every Case to the Custom of the Country or District within which such Mines, Quarries, Minerals, or Substances are situate or found.

Application of Mineral Rents, &c.

XXI. All the net Rents, Tolls, Duties, Royalties, and Reservations which shall be received by the University or College, for or in respect of any Lease to be granted under the Authority of the last foregoing Section, shall be applied and disposed of by such University or College in manner following; (that is to say,) One equal Third Part of such net Rents, Tolls, Duties, Royalties, and Reservations shall be applicable and be applied by such University or College as Part of their ordinary Income, and the remaining Two equal Third Parts thereof shall be applicable and be applied by such University or College in or upon any of the Purposes following; (that is to say,) in the Purchase of Lands to be conveyed to the Use or for the Benefit of such University or College, or in the Erection of new Buildings, or in the Addition to and Enlargement of any existing Buildings, or in the Drainage, or other permanent and lasting Improvement of any Lands belonging to such University or College, or in the Purchase of any Wayleaves, or other Easements, in, over, or upon any Lands adjoining or near to any such Lands; and, in the meantime, until such Two equal Third Parts shall be applied in or upon any of the Purposes aforesaid, the same shall be invested by such University or College in the Purchase of Government Stocks, Funds, or Securities, and the Interest, Dividends, and annual Proceeds thereof shall be received by such University or College, and be applicable as Part of their ordinary Income.

Powers to release, enter into new Contracts, and accept Surrenders of Leases, &c.

XXII. It shall be lawful for the said Universities and any College therein respectively, and the Colleges of *Saint Mary* of *Winchester* near *Winchester*, and of King *Henry* the Sixth at *Eton*, at any Time to release any Person or Persons with whom any Contract or Contracts may be entered into in pursuance of this Act, and his, her, or their Executors, Administrators, and Assigns, from the Performance of all or any Part of the same Contract or Contracts respectively, and to enter into any new Contract or Contracts, according to the Provisions of this Act, with the same or any other Person or Persons, or his, her, or their Executors, Administrators, or Assigns, in lieu of the Contract or Contracts, or the Part or Parts of the Contract or Contracts in respect whereof such Release shall have been made, and to enter into any new Covenants and Agreements with any Person or Persons with whom any Contract or Contracts may be entered into, by way of Addition to or Explanation or Alteration of all or any Part or Parts of the Covenants and Agreements in any such Contract or Contracts respectively contained; and also to accept

accept a Surrender or Surrenders of all or any Part of the Lands which may be comprised in any such Contract or Contracts, and of all or any Part of the Lands comprised in any Lease to be granted under any of the Powers herein-before contained, or which shall have been granted before the passing of this Act; and upon any such Surrender to grant, according to the Powers herein-before contained, either to the Person surrendering, or to any other Person or Persons, one or more new Lease or Leases of the Lands so surrendered, or any Part thereof, either alone or together with any other Lands, and with Liberty in regulating the Terms upon which such new Lease or Leases shall be granted to make such Allowance or Remuneration, either by way of annual Charge upon the Lands so surrendered, or otherwise, to the Person surrendering the same, or his or her Executors, Administrators, or Assigns, for the Value (if any) of the Estate or Interest which shall have been so surrendered, as to such University or College shall seem reasonable, but so that no such Allowance or Remuneration by way of annual Charge shall continue for a longer Term or Period than the Term or Period at which the Estate or Interest which shall be surrendered would, if not surrendered, have determined by Effluxion of Time: Provided always, that upon any such Surrender as aforesaid, it shall be lawful for the said University or College, if they shall think fit, to grant a new Lease or new Leases of the Lands so surrendered, either to the Person surrendering the same or to any other Person, for any Term or Number of Years not exceeding the then unexpired Residue of the Term granted by the surrendered Lease, at a Rent or several Rents equivalent to the Amount of the Rent which was reserved by the surrendered Lease in respect of the Entirety of the Lands so surrendered, and in making such new Lease or Leases, either again to subject the whole of the Lands so surrendered to a Rent equivalent to the whole Amount of the Rent which was payable for the same Lands under such surrendered Lease, or so to apportion the Amount of Rent which was payable under such surrendered Lease as that in the new Lease or Leases, so to be made as aforesaid, some specific Part or Parts only, and not the whole of such Lands, shall be subject to the whole or some specific Portion only of the Amount of Rent which was payable under such surrendered Lease, and so that if a Rent or Rents equivalent to the whole Amount of the Rent which was payable under such surrendered Lease shall by any such new Lease or Leases be reserved or made payable in respect of a Part or Parts only of such Lands, such University or College may grant a Lease or Leases of the Residue of such Lands at the yearly Rent of a Peppercorn: Provided always, that a Certificate in Writing under the Hand of the Solicitor, Steward, Chapter Clerk, or Agent for the Time being of such University or College, that the entire Rent mentioned in the surrendered Lease has been duly reserved in pursuance of this Enactment, shall, as regards the Lessee or Lessees under such new Lease or Leases, and all Persons claiming under him or them, be sufficient and conclusive Evidence of such Reservation: Provided also, that when and as any such new Lease shall be granted under the Powers herein contained, of any Lands comprised in any such surrendered Lease, the Lease so surrendered shall form no Part of the Title to such new Lease.

On Recovery of Possession of any Lands under a Condition of Re-entry new Leases may be granted.

XXIII. If the University or College shall at any Time hereafter enter upon and resume or recover Possession of any Lands comprised in any Lease or Contract to be granted or entered into under the Powers of this Act, by virtue of any Condition of Re-entry therein contained, then and in every such Case it shall be lawful for such University or College, if they shall think fit, to grant Leases or enter into Contracts to grant Leases, and afterwards to grant Leases of the same Lands, and every or any Part thereof, pursuant to the Powers and subject to the Restrictions herein contained: Provided always, that in any such Case as last aforesaid it shall be lawful for such University or College, if they shall think fit, to grant a Lease, or to enter into a Contract to grant a Lease, and afterwards to grant a Lease of the Lands comprised in any such forfeited Lease or Contract for any Term or Number of Years not exceeding the then unexpired Residue of the Term granted or agreed to be granted by such forfeited Lease or Contract at a yearly Rent or yearly Rents, which shall not be less in Amount than the yearly Rent reserved or agreed to be reserved by such forfeited Lease or Contract, but subject in all other respects to the Restrictions herein contained.

Power to confirm Leases which may be void or voidable by reason of any technical Error or Informality.

XXIV. If any Lease or Grant purporting to have been granted or made by virtue of this Act shall, by reason of any technical Error or Informality in exercising the Powers of this Act, be void or voidable, then and in every such Case it shall be lawful for the University or College, if they shall think fit, to confirm such Lease or Grant, or to make a new Lease or Grant of the Lands therein comprised, pursuant to the Powers and subject to the Restrictions herein contained, in lieu of such void or voidable Lease for any Term or Number of Years not exceeding the then Residue of the Term of Years granted or purported to be granted by such void or voidable Lease, and at and under a yearly Rent or yearly Rents which shall be not less in Amount than the yearly Rent reserved by such void or voidable Lease.

Receipts endorsed upon Leases, &c. to be Evidence of Execution of Counterparts.

XXV. A Memorandum in Writing under the Hand of the Steward, Chapter Clerk, Solicitor, or Agent of the University or College endorsed upon any Lease to be granted under the Powers of this Act, acknowledging that he has received such Counterpart of the said Lease as is hereby required to be executed, or a Recital or Statement in such Lease to the effect that such Counterpart has been duly executed, shall, in favour of the Lessee and of all Persons claiming under him, be conclusive Evidence that such Counterpart was duly made and executed pursuant to the Provisions of this Act.

Particular Property not to be leased.

XXVI. Provided always, That this Act or anything herein contained shall not authorize the granting of any Lease or the laying out or appropriating for the Purposes in this Act mentioned of any House,

or

or Building or Lands forming Part of or attached to or locally situate within the Boundaries or Precincts of any College or of any Offices, Outbuildings, Yards, and Gardens to any such College adjoining or appertaining, and which may be necessary or convenient for actual Occupation by the Members of any such College or any of them, or the Grant or Lease of any Mines, Minerals, Quarries, Ways, Watercourses, or other Easements, the Grant thereof may be prejudicial to the convenient Enjoyment of any such House or Building, or the Offices or Gardens thereto belonging.

Powers to raise Monies, with Consent of Copyhold Commissioners, by Mortgage for certain Purposes.

XXVII. It shall be lawful for the said Universities and any College therein respectively, and for the Colleges of *St. Mary* of *Winchester* near *Winchester* and of King *Henry* the Sixth at *Eton*, from Time to Time and at any Time hereafter, with the Consent of the said Copyhold Commissioners (such Consent to be evidenced by an Order, to be issued under their Hands and Common Seal, in the Form or to the Effect set forth in the said Schedule hereto) to raise by Mortgage of any Lands belonging to such University or College, for any Term of Years (determinable as hereafter provided), such Sum or Sums of Money (together with all reasonable Costs and Expenses incidental to such raising and the Application thereof) as shall be certified by the Surveyor of the University or College to be properly required, and shall be authorized by the said Commissioners, with Interest thereon not exceeding the Rate to be specified in such Order, and to apply such Sum or Sums of Money for all or any of the Purposes following; (that is to say,) for or towards the Restoration and Improvement and (if need be) Enlargement of any House or Building forming Part of or connected with or otherwise belonging to such University or College, or for or towards the Erection of new or additional Houses or Buildings, or for the Extension and Improvement of any existing Houses or Buildings upon any Lands belonging to such University or College, or for the Drainage or other permanent and lasting Improvement of any Lands belonging to such University or College.

Provision for the Discharge of the Monies borrowed on Mortgages.

XXVIII. Where any Mortgage is made by any University or College, under either of the Powers herein-before contained for that Purpose, such University or College shall, out of the Rents and Profits of the Lands comprised in any such Mortgage, or out of the Funds and Revenues of such University or College, either repay the same Monies by the Grant of an Annuity, upon such Terms as shall be approved of by the said Commissioners, to the Lender or other Person to whom the same Monies shall be due, or shall keep down all the Interest of such Monies as the same shall become due, and annually thereafter reserve or raise out of the same Rents and Profits, or Funds and Revenues, and out of the Income arising from any such Sinking Fund as shall have been created under the Provisions following, One Thirtieth Part at least of the Amount of the Principal Debt, and apply the same to the Reduction thereof, either by direct Payment to the Lender or other Person to whom the same shall be due, if he shall consent or be under Engagements or otherwise required to receive the same, or by the Creation of a Sinking Fund for that Purpose in such Manner as shall be approved of by the said Commissioners, to the end that the whole of every such Principal Debt may be discharged, with the Mesne Interest thereof, out of the said Rents and Profits, or Funds and Revenues and Income, within or at the Expiration of the Period of Thirty Years from the borrowing thereof: Provided also, that in every such Mortgage there shall be contained a Proviso that when the whole of such Principal Debt, Interest, and Costs shall be discharged and satisfied in manner aforesaid, the Mortgage Term thereby created shall absolutely cease and determine: Provided always, that where any such Mortgage is made for raising Money for the Purchase of the Estate or Interest of a Lessee of Lands held under such University or College, Provision shall be made for applying by some of the Means aforesaid, so long as the Lease but for such Purchase would have continued (unless the Monies secured by such Mortgage be sooner discharged), towards the Interest and Discharge of the Principal Money, such yearly Sum as shall be certified by the said Copyhold Commissioners to be equal to the clear yearly Value of the Lands comprised in such Lease, after deducting the Rent reserved to the University or College, and making other usual and proper Landlords Deductions.

Act to extend to Lands held in trust, or for special Endowments.

XXIX. The Powers and Provisions of this Act in relation to any Lands vested in the said Universities and in any College therein respectively, and in the Colleges of *Saint Mary* of *Winchester* near *Winchester* and of King *Henry* the Sixth at *Eton*, shall extend and be applicable not only to any Lands so vested as the Property or for the general Purposes of the University or College, but also to any Lands so vested which may be held upon any Trusts, or for any special Endowment or other Purpose connected with the University or College.

Act not to restrain existing Powers.

XXX. Nothing in this Act contained shall restrain the said Universities or any College therein respectively, or the Colleges of *Saint Mary* of *Winchester* near *Winchester* or of King *Henry* the Sixth at *Eton*, from exercising any Powers of Sale, Enfranchisement, Exchange, Purchase, or borrowing Monies, or from granting any Leases or making any Grants, whether by way of Renewal or otherwise, which the said Universities or any such College as aforesaid might have exercised or granted under the Provisions of any Public or Private Act of Parliament, or under any other Authority, or in any other Manner whatsoever, in case this Act had not been passed: Provided that upon any Exchange being effected under the Provisions of "The Acts for the Inclosure, Exchange, and Improvement of Land," it shall be lawful for the "Inclosure Commissioners for *England* and *Wales*" to authorize any Monies by way of Equality of Exchange to be received by any such University or College, and any

Monies to be so received shall be paid into the Bank of *England* to the Account and in manner hereinbefore particularly mentioned, and until such Payment as aforesaid no Order of Exchange shall be finally confirmed by the said last-named Commissioners, and a Recital of such Payment in the Order of Exchange shall be conclusive Evidence thereof: Provided also, that notwithstanding the Provisions of the Act passed in the Eighteenth Year of the Reign of Her Majesty Queen *Elizabeth*, Chapter Six, it shall not be necessary to reserve or make payable in Corn any Part of the Rent to be reserved upon any Lease to be granted under the Powers of this Act.

Christ Church to be considered a College.

XXXI. For the Purposes of this Act the Cathedral or House of *Christ Church* in *Oxford* shall be considered to be to all Intents and Purposes a College of the University.

Interpretation of Terms.

XXXII. In the Construction of this Act (unless there be something in the Subject or Context repugnant thereto) the Word "Person" or the Word "Persons" shall include Corporations whether Aggregate or Sole authorized by Law to take and hold Lands; the Word "Lease" shall include Grant by Copy of Court Roll; the Word "Lands" shall include Tenements and Hereditaments, corporeal and incorporeal; and the Word "Lessee" shall include any Person or Body Corporate in whom any subsisting Lease or Grant, or the Term or Estate thereby granted in the whole or any Part of the Lands comprised in such Lease, is either by the original Grant or Demise, or by Assignment, Devise, or Operation of Law, for the Time being vested.

Short Title.

XXXIII. It shall be sufficient for all Purposes to cite this Act as "The Universities and College Estates Act, 1858."

The SCHEDULE referred to in the foregoing Act.

Form of Order authorizing Sale or Enfranchisement or Exchange.

COPYHOLD COMMISSION.

In the Matter of "The Universities and College Estates Act, 1858." Exparte Oxford [*or* University [*or* College in the University of].

WHEREAS a Statement has been submitted to the Copyhold Commissioners on behalf of the said University [*or* College] containing a Proposal for the Sale or Enfranchisement or Exchange [*as the Case may be*] of certain Lands, &c. belonging to the said University [*or* College] [*state shortly the Particulars of such Lands, &c., the Terms of such Enfranchisement, and the Consideration Money or Description of other Lands to be given in Exchange, with any other material Circumstances*]. Now the said Commissioners being of opinion, upon Consideration of the Circumstances, that the said proposed Sale, [*or* Enfranchisement, *or* Exchange,] will be advantageous and for the Interests of the said University [*or* College] and their Successors, do authorize the said University [*or* College] to carry such proposed Sale, [*or* Enfranchisement, *or* Exchange,] into effect upon the Terms above stated.

Witness their Hands and Common Seal, this Day of

Form of Order approving a Reinvestment in the Purchase of other Lands.

COPYHOLD COMMISSION.

In the Matter of "The Universities and College Estates Act, 1858." Exparte Oxford [*or* University [*or* College in the University of].

WHEREAS there is now standing in the Books of the Governor and Company of the Bank of England to the Credit of the Account of the Copyhold Commissioners, Exparte [*here state the particular Account*], the Sum of £ [*insert Amount of Cash or Stock*], being Monies received from the Sale [*or* Enfranchisement, *or* for Equality of Exchange, *as the Case may be*] of certain Lands belonging to the said University [*or* College], by virtue of certain Orders heretofore issued by the said Commissioners under the Provisions of the said Act. And whereas it has been represented to the said Commissioners that the Purchase of certain Lands situate at consisting of [*state shortly the Particulars of such Lands, the Purchase Money, with any other material Circumstances*] is a fit and proper Purchase whereon to invest the said Sum of £ [*or the Sum of £ , Part of the said aggregate Sum of £*]. Now the said Commissioners being of opinion, upon Consideration of the above Circumstances, that the said proposed Purchase will be advantageous, and for the Interests of the said University [*or* College] and their Successors, do hereby approve of the same on the Terms above stated, and do direct that the same Purchase shall forthwith be completed by such University [*or* College], and that upon the Completion thereof the said Sum of £ , now standing to the Credit of the said Account of the said Commissioners as aforesaid, [*or* the said Sum of £ , to be paid or raised out of the said Sum of £ now standing to the Credit of the Account of the Commissioners as aforesaid,] shall be applied in Payment of the said Purchase Money.

Witness their Hands and Common Seal, this Day of

Form

Form of Order authorizing a Mortgage.

COPYHOLD COMMISSION.

In the Matter of "The Universities and College Estates Act, 1858." Exparte Oxford [*or*] University [*or* College in the University of].

WHEREAS a Statement has been submitted to the Copyhold Commissioners on behalf of the said University [*or* College], containing a Proposal for the raising of the Sum of £ by way of Mortgage of [*name the Lands proposed to be mortgaged, the Purposes for which the Sum is to be raised, with any other material Circumstances*]. Now the said Commissioners being of opinion, upon Consideration of the Circumstances, that the said proposed Sum of £ may be advantageously raised and applied in the Manner and for the Purposes aforesaid, do authorize the said University [*or* College] to raise the same Sum for the Purposes aforesaid by Mortgage of the said Lands, for any Term not exceeding Years, with Interest thereon in the meantime after the Rate of £ per Cent. per Annum, payable half-yearly during the Continuance of the said Loan, or [*as the Case may be*] by the Grant of an Annuity to be secured on such Lands in manner provided by the Twenty-seventh Section of this Act.

Witness their Hands and Common Seal, this Day of

CAP. XLV.

An Act to amend the Provisions of an Act of the Sixth Year of King *William* the Fourth, for separating the Palatine Jurisdiction of the County Palatine of *Durham* from the Bishoprick of *Durham*; and to make further Provision with respect to the Jura Regalia of the said County. [23d *July* 1858.]

'WHEREAS by an Act passed in the Sixth Year of the Reign of His late Majesty King *William* 'the Fourth, Chapter Nineteen, it was by the First Section enacted, that from and after the 'Commencement of that Act the Bishop of *Durham* for the Time being should have and exercise Epis- 'copal and Ecclesiastical Jurisdiction only, and that from and after the Commencement of that Act 'the Palatine Jurisdiction, Power, and Authority theretofore vested in and belonging to the Bishop 'of *Durham* should be separated from the Bishoprick of *Durham*, and should be transferred to and 'vested in His Majesty, His Heirs and Successors, as a Franchise and Royalty separate from the 'Crown, and should be exercised and enjoyed by His Majesty, His Heirs and Successors, as a separate 'Franchise and Royalty, in as large and ample a Manner in all respects as the same had been theretofore 'exercised and enjoyed by the Bishop of *Durham*, and that all Forfeitures of Lands or Goods for Trea- 'son or otherwise, and all Mines of Gold and Silver, Treasure Trove, Deodands, Escheats, Fines and 'Amerciaments, and all Jura Regalia, of what Nature or Kind soever, which if that Act had not been 'passed would or might belong to the Bishop of *Durham* for the Time being in right of the County 'Palatine of *Durham*, should be vested in His Majesty and His Successors in right of the same; and it 'was by the said Act provided, that nothing therein-before contained should prejudice or affect the 'Jurisdiction of any of the Courts of the said County Palatine, or any Appointment theretofore made to 'any Office in the said County Palatine, or any Act whatsoever theretofore done by the Bishop of '*Durham* in right of the said County Palatine; and by the Ninth Section of the same Act it was pro- 'vided, that nothing therein-before contained should have the Effect of severing or of separating from 'the said Bishoprick, or of affecting the Rights and Powers of the said Bishop in, over, upon, and with 'respect to any Lordships, Manors, Houses, Lands, Tenements, Tithes, Rents, Collieries, Mines, Minerals, 'Rectories, Advowsons, Profits, or Emoluments, of any Kind or Description whatsoever, whether held 'in right of the said Bishoprick, or in right of the said County Palatine, or otherwise howsoever, other 'than and except only any Profits and Emoluments therein-before expressly mentioned and directed to 'be severed therefrom: And whereas by virtue of an Act passed in the Session of the Third and Fourth 'Years of the Reign of Her present Majesty, intituled *An Act to carry into effect, with certain Modifi- 'cations, the Fourth Report of the Commissioners of Ecclesiastical Duties and Revenues*, and of a Scheme 'of the Ecclesiastical Commissioners, and an Order of Her Majesty in Council dated the Fourth Day of '*April* One thousand eight hundred and fifty-six, and published in the *London Gazette* on the Twenty- 'second Day of the same Month, ratifying the said Scheme, with the Consent of the Right Reverend '*Edward* then Bishop of *Durham*, testified by his Hand and Episcopal Seal being affixed to the said 'Scheme, all the Manors, Lands, Tithes, Tenements, and Hereditaments which then belonged, either in 'possession or reversion, to the said Bishop in right of his Bishoprick (except Rights of Patronage, the 'Episcopal Residence at *Bishops Auckland*, with the Grounds thereto belonging, and certain other Lands 'specified in the Schedule to the said Scheme, and Sums of Money and Cash), and all the Estate and 'Interest therein of the said Bishop, are transferred to and become vested in the said Ecclesiastical Com- 'missioners and their Successors, for the Purposes of the last-mentioned Act, and other Acts referred to 'in the said Scheme, as from the First of *October* then last: And whereas amongst the Jura Regalia 'claimed by the Bishop of *Durham* previously to and at the Time of the passing of the said first-recited

'Act was the Right to the Shore of the Sea between High-water Mark and Low-water Mark, and to 'the Beds and Shores of navigable Rivers so far as the Tide flows and reflows therein, within the said 'County of *Durham*: And whereas Doubts are entertained with respect to the said Claim, and with 'respect to the Construction of the said Act, how far such Right is or has thereby become vested in Her 'Majesty: And whereas Doubts have also arisen how far some Portions of the said Seashore and of the 'said Beds and Shores of the said navigable Rivers do or do not belong to the See of *Durham*, as Parcel 'of some or One of the Manors, Seigniories, or Possessions appertaining thereto: And whereas for 'putting an end to all Controversy and Question with respect to the several Matters aforesaid, by a 'Memorandum of Agreement dated the Eleventh Day of *June* One thousand eight hundred and fifty-'seven, made between the Honourable *Charles Alexander Gore*, a Commissioner of Her Majesty's 'Woods, Forests, and Land Revenues, on behalf of the Queen's most Excellent Majesty, of the one 'Part, and the Ecclesiastical Commissioners for *England* of the other Part, after reciting as is by this 'Act recited, and that it was desirable that the Doubts which had arisen as herein-before recited should 'be removed, it was, with the Approval of the Commissioners of Her Majesty's Treasury and of Her 'Majesty's Law Officers, agreed, that, subject to the Sanction of Parliament being obtained, the following 'Arrangement should be made concerning the Premises; that is to say, First, that, subject as therein-'after mentioned, it should be considered or enacted that all the Estate and Interest of the Bishop in 'right of the See and County Palatine of *Durham*, or in right of any Manor, Parcel of that See, and 'also any Estate and Interest of Her Majesty the Queen in right of the said County Palatine, and 'whether by virtue of the recited Act of the Sixth and Seventh Years of King *William* the Fourth, 'Chapter Nineteen, or irrespectively of the said Act, in the Shores of the *German Ocean*, and of 'navigable Rivers below High-water Mark within the County of *Durham*, was by the last-mentioned 'Act or otherwise should become vested in Her Majesty in right of Her Crown, and that it should be 'provided that the same should be held by Her Majesty as Part of the Hereditary Possessions of the 'Crown; Second, that such Declaration should not extend to such Lands recovered from the Flow of 'the Tide before the passing of the said Act of the Sixth and Seventh Years of *William* the Fourth as 'the Bishop had previously to that Act in fact received Rent from as reclaimed Land (which Land was 'to continue Parcel of the See of *Durham*); Third, that existing Leases by the Bishop of Parts of the 'Shores in question, not being such reclaimed Land as aforesaid, should be confirmed, but that the 'Rents reserved by them, or a fair Proportion of such Rents, if other Property was comprised in the 'same Lease, should in future be paid to the Crown; Fourth, that all Purchase Monies and Rents 'received on behalf of the Crown for Foreshore in any Part of the County should, after Payment of 'Expenses, be divided into Halves, and that one Moiety should be paid to the Ecclesiastical Commis-'sioners, and the other Moiety be retained on behalf of Her Majesty; Fifth, that any Monies deposited 'in the Court of Chancery for Land taken since the Fifth Day of *July* One thousand eight hundred and 'thirty-six, being then Foreshore, and not previously reclaimed, for which Rent had been received by 'the Bishop, should in like Manner be divided equally between the Crown and the Ecclesiastical Com-'missioners, and that all Sales and Transactions in respect of which such Monies have been deposited 'should be confirmed; Sixth, the Definition of the County to be the same as in the Act of King *William* 'the Fourth, except that *Holy Island* was not to be included in the Arrangement; Seventh, a Schedule 'to be made out of the Premises coming within the Scope of the Third Article: And whereas it is expe-'dient that the Arrangement referred to in the recited Memorandum of Agreement be carried into effect, 'subject to such Variations as are made by this Act, and that such further Provisions should be made 'as are herein-after contained; and Her Majesty has been graciously pleased to assent thereto:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same,

Definition of "the County of Durham."

I. That in this Act the Words "the County of *Durham*" shall have the same Interpretation and Meaning as in the said recited Act.

The Interest of the Bishoprick of Durham in the Foreshores of the County of Durham vested in Her Majesty.

II. All the Estate, Right, Title, and Interest of or to which Her Majesty the Queen is seised or entitled, in right of the said County Palatine, and also all the Estate, Right, Title, and Interest whatsoever of or to which the Bishop of *Durham* was at the Time of the passing of the first-recited Act, or of or to which the said Bishop or the Ecclesiastical Commissioners for *England* now is or are seised or entitled, either in right or as Part or Parcel of the County Palatine or See of *Durham*, or of any Lordship, Manor, or Seigniory forming Part of the Possessions of such See or County Palatine respectively, in and to the Soil and Freehold of the Beds and Shores of navigable Rivers so far as the Tide flows and reflows, and the Shores of the Sea below High-water Mark, and also (except as herein-after provided) in and to any Inclosures, Embankments, or Encroachments made therefrom or thereupon respectively, within or adjacent to the County of *Durham*, and also in and to any Stocks, Funds, and Securities or Monies standing in the Name of the Accountant General of the Court of Chancery, representing the Purchase Money or Value of any Part of the Beds and Shores aforesaid, (subject as regards the said Stocks, Funds, Securities, and Monies to any Dispositions of the Interest of the See of *Durham* therein heretofore lawfully made by the Bishop of *Durham* for the Time being,) is and are by this Act transferred to and vested or declared to be vested in the Queen's most Excellent Majesty, Her Heirs and Successors, as Part of the Hereditary

Hereditary Possessions and Land Revenues of the Crown, and to be within the ordering and Survey of Her Majesty's Court of Exchequer at *Westminster*, anything in the said first-recited Act notwithstanding, subject nevertheless to any Leases now affecting the same Premises or any Part thereof: Provided nevertheless, that nothing in this Act contained shall extend to the Island called "*Holy Island*," situate in that Part of the County Palatine of *Durham* called "*Islandshire*," neither shall anything herein contained extend to transfer to or vest in Her Majesty the Right or Title of the Bishop of *Durham* or of the Ecclesiastical Commissioners in or to any Land reclaimed from the Flow of the Tide in any navigable River or upon the Shore of the Sea within the County of *Durham*, from which the said Bishop had previously to the passing of the first-recited Act actually received Rent after the same had been so reclaimed, but all such last-mentioned reclaimed Land shall be deemed to have been and to be Parcel of the Possessions late belonging to the See of *Durham*, and now vested in the said Ecclesiastical Commissioners for *England*.

Certain Leases by the Bishop confirmed, but Rents received under some of them to be apportioned.

III. All Leases granted by the Bishop of *Durham* for the Time being of any Part or Parts of the Shores of any navigable River so far as the Tide flows, or of the Shores of the Sea, and of any Inclosures, Embankments, or Encroachments made therefrom or thereupon respectively, within or adjacent to the County of *Durham*, and all Leases of any Rights, of whatsoever Description, upon or over the Beds or Shores of any such navigable River, or of the Shore of the Sea within the same County, are by this Act confirmed, and all Rents and Profits of such reclaimed Land as aforesaid as is reserved to the said Ecclesiastical Commissioners by the Proviso to the Second Section of this Act shall continue to be received by the said Ecclesiastical Commissioners, and all other Rents and Profits which shall accrue due under any of the said Leases shall be paid to the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, on behalf of the Queen's Majesty, Her Heirs and Successors, subject to the Provisions hereinafter contained; and when any Lease shall comprise other Property in addition to that in respect of which the Rents and Profits are by this Act directed to be paid to Her Majesty, and One or more Rent or Rents is or are reserved in respect of the entire Premises demised, such Rent or Rents shall during the Subsistence of such Lease continue to be received by the said Ecclesiastical Commissioners, anything in this Act contained notwithstanding; but an Apportionment shall be made of such Rent or Rents, either by some competent Surveyor, to be agreed upon and appointed by the Commissioners of Woods, Forests, and Land Revenues, or one of them, on behalf of Her Majesty, and by the Ecclesiastical Commissioners, or by Two Surveyors (one to be nominated by each Party), and an Umpire to be named by such Two Surveyors, or by the major Part in Number of such Two Surveyors and Umpire; and every such Apportionment shall be conclusive, and the Proportion of the Rents and Profits which shall be apportioned to Her Majesty shall thenceforth during the Continuance of the Lease be paid by the said Ecclesiastical Commissioners to the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, on behalf of Her Majesty, Her Heirs and Successors, subject nevertheless as herein-after mentioned; but the Apportionment of Rent herein-before directed shall in no Manner affect or prejudice any Lessee under any such Lease, nor affect or prejudice any Covenant, Proviso of Re-entry, or any other Proviso or Condition therein; and the said Ecclesiastical Commissioners shall during the Continuance of any such Lease have all such Powers of recovering the Rent, and of compelling the Performance of the Covenants, and Right of Re-entry, in all respects as if they were entitled to the Reversion of all the Hereditaments comprised in the Lease; but on any Determination of any Lease, including any Part of the Property belonging to Her Majesty, under the Provisions of this Act or otherwise, the same shall in all respects become subject to the Provisions of the several Acts of Parliament regulating the Management of the Possessions and Land Revenues of the Crown; and in lieu of the Schedule by the said recited Agreement directed to be made, the Counterparts of all Leases of any Hereditaments, the whole Rents arising in respect whereof are by this Act directed to be paid to the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, shall immediately after the passing of this Act be delivered up to the same Commissioners, and Copies of the Counterparts of all Leases of any Hereditaments, the whole or a Portion of the Rents and Profits accruing in respect whereof are directed to be paid to the said last-named Commissioners, shall immediately after the passing of this Act be made in the Office of the Ecclesiastical Commissioners for *England*, and such Counterparts and Copies to be so delivered to the said Commissioners of Woods, and to be so made as aforesaid, shall be inrolled in the Office of Land Revenue Records and Inrolments, and the Inrolment thereof shall be admissible as Evidence of the said Leases respectively.

Rents and Proceeds from the Foreshores of Durham to be divided equally between the Crown and the Ecclesiastical Commissioners.

IV. All Rents and Profits and other Monies which may be received by the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, under the Provisions of this Act or otherwise howsoever, from, and the Proceeds of any Sales or Dispositions made by them or either of them of any Part of the Bed or Shores of any navigable River so far as the Tide flows, or of the Shores of the Sea below High-water Mark, or of any Inclosures, Embankments, and Encroachments made therefrom or thereupon respectively within the County of *Durham*, and after deducting thereout all Costs, Charges, and Expenses in anywise incidental to the Sale or Management or Recovery of such Property, shall be divided into Moieties, and one Moiety of such Rent, Profits, Monies, and Proceeds shall be applied by the Commissioners of Her Majesty's Woods, Forests, and Land Revenues as Part of the Hereditary Possessions and Land Revenues of the Crown, in the Manner prescribed by an Act passed in the Tenth Year of the Reign

of

of His late Majesty King *George* the Fourth, Chapter Fifty, and the other Moiety thereof shall be paid by the same Commissioners to the Ecclesiastical Commissioners for *England;* but, notwithstanding this Provision for the Apportionment of the said Rents, Profits, Monies, and Proceeds, the said Ecclesiastical Commissioners shall have no Right to interfere with the Management or Disposition of such Property, which shall be managed and disposed of in all respects as Part and Parcel of the Hereditary Possessions of the Crown, and as if no such Provision as last aforesaid had been made.

Forfeitures and other Jura Regalia vested in Her Majesty in right of Her Crown.

V. All Forfeitures of Lands or Goods for Treason or otherwise, and all Mines of Gold and Silver, Treasure Trove, Escheats, Fines and Amerciaments, and all Jura Regalia, of what Nature or Kind soever, (other than any Estate and Interest in the Beds and Shores of navigable Rivers so far as the Tide flows, and in the Shore of the Sea, and any Inclosures, Embankments, and Encroachments therefrom or thereupon respectively, and as to which Premises Provision is herein-before contained,) which under the Provisions of the recited Act are vested in Her Majesty in right of the County Palatine of *Durham*, shall be and the same are hereby vested in Her Majesty, Her Heirs and Successors, in right of the Crown, and shall be exerciseable and recoverable, and the Proceeds therefrom shall be applied accordingly.

General Saving.

VI. Saving always to all and every Persons and Person, and Bodies Politic and Corporate, their, his, and her Heirs, Executors, Administrators, and Successors, (other than in the Cases already provided for and intended to be provided for by this Act,) all such Estates, Rights, Titles, and Interests as they and every or any of them had and enjoyed before the passing of the Act, or could or might have had or enjoyed in case this Act had not been passed.

CAP. XLVI.

An Act to remove Doubts as to the Validity of certain Marriages of *British* Subjects abroad.

[23d *July* 1858.]

'WHEREAS Marriages have from Time to Time been solemnized at *Moscow* in the Empire of *Russia*, in a Chapel there belonging to the *Russia* Company, but not belonging to any *British* Factory there, by the Chaplain, a Minister of the Church of *England*, and Doubts may be entertained concerning the Validity of such of the said Marriages as may have been solemnized since the passing of the Act of the Session holden in the Twelfth and Thirteenth Years of Her Majesty, Chapter Sixty-eight: And whereas certain Marriages of *British* Subjects were solemnized in *Tahiti*, by or in the Presence of Mr. *George Charles Miller*, Her Majesty's Consul for the Island of *Tahiti* and its Dependencies, before the Authority, under the Hand of One of Her Majesty's Principal Secretaries of State, to solemnize and register Marriages according to the Provisions of the said Act of the Twelfth and Thirteenth Years of Her Majesty, was received by such Consul: And certain Marriages have been solemnized at *Ningpo*, by or in the Presence of Mr. *C. A. Sinclair*, Her Majesty's Vice-Consul there, and by or in the Presence of Mr. *Thomas Taylor Meadows*, acting as Vice-Consul at *Ningpo* in the Absence of the said *C. A. Sinclair*, no such Authority as before mentioned to solemnize and register Marriages having been received by such Vice-Consul or acting Vice-Consul; and Doubts may be entertained as to the Validity of such Marriages:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

12 & 13 Vict. c. 68.

Certain Marriages solemnized in Moscow, Tahiti, and Ningpo confirmed.

I. All Marriages which before the passing of this Act have been solemnized in the Chapel of the *Russia* Company at *Moscow* by the Chaplain of the said Company, or by any Minister in Holy Orders, according to the Rites and Ceremonies of the United Church of *England* and *Ireland*, and all Marriages solemnized in the Island of *Tahiti* or its Dependencies by or in the Presence of the said *George Charles Miller*, and all Marriages solemnized at *Ningpo* by or in the Presence of the said *C. A. Sinclair* or *Thomas Taylor Meadows* (both or one of the Parties to such respective Marriages being Subjects or a Subject of this Realm), shall be deemed and held to be as valid in the Law as if the same respectively had been solemnized within Her Majesty's Dominions with a due Observance of all Forms required by Law.

Certificates received by Secretary of State to be sent to the Registrar-General, and certified Copies to be Evidence as under 6 & 7 W. 4. c. 86.

II. It shall be lawful for One of Her Majesty's Principal Secretaries of State to transmit to the Registrar-General of Births and Marriages in *England* all such Certificates of the Marriages solemnized as aforesaid as have been or shall be transmitted to the Office of such Secretary of State, under the Seal of the said *Russia* Company, or by Her Majesty's Consuls or Vice-Consuls at *Moscow*, *Tahiti*, and *Ningpo* respectively; and all Certificates which shall be transmitted to such Registrar-General by such Secretary of State as Certificates of the Marriages confirmed by this Act shall be received by such Registrar-General, and shall be kept in the General Register Office in manner directed by the Act of the Session holden in the Sixth and Seventh Years of King *William* the Fourth, Chapter Eighty-six, "for registering Births, Deaths, and Marriages in *England*," concerning the certified Copies of Registers sent to the said Registrar-General, as therein mentioned; and a certified Copy of any such Certificate, such Copy purporting to be sealed or stamped with the Seal of the General Register Office, shall be received as Evidence of the Marriage to which the same relates having been solemnized as aforesaid, without further or other Proof.

III. All

III. All Persons shall have the like Right to search such Certificates and to have certified Copies thereof, and upon the like Payment, as provided under the said Act with respect to Searches in the Indexes to be made and kept in the said Register Office under that Act, and certified Copies of Registers therein mentioned; and Section Forty-three of such Act concerning the destroying, injuring, or falsifying of Register Books, or giving false Certificates of Entries, or certifying any false Copy or Extract, shall be applicable with respect to the Certificates to be received by the said Registrar-General under this Act in the like Manner as such Enactment applies with respect to such Register Books.

Right to search Certificates, and have certified Copies.

C A P. XLVII.

An Act to amend the Law of False Pretences. [23d *July* 1858.]

'WHEREAS it is expedient to amend the Law relating to False Pretences:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. If any Person shall by any False Pretence obtain the Signature of any other Person to any Bill of Exchange, Promissory Note, or any valuable Security, with Intent to cheat or defraud, every such Offender shall be guilty of a Misdemeanor, and being convicted thereof shall be liable, at the Discretion of the Court, to be sentenced to Penal Servitude for the Term of Four Years, or to suffer such other Punishment by Fine or Imprisonment, or by both, as the Court shall award.

Any Person obtaining Signature to Bill of Exchange &c. by False Pretences, guilty of Misdemeanor.

C A P. XLVIII.

An Act to substitute One Oath for the Oaths of Allegiance, Supremacy, and Abjuration; and for the Relief of Her Majesty's Subjects professing the Jewish Religion. [23d *July* 1858.]

'WHEREAS it is expedient that One Oath should be substituted for the Oaths of Allegiance, Supremacy, and Abjuration now required by Law:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. Instead of the Oaths of Allegiance, Supremacy, and Abjuration, where the same are now by Law required to be taken and taken and subscribed respectively, the following Oath shall be taken and subscribed:

'I *A.B.* do swear that I will be faithful and bear true Allegiance to Her Majesty Queen Victoria, and will defend Her to the utmost of my Power against all Conspiracies and Attempts whatever which shall be made against Her Person, Crown, or Dignity, and I will do my utmost Endeavour to disclose and make known to Her Majesty, Her Heirs and Successors, all Treasons and traitorous Conspiracies which may be formed against Her or them; and I do faithfully promise to maintain, support, and defend, to the utmost of my Power, the Succession of the Crown, which Succession, by an Act, intituled "An Act for the further Limitation of the Crown, and better securing the Rights and Liberties of the Subject," is and stands limited to the Princess Sophia Electress of Hanover, and the Heirs of Her Body being Protestants, hereby utterly renouncing and abjuring any Obedience or Allegiance unto any other Person claiming or pretending a Right to the Crown of this Realm; and I do declare, that no Foreign Prince, Person, Prelate, State, or Potentate hath or ought to have any Jurisdiction, Power, Superiority, Pre-eminence, or Authority, ecclesiastical or spiritual, within this Realm: And I make this Declaration upon the true Faith of a Christian. So help me GOD.'

Oath to be taken instead of Oaths of Allegiance, Supremacy, and Abjuration.

II. Where in the Oath hereby appointed the Name of Her present Majesty is expressed or referred to, the Name of the Sovereign of this Kingdom for the Time being, by virtue of the Act "for the further Limitation of the Crown, and better securing the Rights and Liberties of the Subject," shall be substituted from Time to Time, with proper Words of Reference thereto.

The Name of the Sovereign for the Time being to be used in the Oath.

III. The Oath hereby appointed shall be taken and subscribed in the same Cases, and by and before the same Persons, and at the same Times and Places, as the Oaths of Allegiance, Supremacy, and Abjuration are respectively now directed to be taken, and taken and subscribed; and the taking and subscribing of the Oath hereby appointed shall have the like Effect as the taking and taking and subscribing respectively of the Oaths of Allegiance, Supremacy, and Abjuration would have had if this Act had not been passed; and the Refusal, Neglect, or Omission to take and subscribe the Oath hereby appointed shall be attended with the like Disabilities, Incapacities, Penalties, Liabilities, and Consequences as now by Law provided in the Case of Refusal, Neglect, or Omission to take or take and subscribe respectively the Oaths of Allegiance, Supremacy, and Abjuration; and all Provisions now in force shall be construed and take effect accordingly: Provided always, that no Person, having before the Commencement of this Act taken the Oaths of Allegiance, Supremacy, and Abjuration, shall be required to take and subscribe the Oath hereby appointed, unless and until he would be by Law required to take the said Oaths of Allegiance, Supremacy, and Abjuration in case this Act had not been passed.

Oath appointed by this Act to be taken in the same Cases and in like Manner as the present Oaths.

IV. Provided always, That every Person of the Persuasion of the People called Quakers, and every other Person now by Law permitted to make his solemn Affirmation or Declaration instead of taking an Oath,

Form of Affirmation for Quakers, &c.

Oath, shall, instead of taking and subscribing the Oath hereby appointed, make and subscribe a solemn Affirmation in the Form of the Oath hereby appointed, substituting the Words "solemnly, sincerely, and truly declare and affirm" for the Word "swear," and omitting the Words "And I make this Declaration upon the true Faith of a Christian. So help me God;" and the making and subscribing of such Affirmation by a Person herein-before authorized to make and subscribe the same, with such Omission as aforesaid, shall have the same Force and Effect as the taking and subscribing by other Persons of the Oath hereby appointed.

Persons professing the Jewish Religion to make Declaration in certain Cases. 9 G. 4. c. 17. 8 & 9 Vict. c. 52.

V. 'And whereas by a certain Act passed in the Ninth Year of the Reign of King *George* the Fourth, 'intituled *An Act for repealing so much of the several Acts as imposes the Necessity of receiving the 'Sacrament of the Lord's Supper as a Qualification for certain Offices and Employments*, a certain 'Declaration is prescribed to be taken in the Cases in the said Act mentioned: And whereas by an Act 'passed in the Ninth Year of the Reign of Her present Majesty, intituled *An Act for the Relief of Persons 'of the Jewish Religion elected to Municipal Offices*, a certain other Declaration was permitted to be taken 'in certain Cases by Persons professing the Jewish Religion, instead of the Declaration required to be 'made and subscribed by the said Act of King *George* the Fourth: And whereas it is right to extend 'the Benefit of the last-recited Act to all other Cases in which the Declaration set forth in the said Act 'of the Ninth Year of the Reign of King *George* the Fourth is by Law required to be taken:' Be it enacted, That in all Cases which are not within the Provisions of the said Act of the Ninth Year of the Reign of Her Majesty, in which any other of Her Majesty's Subjects are required by Law to make and subscribe the Declaration set forth in the said Act of the Ninth Year of the Reign of King *George* the Fourth, Her Majesty's Subjects professing the Jewish Religion shall be required instead thereof to make and subscribe the Declaration set forth in the said Act of the Ninth Year of the Reign of Her present Majesty, which Declaration shall, with respect to such Person professing the Jewish Religion, be of the same Force and Effect as if he made and subscribed the said Declaration by the said Act of the Ninth Year of the Reign of King *George* the Fourth, and shall be made and subscribed at the same Times and Places respectively, and preserved of Record in the same Manner, as the last-mentioned Declaration is now by Law required to be made, subscribed, and preserved.

Act not to affect Roman Catholic Relief Act, 10 G. 4. c. 7.

VI. Provided also, That nothing in this Act contained shall be held to alter or affect the Provisions of an Act passed in the Tenth Year of King *George* the Fourth, Chapter Seven, "for the Relief of His "Majesty's Roman Catholic Subjects."

CAP. XLIX.

An Act to provide for the Relief of Her Majesty's Subjects professing the Jewish Religion.

[23d *July* 1858.]

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Power to either House of Parliament to modify the Form of Oath to be taken by a Person professing the Jewish Religion, to entitle him to sit and vote in such House.

I. Where it shall appear to either House of Parliament that a Person professing the Jewish Religion, otherwise entitled to sit and vote in such House, is prevented from so sitting and voting by his conscientious Objection to take the Oath which by an Act passed or to be passed in the present Session of Parliament has been or may be substituted for the Oaths of Allegiance, Supremacy, and Abjuration in the Form therein required, such House, if it think fit, may resolve that thenceforth any Person professing the Jewish Religion, in taking the said Oath to entitle him to sit and vote as aforesaid, may omit the Words "and I make this Declaration upon the true Faith of a Christian," and so long as such Resolution shall continue in force the said Oath, when taken and subscribed by any Person professing the Jewish Religion to entitle him to sit and vote in that House of Parliament, may be modified accordingly; and the taking and subscribing by any Person professing the Jewish Religion of the Oath so modified shall, so far as respects the Title to sit and vote in such House, have the same Force and Effect as the taking and subscribing by other Persons of the said Oath in the Form required by the said Act.

As to the Form of Oath in other Cases.

II. In all other Cases, except for sitting in Parliament as aforesaid, or in qualifying to exercise the Right of Presentation to any Ecclesiastical Benefice in *Scotland*, whenever any of Her Majesty's Subjects professing the Jewish Religion shall be required to take the said Oath, the Words "and I make this Declaration upon the true Faith of a Christian" shall be omitted.

Act not to enable Persons professing the Jewish Religion to hold certain Offices.

III. Nothing herein contained shall extend or be construed to extend to enable any Person or Persons professing the Jewish Religion to hold or exercise the Office of Guardians and Justices of the United Kingdom, or of Regent of the United Kingdom, under whatever Name, Style, or Title such Office may be constituted, or of Lord High Chancellor, Lord Keeper or Lord Commissioner of the Great Seal of *Great Britain* or *Ireland*, or the Office of Lord Lieutenant or Deputy or other Chief Governor or Governors of *Ireland*, or Her Majesty's High Commissioner to the General Assembly of the Church of *Scotland*.

Rights of Presentation to any Ecclesiastical Bene-

IV. Where any Right of Presentation to any Ecclesiastical Benefice shall belong to any Office in the Gift or Appointment of Her Majesty, Her Heirs or Successors, and such Office shall be held by a Person professing the Jewish Religion, the Right of Presentation shall devolve upon and be exercised by the Archbishop

Archbishop of *Canterbury* for the Time being; and it shall not be lawful for any Person professing the Jewish Religion, directly or indirectly, to advise Her Majesty, Her Heirs or Successors, or any Person or Persons holding or exercising the Office of Guardians of the United Kingdom, or of Regent of the United Kingdom, under whatever Name, Style, or Title such Office may be constituted, or the Lord Lieutenant or Lord Deputy, or any other Chief Governor or Governors of *Ireland*, touching or concerning the Appointment to or Disposal of any Office or Preferment in the United Church of *England* and *Ireland* or in the Church of *Scotland*; and if such Person shall offend in the Premises he shall, being thereof convicted by due Course of Law, be deemed guilty of a high Misdemeanor, and disabled for ever from holding any Office, Civil or Military, under the Crown.

fice possessed by Persons professing the Jewish Religion to devolve upon the Archbishop of Canterbury for the Time being.

CAP. L.

An Act to continue certain temporary Provisions concerning Ecclesiastical Jurisdiction in *England*. [23d *July* 1858.]

'WHEREAS an Act was passed in the Session holden in the Tenth and Eleventh Years of the Reign of Her present Majesty, intituled *An Act to amend the Law as to Ecclesiastical Jurisdiction in* England, by which it was enacted, that certain of the Provisions therein contained should continue until the First Day of *August* One thousand eight hundred and forty-eight, and, if Parliament were then sitting, until the End of the then Session of Parliament; and by sundry Acts, and ultimately by an Act of the Session holden in the Twentieth Year of Her Majesty (Chapter Ten), the said Provisions were continued until the First Day of *August* One thousand eight hundred and fifty-seven, and to the End of the then next Session of Parliament: And whereas since the passing of the last-mentioned Act such of the said Provisions as relate to Matters Testamentary and the Administration of the Personal Estates of Intestates have been repealed: And whereas it is expedient that such of the said Provisions as have not been repealed should be further continued:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That such of the said Provisions of the said Act of the Tenth and Eleventh Years of Her Majesty as were continued by the said Act of the Twentieth Year of Her Majesty, and have not been since repealed, shall continue until the First Day of *August* One thousand eight hundred and fifty-nine, and to the End of the then next Session of Parliament.

10 & 11 Vict. c. 98.

Certain temporary Provisions of recited Act continued.

CAP. LI.

An Act further to continue the Exemption of certain Charities from the Operation of the Charitable Trusts Acts. [23d *July* 1858.]

[*Continues Exemption of Roman Catholic Charities till September 1st*, 1859.]

CAP. LII.

An Act to appoint a Clerk of Nisi Prius for the Consolidated Nisi Prius Court in *Ireland*, and to make Provision for the Appointment of Tipstaffs in the Superior Courts of Common Law and Equity in *Ireland*. [23d *July* 1858.]

'WHEREAS by the Twenty-ninth Section of the Thirteenth and Fourteenth *Victoria*, Chapter Eighteen, and the Two hundred and thirty-sixth Section of the Sixteenth and Seventeenth *Victoria*, Chapter One hundred and thirteen, certain Duties of attending the Consolidated Nisi Prius Court as Clerk of Nisi Prius were imposed upon the Registrars of the Lord Chief Justices and Lord Chief Baron of the Superior Courts of Common Law in *Ireland*: And whereas by the Fifth Section of the Nineteenth and Twentieth *Victoria*, Chapter One hundred and two, certain other Duties were imposed upon the said Registrars: And whereas it has been found inconvenient to have the Duties of Clerk of Nisi Prius to the said Consolidated Nisi Prius Court discharged by Three different Officers, and it is expedient to appoint One permanent Clerk of Nisi Prius for the said Consolidated Nisi Prius Court, to discharge the Duties thereof so imposed upon the said Registrars as aforesaid, and which said Officer should also discharge the said additional Duties imposed by the said Fifth Section of the Nineteenth and Twentieth *Victoria*, Chapter One hundred and two, upon the said Registrars as aforesaid:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. There shall be a permanent Registrar or Clerk of Nisi Prius for the Discharge of the Duties of the said Consolidated Nisi Prius Court, who shall discharge the Duties imposed by the said Fifth Section of the Nineteenth and Twentieth *Victoria*, Chapter One hundred and two, upon the said Registrars as aforesaid; and such Registrar or Clerk of Nisi Prius shall receive by way of Salary an annual Sum not exceeding Three hundred Pounds, together with One hundred Pounds *per Annum* and no more to provide a Clerk or Clerks to assist the Registrars in discharge of all Duties imposed under the recited

Appointment of Clerk of Nisi Prius.

Acts, or either of them, to be payable out of or chargeable upon such Sums as Parliament shall from Time to Time provide for the Purpose.

Thomas Courtenay, Esq., to be such Clerk of Nisi Prius.

II. That *Thomas Courtenay* Esquire, the present Registrar of the Lord Chief Justice of *Ireland*, be and he is hereby appointed such Clerk of Nisi Prius for the Discharge of the aforesaid Duties; and when and so often as a Vacancy shall occur in the said Office of Registrar or Clerk of Nisi Prius by Death, Resignation, or otherwise, it shall be lawful for the Lord Chief Justices and Lord Chief Baron of the said Superior Courts of Common Law, in rotation, to nominate and appoint some fit and proper Person to fill such vacant Office, the next Appointment to be made by the Chief Justice of the Common Pleas.

To remove Doubts as to Office of Tipstaff.

III. 'And whereas Doubts have arisen as to the Office of Tipstaff in the Superior Courts of Common 'Law and Equity in *Ireland*:' Be it enacted, That from and after the passing of this Act it shall be lawful for the Lord Chancellor, the Master of the Rolls, the Lord Chief Justice of the Queen's Bench, the Lord Chief Justice of the Common Pleas, and the Lord Chief Baron respectively for the several Courts to appoint fit and proper Persons to perform the Duties of Tipstaff to such Court: Provided always, that the Persons who now perform the Duties of the said Office shall be reappointed to such Office, if they shall be found willing and competent to discharge the Duties thereof, in preference to any Person who shall not have performed such Duties prior to the passing of this Act; and when and so often as any Vacancy shall occur by Death, Resignation, or otherwise in such Office, it shall and may be lawful for the Lord Chancellor, the Master of the Rolls, the Lord Chief Justice, or Lord Chief Baron of the Court in which such Vacancy shall occur to nominate and appoint some fit and proper Person to fill such Vacancy; and all Persons to be appointed to such Office shall hold the said Office during the Pleasure of the Court to which they shall respectively belong: Provided always, that nothing herein contained shall affect the Tipstaves of the several Judges of the Courts of Common Law, or the Right of appointing such Tipstaves.

CAP. LIII.

An Act to continue Appointments under the Act for consolidating the Copyhold and Inclosure Commissions, and for completing Proceedings under the Tithe Commutation Acts.

[23d *July* 1858.]

14 & 15 Vict. c. 53.

'WHEREAS under an Act of the Session holden in the Fourteenth and Fifteenth Years of Her 'Majesty (Chapter Fifty-three), "to consolidate and continue the Copyhold and Inclosure '"Commissions, and to provide for the Completion of Proceedings under the Tithe Commutation Acts," 'certain Powers of appointing Commissioners and other Officers as therein mentioned were limited to 'continue for Two Years next after the Day of the passing of that Act, and thenceforth until the End 'of the then next Session of Parliament, and no Commissioner or other Officer or Person appointed or 'continued under that Act was to hold his Office for a longer Period than Two Years next after the 'Day of the passing of that Act, and thenceforth until the End of the then next Session of Parliament:

20 Vict. c. 8.

'And whereas by certain Acts, and ultimately by an Act of the Session holden in the Twentieth Year 'of Her Majesty, Chapter Eight, the said Powers of appointing Commissioners and other Officers have 'been continued, and the Period limited for the holding of Office under the said first-mentioned Act 'has been extended until the First Day of *August* One thousand eight hundred and fifty-seven, and 'thenceforth until the End of the then next Session of Parliament: And whereas it is expedient that 'the said Powers of the said first-mentioned Act should be continued, and that the said Period thereby 'limited should be extended as herein-after mentioned:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: The

Powers of Appointment of Commissioners, &c. under 14 & 15 Vict. c. 53. continued.

Powers of appointing Commissioners and other Officers limited to continue as aforesaid by the said Act of the Fourteenth and Fifteenth Years of Her Majesty shall be further continued until the First Day of *August* One thousand eight hundred and fifty-nine, and thenceforth until the End of the then next Session of Parliament, and the Period limited for the holding of Office under the said Act shall in like Manner be extended until the said First Day of *August* One thousand eight hundred and fifty-nine, and thenceforth until the End of the then next Session of Parliament.

CAP. LIV.

An Act to indemnify such Persons in the United Kingdom as have omitted to qualify themselves for Offices and Employments, and to extend the Time limited for those Purposes respectively. [23d *July* 1858.]

CAP. LV.

An Act to revive and continue an Act amending the Act for limiting the Time of Service in the Army. [23d *July* 1858.]

18 & 19 Vict. c. 4.

'WHEREAS by an Act of the Session holden in the Eighteenth and Nineteenth Years of Her 'Majesty, Chapter Four, "to amend the Act for limiting the Time of Service in the Army," it 'was enacted that for Three Years after the passing of the Act now in recital any Person might be 'enlisted

'enlisted to serve Her Majesty or in the Forces of the *East India* Company as a Soldier for any such 'Term not exceeding Ten Years in the Infantry or Twelve Years in the Cavalry or Artillery or other 'Ordnance Corps as might be authorized by any Order or Orders of Her Majesty in Council in that 'Behalf: And whereas it is expedient to revive and continue the said Act:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Act revived and continued.

I. The said Act of the Eighteenth and Nineteenth Years of Her Majesty shall continue in force as if Six Years after the passing of the said Act had been mentioned therein instead of Three Years, and shall be deemed and taken to have had Effect accordingly, to all Intents and Purposes, as if this Act had actually passed before the Expiration of the said Term of Three Years.

CAP. LVI.

An Act to amend the Law relating to the Confirmation of Executors in *Scotland*, and to extend over all Parts of the United Kingdom the Effect of such Confirmation, and of Grants of Probate and Administration. [23d *July* 1858.]

'WHEREAS it is expedient to amend the Law relating to the Confirmation of Executors in *Scotland*, 'and to extend over the United Kingdom the Effect of such Confirmation, and of Grants of Probate 'and Administration:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Practice of raising Edicts of Executry to cease.

I. From and after the Twelfth Day of *November* One thousand eight hundred and fifty-eight, the Practice of raising Edicts of Executry before the Commissary Courts in *Scotland*, for the Decerniture of Executors to deceased Persons, shall cease, and it shall not be competent to any Person to obtain himself decerned Executor in virtue of any such Edict raised subsequently to the Date aforesaid.

Petition to Commissary to be substituted.

II. From and after the Date aforesaid every Person desirous of being decerned Executor of a deceased Person as Disponee, Next of Kin, Creditor, or in any other Character whatsoever now competent, or of having some other Person, possessed of such Character, decerned Executor to a deceased Person, shall, instead of applying, as heretofore, for an Edict of Executry from the Commissary, present a Petition to the Commissary for the Appointment of an Executor, which Petition shall be in the Form as nearly as may be of the Schedule (A.) hereunto annexed, and shall be subscribed by the Petitioner or by his Agent.

Form of Petition as in Schedule (A.)

To whom Petition to be presented.

III. Such Petition shall be presented to the Commissary of the County wherein the Deceased died domiciled, and in the Case of Persons dying domiciled furth of *Scotland*, or without any fixed or known Domicile, having Personal or Moveable Property in *Scotland*, to the Commissary of *Edinburgh*.

Mode of intimating Petition.

IV. Every such Petition, in place of being published at the Kirkdoor and Market Cross, as Edicts of Executry have been in use to be published, shall be intimated by the Commissary Clerk affixing on the Door of the Commissary Court House, or in some conspicuous Place of the Court and of the Office of the Commissary Clerk, in such Manner as the Commissary may direct, a full Copy of the Petition, and by the Keeper of the Record of Edictal Citations at *Edinburgh* inserting in a Book, to be kept by him for that Purpose, the Names and Designations of the Petitioner and of the deceased Person, the Place and Date of his Death, and the Character in which the Petitioner seeks to be decerned Executor, which Particulars the Keeper of the Record of Edictal Citations shall cause to be printed and published weekly, along with the Abstracts of the Petitions for General and Special Services, in the Form of Schedule (B.) hereunto annexed: Provided always, that to enable the Keeper of the Record of Edictal Citations to make such Publication, the Commissary Clerk shall transmit to him the said Particulars, and to enable the Commissary Clerk to grant the Certificate after mentioned, the Keeper of the Record of Edictal Citations shall transmit to the Commissary Clerk a Copy, certified by the said Keeper, of the printed and published Particulars, all in such Form and Manner and on Payment of such Fees as the Court of Session by Act of Sederunt may direct.

Certificate of Intimation of Petition.

Additional Intimation of Petition in certain Cases.

V. The Commissary Clerk, after receiving the certified Copy of the printed and published Particulars, shall forthwith certify on the Petition that the same has been intimated and published, in Terms of the Provisions of this Act, in the Form of Schedule (C.) hereunto annexed, and such Certificate shall be sufficient Evidence of the Facts therein set forth: Provided always, that where a Second Petition for Confirmation is presented in reference to the same Personal Estate, the Commissary shall direct Intimation of such Petition to be made to the Party who presented the First Petition.

Procedure on Petition.

Decree Dative.

Proviso as to Caution.

VI. On the Expiration of Nine Days after the Commissary Clerk shall have certified the Intimation and Publication of a Petition for the Appointment of an Executor as aforesaid, the same may be called in Court, and an Executor decerned, or other Procedure may take place, according to the Forms now in use in case of Edicts of Executry, and with the like Force and Effect; and Decree Dative may be extracted on the Expiration of Three lawful Days after it has been pronounced, but not sooner: Provided always, that nothing herein contained shall alter or affect the Law as to Executors finding Caution; and that Bonds of Caution for Executors may be partly printed and partly written.

VII. Provided

Not to affect present Procedure.

VII. Provided always, That nothing herein-before contained shall alter or affect the Course of Procedure now in use before the Commissaries in Confirmations of Executors Nominate.

Where Inventories may be recorded and Confirmations granted.

VIII. Inventories of Personal Estates of deceased Persons and relative Testamentary Writings may be given up and recorded in, and Confirmations may be granted and issued by, any Commissary Court to which it is competent to apply in virtue of the Provisions of this Act for the Appointment of an Executor Dative to the Deceased.

Inventory may include Personal Estate in any Part of United Kingdom.

IX. From and after the Date aforesaid it shall be competent to include in the Inventory of the Personal Estate and Effects of any Person who shall have died domiciled in *Scotland* any Personal Estate or Effects of the Deceased situated in *England* or in *Ireland*, or both: Provided that the Person applying for Confirmation shall satisfy the Commissary, and that the Commissary shall by his Interlocutor find that the Deceased died domiciled in *Scotland*, which Interlocutor shall be conclusive Evidence of the Fact of Domicile: Provided also, that the Value of such Personal Estate and Effects situated in *England* or *Ireland* respectively shall be separately stated in such Inventory, and such Inventory shall be impressed with a Stamp corresponding to the entire Value of the Estate and Effects included therein, wheresoever situated within the United Kingdom.

Form and Effect of Confirmations.

X. Confirmations shall be in the Form, or as nearly as may be in the Form, of Schedules (D.) and (E.) hereunto annexed; and such Confirmations shall have the same Force and Effect with the like Writs framed in Terms of the Acts of Sederunt passed on the Twentieth *December* One thousand eight hundred and twenty-three and the Twenty-fifth *February* One thousand eight hundred and twenty-four, or at present in use.

Oaths, before whom to be taken.

XI. Oaths and Affirmations on Inventories of Personal Estates given up to be recorded in any Commissary Court may be taken either before the Commissary or his Depute, or the Commissary Clerk or his Depute, or before any Commissioner appointed by the Commissary, or before any Magistrate or Justice of the Peace within the United Kingdom or the Colonies, or any *British* Consul.

Confirmation produced in Probate Court of England, and sealed, to have the Effect of Probate or Administration.

XII. From and after the Date aforesaid, when any Confirmation of the Executor of a Person who shall in manner aforesaid be found to have died domiciled in *Scotland*, which includes, besides the Personal Estate situated in *Scotland*, also Personal Estate situated in *England*, shall be produced in the Principal Court of Probate in *England*, and a Copy thereof deposited with the Registrar, together with a certified Copy of the Interlocutor of the Commissary finding that such deceased Person died domiciled in *Scotland*, such Confirmation shall be sealed with the Seal of the said Court, and returned to the Person producing the same, and shall thereafter have the like Force and Effect in *England* as if a Probate or Letters of Administration, as the Case may be, had been granted by the said Court of Probate.

Confirmation produced in Probate Court of Dublin, and sealed, to have the Effect of Probate or Administration.

XIII. From and after the Date aforesaid, where any Confirmation of the Executor of a Person who shall so be found to have died domiciled in *Scotland*, which includes, besides the Personal Estate situated in *Scotland*, also Personal Estate situated in *Ireland*, shall be produced in the Court of Probate in *Dublin*, and a Copy thereof deposited with the Registrar, together with a certified Copy of the Interlocutor of the Commissary finding that such deceased Person died domiciled in *Scotland*, such Confirmation shall be sealed with the Seal of the said Court, and returned to the Person producing the same, and shall thereafter have the like Force and Effect in *Ireland* as if a Probate or Letters of Administration, as the Case may be, had been granted by the said Court of Probate in *Dublin*.

Probate or Letters of Administration produced in Commissary Court, and certified, to have Effect of Confirmation.

XIV. From and after the Date aforesaid, when any Probate or Letters of Administration to be granted by the Court of Probate in *England* to the Executor or Administrator of a Person who shall be therein, or by any Note or Memorandum written thereon signed by the proper Officer, stated to have died domiciled in *England*, or by the Court of Probate in *Ireland* to the Executor or Administrator of a Person who shall in like Manner be stated to have died domiciled in *Ireland*, shall be produced in the Commissary Court of the County of *Edinburgh*, and a Copy thereof deposited with the Commissary Clerk of the said Court; the Commissary Clerk shall endorse or write on the Back or Face of such Grant a Certificate in the Form as near as may be of the Schedule (F.) hereunto annexed; and such Probate or Letters of Administration, being duly stamped, shall be of the like Force and Effect and have the same Operation in *Scotland* as if a Confirmation had been granted by the said Court.

For securing the Stamp Duties, Probates, &c. to be deemed granted for all the Property in the United Kingdom.

XV. In any of the aforesaid Cases where the deceased Person shall be stated in or upon the Probate or Letters of Administration to have been domiciled in *England* or in *Ireland*, as the Case may be, such Probate or Letters of Administration shall, for the Purpose of securing the Payment of the full and proper Stamp Duties, be deemed and considered to be granted for and in respect of the whole of the Personal and Moveable Estate and Effects of the Deceased in the United Kingdom, within the Meaning of the Act of Parliament passed in the Fifty-fifth Year of the Reign of King *George* the Third, Chapter One hundred and eighty-four, and of all other Acts of Parliament granting or relating to Stamp Duties on Probates and Letters of Administration in *England* and *Ireland* respectively; and the Affidavit required by Law to be made on applying for Probate or Letters of Administration in *England* or *Ireland* as to the Value of the Estate and Effects of the Deceased; and also where the Commissary shall in manner aforesaid find that the Deceased was domiciled in *Scotland*, the Inventory required by Law to be exhibited and recorded in the proper Commissary Court in *Scotland* before obtaining Confirmation,

Inventory to include all such Property.

or intermitting with or entering upon the Possession or Management of the Personal or Moveable Estate

Estate or Effects of the Deceased in *Scotland*, shall respectively extend to and include the whole of the Personal and Moveable Estate of the deceased Person in the United Kingdom, and the Value thereof; and the Stamp Duties for the Time being chargeable on Probates and Letters of Administration and on Inventories respectively shall be chargeable upon any Probate or Letters of Administration to be granted, and any Inventory to be exhibited and recorded as aforesaid respectively, for and in respect of the whole of the Personal and Moveable Estate and Effects of the Deceased in the United Kingdom and the Value thereof; and the said Affidavit shall also separately specify the Value of the said Estate and Effects in *Scotland*.

Provisions of former Acts to apply to the Probates, Letters of Administration, and Inventories mentioned in this Act.

XVI. For the Purpose aforesaid, and also for granting Relief where too high a Stamp Duty shall have been paid on any such Probate or Letters of Administration, or Inventory, the Provisions contained in Sections Forty, Forty-one, Forty-two, and Forty-three of the said Act passed in the Fifty-fifth Year of His Majesty King *George* the Third, relating to Probates and Letters of Administration granted in *England*, and the like Provisions in the Act passed in the Fifty-sixth Year of the said King, Chapter Fifty-six, relating to Probates and Letters of Administration granted in *Ireland*, and the Provisions contained in the Act passed in the Forty-eighth Year of the said King, Chapter One hundred and forty-nine, relating to Inventories in *Scotland*, and also all other Provisions contained in the said Acts respectively, or in any other Act or Acts relating to Probates and Letters of Administration and Inventories respectively, shall apply to the Probates and Letters of Administration to which effect is given by this Act, and to the whole of the Personal and Moveable Estate of the Deceased for or in respect of which the same shall, in pursuance of this Act, be deemed to be granted, wheresoever situate in the United Kingdom; and also to the Inventories in which the whole of the Personal and Moveable Estate of the Deceased, wheresoever situate in the United Kingdom, ought, in pursuance of this Act, to be included, in as full and ample a Manner as if all such Provisions were herein enacted in reference to such Probates, Letters of Administration, and Inventories respectively.

Affidavit as to Domicile to be made on applying for Probate or Administration.

XVII. Provided, That in any Case where, on applying for Probate or Letters of Administration, it shall be required to be stated as aforesaid that the Deceased was domiciled in *England* or in *Ireland*, the Affidavit so as aforesaid required by Law shall specify the Fact according to the Deponent's Belief, which shall be sufficient to authorize the same to be so stated in or upon the Probate or Letters of Administration: Provided also, that any such Statement, and the Interlocutor of the Commissary finding that the Deceased was domiciled in *Scotland*, shall be Evidence, and have effect for the Purposes of this Act only.

Acts of Sederunt to be passed for following out Purposes of this Act.

XVIII. It shall be competent to the Court of Session, and they are hereby authorized and required, from Time to Time, to pass such Acts of Sederunt as shall be necessary and proper for regulating in all respects the Proceedings under this Act before the Commissary of *Edinburgh* and other Commissaries in *Scotland*, and following out the Purposes of this Act, and also the Fees to be paid to Agents before the said Courts, and to the Commissary Clerks and other Officers of Court, and the Expense of Publication of Petitions.

Former Acts of Sederunt repealed if inconsistent with this Act.

XIX. All former Acts, and Acts of Sederunt made in virtue thereof, so far as inconsistent with the present Act, are hereby repealed; and this Act may be amended or repealed by any Act to be passed during the present Session of Parliament, and may be cited as the "Confirmation and Probate Act, 1858."

Interpretation of Terms.

XX. The Word "Commissary" shall include Commissary Depute, and the Term "Commissary Clerk" shall include Commissary Clerk Depute.

SCHEDULES to which the foregoing Act refers.

SCHEDULE (A.)

Form of a Petition for Appointment of an Executor to a deceased Person.

Unto the Honourable the Commissary of [*specify the County*], the Petition of *A.B.* [*here name and design the Petitioner*];

Humbly sheweth,

That the late *C.D.* [*here name and design the deceased Person to whom an Executor is sought to be appointed*] died at [*specify Place*] on or about the [*specify Date*], and had at the Time of his Death his ordinary or principal Domicile in the County of [*specify County, or* "furth of Scotland," *or* "without any fixed Domicile," *or* "without any known Domicile," *as the Case may be*].

That the Petitioner is the only Son and Next of Kin [*or state what other Relationship, Character, or Title the Petitioner has, giving him Right to apply for the Appointment of Executor*].

May it therefore please your Lordship to decern the Petitioner Executor Dative quâ Next of Kin to the said *C.D.* [*or state the other Character in which the Petitioner claims to be appointed Executor*].

According to Justice, &c.

[*Signed by the Petitioner or his Agent.*]

SCHE-

SCHEDULE (B.)

Roll of Petitions for the Appointment of Executors in Commissary Courts in Scotland.

County.	Name and Designation of Petitioner.	Title of Petitioner.	Name and Designation of Defunct.	Place and Date of Death.
Edinburgh.	*A.B.*, Writer in Edinburgh.	Next of Kin.	*C.D.*, Merchant in Edinburgh.	No. , George St., Edinburgh, 1st January 1857.

SCHEDULE (C.)

Form of Certificate by Commissary Clerk of Publication of a Petition for the Appointment of an Executor.

I, *A.B.*, Commissary Clerk [*or* "Commissary Clerk Depute," *as the Case may be,*] of the County of [*specify County*], hereby certify that this Petition was intimated by fixing a Copy thereof on the Door of the Court-house [*if some other Place has been directed by the Commissary, specify it*], on the [*specify Date*], and by being published by the Keeper of the Record of Edictal Citations at Edinburgh, in the printed Roll of Petitions for the Appointment of Executors in the Commissary Courts of Scotland, printed and published on [*specify Date*].

A. B.

SCHEDULE (D.)

Form of a Testament Dative or Confirmation of the Executor of a Person who has died without naming one.

I, *A.B.*, Commissary of the County of [*specify County*], considering that by my Decree, dated [*specify Date*], I decerned *C.D.* Executor Dative quâ Next of Kin [*or other Character, as the Case may be,*] of the late *E.F.*, who died at [*specify Place*], on [*specify Date*], and seeing that the said *C.D.* has since given up on Oath an Inventory of the Personal Estate and Effects of the said *E.F.* at the Time of his Death situated in Scotland, [*or* situated in Scotland and England, *or* in Scotland and Ireland, *or* in Scotland, England, and Ireland, *as the Case may be,*] amounting in Value to Pounds, which Inventory has been recorded in my Court Books, of Date [*specify Date*], and that he has likewise found Caution for his Acts and Intromissions as Executor: Therefore I, in Her Majesty's Name and Authority, make, constitute, ordain, and confirm the said *C.D.*, Executor Dative quâ [*specify Character*] to the Defunct, with full Power to him to uplift, receive, administer, and dispose of the said Personal Estate and Effects, and grant Discharges thereof, if needful to pursue therefor, and generally every other Thing concerning the same to do that to the Office of Executor Dative quâ [*specify Character*] is known to belong; providing always, that he shall render just Count and Reckoning for his Intromissions therewith when and where the same shall be legally required.

Given under the Seal of Office of the Commissariot [*specify County*], and signed by the Clerk of Court at [*specify Place*], the [*specify Date*].

To be signed by the Commissary Clerk or his Depute, and sealed with the Seal of Office.

SCHEDULE (E.)

Form of a Testament Testamentar or Confirmation of an Executor Nominate.

I, *A.B.*, Commissary of the County of [*specify County*], considering that the late *C.D.* died at [*specify Place*], upon [*specify Date*], and that by his last Will [*or other Writing containing the Nomination of Executor*], dated [*specify Date*], and recorded in my Court Books upon [*specify Date*], the said *C.D.* nominated and appointed *E.F.* to be his Executor, and that the said *E.F.* has given up on Oath an Inventory of the Personal Estate and Effects of the said *C.D.* at the Time of his Death situated in Scotland, [*or* situated in Scotland and England, *or* situated in Scotland and Ireland, *or* situated in Scotland, England, and Ireland, *as the Case may be,*] amounting in Value to Pounds, which Inventory has likewise been recorded in my Court Books of Date [*specify Date*]: Therefore I, in Her Majesty's Name and Authority, ratify, approve, and confirm the Nomination of Executor contained in the foresaid last Will [*or other Writing containing the Nomination of Executor*]; and I give and commit to the said *E.F.* full Power to uplift, receive, administer, and dispose of the said Personal Estate and Effects, grant Discharges thereof, if needful to pursue therefor, and generally every other Thing concerning the same to do that to the Office of an Executor Nominate is known to belong; providing always, that he shall render just Count and Reckoning for his Intromissions therewith when and where the same shall be legally required.

Given under the Seal of Office of the Commissariot of [*specify County*], and signed by the Clerk of Court at [*specify Place*], the [*specify Date*].

To be signed by the Commissary Clerk or his Depute, and sealed with the Seal of Office.

SCHE-

SCHEDULE (F.)

I, *A.B.*, Commissary Clerk [*or* Commissary Clerk Depute] of the County of Edinburgh, hereby certify that this Grant of Probate has [*or* these Letters of Administration have] been produced in the Commissary Court of the said County, and that a Copy thereof has been deposited with me.

CAP. LVII.

An Act to amend the Act of the Fifth and Sixth Years of Her present Majesty, for enabling Ecclesiastical Corporations, aggregate and sole, to grant Leases for long Terms of Years.

[23d *July* 1858.

'WHEREAS an Act was passed in the Session of the Fifth and Sixth Years of the Reign of Her present Majesty, intituled *An Act for enabling Ecclesiastical Corporations, aggregate and sole, to grant Leases for long Terms of Years:* And whereas it is expedient that the said Act should be amended:' Be it therefore enacted and declared by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: 5 & 6 Vict. c. 108.

Leases under 5 & 6 Vict. c. 108. may be granted in consideration of Premiums; and Sales or Exchanges of Lands may be effected in certain Cases.

I. In any Case in which it shall be made to appear to the Satisfaction of the Ecclesiastical Commissioners for *England* that all or any Part of the Lands, Houses, Mines, Minerals, or other Property of or belonging to any Ecclesiastical Corporation, which are by the said Act authorized to be leased, might, to the permanent Advantage of the Estate or Endowments belonging to such Corporation, be leased in any Manner, or be sold, exchanged, or otherwise disposed of, it shall be lawful for any Ecclesiastical Corporation, aggregate or sole, except as in the said Act is excepted, from Time to Time, with such Consents as in the said recited Act mentioned, and with the Approval of the said Commissioners, to be testified by Deed under their Common Seal, to lease all or any Part or Parts of the Lands, Houses, Mines, Minerals, or other Property belonging to such Corporation, whether the same shall or shall not have been previously leased or dealt with under the Provisions of the said recited Act or of this Act, and either in consideration or partly in consideration of Premiums or not, or for such other Considerations, and for such Term or Terms, and under and subject to such Covenants, Stipulations, Conditions, and Agreements on the Part of the Lessee or Lessees, and generally in such Manner as the said Commissioners shall under the Circumstances of each Case think proper and advisable; and also with the like Consents as are by the said recited Act required to the granting of a Lease (other than and except the Consent of the Lord of a Manor thereby required in regard to a Lease of Copyhold Hereditaments), and with the Approval of the said Commissioners, to be testified as aforesaid, absolutely to sell or convey in Exchange or by way of Partition, or otherwise dispose of, all or any Part or Parts of such Lands, Houses, Mines, Minerals, and other Property, whether the same shall have been previously leased under the Provisions of this Act or the said recited Act or not, for such Equivalent, either in Money, or in Lands, Tenements, or Hereditaments, or partly in Money and partly in Lands, Tenements, or Hereditaments, or for such other Considerations or Purposes, as the said Commissioners shall deem reasonable and proper, and on every or any such Exchange or Partition to give or receive, in such Manner as is herein-after mentioned, any Sum or Sums of Money by way of Equality of Exchange or Partition: Provided always, that no such Sale by the Incumbent of a Benefice as is above mentioned shall be authorized by the said Commissioners unless Three Months Notice in Writing of such proposed Sale shall have been given to the Bishop of the Diocese in which the Benefice is situate.

Application of Monies produced by Sales, &c.

II. All Sums of Money which shall be payable by way of Premium on the granting of any such Lease, and all Rents, Royalties, and other Reservations to be reserved or made payable by any such Lease of any Mines, Minerals, Quarries, or Beds, and all Monies to arise on any such Sale, or to be received on any such Exchange or Partition, shall be payable and paid to the said Commissioners as if they were the sole Lessors or Vendors of the Property leased or sold in consideration thereof, and the Receipt of the Treasurer or Treasurers of the said Commissioners for the Time being shall be a good and sufficient Discharge for the Consideration for any Property so sold, and the Purchaser shall not be bound to see to the Application of such Consideration when so paid; or such Monies, or any Part thereof, may, with the Approval of the said Commissioners, be permitted to remain charged by way of Mortgage to the said Commissioners upon the Premises so leased, sold, or conveyed in Exchange or Partition, at such Rate of Interest, for such Period, and upon such Terms as the Parties, with such Approval, may agree upon; and on such Mortgage being discharged the Money thereby secured shall be paid to the said Commissioners as aforesaid; and all such Sums of Money so to arise or be received as aforesaid, after Payment of the Expenses incident to the Transaction in respect of which the same became payable, shall, at such Time or Times as the said Commissioners may think proper, be laid out by them in the Purchase of other Lands, Houses, and Hereditaments convenient to be held by the Corporation in whose Behalf the same shall have been received; and the Lands, Houses, and Hereditaments so to be purchased, and also the Lands, Houses, and Hereditaments which shall be received on any such Exchange or Partition as aforesaid, shall be conveyed and assured in such Form and Manner that the same may become the Property of and be vested in such last-mentioned Ecclesiastical Corporation for ever, and shall be subject

subject to all the same Powers and Provisions as the Hereditaments from the leasing, selling, exchanging, or partitioning of which the Money wherewith the same were purchased would have been subject if no such Lease, Sale, Exchange, or Partition had been made, except so far as is otherwise provided by this Act, the Statute of Mortmain or any other Act or Rule of Law to the contrary notwithstanding; and until the Money so to arise or be produced or received as aforesaid shall be laid out in such Purchase, the same shall be invested, as soon as conveniently may be after the same shall have been carried to Account in the Books of the said Commissioners, in the Names of the said Commissioners for the Time being in the Public Stocks or Funds, and the Dividends thereof shall be paid to the Person or Persons to whom the Rents and Profits of the said Hereditaments to be purchased would go or belong in case such Purchase were actually made.

Power to raise Money to be paid for Equality of Exchange or Partition.

III. For the Purpose of raising any Sum or Sums of Money which may be agreed to be paid for Equality of Exchange or Partition, or for the Purchase of any Freehold Land, or of any outstanding Leasehold Interest in Land, belonging to any Ecclesiastical Corporation, over and above the Money then belonging to such Corporation and available for any such Purpose as aforesaid, it shall be lawful for every such Corporation, with such Approval and Consents as aforesaid, to borrow the same upon the Security and to execute a Mortgage or Mortgages of all or any Part or Parts of the Hereditaments belonging to such Corporation, for any Term or Terms of Years, redeemable on Payment of the Principal Sum or Sums so borrowed, with Interest for the same; and the Principal Money so secured may be discharged out of any Principal Monies belonging or accruing to such Corporation under the said recited Act or this Act or otherwise.

Power to enter into and vary Contracts and accept Surrenders.

IV. For all or any of such Purposes as aforesaid, it shall be lawful for every such Ecclesiastical Corporation, with such Approval and Consents as aforesaid, from Time to Time to enter into, make, and execute such Contracts and Agreements, and to grant such Licences or Permissions to search for Mines, and such other Powers preliminary to or consequent upon any such Contract, and also to alter, vary, or rescind the same, and accept Surrenders of any Lease or Leases, and release any Lessee or Lessees in respect of Breaches of Covenant, in such Manner and for such Considerations as to the said Commissioners shall appear advisable; and the Lands with respect to which any Contract shall be abandoned or Surrender taken shall be subject to all the Powers and Provisions of the said recited Act and of this Act; and all Contracts and Agreements so entered into by any Person as aforesaid in his Corporate Capacity shall be binding upon his Successors, and may be enforced against them.

Provision for Payment of Expenses of Leases.

V. Any Ecclesiastical Corporation as aforesaid, with the Approval of the said Commissioners, may charge the Amount of the Expenses to be incurred in carrying into effect any of the Provisions of the said recited Act or of this Act on any Lands, Tenements, or Hereditaments belonging to such Corporation, but so nevertheless that the Charge upon such Lands shall be lessened in every Year following by One Twentieth Part at the least of the whole original Charge thereon.

This Act not to interfere with the Act 14 & 15 Vict. c. 104.

VI. Provided always, That no Sale, Exchange, or Partition shall be made under the Provisions of this Act of any Lands or Hereditaments held so as to be capable of being sold, enfranchised, or conveyed in Exchange, according to the Provisions of an Act passed in the Fourteenth and Fifteenth Years of Her Majesty, Chapter One hundred and four, so long as any of the Powers contained in the said Act for Sale, Enfranchisement, or Exchange shall remain in force with reference to such Lands or Hereditaments.

This Act not to repeal Powers under former Acts.

VII. Provided also, That nothing in this Act contained shall repeal any of the Powers or Authorities vested in the said Commissioners by an Act of the Sixth and Seventh Years of Her Majesty's Reign, intituled *An Act to make better Provision for the Spiritual Care of populous Parishes*, or in any other Act relating to the Ecclesiastical Commissioners for *England*, with respect to or over Lands, Tithes, Rentscharge, Tenements, and other Hereditaments vested or liable to be vested in them, or to repeal or alter any of the Powers or Authorities contained in any of the Acts now in force for or relating to the Enfranchisement of Copyholds, or in any of the Acts for the Inclosure of Commons or other Lands or Grounds, or in any of the Church Building Acts, so far as any of such Powers or Authorities apply to or affect the Estates of Ecclesiastical Corporations; but the Powers and Authorities contained in this Act shall be considered cumulative or alternative to the Powers and Authorities contained in the said several other Acts herein-before referred to.

On Sale or Purchase of Part of Estate held under a Lease the Rent to be apportioned.

VIII. Upon the Sale or Purchase on behalf of any Ecclesiastical Corporation of the Estate or Interest of any Lessee in a Part only of the Lands comprised in any Lease, whereby the Leasehold Interest in the Land so sold or purchased shall become extinguished in the Reversion, it shall be lawful for the said Commissioners, by a Memorandum in Writing under their Common Seal, which may be endorsed on such Lease, to apportion the Rent reserved thereby, and declare what Part thereof shall continue payable thereunder, and thereupon such apportioned Part of the Rent shall be payable as if the same had been the Rent originally reserved in respect of the Lands not sold or purchased; and such Apportionment shall be valid and binding upon or against all Persons interested in such last-mentioned Lands; and where the Rent originally reserved was an ancient and accustomed Rent, the Part so continuing payable shall be deemed and taken to be the ancient and accustomed Rent for the Lands not sold or purchased, and the Reservations, Covenants, and Agreements contained in such Lease, and the Powers and Authorities of any such Ecclesiastical Corporation, so far as the same shall be applicable to the Lands not sold or purchased, shall remain in full Force as if such Sale or Purchase had not been made.

IX. No

No Lease to be granted of Land acquired under the Act, except at Rackrent.

IX. No Lease of any Lands purchased or acquired, or in which the Estate or Interest of a Lessee, or of a Holder of Copyhold or Customary Land, shall be purchased or acquired by any Ecclesiastical Corporation under this Act, shall (except under the express Power contained in the said recited Act of the Fifth and Sixth Years of Her Majesty's Reign, or in this Act,) be made or granted otherwise than from Year to Year, or for a Term of Years in possession, not exceeding Fourteen Years, at the best annual Rent that can be reasonably gotten, without Fine, and the Lessee not to be made dispunishable for Waste or exempted from Liability in respect of Waste.

Improved Value of Dignities, Offices, and Benefices to be paid to Commissioners.

X. All the Clauses contained in the said first-recited Act respecting Improvements in the annual Value of any Dignity, Office, or Benefice by means of any Lease granted under that Act shall extend and apply to any Improvement of Income which may accrue by means of any Lease, Sale, Exchange, Partition, Purchase, or Investment to be granted or made under the Provisions of this Act; save and except that with respect to all Improvements of Income which have accrued or shall accrue to any Benefice under the Provisions of the said recited Act or this Act it shall be lawful, by the Authority in the said recited Act mentioned, and subject to the like Notice being given to the Patron or Patrons of such Benefice as is by the said Act required, at any Time or Times after the Commencement of such Improvement, and notwithstanding the Period of Three Years limited by the said Act may have expired, to direct that from such Time (not operating retrospectively, nor so as to affect the Incumbent in possession at the Time of the granting of any such Lease) as shall be fixed by the said Commissioners such Portion of the improved Income as the said Commissioners shall deem expedient shall be paid to the said Commissioners, to be applied according to the Directions in that Behalf contained in the said Act; and also save and except that the Clause No. XIV. of the said Act entitled in the Margin thereof, "Portion "of improved Value under Mining Leases to be paid to Commissioners," shall be and the same is, so far as it relates to any Lease to be hereafter granted by any Rector, Vicar, or Incumbent of any other Benefice with Cure of Souls, hereby repealed.

5 & 6 Vict. c. 108. s. 18. repealed.

XI. The Clause No. XVIII. of the said recited Act, entitled in the Marginal Note "Surveyor to "make Valuation, &c. when a new Lease is intended," shall be and the same is hereby repealed.

Other Clauses incorporated in this Act.

XII. All the several Clauses and Provisions contained in the said recited Act of the Fifth and Sixth Years of Her Majesty's Reign which are not by this Act expressly or by necessary Implication repealed, so far as the same are applicable, and are not modified by this Act or inconsistent with the Provisions thereof, shall be incorporated with and be construed as forming Part of this Act.

Short Titles.

XIII. In citing the said recited Act of the Fifth and Sixth Years of Her Majesty's Reign, or this Act, in any other Act of Parliament, or in any legal Instrument, it shall be sufficient to use the Expression "The Ecclesiastical Leasing Acts," or "The Ecclesiastical Leasing Act, 1842," or "The Ecclesiastical Leasing Act, 1858," as the Case may be.

Act to extend only to England and Wales, Isle of Man, &c.

XIV. This Act shall extend only to that Part of the United Kingdom called *England* and *Wales*, and to the *Isle of Man*, and to the Islands of *Guernsey*, *Jersey*, *Alderney*, and *Sark*.

CAP. LVIII.

An Act for the future Appropriation of the Tithe or Tenth of Lead Ores in the Parishes of *Stanhope* and *Wolsingham* in the County of *Durham* belonging to the respective Rectors thereof, subject to the existing Incumbencies, and for making other Provisions for the Endowment of the said Rectories in lieu thereof, and for other Purposes connected therewith. [23d *July* 1858.]

19 Car. 2. c. 15. (*Private.*)

'WHEREAS by a Private Act of Parliament passed in the Nineteenth Year of the Reign of His Majesty King *Charles* the Second, Chapter Fifteen, after reciting that *Humphrey Wharton* Esquire was seised for the Term of his Life, by virtue of a certain Grant from *John* then Lord Bishop of *Durham*, of the Office of Moorman otherwise Moormaster of all those Lead Mines, Lead, and Lead Ures, as well opened as not opened, gotten, and to be gotten, within the Two Parishes of *Stanhope* and *Wolsingham* in the County Palatine of *Durham*, that did appertain to the said Lord Bishop under the antient Rent of the Lott Ure, which was the Ninth Part of all Lead Ure gotten in the said Mines, and that divers great Sums of Money for Six Years last past had already been expended by the said *Humphrey Wharton* in casting of Levels for avoiding of Water, and sinking of Shafts for winning of certain Lead Mines there, which in all Likelihood would be a growing Charge for those Twenty Years next ensuing, without which Charge the Money already expended would be to no Purpose, and the said Lead Mines would be left unwon; and to the End and Purpose that the Lead Trade, then a staple Commodity in *England*, might be advanced by the Adventure of disbursing great Sums of Money, as also that the Episcopal Revenue of *Durham* might be thereby increased, it was enacted, that upon the Surrender of the Grant then in being to the Bishop for the Time being the said Lord Bishop of *Durham* and his Successors was and were thereby enabled to grant, under his or their County Palatine Seal of *Durham*, unto the said *Humphrey Wharton*, his Heirs and Assigns, or unto the Heirs and Assigns of the said *Humphrey Wharton*, the said Office of Moorman otherwise Moormaster, and all and singular the Lead Mines, Lead, and Lead Ures, as well opened as not opened, gotten and to be gotten, within the said Two Parishes, that did appertain to the said Lord Bishop, which were granted by him to the said *Humphrey Wharton*, with all and every their Appur-

 tenances,

'tenances, together with all manner of Fees, Profits, Commodities, Liberties, and Advantages in 'anywise to the said Office belonging or appertaining, or which had been accepted, reputed, or taken 'as Part, Member, or Parcel of the said Office, or by any Ways or Means incident thereto, in as large 'and ample a Manner and Form as any other Person or Persons exercising the said Office of Moorman 'otherwise called Moormaster had theretofore occupied and enjoyed, or had or of Right might or 'ought to have enjoyed, had, or occupied the same, for and during the natural Lives of the said '*Humphrey Wharton*, and *Humphrey Wharton* the younger and *Robert Wharton*, Two of the Sons 'of the said *Humphrey Wharton* the elder, and the longest Liver of them, and for and during the Life 'or Lives of such other Person or Persons, not exceeding the Number of Three Lives and the Life of 'the longest Liver of them, as the said *Humphrey Wharton* the elder, his Heirs or Assigns, should at 'the Time of such Grant make, nominate, and appoint, and that the said Grant so made might be good, 'effectual, and binding in Law to the Successors of the said Bishop, from Time to Time as they should 'happen to succeed in the said See, yielding and paying for the same unto the said *John* Lord Bishop 'of *Durham* and his Successors the Lott Ure or Ninth Part of all Lead Ore gotten in the said Mines 'from Time to Time as the same should accrue and be gotten, clean and well washed, and without 'Deduction of any manner of Charges for the winning, getting, or washing of the same, or any other 'Charges whatsoever, at the Feasts of *Pentecost*, *Saint Peter ad Vincula* commonly called *Lammas Day*, '*Saint Martin* the Bishop in Winter, and the Feast of the Purification of the Blessed Virgin *Mary* 'commonly called *Candlemas Day*, by equal Portions, and also yielding and paying during the said 'Term of Three Lives unto the said *John* Lord Bishop of *Durham* during his Continuance in the said 'See of *Durham* the yearly Rent of One hundred and fifty Pounds, and yielding and paying during the 'said Term or the Residue thereof unto the Successors of the said present Lord Bishop the Sum of One 'hundred and fifty Pounds at the Feasts aforesaid, by even and equal Portions; and it was by the 'said Act further enacted, that the said *John* Lord Bishop of *Durham* and his Successors should and 'might from Time to Time thereafter for ever be enabled to grant the aforesaid Office and Lead Mines, 'with their Rights, Members, and Appurtenances, under his or their County Palatine Seal of *Durham*, 'to any Person or Persons, under the Rent of the Ninth Lot, and Rent in Money so reserved, payable 'as aforesaid, after the Determination, Surrender, or Expiration of the Grant thereafter to be made 'unto the said *Humphrey Wharton*, or unto his Heirs and Assigns, for Three Lives, in manner above-'said, all which said Grants should be effectual and binding in Law to the Successors of the said 'Bishop from Time to Time as they should happen to succeed in the said See; and in the said Act is 'contained a Proviso that the said *Humphrey Wharton* and his Successors the Moormasters should pay 'or cause to be paid unto *Isaac Basere* Doctor in Divinity, and then Rector of *Stanhope* in the County 'of *Durham*, and to his Successors the Rectors of *Stanhope* aforesaid, as also to the Rector of *Wol-'singham* in the said County for the Time being, and his Successors, the full Tithe or Tenth Part of 'all Lead Oare or Ure digged, won, or gotten, or to be digged, won, or gotten, out of all or any of the 'Lead Mines within the said Parishes of *Stanhope* and *Wolsingham*, in clean, well washed, and 'dressed Oare, as soon as it was ready for the Smelting Mill, without any Abatement or Deduction of 'any Charges whatsoever for digging, working, or getting of the same Lead Oare, or for any other 'Cause whatsoever: And whereas after the passing of the said recited Act Leases were from Time to 'Time granted by the Lord Bishop of *Durham* for the Time being of the said Mines and Ures, and of 'the said Office of Moorman or Moormaster, pursuant to and in conformity with the Powers and Provi-'sions of the said Act: And whereas by virtue of an Act of Parliament passed in the Session of the 'Third and Fourth Years of Her present Majesty's Reign, Chapter One hundred and thirteen, and of 'another Act passed in the Session of the Fourth and Fifth Years of Her said Majesty's Reign, Chapter 'Thirty-nine; and by virtue of an Order of Her said Majesty in Council, dated the Fourth Day of '*April* One thousand eight hundred and fifty-six, and published in the *London Gazette* on the Twenty-'second Day of *April* One thousand eight hundred and fifty-six, ratifying a Scheme of the Eccle-'siastical Commissioners for *England*, with the Consent of the Right Reverend *Edward* then Bishop 'of *Durham*, testified by his Hand and Episcopal Seal being attached to the said Scheme, the Estate in 'Fee Simple of and in the said Office of Moorman otherwise Moormaster, and the said Lead Mines and 'Ures, has become and is now vested in the said Ecclesiastical Commissioners, to be held or disposed of 'in the Manner by the said last Two mentioned Acts or some other Act or Acts of Parliament relating 'to the said Commissioners concerning their Common Fund provided, but subject to and charged with 'the Payment to the Rector of *Stanhope* and the Rector of *Wolsingham* for the Time being respec-'tively of the full Tithe or Tenth Part of all Lead Ore or Ure digged, won, or gotten out of all or any 'of the Lead Mines within the said Parishes of *Stanhope* and *Wolsingham* respectively, as in the said 'first-recited Act mentioned, and to the Payment of a perpetual yearly Sum of One hundred and forty 'Pounds charged and made payable to the Perpetual Curate for the Time being of *Lanchester* in the 'County and Diocese of *Durham*, by a certain Indenture or Deed of Augmentation dated the Thirteenth 'Day of *September* One thousand eight hundred and thirty-four, and made between the Right Reverend '*William* then Bishop of *Durham* of the one Part, and the Reverend *Joseph Thompson* Clerk, the 'Perpetual Curate of *Lanchester*, of the other Part, and subject also to Two Leases granted of the said 'Office of Moorman or Moormaster, and several Portions of the said Lead Mines and Ures, by Two 'Indentures, each bearing Date the Sixteenth Day of *July* One thousand eight hundred and forty-seven,

3 & 4 Vict. c. 113.
4 & 5 Vict. c. 39.
Order in Council, 4th April 1856.

'and

'and made between the Right Reverend *Edward* then Bishop of *Durham* of the one Part, and *John* '*Staniforth Beckett* Esquire of the other Part, for the Lives of the Persons in each of the said Inden- 'tures mentioned, and the Lives and Life of the Survivors and Survivor of them, at and under the 'Rents, Covenants, Conditions, and Agreements therein respectively reserved and contained: And 'whereas for the Purpose of carrying into effect the Provisions of the said recited Acts of the Third 'and Fourth and the Fourth and Fifth Years of Her Majesty's Reign, and for promoting the greater 'Efficiency of the Established Church, it is expedient that the full Tithe or Tenth of Lead Ore or Ure 'belonging to the respective Rectors of *Stanhope* and *Wolsingham* aforesaid, subject and without 'Prejudice to the Rights of the Reverend *William Nicholas Darnell*, the present Rector of *Stanhope*, 'and the Reverend *Charles Duberly*, the present Rector of *Wolsingham*, respectively, so long as they 'shall continue Rectors of the said Rectories, should be vested in the said Ecclesiastical Commissioners 'for *England*, to be held and disposed of as Part of their aforesaid Common Fund, and that other 'Provision should be made in lieu thereof for the Endowment of the said Rectories respectively, and 'of the Churches or Chapels within the said Parishes of *Stanhope* and *Wolsingham*, and otherwise for 'promoting the Efficiency of the Established Church in the County of *Durham*:' But inasmuch as such Object cannot be carried into effect without the Authority of Parliament, May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; that is to say,

Certain Parts of 19 Car. 2. c. 15. repealed.

I. The said recited Act of the Nineteenth Year of the Reign of King *Charles* the Second, Chapter Fifteen, so far as the same relates to the Payment or Render of the full Tithe or Tenth of Lead Ore or Ure to be digged, won, or gotten out of all or any of the Lead Mines within the said Parishes of *Stanhope* and *Wolsingham* respectively, to the future Rectors of the said Parishes respectively, shall be and the same is hereby repealed.

Tithe or Tenth of Lead Ore vested in Ecclesiastical Commissioners.

II. From and after the passing of this Act, the aforesaid full Tithe or Tenth of all the Lead Ore or Ure to be digged, won, or gotten out of all or any of the Lead Mines within the said Parishes of *Stanhope* and *Wolsingham* respectively, subject and without Prejudice to the Rights of the said Reverend *William Nicholas Darnell* and *Charles Duberly*, the present Rectors of the said Parishes respectively, to the same Tithe or Tenth, so long as they shall continue Rectors as aforesaid, and as well during the Continuance of the said Leases respectively as at all Times for ever after the Determination thereof, shall be and the same is hereby vested in the said Ecclesiastical Commissioners, their Successors and Assigns, freed and discharged from all Rights, Claims, or Demands of or by the succeeding Rectors thereof respectively, and to be held, possessed, and administered by the said Ecclesiastical Commissioners for the Purposes and according to the Provisions contained in the said Acts of the Third and Fourth and Fourth and Fifth Years of Her Majesty's Reign, or other Act or Acts of Parliament relating to Lands, Tenements, and Hereditaments vested in the said Ecclesiastical Commissioners under the same Acts or any of them, as Part of their Common Fund.

Regulations as to Incomes of Rectors of Stanhope and Wolsingham to be partly made up from Common Fund of Ecclesiastical Commissioners.

III. From and immediately after the next Vacancy of each of the said Rectories of *Stanhope* and *Wolsingham* respectively by the Death, Resignation, Cession, Deprivation, or other Avoidance of or by the present Rectors thereof, the Common Fund of the said Ecclesiastical Commissioners shall be and the same is hereby charged with the Payment in perpetuity of such annual Sums as, together with and including all the then existing Endowments of the said Rectories respectively (except Surplice Fees), will make up an annual Income of One thousand six hundred and fifty Pounds for the succeeding Rector of the Parish of *Stanhope* and his Successors, and an annual Income of One thousand Pounds for the succeeding Rector of *Wolsingham* and his Successors, each of the said annual Sums to be payable half-yearly on the First Day of *May* and the First Day of *November* in every Year, and the First Payment to be of a proportionate Part calculated from the Day of the First Vacancy of each Rectory respectively up to the First Day of *May* or the First Day of *November*, whichever shall then next follow, and on every succeeding Vacancy the then current half-yearly Payment shall be divisible between the last Incumbent, or his Representatives, and his Successor, according to the Provisions of the Act passed in the Session of the Fourth and Fifth Years of the Reign of His late Majesty King *William* the Fourth, Chapter Twenty-two.

Mode of fixing Amounts to be paid by Ecclesiastical Commissioners.

IV. For the Purpose of permanently fixing the Amount of the said annual Sums, the annual Income arising from the then existing Endowments of each of the said Rectories respectively at the Time of the next Vacancy thereof (except Surplice Fees) shall be ascertained and determined by the said Ecclesiastical Commissioners, with the Concurrence of the Bishop of *Durham* for the Time being, and a Certificate of the Amount of Income arising from such Endowments (except as aforesaid), under the Common Seal of the said Ecclesiastical Commissioners, and the Episcopal Seal of the said Bishop, shall be registered in the Registry of the said See, and the annual Sum to be paid out of the Common Fund for the Rector of each Rectory and his Successors shall thereupon be fixed and for ever thereafter remain and be of such Amount as will make up therewith the Amount of Income herein-before specified in respect of the same Rectory, irrespectively of any subsequent Variation in the Endowments thereof.

Proviso enabling Rectors to concur in Arrangements

V. Provided, That by the Authority mentioned in the said recited Acts of the Third and Fourth and Fourth and Fifth Years of Her Majesty's Reign, that is to say, by a Scheme of the said Ecclesiastical Commissioners, and an Order of Her Majesty in Council ratifying the same, and with the Consent of

for Transfer of Tithe or Tenth during Incumbencies.

each or either of the said present Rectors of *Stanhope* and *Wolsingham* respectively, at any Time before his Avoidance of such Rectory, an Arrangement may be made for immediately carrying into effect the Substitution herein-before contemplated of a fixed annual Sum to make up the Income of such Rector and his Successors to the Amount herein-before specified, and to be payable out of the Common Fund of the said Ecclesiastical Commissioners as aforesaid, in lieu of his Tithe or Tenth of Lead Ore or Ure, and for the immediate Transfer or Surrender, by force of such Scheme, and of an Order of Her Majesty in Council confirming the same, of the Tithe or Tenth of the Lead Ore or Ure of such Rector to the said Ecclesiastical Commissioners and their Successors; and in such Case the Amount of the fixed annual Sum to be paid to such Rector and his Successors shall thereupon be ascertained and fixed in like Manner as is herein-before directed in that Behalf, and shall be payable half-yearly on the Days aforesaid in each Year, the first Payment, being of a proportionate Part thereof, to be made on such One of the said Days as shall then next follow.

Common Fund to be charged with Payment of annual Sums to Incumbents of St. John Weardale, Frosterley, Heathery Cleugh, Eastgate, Rookhope, and Thornley.

VI. As soon as the said Tithe or Tenth of Lead Ore or Ure at present belonging to the Rector of *Stanhope* aforesaid shall have come into the Possession of the said Ecclesiastical Commissioners, either by the Avoidance of the said Rectory or by Arrangement with the present Rector thereof, under the Provisions herein-before contained, the Common Fund of the said Ecclesiastical Commissioners shall thenceforth and for ever thereafter be and the same is hereby charged with the Payment of such fixed annual Sum as, with other then existing Endowments (if any), exclusive of Surplice Fees, will make up for the Incumbent or Minister of each of the Churches or Chapels of *Saint John Weardale*, *Frosterley*, *Heathery Cleugh*, *Eastgate*, *Rookhope*, and *Thornley* an annual Income of Four hundred Pounds; and the permanent Amount of every such yearly Sum shall be fixed and determined in like Manner, and the same shall be payable by half-yearly Payments, on the same Days, and with the like Rule of Apportionment in respect to the first half-yearly Payments, and to the current half-yearly Payment at the Time of every future Vacancy of each Incumbency, as are herein-before specified in respect of the annual Sums to be provided for the Rectors of *Stanhope* and *Wolsingham*: Provided nevertheless, that, with respect to each of the said Churches or Chapels to which a separate District, with exclusive Cure of Souls, shall not have then already been assigned, a District with Cure of Souls shall by the like Authority as is herein-before mentioned be assigned to the same; and the Patronage of all the said Churches or Chapels, with the Districts already assigned or to be assigned to the same, shall, subject and without Prejudice to the Rights of the said *William Nicholas Darnell* and *Charles Duberly*, the present Rectors of *Stanhope* and *Wolsingham* respectively, so long as they shall continue such Rectors, become and for ever thereafter be vested in the Lord Bishop of *Durham* and his Successors: Provided also, that as to each of the said Churches or Chapels to which a District with separate Cure of Souls shall not then already have been assigned as aforesaid, the annual Sum herein-before provided to be paid to the Incumbent or Minister thereof shall commence only from the Time of a District being assigned thereto pursuant to the Provisions in this Act.

Common Fund to be further charged with annual Sum for augmenting Incomes of Rectories, Curacies, &c. in the County of Durham.

VII. As soon as the Tithe or Tenth of Lead Ore or Ure in the said Parish of *Stanhope* shall have come into the Possession of the said Ecclesiastical Commissioners, the Common Fund of the said Commissioners shall be and is hereby charged with the Payment in perpetuity of such further or additional yearly Sum as, with the aggregate Amount of the several annual Sums to be fixed and determined as herein-before mentioned, and hereby charged on the said Common Fund, for the Endowment or Augmentation of the Rectories of *Stanhope* and *Wolsingham* aforesaid, and the said Churches or Chapels of *Saint John Weardale*, *Frosterley*, *Heathery Cleugh*, *Eastgate*, *Rookhope*, and *Thornley* respectively, will make up a gross annual Charge of Four thousand five hundred Pounds upon the said Common Fund; and such further and additional yearly Sum shall by the Authority in the herein-before secondly-recited Act provided be appropriated toward permanently augmenting or endowing such Benefices with Cure of Souls within the County of *Durham*, and in the Patronage or alternate Patronage of the Bishop of *Durham* for the Time being, as shall be selected by the said Bishop, and approved by the said Commissioners.

Ecclesiastical Commissioners may substitute Lands, Tithe Rentcharge, or other Hereditaments for Payment out of Common Fund.

VIII. It shall be lawful for the said Ecclesiastical Commissioners, at any Time after the annual Sum herein-before provided to be paid to the Rectors of *Stanhope* and *Wolsingham*, and the Incumbents or Ministers of the said several Churches or Chapels respectively, shall have been fixed and become payable as aforesaid, by a Scheme prepared by the said Ecclesiastical Commissioners, with the Consent of the Bishop of *Durham* for the Time being, and the Rector, Incumbent, or Minister of each of the said Rectories, Churches, or Chapels for the Time being, and ratified by an Order of Her Majesty in Council to be published in the *London Gazette*, to appropriate and set apart, for the Use of such Rector, Incumbent, or Minister respectively, and his Successors, in lieu of the said annual Sum directed to be paid to him and them out of the Common Fund of the said Ecclesiastical Commissioners, such specific Lands, Tithe Rentcharge, or other Hereditaments as, according to the Certificate of Two competent Surveyors, one to be appointed by the said Ecclesiastical Commissioners and the other by such Rector or Incumbent for the Time being, or of an Umpire to be appointed by such Surveyors, shall appear to be equivalent at least to produce a clear yearly Sum, after Payment of all Outgoings (except the Income Tax, if any), equal to the annual Sum herein-before provided for such Rector, Incumbent, or Minister, and his Successors; and from and after the Time which shall be fixed for that Purpose by the said Scheme, and after the same Scheme shall have come into operation, the Lands,

Tithe

Tithe Rentcharge, or other Hereditaments so appropriated for such Rector, Incumbent, or Minister, and his Successors, shall, by force of this Act, and of such last-mentioned Scheme or Schemes so ratified as aforesaid, without any further Conveyance, be vested in such Rector, Incumbent, or Minister, and his Successors, as Part of the Endowment of his Rectory, Church, or Chapel, and the Common Fund of the said Ecclesiastical Commissioners shall thenceforth and at all Times for ever thereafter be and remain vested in the said Ecclesiastical Commissioners and their Successors, freed and discharged from all Claims and Demands by or on behalf of the Rector, Incumbent, or Minister of the same Rectory, Church, or Chapel, or his Successors.

Powers of Ecclesiastical Commissioners over Common Fund not to be prejudiced.

IX. Provided, That, notwithstanding the Payments by this Act charged upon the Common Fund of the said Ecclesiastical Commissioners, which said Payments are hereby declared to be wholly irrespective and independent of the Amount which may from Time to Time be realized by the said Commissioners, and their Successors or Assigns, from the said Tithe or Tenth Part of the Lead Ore or Ure to be digged, won, or gotten out of all or any of the said Lead Mines within the said Parishes of *Stanhope* and *Wolsingham* respectively, as aforesaid, all the Rights, Powers, and Authorities vested in the said Commissioners in or over their Common Fund at the Time of the passing of this Act shall continue in full Force, and be henceforth enjoyed, exercised, and performed by them and their Successors in respect of such Common Fund, including the Tithe or Tenth Part of Lead Ore or Ure vested or which shall become vested in them under this Act.

Rights of Lessees and others not to be prejudiced.

X. Provided also, That nothing in this Act contained shall be deemed or operate to abridge or prejudice any Right, Claims, Privileges, or Immunities whatsoever in respect of the said Lead Ore or Ure to which the Perpetual Curate of *Lanchester* aforesaid for the Time being, or the Person or Persons claiming under the said Indentures of Lease or either of them, is, are, or would have been lawfully entitled if this Act had not been passed.

Short Title.

XI. For all Purposes of Recital or Reference, it shall be sufficient in all Cases to mention this Act as "The *Stanhope* and *Wolsingham* Rectories Act, 1858."

CAP. LIX.

An Act further to amend the Law relating to the Erection and Endowment of Churches, Chapels, and Perpetual Curacies in *Ireland*. [23d *July* 1858.]

'WHEREAS it is expedient further to amend the Laws relating to the Erection and Endowment of Churches and Chapels and Perpetual Curacies in *Ireland*:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Provisions of 14 & 15 Vict. c. 72. to apply to new or additional Churchyards to existing Churches.

I. The Provisions of the Act passed in the Fourteenth and Fifteenth Years of the Queen, and Chapter Seventy-two, (herein-after called the original Act,) shall be amended by this amending Act in the following respects; that is to say, The Provisions of Sections Twenty-nine and Thirty of the original Act shall be extended so as to enable the Persons and Bodies Corporate therein mentioned to appropriate and set apart any Portion of Land, not exceeding One Plantation Acre, convenient for a new Churchyard or for an Addition to an old Churchyard, in the same Manner, and with the same Effect, and subject to the like Consents and Provisoes, as are prescribed by such Sections respectively in case a new Parish Church, District Parochial Church, or Parochial Chapel of Ease, or Proprietary Chapel, had been or was about to be erected on the Land.

Apportionment of Rent in respect to Lands acquired when held with others under Lease.

II. If any Hereditaments which have been or which may be acquired for the Purposes of the original Act or of this amending Act are or shall be included in a Lease or Underlease with other Hereditaments, the Rent reserved by such Lease or Underlease, and any Fine certain to be paid on any Renewals thereof, may be apportioned between the Hereditaments so acquired or to be acquired and the Remainder of the Hereditaments, or may be wholly charged on such Remainder, in exoneration of the Hereditaments acquired or to be acquired; and such Apportionment or Exoneration may be effected by the Parties respectively having Power to assign or convey the Leasehold Interest, and to assign or convey the Reversion expectant on such Leasehold Interest in the Hereditaments so to be acquired, or by them or their Successors in Estate in respect of Hereditaments already acquired.

Recovery of apportioned Rent and Enforcement of Covenants.

III. From and after such Apportionment or Exoneration, the Rent or apportioned Rent by such Apportionment or Exoneration expressed to be made payable out of the Hereditaments which have not been or shall not be acquired, and out of the Hereditaments which have been or shall be so acquired respectively, shall thenceforth be recoverable as regards such Hereditaments respectively by the same Remedies by which before such Apportionment or Exoneration the Rent reserved by the Lease or Underlease was recoverable out of the whole of the Hereditaments therein comprised; and all the Covenants, Conditions, and Agreements in such Lease or Underlease contained, as well those relating to Rent as others, so far as regards the Part acquired and the Residue not acquired respectively of the Hereditaments comprised in the Lease or Underlease, shall continue and shall subsist upon and against and with regard to such Part so acquired and such Residue respectively in like Manner as if such Part or Residue only had been comprised in the Lease or Underlease; and in case the Lease or Underlease shall contain Provisions for Renewal upon Payment of a Fine certain, such Provisions for Renewal shall apply to the Part acquired and the Residue not acquired respectively of the Hereditaments comprised in the Lease or

or Underlease in the same Manner as if such Part or Residue only had been originally comprised in the Lease or Underlease, and the Fine certain to be paid on any Renewal had been the Fine certain which (if any) in the Exoneration or Apportionment shall be expressed to be payable in respect of the same Hereditaments.

Where Rent is nominal.

IV. The Two last-mentioned Provisions shall extend to Cases in which no Apportionment of or Exoneration from Rent may take place by reason that no Rent or a nominal Rent only is reserved by the Lease or Underlease.

A measured Mile to mean a Mile measured along the Road.

V. Section Two of the original Act shall be amended and explained in the following respect; that is to say, the Expression "One measured Mile" therein contained shall be understood to mean One Mile measured along the ordinary Road.

For Removal of Doubts as to the Erection and Endowment of Churches and Chapels.

VI. 'And whereas by the said Second Section of the original Act it is provided that it shall be lawful 'for any Person seised or possessed of a sufficient Estate for that Purpose to allot or set apart in Fee 'Simple or Fee Farm any Land not exceeding One Acre Plantation Measure as a Site for a Church or 'Chapel as therein provided, and Doubts have arisen whether the said Provision extends to and includes 'the Case of Persons enabled by the Twenty-ninth Section of the said original Act to appropriate and 'set apart a Portion of Land not exceeding One Acre as and for a Site for a Church or Chapel, as 'therein provided, and it is expedient to remove such Doubts:' Be it therefore declared and enacted, That any Person enabled by any Deed or Will, or by the Provisions of the Twenty-ninth Section of the original Act, to set apart One Acre Plantation Measure as and for a Site for a Church or Chapel, shall and may erect and endow a Church or Chapel thereon, or co-operate with any Person or Persons who shall erect or build and endow such Church or Chapel thereon, in like Manner and subject in all respects to the like Restrictions and Regulations as are contained in the said Section in case the Party allotting the Site had been seised of an Estate in Fee Simple or Fee Farm in the said Lands; and the Right of Patronage may be vested in Trustees in the like Manner and with the like Consequences in all respects as by the said Second and following Sections of the original Act is provided.

CAP. LX.

An Act to amend the Joint Stock Companies Acts, 1856 and 1857, and the Joint Stock Banking Companies Act, 1857. [23d *July* 1858.]

20 & 21 Vict. c. 14.

'WHEREAS by the Nineteenth Section of "The Joint Stock Companies Act, 1857," it is amongst 'other things provided, that where a Company is in course of being wound up voluntarily, and 'Proceedings are taken for having the same wound up by the Court, the Court may, instead of making 'an Order that the Company should be altogether wound up by the Court, direct that the voluntary 'Winding-up should continue, but subject to such Supervision of the Court, and with such Liberty for 'Creditors, Contributories, and others to apply to the Court, and generally upon such Terms and subject 'to such Conditions as the Court thinks just: And whereas it is expedient to make further Provision 'for enabling Companies to be wound up in manner directed by the said Nineteenth Section: And 'whereas it is expedient to explain and amend the Acts herein-after referred to as the Joint Stock 'Companies Acts, that is to say, "The Joint Stock Companies Act, 1856," "The Joint Stock Companies 'Act, 1857," and "The Joint Stock Banking Companies Act, 1857:" Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title.

I. This Act may be cited for all Purposes as "The Joint Stock Companies Amendment Act, 1858," and it shall be included in the Expression "Joint Stock Companies Acts," as herein-after used, unless there is something in the Context inconsistent with its being so included.

Petition for winding up, subject to Supervision.

II. A Petition praying wholly or in part that a voluntary Winding-up may continue, subject to the Supervision of the Court, shall, for the Purpose of giving Jurisdiction to the Court over Suits and Actions, and over the Appointment of a Receiver, be deemed to be a Petition for winding up the Company by the Court; and in determining whether a Company is to be wound up altogether compulsorily or under the Provisions of the said Nineteenth Section, the Court may have regard to the Wishes of the Majority in Number and Value of the Creditors as proved to it by any sufficient Evidence.

Power of Court in proceeding under Sect. 19. of 20 & 21 Vict. c. 14. to appoint additional Liquidators.

III. Where any Order is made by the Court, in pursuance of the said Nineteenth Section, for the Continuance of a voluntary Winding-up, the Court may in such Order or in any subsequent Order appoint any additional Liquidator or Liquidators; and any Liquidator or Liquidators so appointed by the Court shall have the same Powers, be subject to the same Obligations, and in all respects stand in the same Position as if they had been appointed by the Company: The Court may from Time to Time remove any Liquidator or Liquidators so appointed by the Court, and fill up any Vacancy occasioned by such Removal, or by the Death or Resignation of any such Liquidator or Liquidators: The Court shall in the Appointment of a Liquidator or Liquidators under this Section consult any Creditor or Classes of Creditors it may think expedient to consult for the Purpose of ascertaining what Appointments are most for the Interest of the Creditors.

Effect of Order of Court under the said 19th Section.

IV. Where an Order is made by the Court, in pursuance of the said Nineteenth Section, for the Continuance of a voluntary Winding-up, the Liquidators appointed to conduct such Winding-up may, subject to any Order made by the Court, exercise all Powers given to them, without the Intervention of the Court,

Court, in the same Manner as if the Company were being wound up altogether voluntarily; but, save as aforesaid, any Order made by the Court, in pursuance of the said Nineteenth Section, for the Continuance of a voluntary Winding-up, shall for all Purposes, including the Application of any Provision relating to fraudulent Preference, be deemed to be an Order of the Court for winding up the Company by the Court, and shall confer full Authority on the Court to make Calls, or to enforce Calls made by the Liquidators, and to exercise all other Powers which it might have exercised of its own Motion, or on the Application of the official Liquidators, if an Order had been made for winding up the Company altogether by the Court.

In compulsory Winding-up, or Continuance of voluntary Winding-up, by Decree or Order, Contributories may be decreed to pay Calls.

V. Where an Order, Interlocutor, or Decree has been made in *Scotland* for winding up a Company compulsorily, or where an Order, Interlocutor, or Decree has been made in pursuance of the said Nineteenth Section for the Continuance of a voluntary Winding-up, it shall be competent to the Court in *Scotland* during Session, and to the Lord Ordinary on the Bills during Vacation, on Production by the Liquidators of a List certified by them of the Names of the Contributories liable in Payment of any Calls which they may wish to enforce, and of the Amount due by each Contributory respectively, and of the Date when the same became due, to pronounce forthwith a Decree against such Contributories for Payment of the Sums so certified to be due by each of them respectively, with Interest from the said Date till Payment at the Rate of Five Pounds *per Centum per Annum*, in the same Way and to the same Effect as if they had severally consented to Registration for Execution, on a Charge of Six Days, of a legal Obligation to pay such Calls and Interest; and such Decree may be extracted immediately, and no Suspension thereof shall be competent, except on Caution or Consignation, unless with special Leave of the Court or Lord Ordinary.

Actions and Suits to be stayed.

VI. Where an Order has been made for winding up a Company compulsorily, or where an Order has been made, in pursuance of the said Nineteenth Section, for the Continuance of a voluntary Winding-up, no Suit, Action, or other legal Proceeding shall be proceeded with or commenced against the Company or the Public Officer thereof, or any Member of the Company in respect of a Debt of the Company, except with the Leave of the Court, and subject to such Terms as the Court may impose.

Inspection of Books.

VII. Where an Order has been made for winding up a Company compulsorily, or where an Order has been made, in pursuance of the said Nineteenth Section, for the Continuance of a voluntary Winding-up, the Court may make such Order as it thinks just as to the Inspection by the Creditors and Contributories of Books and Papers of the Company, and such Books and Papers may be inspected by Creditors or Contributories, in conformity with such Order of the Court, but not further or otherwise.

Appointment of voluntary Liquidators as official Liquidators.

VIII. Where an Order has been made in pursuance of the said Nineteenth Section for the Continuance of a voluntary Winding-up, and such Order is afterwards superseded by an Order directing the Company to be wound up compulsorily, the Court may in such last-mentioned Order, or in any subsequent Order, appoint the voluntary Liquidators or any of them, either provisionally or permanently, and either with or without the Addition of any other Persons, to be official Liquidators.

Power of Court to give Discretion to official Liquidators.

IX. Where the Court makes an Order for winding up a Company compulsorily, it may, if it thinks fit, provide by that or any subsequent Order that the official Liquidators may exercise any specified Powers without the Intervention of the Court.

General Scheme of Liquidation may be sanctioned by Court.

X. Where an Order has been made for winding up a Company compulsorily, or where an Order has been made, in pursuance of the said Nineteenth Section, for the Continuance of a voluntary Winding-up, the Liquidators may, with the Sanction of the Court, and upon such Notice to Creditors as to the Court shall seem fit, at any Stage of the Winding-up, pay any Classes of Creditors in full, or make such other Arrangement with Creditors as the Court may sanction; and any general or partial Scheme of Liquidation, if approved of by the Court, shall be binding on all the Creditors and Contributories of the Company.

Reservation of Practice under old Winding-up Acts.

XI. The Practice hitherto in use in the Court of Chancery in *England* in winding up Companies, under "The Joint Stock Companies Winding-up Act, 1848," and "The Joint Stock Companies Winding-up Act, 1849," including the Service of Summonses, Notices, and other Documents by Post, and including the Payment of a Per-centage in lieu of Fees to the Suitors Fee Fund, the Non-entry of Orders at the Registry Office, and all Powers and Jurisdictions given to the said Court of Chancery by the said Acts, and not conferred by the Joint Stock Companies Acts, shall be applicable to the winding up under the said Joint Stock Companies Acts of Companies by the Court of Chancery and Courts of Bankruptcy in *England*, until Rules for regulating such Winding-up are made in pursuance of the Powers for that Purpose given by the said Joint Stock Companies Acts; and the Courts of Chancery and Courts of Bankruptcy in *England* may adopt such Practice, Powers, and Jurisdictions to the same Extent as if the Companies were being wound up under "The Joint Stock Companies Winding-up Act, 1848," and "The Joint Stock Companies Winding-up Act, 1849;" and in the Case of Companies engaged in working any Mines within and subject to the Jurisdiction of the Stannaries, and registered under the Joint Stock Companies Acts, 1856, 1857, the like Practice, Powers, and Jurisdiction may, by Rules to be made under the Ninety-eighth Section of "The Joint Stock Companies Act, 1856," be adopted and exercised by the Court of the Vice-Warden of the Stannaries, so far as such Practice, Powers, and Jurisdiction are or can be made applicable to that Court.

Order made in England to be enforced in Ireland and Scotland.

XII. Any Order made by the Court in *England* for or in the Course of the Winding-up of a Company under the Joint Stock Companies Acts shall be enforced in *Scotland* and *Ireland* in the Courts that would respectively have had Jurisdiction in respect of such Company if the registered Office of the Company

pany had been established in *Scotland* or *Ireland*, and in the same Manner in all respects as if such Order had been made by the Courts that are hereby required to enforce the same; and in like Manner Orders, Interlocutors, and Decrees made by the Court in *Scotland* for or in the Course of the Winding-up of a Company shall be enforced in *England* and *Ireland*, and Orders made by the Court in *Ireland* for or in the Course of winding up a Company shall be enforced in *England* and *Scotland*, by the Courts which would respectively have had Jurisdiction in the Matter of such Company if the registered Office of the Company were established in the Division of the United Kingdom where the Order is required to be enforced, and in the same Manner in all respects as if such Order had been made by the Court required to enforce the same in the Case of a Company within its own Jurisdiction.

Mode of dealing with Orders to be enforced by other Courts.

XIII. Where any Order, Interlocutor, or Decree made by one Court is required to be enforced by another Court, as herein-before provided, an Office Copy of the Order, Interlocutor, or Decree so made shall be produced to the proper Officer of the Court required to enforce the same, and the Production of such Office Copy shall be sufficient Evidence of such Order, Interlocutor, or Decree having been made, and thereupon such last-mentioned Court shall cause such Order, Interlocutor, or Decree to be registered, or shall take such other Steps in the Matter as may be requisite for enforcing such Order, Interlocutor, or Decree, in the same Manner as if it were the Order, Interlocutor, or Decree of the Court enforcing the same.

Power for Liquidators in voluntary Winding-up to apply to Court for Aid.

XIV. Where a Company is being wound up altogether voluntarily, the Liquidators may apply to the Court, or to the Lord Ordinary on the Bills in *Scotland* in Time of Vacation, by Petition, Motion, the Presentation of a Special Case, or in such other Manner as the Court may direct, to determine any Question arising in the Matter of such Winding-up, or to exercise, as respects the enforcing any Calls, or in respect of any other particular Matter, all or any of the Powers which the Court might exercise if the Company were being wound up compulsorily; and the Court, or Lord Ordinary in the Case aforesaid, if satisfied that the Determination of such Question or the required Exercise of Power will be just and beneficial, may accede, wholly or partially, to such Application, upon such Terms and subject to such Conditions as the Court thinks fit, or it may make such other Order, Interlocutor, or Decree on such Application as the Court thinks just.

Power of Company to fill up Vacancies in Liquidators.

XV. Where any Company is being wound up altogether voluntarily, or is being wound up subject to the Provisions of the said Nineteenth Section, the Company in General Meeting may fill up any Vacancy occasioned by the Death or Resignation of any Liquidator or Liquidators appointed by the Company.

Power for Liquidators to invest.

XVI. In case of any Company being wound up compulsorily, the Liquidators may invest any Moneys for the Time being in their Hands, or standing to their Credit in the Bank of *England*, arising from such Winding-up, in Government Securities, including Exchequer Bills.

Manner of making a Call.

XVII. In fixing the Amount payable by any Contributory, in pursuance of the Joint Stock Companies Acts or any of them, he shall be debited with the Amount of all Debts due from him to the Company, including the Amount of the Call, and shall be credited with all Sums due to him from the Company on any independent Contract or Dealing between him and the Company, and the Balance, after making such Debit and Credit as aforesaid, shall be deemed to be the Sum due.

Calls proveable against Bankrupts or Insolvents Estates.

XVIII. All Calls made or to be made on any Shareholder or Contributory, in pursuance of any of the Joint Stock Companies Acts, shall, in the event of such Shareholder or Contributory becoming bankrupt or insolvent, be proveable against his Estate.

Section 16. of 20 & 21 Vict. c. 14. repealed, and this Section to be substituted.

XIX. The Sixteenth Section of "The Joint Stock Companies Act, 1857," shall be repealed; and in lieu thereof be it enacted as follows: The Liquidators shall have Power to compromise all Calls and Liabilities to Calls, Debts, and Liabilities capable of resulting in Debts, and all Claims, whether present or future, certain or contingent, ascertained, or sounding only in Damages, subsisting or supposed to subsist between the Company and any Contributory or alleged Contributory, or other Debtor or Person apprehending Liability to the Company, upon the Receipt of such Sums, payable at such Times, and generally upon such Terms as may be agreed upon, with Power for the Liquidators to take any Security for the Discharge of such Debts or Liabilities, and to give complete Discharges in respect of all or any such Calls, Debts, or Liabilities; subject to the Proviso, that where an Order has been made by the Court for winding up a Company compulsorily, or where an Order has been made, in pursuance of the said Nineteenth Section, for the Continuance of a voluntary Winding-up, no such Compromise shall be made, except in accordance with the Directions of the Court, as expressed generally in any Order made by the Court, or as given in each particular Case, and after giving such Notice to Creditors, or any Portion of them, as the Court shall direct; and that where a Company is being wound up altogether voluntarily no such Compromise shall be effected, except with the Sanction of a special Resolution of the Company, or of a general or particular Power delegated to the Liquidators by a special Resolution.

Prosecution of delinquent Directors in the Case of compulsory or Continuance of voluntary Winding-up.

XX. Where any Order is made for winding up a Company compulsorily, or for the Continuance of a voluntary Winding-up, subject to the Provisions of the said Nineteenth Section, if it appear in the Course of such Winding-up that any past or existing Director, Manager, Public Officer, or Member of such Company has been guilty of any Offence in relation to the Company for which he is criminally responsible, the Court may, on the Application of any Person interested in such Winding-up, or of its own Motion, direct the official Liquidators, or the Liquidators, (as the Case may be,) to institute and conduct a Prosecution or Prosecutions for such Offence, and to order the Costs and Expenses to be paid out of the Assets of the Company.

XXI. Where

XXI. Where a Company is being wound up altogether voluntarily, if it appear to the Liquidators conducting such Winding-up that any past or existing Director, Manager, Public Officer, or Member of such Company has been guilty of any Offence in relation to the Company for which he is criminally responsible, it shall be lawful for the Liquidators, with the previous Sanction of the Court, to prosecute such Offender, and all Expenses properly incurred by them in such Prosecution shall be payable out of the Assets of the Company in Priority to all other Liabilities. Prosecution of delinquent Directors, &c. in case of voluntary Winding-up.

XXII. This Act shall apply in Cases where an Order has been already made for winding up a Company compulsorily, or where an Order has been made, in pursuance of the Nineteenth Section, for the Continuance of a voluntary Winding-up, or where a Company is in the Course of being wound up altogether voluntarily. Application of Act to existing Winding-up.

XXIII. Any Company or Copartnership, consisting of Seven or more Persons, having by its Constitution a Capital of fixed Amount, divided into Shares, also of fixed Amount, if it legally carried on the Business of Banking previously to "The Banking Companies Act, 1857," is entitled to register itself or to continue registered under "The Joint Stock Banking Companies Act, 1857," for the Purpose of winding up under that Act, and if it legally carried on any other Business than Banking, except that of Insurance, previously to the passing of "The Joint Stock Companies Act, 1856," is entitled to register itself or to continue registered under "The Joint Stock Companies Act, 1856," or the Joint Stock Companies Acts, 1856, 1857, for the Purpose of winding up under those Acts. Companies may register for Purposes of winding up.

XXIV. This Act shall extend to the Provisions of the Joint Stock Companies Acts, 1856, 1857, incorporated with "The Joint Stock Banking Companies Act, 1857." Application of Act to other Acts.

CAP. LXI.

An Act to authorize the Inclosure of certain Lands in pursuance of a Special Report of the Inclosure Commissioners of *England* and *Wales*. [2d *August* 1858.]

'WHEREAS the Inclosure Commissioners for *England* and *Wales* have, in pursuance of "The "Acts for the Inclosure, Exchange, and Improvement of Land," issued their Provisional Orders 'for and concerning the proposed Inclosures mentioned in the Schedule to this Act, and the requisite 'Consents thereto have been given since the Date of their Thirteenth Annual General Report: And 'whereas the said Commissioners have by a Special Report certified their Opinion that such proposed 'Inclosures would be expedient; but the same cannot be proceeded with without the previous Autho-'rity of Parliament:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. That the said several proposed Inclosures mentioned in the Schedule to this Act be proceeded with. Inclosures may be proceeded with.

II. In citing this Act in other Acts of Parliament and in legal Instruments it shall be sufficient to use either the Expression "The Second Annual Inclosure Act, 1858," or "The Acts for the Inclosure, Exchange, and Improvement of Land." Short Title.

SCHEDULE to which this Act refers.

Inclosure.	County.	Date of Provisional Order.
Ousby	Cumberland	11th February 1858.
Harwood Dale	York	18th March 1858.
Radnage	Bucks	4th February 1858.
Heckfield	Southampton	15th April 1858.
Cornbrough	York	22d April 1858.
Wisboro' Green	Sussex	23d July 1857.
Whichwood Astall and Leafield (Minster Lovell).	Oxford	22d April 1858.
Bingley	York	28th January 1858.
Shepperton	Middlesex and Surrey	21st January 1858.
Lamplugh	Cumberland	22d April 1858.
Shudy Camps, Castle Camps, and Bartlow.	Cambridge and Essex	13th May 1858.
Draughton Moor	York	3d June 1858.
Woolmer Forest	Southampton	3d June 1858.
Larkton Hill	Chester	20th May 1858.
Rhosygarth	Cardigan	25th March 1858.
Moorsom	York	3d July 1858.

CAP. LXII.

An Act to continue certain Acts to prevent the spreading of contagious or infectious Diseases among Sheep, Cattle, and other Animals. [2d *August* 1858.]

11 & 12 Vict. c. 107.

'WHEREAS an Act was passed in the Twelfth Year of the Reign of Her Majesty, Chapter One hundred and seven, for preventing, until the First Day of *September* One thousand eight hundred and fifty, and to the End of the then Session of Parliament, the spreading of contagious or infectious Diseases among Sheep, Cattle, and other Animals: And whereas the said Act was by sundry Acts continued until the First Day of *September* One thousand eight hundred and fifty-three, and until the End of the then Session of Parliament: And whereas by an Act passed in the Session of Parliament held in the Sixteenth and Seventeenth Years of the Reign of Her Majesty, Chapter Sixty-two, the said first-recited Act was extended and further continued: And whereas by an Act passed in the Nineteenth and Twentieth Years of the Reign of Her Majesty, Chapter One hundred and one, the said first-recited Act was further continued and will remain in force until the End of the present Session of Parliament: And whereas it is expedient that the said first-recited Act, as the same is extended by the said second-recited Act, should be further continued:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

16 & 17 Vict. c. 62.

19 & 20 Vict. c. 101.

Acts further continued.

I. The said recited Act passed in the Twelfth Year of the Reign of Her Majesty, as the same is extended by the said recited Act passed in the Sixteenth and Seventeenth Years of the Reign of Her Majesty, shall continue and be in force until the First Day of *August* One thousand eight hundred and sixty-three, and to the End of the then next Session of Parliament.

CAP. LXIII.

An Act to continue certain Turnpike Acts in *Great Britain*. [2d *August* 1858.]

'WHEREAS it is expedient to continue for limited Times the Acts herein-after specified:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

All Turnpike Acts expiring before the End of the next Session continued to 1st Oct. 1859, except 54 G. 3. c. liv. and Part of 7 & 8 G. 4. c. lvii.

I. Every Act now in force for regulating, making, amending, or repairing any Turnpike Road in *Great Britain* which will expire on or before the End of the next Session of Parliament shall be continued until the First Day of *October* One thousand eight hundred and fifty-nine, and to the End of the then next Session of Parliament, except an Act of the Fifty-fourth of King *George* the Third, Chapter Fifty-four, "for making and maintaining a Road from *Balderston* to *Burscough Bridge* in "*Walton-in-le-Dale* in the County Palatine of *Lancaster*," and an Act of the Seventh and Eighth Years of King *George* the Fourth, Chapter Fifty-seven, "for more effectually amending and improving "the Road from *Bawtry Bridge* in the County of *Nottingham* to *Hainton* in the County of *Lincoln*, "and other Roads therein mentioned," so far as the same relates to the First District or Division of Roads therein described, and except as herein-after mentioned.

Acts in Schedule continued till Nov. 1, 1859.

II. The Acts mentioned in the Schedule to this Act annexed shall continue in force until the First Day of *November* One thousand eight hundred and fifty-nine, and no longer, unless Parliament shall in the meantime continue the same respectively.

Short Title.

III. In citing this Act in other Acts of Parliament and in legal Instruments it shall be sufficient to use the Expression "The Annual Turnpike Acts Continuance Act, 1858."

SCHEDULE.

53 G. 3. c. cxxxiii. An Act for enlarging the Term and Powers of an Act of His present Majesty for repairing the Road from the Neat Enstone and Chipping Norton Turnpike Road, through Bicester, to Weston-on-the-Green in the County of Oxford, and for making a new Branch of Road to communicate therewith.

55 G. 3. c. xix. An Act to continue the Term and alter and amend the Powers of Three Acts of His present Majesty for repairing the Road from Lawton in the County of Chester to Burslem and Newcastle-under-Lyme in the County of Stafford, and other Roads therein mentioned; and also to make a new Road from Burslem aforesaid to Cobridge, and a Branch therefrom to Burslem Church.

55 G. 3. c. xxxviii. An Act to continue the Term and alter and enlarge the Powers of Two Acts of His present Majesty for amending the Road from the Bottom of Galley Hill to the Cross in Clanfield in the County of Oxford.

59 G. 3. c. xxv. An Act for repairing the Road from Shelton's Lane in Bury in the County of Huntingdon to a House formerly called The Spread Eagle in the Hamlet of Stratton in the Parish of Biggleswade in the County of Bedford.

1 G. 4. c. xiv. An Act for continuing the Term and altering and enlarging the Powers of an Act of His late Majesty's Reign for amending the Road leading out of the Highway from Wigan to Golborn and Warrington into the Road from Wigan to Ashton in Ashton-in-Mackerfield in the County Palatine of Lancaster.

An

An Act for amending, diverting, altering, straightening, improving, completing, and keeping in repair several Roads leading from the Market House in the Town of Ludlow, and elsewhere, in the County of Salop. 1 G. 4. c. xxxiii.

An Act for continuing the Term and altering and enlarging the Powers granted by Two Acts of His late Majesty for repairing and widening the Road from Skipton to the Turnpike Road leading from Leeds to Ripon, near Ockbeck, in the Township of Bilton-with-Harrogate, and from thence to communicate with the Road leading from Knaresborough to Wetherby in the West Riding of the County of York. 1 & 2 G. 4. c. xvi.

An Act for more effectually repairing and improving the Roads leading from Bishop's Castle and from Montgomery to the Road at Westbury, and from Brockton to the Road at Minsterley, and other Roads therein mentioned, in the Counties of Salop, Radnor, and Montgomery, and for amending, widening, and improving several other Roads therein mentioned in the said County of Salop. 3 G. 4. c. xlix.

An Act for more effectually repairing the Road leading from the Cross-of-Hand, near Finford Bridge, in the County of Warwick, through the Town of Southam in the same County, to the Borough of Banbury in the County of Oxford. 3 G. 4. c. xcv.

An Act for amending and repairing the Roads from Minchead in the County of Somerset to Batham Bridge, in the Town of Bampton, in the County of Devon, and for making a new Branch of Road to communicate therewith. 3 G. 4. c. xcix.

An Act for widening, improving, and maintaining the Turnpike Road leading from the City of Worcester, through Droitwich, to Spadesbourne Bridge, within the Parish of Bromsgrove in the County of Worcester, and other Roads therein mentioned. 5 G. 4. c. xxxiii.

An Act for more effectually repairing and improving the Roads from Sheet Bridge to Portsmouth and from Petersfield to the Alton and Alresford Turnpike Road near Ropley in the County of Southampton, and for making and maintaining a new Branch of Road to communicate therewith. 6 G. 4. c. lxxxvii.

An Act for repairing, widening, improving, and maintaining in repair the Turnpike Roads from Leeds to Halifax, and the several Branches and Roads therein mentioned, in the West Riding of the County of York. 6 G. 4. c. cxlix.

An Act for repairing the Road from the City of York to the Top of Oswaldkirk Bank in the County of York. 6 G. 4. c. cl.

An Act for repairing the Road from Hinckley to Melbourne Common, and other Roads communicating therewith, in the Counties of Leicester and Derby. 9 G. 4. c. v.

An Act for making a Turnpike Road from the Township of Hunslet, across the River Aire to the Township of Leeds, together with a Branch therefrom, all in the West Riding of the County of York. 9 G. 4. c. lxvii.

An Act for repairing the Roads from Horsham to Steyning, and from thence to the Top of Steyning Hill, in the County of Sussex, and from the Bottom of Steyning Hill to Slaughter's Corner in the Parish of Beeding, and from thence to Shoreham Bridge in the Parish of Old Shoreham in the said County. 9 G. 4. c. lxx.

An Act to alter, amend, and enlarge the Powers and Provisions of several Acts relating to the Road from Chester to Wrexham in the City and County of Chester, and the Counties of Flint and Denbigh. 9 G. 4. c. lxxvii.

An Act for more effectually repairing the Dunster, Stowey, Watchet, and Crowcombe Districts of the Minehead Roads in the Counties of Somerset and Devon, and for making and repairing several other Roads communicating with the same Districts of Road, or some of them. 9 G. 4. c. lxxxiv.

CAP. LXIV.

An Act to make further Provision for the Practice of Vaccination in *Ireland*.

[2d *August* 1858.]

'WHEREAS by an Act passed in the Fourteenth and Fifteenth Years of the Reign of Her Majesty, intituled *An Act to provide for the better Distribution, Support, and Management of Medical Charities in* Ireland, *and to amend an Act of the Eleventh Year of Her Majesty, to provide for the Execution of the Laws for the Relief of the Poor in* Ireland, it is provided that the Medical Officer of every District constituted under the said Act shall and he is thereby required to vaccinate all Persons who may come to him for that Purpose, subject to such Regulations as may be issued by the Poor Law Commissioners in that Behalf: And whereas it is expedient to make further Provision for Vaccination in the Dispensary Districts in *Ireland*:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: 14 & 15 Vict. c. 68.

I. As soon as may be after the passing of this Act, the Committee of Management of every Dispensary District in *Ireland* shall, subject to the Approbation of the Commissioners, divide such Dispensary District into so many Vaccination Districts as they may deem advisable and necessary, and shall report such Districts to the Commissioners for their Approval, and shall require the Medical Officer of such District to attend at some convenient Place within each such Vaccination District, to be approved of by the said Committee, at such Times as the said Committee may fix or approve; and the said Medical Officer shall and he is hereby required to vaccinate all Persons resident in his District who may

Dispensary Committees may divide Dispensary Districts, and require Medical Officer to attend for Purposes of Vaccination.

may come to him for that Purpose, or whom he may be requested to vaccinate, being fit Subjects for Vaccination, subject to such Regulations as may be issued by the Commissioners in that Behalf.

Medical Officers paid for successful Vaccination.

II. The Board of Guardians shall pay to each such Medical Officer, in addition to any Salary or Allowance payable to him, the Sum of One Pound for every Twenty Cases of successful Vaccination performed by him in each Year.

Medical Officers to report Number of Persons successfully vaccinated.

III. The Medical Officer of each such District shall make a Report to the Committee of Management, from Time to Time, of the Number of Persons successfully vaccinated by him in each Year under the Provisions of this Act, and such Report shall be made in such Form and shall contain such further Particulars as the Commissioners shall direct, and shall be transmitted by the Committee to the Board of Guardians, and recorded by the Guardians on their Minutes.

Expenses to be charged to Electoral Divisions.

IV. The Payments to be made to the Medical Officer under the Provisions of this Act, and all other Expenses incidental to the Performance of Vaccination under this Act in any Dispensary District, shall be charged to the Electoral Divisions comprising such Dispensary District, in the same Manner as all Charges incidental to Medical Relief in the District.

Where Proceedings are taken by Guardians against Persons inoculating, &c., their Costs to be paid out of the Rates.

V. 'And whereas by an Act passed in the Third and Fourth Years of the Reign of Her Majesty, 'Chapter Twenty-nine, it is enacted that any Person who shall produce or attempt to produce in any 'Person by Inoculation with Variolous Matter, or by wilful Exposure to Variolous Matter, or to any 'Matter, Article, or Thing impregnated with Variolous Matter, or wilfully by any other Means whatso-'ever produce the Disease of Small Pox in any Person, shall be liable to be proceeded against and 'convicted summarily before any Two or more Justices of the Peace in Petty Sessions:' Be it enacted, That in any Case in which any Proceedings shall have been taken or instituted by or under the Directions of the Board of Guardians of any Union in *Ireland* under the said recited Provision, it shall be lawful for the Board of Guardians to pay the Costs of such Proceedings out of the Rates of the Union at large.

CAP. LXV.

An Act to amend an Act of the last Session, to render more effectual the Police in Counties and Burghs in *Scotland* [2d *August* 1858.]

20 & 21 Vict. c. 72.

'WHEREAS by the Eighth Section of an Act passed in the last Session of Parliament, intituled '*An Act to render more effectual the Police in Counties and Burghs in* Scotland, it is enacted 'that it shall be lawful for the Sheriff of any County within whose Jurisdiction the Works of any 'Railway, Canal, or other public Work of a similar Nature shall be in Progress of Construction, upon 'the Application of the Company or other Parties carrying on any such public Work, or for any Two 'Justices of the Peace of such County usually acting in the District in or through which any such 'public Work may be in the Course of Construction, on similar Application, to give Directions for the 'Purpose of keeping the Peace: And whereas it is expedient that Justices of the Peace should be 'authorized to make such Application to the Sheriffs of Counties, and that the Power of giving Direc-'tions should be confined to such Sheriffs:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

S. 8. of recited Act repealed.

I. The Eighth Section of the said recited Act is hereby repealed.

Power to appoint additional Constables to keep the Peace on public Works.

II. It shall be lawful for the Sheriff of any County within whose Jurisdiction the Works of any Railway, Canal, or other public Work of a similar Nature shall be in Progress of Construction, upon the Application of the Company or other Parties carrying on any such public Work, or of any Two Justices of the Peace of such County usually acting in the District in or through which any such public Work may be in the Course of Construction, to direct from Time to Time the Chief Constable of such County to appoint such additional Number of Constables as such Sheriff may think fit for the special Purpose of keeping the Peace, and for the Security of Persons and Property against Crimes and unlawful Acts, within the Limits of such public Works and within a Mile therefrom, and such Constables so appointed shall be specially charged with such Duties, and shall have all the Powers, Privileges, and Duties of other Constables appointed under the said recited Act; and such Sheriff shall decern the Company or other Parties carrying on such public Works to make Payment to the Clerk of Supply of the County of the Wages and Allowances of such Constables so appointed, at such Rate and at such Time and in such Manner as the Sheriff shall appoint: Provided always, that the Rate so paid shall not exceed the highest Rate paid for the Time to any other Constable of the County; and where the Company or other Parties carrying on any public Work shall refuse or neglect, within Fourteen Days next after the Demand thereof, to pay any such Wages and Allowances or any Part thereof as shall by such Sheriff have been directed to be paid, it shall be lawful for such Sheriff forthwith to cause the same to be levied, together with the Expense of levying the same, by Poinding and Sale of the Goods and Effects of the Company or other Parties liable to pay such Wages and Allowances.

Recited Act and this Act to be as One.

III. The said recited Act and this Act shall be read and construed as One Act.

CAP.

CAP. LXVI.

An Act to amend the Act of the Ninth and Tenth Years of Her present Majesty, Chapter Thirty-nine, and to abolish Foot Passenger Tolls on *Chelsea Bridge* after Payment of the Sum of Eighty thousand Pounds and Interest. [2d *August* 1858.]

'WHEREAS by the Act of the Ninth and Tenth Years of Her Majesty, Chapter Thirty-nine, the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings were empowered to construct (amongst other Works) a Bridge across the River *Thames*, from a Point near *Chelsea Hospital* to a Point near the *Red House*, with convenient Approaches thereto, together with convenient Piers, Stairs, Hards, and Landing Places, and to take Tolls for the Passage of any Foot Passengers, or any Horse, Mule, Ass, or other Beast, or any Coach, Waggon, Cart, or other Vehicle, over or on to the said Bridge, Piers, or Landing Places, or for any Vessel, Barge, or Boat mooring or touching at, or landing Passengers, Goods, or other Freight at, any such Pier or Landing Places; and it was by the said Act directed that all such Tolls as aforesaid, and all Rents for the same, and all Monies to be received by the said Commissioners in respect of Penalties, Fines, or Forfeitures under the said Act, should be applied (after defraying the Expenses of the Management and Collection of the Tolls and keeping and maintaining the Works in the said Act mentioned) in Payment of all Advances by the State in and towards the Works and Improvements by the said Act authorized, and, subject as aforesaid, that all the Surplus (if any) of the said Monies should form a Fund for such Metropolitan Improvements as the Legislature should determine, and should be applied accordingly: And whereas under and by virtue of the said Act and of the Act of the Ninth and Tenth Years of Her Majesty, Chapter Eighty-three, the Commissioners for carrying the first-mentioned Act into execution were empowered to borrow upon the Security herein-after mentioned, and have accordingly borrowed from the Commissioners for the Issue of Loans for Public Works and Fisheries, &c., divers Sums of Money for the Purpose of executing the Works by the said first-mentioned Act authorized, which Sums so borrowed amount in the whole to the Principal Sum of Eighty thousand Pounds, the Repayment whereof, with Interest at the Rate of Four *per Cent. per Annum*, is secured by Assignments by way of Mortgage of the Tolls herein-before mentioned, and of all other Monies to be received under the Authority of the said first-mentioned Act, and there was upon the Thirty-first Day of *March* in the Year of our Lord One thousand eight hundred and fifty-eight due and owing upon such Securities the said Sum of Eighty thousand Pounds, and in respect of Interest the Sum of Eighteen thousand seven hundred and seventy-seven Pounds Ten Shillings and Sixpence, making together the Sum of Ninety-eight thousand seven hundred and seventy-seven Pounds Ten Shillings and Sixpence: And whereas the said Bridge was constructed and opened to the Public on the Twenty-ninth Day of *March* in the Year of our Lord One thousand eight hundred and fifty-eight: And whereas it is expedient that the said Act should be amended and in part repealed, as herein-after mentioned:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

9 & 10 Vict. c. 39.

9 & 10 Vict. c. 83.

Repeal of Parts of 9 & 10 Vict. c. 39. directing Formation of Fund for Metropolitan Improvements.

I. So much of the Act of the Ninth and Tenth Years of Her Majesty, Chapter Thirty-nine, as directs that all the Surplus (if any) of the Monies arising from Tolls by the said Act authorized to be taken, Rents for the same, or Penalties, Fines, and Forfeitures under the said Act, shall form a Fund for such Metropolitan Improvements as the Legislature shall determine and shall be applied accordingly, is hereby repealed.

When 80,000*l.* and Interest shall have been paid off, no Toll to be taken for Foot Passengers passing over Chelsea Bridge.

II. From and after the Time when the said Sum of Eighty thousand Pounds, together with such Interest thereon, not exceeding the Rate of Four Pounds *per Centum per Annum*, as the Commissioners of Her Majesty's Treasury may from Time to Time direct, shall have been paid off, no Toll shall be demanded or taken for or in respect of Foot Passengers passing over or on to the said Bridge; nor at any Time previous to the said Sum of Eighty thousand Pounds being paid off as aforesaid shall any Toll be demanded or taken for or in respect of Foot Passengers passing over or on to the said Bridge on *Sundays*, *Easter Mondays*, *Whit Mondays*, and *Christmas* Days.

CAP. LXVII.

An Act to repeal certain Enactments requiring Returns to be made to One of the Secretaries of State. [2d *August* 1858.]

'WHEREAS certain of the Returns now required to be made to One of Her Majesty's Principal Secretaries of State, which entail Charges on local Funds, have become unnecessary:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. From and after the passing of this Act the following Enactments requiring Returns to be made or transmitted to One of Her Majesty's Principal Secretaries of State shall be repealed; (that is to say,)

1. Section

4 G. 4. c. 64. s. 24. and 2 & 3 Vict. c. 56. s. 10. Prisons Report.

1. Section Twenty-four of an Act of the Fourth Year of King *George* the Fourth, Chapter Sixty-four, for consolidating and amending the Laws relating to the building, repairing, and regulating of certain Gaols and Houses of Correction in *England* and *Wales*, and Section Ten of an Act of the Second and Third Years of Her Majesty, Chapter Fifty-six, for the better ordering of Prisons:

5 & 6 W. 4. c. 76. Borough Police Returns.

2. So much of Section Eighty-six of an Act of the Session holden in the Fifth and Sixth Years of King *William* the Fourth, Chapter Seventy-six, as enacts that the Watch Committee of every Borough shall transmit quarterly to One of Her Majesty's Principal Secretaries of State a Report of the Number of Men appointed to act as Constables or Policemen in such Borough, and of the Description of Arms, Accoutrements, and Clothing and other Necessaries furnished to each Man, and of the Salaries, Wages, and Allowances payable to such Constables or Policemen, and of the Number and Situation of all Station-houses in such Borough:

2 & 3 Vict. c. 71. s. 15. Police Courts Returns.

3. So much of Section Fifteen of an Act of the Session holden in the Second and Third Years of Her Majesty, Chapter Seventy-one, as requires an Abstract to be furnished to One of Her Majesty's Principal Secretaries of State, of all Reports furnished for the Use of the quarterly Meetings of Magistrates therein mentioned:

7 & 8 Vict. c. 101. Bastardy Returns.

4. Section Eleven of an Act of the Session holden in the Seventh and Eighth Years of Her Majesty, Chapter One hundred and one:

10 & 11 Vict. c. 82. Juvenile Offenders Returns.

5. So much of Section Eleven of an Act of the Session holden in the Tenth and Eleventh Years of Her Majesty, Chapter Eighty-two, as enacts that the Clerks of the Peace of every County, Borough, Liberty, or Place shall transmit to One of Her Majesty's Principal Secretaries of State a Monthly Return of the Names, Offences, and Punishments of all Persons convicted under the Provisions of that Act, with such other Particulars as may from Time to Time be required.

CAP. LXVIII.

An Act to amend the Law concerning detached Parts of Counties. [2d *August* 1858.]

2 & 3 Vict. c. 93.

'WHEREAS by an Act passed in the Session holden in the Second and Third Years of Her Majesty, Chapter Ninety-three, "for the Establishment of County and District Constables by "the Authority of Justices of the Peace," it was enacted that for the Purposes of that Act all detached Parts of Counties should be considered as forming Part of that County by which they were surrounded, or if partly surrounded by Two or more Counties, then as forming Part of that County with which they had the longest common Boundary, and so much of every such detached Part of any County which was not of itself an entire Hundred, Wapentake, Ward, Rape, Lathe, or such other Division of a County, should be considered as forming Part of that Hundred, Ward, Wapentake, Rape, Lathe, or such other Division whereby it should be surrounded, in the County of which it should be considered a Part, for the Purposes of that Act, or if partly surrounded by Two or more Hundreds, Wapentakes, Wards, Rapes, Lathes, or such other Divisions, then as forming Part of that One with which it should have the longest common Boundary: And whereas by an Act passed in the Session holden in the

3 & 4 Vict. c. 88.

Third and Fourth Years of Her Majesty, Chapter Eighty-eight, to amend the firstly herein recited Act, it was enacted, that it should be lawful for the Justices of any Two or more neighbouring Counties, in their several General or Quarter Sessions assembled, from Time to Time to agree that such Parts of their several Counties as to them should seem fit should for the Purposes of the firstly herein recited Act be considered as forming Part of any other of the said Counties; and whenever any such District should be so transferred for the Purposes of the said Act from one County to another, with the Consent of the Justices of both the last-mentioned Counties, such District should be considered for the Purposes of the said Act as if it were detached from the County to which it belonged, and wholly surrounded by the County to which it was so transferred: And whereas by an

7 & 8 Vict. c. 61.

Act passed in the Session holden in the Seventh and Eighth Years of Her Majesty, Chapter Sixty-one, it was enacted, that every Part of any County in *England* or *Wales* which was detached from the main Body of such County should be considered for all Purposes as forming Part of that County of which it was considered a Part for the Purposes of the Election of Members to serve in Parliament as Knights of the Shire, under the Provisions of an Act passed in the Third Year of the Reign of His

2 & 3 W. 4. c. 64.

late Majesty, intituled *An Act to settle and to describe the Divisions of Counties, and the Limits of Cities and Boroughs, in* England *and* Wales, *in so far as respects the Election of Members to serve in Parliament:* And whereas several Parts of Counties which before the passing of the said Act of the Seventh and Eighth Years of Her Majesty were detached from the main Bodies of such Counties are also detached from the main Bodies of the Counties of which under that Act they respectively form Parts, or may be conveniently united with other Counties: And whereas it is expedient to make such Provision as herein-after mentioned in relation to detached Parts of Counties:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. It

Detached Parts of Counties may be transferred for the Purposes of the Constabulary.

I. It shall be lawful for the Justices of any Two or more neighbouring Counties, in their several General or Quarter Sessions assembled, notwithstanding the said Act of the Seventh and Eighth Years of Her Majesty, from Time to Time to agree that any detached Part of any County shall for the Purposes of the Acts relating to County and District Constables be considered as forming Part of the County by which the same is surrounded, or if partly surrounded by Two or more Counties, then as forming Part of that County with which such Part has the longest common Boundary; and whenever any Part of any County is so transferred, such Part shall be subject to the Provisions of the said Acts of the Second and Third Years and of the Third and Fourth Years of Her Majesty concerning detached Parts of Counties, as the same would have been if the said Act of the Seventh and Eighth Years of Her Majesty had not been passed.

Recited Provision of 3 & 4 Vict. c. 88. extended, &c.

II. The Provision herein-before recited of the said Act of the Third and Fourth Years of Her Majesty shall extend to any Part of a County which did not form Part of such County before the passing of the said Act of the Seventh and Eighth Years of Her Majesty, in like Manner as if the same had always formed Part of such County.

Power to contract for Care of Prisoners.

III. Where any Agreement is made as aforesaid in relation to any detached Part of a County, the Justices entering into such Agreement may, with the Approval of One of Her Majesty's Principal Secretaries of State, also agree for the Support and Maintenance in any Gaol or House of Correction belonging to the County to which such detached Part is assigned under such Agreement of any Prisoners committed thereto from such detached Part, and for the Payment, where the Occasion shall require, of all or any Part of the Expenses of Additions or Alterations of or to such Gaol or House of Correction which may be required by reason of the Commitment of such Prisoners thereto; and every Prisoner committed from such detached Part, who would or might otherwise be confined in the Gaol or House of Correction of the County to which such detached Part belongs, may be lawfully committed or removed to and confined in the Gaol or House of Correction receiving him under such Agreement; and all Prisoners so confined in such Gaol or House of Correction, whether before or after Trial, shall be subject in all Matters and Things to the same Rules and Regulations as if they were committed to such Gaol or House of Correction by any of the Justices having Jurisdiction over the same, and if committed before Trial shall be triable and tried in the same Manner as if their Offences had been committed in the County to which such Gaol or House of Correction belongs; and the Monies to be paid under such Agreement for the Support and Maintenance of such Prisoners, and other such Expenses as aforesaid, shall be raised in the same Manner as Monies for defraying the Expenses of any Gaol or House of Correction of the County to which such detached Part belongs, to which such Prisoners would or might have been committed if such Agreement had not been made.

CAP. LXIX.

An Act to impose Fees on the branding of Barrels under the Acts concerning the Herring Fisheries in *Scotland*. [2d *August* 1858.]

48 G. 3. c. 110. 55 G. 3. c. 94. 1 & 2 G. 4. c. 79. 5 G. 4. c. 64. and 7 G. 4. c. 34. 11 G. 4. & 1 W. 4. c. 54. 14 & 15 Vict. c. 26.

'WHEREAS by an Act of the Forty-eighth Year of King *George* the Third, Chapter One hundred and ten, an Act of the Fifty-fifth Year of King *George* the Third, Chapter Ninety-four, and an Act of the Session holden in the First and Second Years of King *George* the Fourth, Chapter Seventy-nine, Provisions were made for branding or placing a Mark or Character on Barrels and Half Barrels containing Herrings properly cured as a Condition for obtaining Bounties payable under the said Acts: And whereas by Two Acts of the Fifth Year and Seventh Year of King *George* the Fourth the said Bounties were repealed: And whereas by an Act passed in the Session holden in the Eleventh Year of King *George* the Fourth and the First Year of King *William* the Fourth, Chapter Fifty-four, it was enacted and declared, that nothing in the said Acts of the Fifth and Seventh Years of King *George* the Fourth had repealed or rendered ineffectual so much of the said Acts of the Forty-eighth and Fifty-fifth Years of King *George* the Third, and the First and Second Years of King *George* the Fourth, as related to the placing a Mark or Character on Barrels or Half Barrels containing Herrings properly cured: And whereas an Act was passed in the Fourteenth and Fifteenth Years of Her Majesty's Reign to amend the said Acts: And whereas the Expenses of the Establishment maintained for branding or placing such Marks and Characters as aforesaid, and the Matters connected therewith, have been defrayed out of Monies granted by Parliament, and it is expedient that moderate Fees should be payable in respect of such branding or marking, for the Purpose of defraying the Expenses of such Establishment for the future:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

After 31st Dec. 1858 a Fee of 4d. per Barrel and 2d. per Half Barrel to be payable on branding.

1. From and after the Thirty-first Day of *December* One thousand eight hundred and fifty-eight there shall be payable for and in respect of every Barrel of Herrings branded or marked under the said Acts, or any of them, a Fee of Fourpence, and for every Half Barrel so branded or marked the Fee of Twopence, on or before the branding or marking of the same respectively, by the Persons producing, in Terms of the said recited Acts, such Barrels and Half Barrels respectively to be branded or marked; and all such Fees shall be paid to the Officers of the said Establishment, and the Monies so received shall

shall be accounted for and paid over by such Officers, at such Times and under such Regulations as the Commissioners of Her Majesty's Treasury shall from Time to Time direct.

Monies received to be paid into the Consolidated Fund.

II. The Commissioners of Her Majesty's Treasury shall cause the Monies arising from the Fees taken under this Act to be paid into the Exchequer to the Credit of the Consolidated Fund of the United Kingdom.

CAP. LXX.

An Act to amend the Act of the Fifth and Sixth Years of Her present Majesty, to consolidate and amend the Laws relating to the Copyright of Designs for ornamenting Articles of Manufacture. [2d *August* 1858.]

5 & 6 Vict. c. 100.

'WHEREAS by an Act passed in the Fifth and Sixth Years of the Reign of Her present Majesty, intituled *An Act to consolidate and amend the Laws relating to the Copyright of Designs for ornamenting Articles of Manufacture*, herein-after called "The Copyright of Designs Act, 1842," there was granted to the Proprietor of any new and original Design in respect of the Application of any such Design to ornamenting any Article of Manufacture contained in the Tenth Class therein mentioned, with the Exceptions therein mentioned, the sole Right to apply the same to any Articles of Manufacture, or any such Substances as therein mentioned, for the Term of Nine Calendar Months, to be computed from the Time of such Design being registered according to the said Act: And whereas it is expedient that the Term of Copyright, in respect of the Application of Designs to the ornamenting of Articles of Manufacture comprised in the said Tenth Class, should be extended, and that some of the Provisions of the said Act should be altered, and that further Provision should be made for the Prevention of Piracy, and for the Protection of Copyright in Designs under the Acts in the Schedule hereto annexed, and herein-after called "The Copyright of Designs Acts:" Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; that is to say,

Short Title.

I. In citing this Act for any Purpose whatsoever it shall be sufficient to use the Expression "The Copyright of Designs Act, 1858."

Construction of Acts.

II. The said Copyright of Designs Acts and this Act shall be construed together as One Act.

Extension of Term of Copyright as to the Tenth Class mentioned in 5 & 6 Vict. c. 100.

III. In respect of the Application of any new and original Design for ornamenting any Article of Manufacture contained in the Tenth Class mentioned in "The Copyright of Designs Act, 1842," the Term of Copyright shall be Three Years, to be computed from the Time of such Design being registered, in pursuance of the Provisions of "The Copyright of Designs Acts" and of this Act: Provided nevertheless, that the Term of such Copyright shall expire on the Thirty-first of *December* in the Second Year after the Year in which such Design was registered, whatever may be the Day of such Registration.

Copyright not to be prejudiced if Articles marked.

IV. Nothing in the Fourth Section of "The Copyright of Designs Act, 1842," shall extend or be construed to extend to deprive the Proprietor of any new and original Design applied to ornamenting any Article of Manufacture contained in the said Tenth Class of the Benefits of "The Copyright of Designs Acts" or of this Act: Provided there shall have been printed on such Articles at each End of the original Piece thereof the Name and Address of such Proprietor, and the Word "Registered," together with the Years for which such Design was registered.

Pattern may be registered.

V. And be it declared, That the Registration of any Pattern or Portion of an Article of Manufacture to which a Design is applied, instead or in lieu of a Copy, Drawing, Print, Specification, or Description in Writing, shall be as valid and effectual to all Intents and Purposes as if such Copy, Drawing, Print, Specification, or Description in Writing had been furnished to the Registrar under "The Copyright of Designs Acts."

Proprietor to give the Number and Date of Registration.

VI. The Proprietor of such extended Copyright shall, on Application by or on behalf of any Person producing or vending any Article of Manufacture so marked, give the Number and the Date of the Registration of any Article of Manufacture so marked; and any Proprietor so applied to who shall not give the Number and Date of such Registration shall be subject to a Penalty of Ten Pounds, to be recovered by the Applicant, with full Costs of Suit, in any Court of competent Jurisdiction.

Penalty on issuing Articles not so marked.

VII. Any Person who shall wilfully apply any Mark of Registration to any Article of Manufacture in respect whereof the Application of the Design thereto shall not have been registered, or after the Term of Copyright shall have expired, or who shall, during the Term of Copyright, without the Authority of the Proprietor of any registered Design, wilfully apply the Mark printed on the Piece of any Article of Manufacture, or who shall knowingly sell or issue any Article of Manufacture to which such Mark has been wilfully and without due Authority applied, shall be subject to a Penalty of Ten Pounds, to be recovered by the Proprietor of such Design, with full Costs of Suit, in any Court of competent Jurisdiction.

Proceedings for Prevention of Piracy may be instituted in the County Courts.

VIII. Notwithstanding anything in "The Copyright of Designs Acts," it shall be lawful for the Proprietor of Copyright in any Design under "The Copyright of Designs Acts," or this Act, to institute Proceedings in the County Court of the District within which the Piracy is alleged to have been committed, for the Recovery of Damages which he may have sustained by reason of such Piracy: Provided always,

always, that in any such Proceedings the Plaintiff shall deliver with his Plaint a Statement of Particulars as to the Date and Title or other Description of the Registration whereof the Copyright is alleged to be pirated, and as to the alleged Piracy; and the Defendant, if he intends at the Trial to rely as a Defence on any Objection to such Copyright, or to the Title of the Proprietor therein, shall give Notice in the Manner provided in the Seventy-sixth Section of the Act of the Ninth and Tenth *Victoria*, Chapter Ninety-five, of his Intention to rely on such special Defence, and shall state in such Notice the Date of Publication and other Particulars of any Designs whereof prior Publication is alleged, or of any Objection to such Copyright, or to the Title of the Proprietor to such Copyright; and it shall be lawful for the Judge of the County Court, at the Instance of the Defendant or Plaintiff respectively, to require any Statement or Notice so delivered by the Plaintiff or of the Defendant respectively to be amended in such Manner as the said Judge may think fit.

Proceedings of County Courts Acts applicable to Proceedings for Piracy of Designs.

IX. The Provisions of an Act of the Ninth and Tenth *Victoria*, Chapter Ninety-five, and of the Twelfth and Thirteenth *Victoria*, Chapter One hundred, as to Proceedings in any Plaint, and as to Appeal, and as to Writs of Prohibition, shall, so far as they are not inconsistent with or repugnant to the Provisions of this Act, be applicable to any Proceedings for Piracy of Copyright of Designs under the said Copyright of Designs Acts or this Act

SCHEDULE referred to in the foregoing Act.

5 & 6 Vict. c. 100. [10 Aug. 1842.]	An Act to consolidate and amend the Laws relating to the Copyright of Designs for ornamenting Articles of Manufacture.
6 & 7 Vict. c. 65. [22 Aug. 1843.]	An Act to amend the Laws relating to the Copyright of Designs.
13 & 14 Vict. c. 104. [14 Aug. 1850.]	An Act to extend and amend the Acts relating to the Copyright of Designs.
14 Vict. c. 8. [11 April 1851.]	An Act to extend the Provisions of the Designs Act, 1850, and to give Protection from Piracy to Persons exhibiting new Inventions in the Exhibition of the Works of Industry of all Nations in One thousand eight hundred and fifty-one.

CAP. LXXI.

An Act to substitute in certain Cases the Bishop of one Diocese for the Bishop of another as a Trustee of certain Trusts. [2d *August* 1858.]

'WHEREAS it frequently happens that the Bishop of a Diocese is a Trustee of Real or Personal 'Estate for charitable or other public Purposes or is invested with Powers in relation to Charities 'and public Trusts within his Diocese: And whereas, in consequence of the altered Limits of Dioceses 'in *England*, it is expedient to make new Provisions for such Cases:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Charity Commissioners may make Order enabling Bishop of one Diocese to act for another, as to certain Trusts, &c.

I. In all Cases in which the Bishop of a Diocese is as such Bishop, alone or jointly with any other Person or Persons, Trustee of or invested with any Power of Nomination or Control or other Power in relation to any charitable Foundation or other Trust for public Purposes within, or in favour of the Clergy, Parishioners, or other Persons or Objects of or belonging to any Place which at the Time when such Bishop or his Predecessor was first invested with such Trust or Power was within that Diocese, or concerning any Church or Chapel in any such Place, and by reason of an Alteration of the Limits of the Diocese such Place is transferred to and included in some other Diocese, it shall be lawful for the Charity Commissioners for *England* and *Wales*, if it appear to them that such Trust or Power was first so vested in the Bishop or his Predecessor by reason of the Place being then within his Diocese, and may be conveniently vested in the Bishop in whose Diocese such Place is included, to make an Order under their Seal substituting from the Date thereof for the first-mentioned Bishop the Bishop of the Diocese in which such Place is included, and such Order shall operate to vest in such lastly-mentioned Bishop, either solely or jointly with any other Person or Persons, as the Case may require, all Estate, Property, Stock, Funds, Monies, Securities, Rights, Titles, Patronage, and Authority in relation to the Charity or Trust, as fully and effectually as if he had been originally appointed to have and exercise the same.

Order to be made on the Application of the Bishops, or of One of them.

II. Provided, That every Order to be made under this Act shall be made upon the Application of the Bishops concerned in such Order, or One of them; and no such Order shall be made in relation to any Advowson or Right of Patronage or Presentation, Part of the Possessions of a See, which might be exchanged or otherwise disposed of by Scheme of the Ecclesiastical Commissioners confirmed by Her Majesty in Council; nor shall any such Order under this Act be made in relation to any Ecclesiastical Patronage or Power of Nomination or Appointment of any Curate, Chaplain, or Spiritual Person under any Trust without the Consent of the Ecclesiastical Commissioners under their Common Seal.

How Costs are to be defrayed.

III. Any Costs necessarily incident to effecting the aforesaid Transfers shall be defrayed by Order of the said Charity Commissioners out of the Property, Real or Personal, as the said Charity Commissioners may direct, which shall be transferred as aforesaid.

As to Trusts of Universities, and Colleges of Eton, Winchester, and Westminster.

IV. Provided always, That nothing herein contained shall be construed to extend to or in any way affect Trusts of a visitorial or any other Nature or Character exercised in or over any College, Hall, or School within the Precincts or under the Jurisdiction or Government of either of the Universities of *Oxford* or *Cambridge*, or in or over the Colleges or Schools of *Saint Mary* at *Eton*, *Saint Mary* at *Winchester*, and *Saint Peter* at *Westminster*.

Nothing to affect certain Endowments, &c.

V. Provided also, That nothing in this Act contained shall be construed to extend to Endowments of an eleemosynary or any other Character, whose Foundation Trusts are or may be governed by any specific Act of Parliament.

CAP. LXXII.

An Act to facilitate the Sale and Transfer of Land in *Ireland*. [2d *August* 1858.]

12 & 13 Vict. c. 77. 15 & 16 Vict. c. 67. 16 & 17 Vict. c. 64. 18 & 19 Vict. c. 73. 19 & 20 Vict. c. 67.

'WHEREAS an Act was passed in the Session of Parliament holden in the Twelfth and Thirteenth Years of the Reign of Her present Majesty, intituled *An Act further to facilitate the Sale and Transfer of Incumbered Estates in* Ireland: And whereas a certain other Act was passed in the Session of Parliament holden in the Fifteenth and Sixteenth Years of the Reign of Her Majesty, intituled *An Act to continue the Powers of applying for a Sale of Lands under the Act for facilitating the Sale and Transfer of Incumbered Estates in* Ireland: And whereas a certain other Act was passed in the Session of Parliament holden in the Sixteenth and Seventeenth Years of the Reign of Her Majesty, intituled *An Act for continuing and amending the Act for facilitating the Sale and Transfer of Incumbered Estates in* Ireland: And whereas a certain other Act was passed in the Session of Parliament holden in the Eighteenth and Nineteenth Years of the Reign of Her Majesty, intituled *An Act to extend the Period for applying for a Sale under the Acts for facilitating the Sale and Transfer of Incumbered Estates in* Ireland: And whereas a certain other Act was passed in the Session of Parliament holden in the Nineteenth and Twentieth Years of the Reign of Her Majesty, intituled *An Act to extend the Period for applying for a Sale under the Acts for facilitating the Sale and Transfer of Incumbered Estates in* Ireland, and to amend the said Acts: And whereas it is expedient to create a permanent Court for the Sale and Transfer of Land in *Ireland*, whether the same shall be incumbered or unincumbered, and to invest the said Court with other and more extensive Powers than those conferred by the said recited Acts:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Construction of certain Terms in this Act.

I. In the Construction of this Act (except where the Context or other Provisions of this Act require a different Construction),

The Word "Land" shall include and extend to Manors, Advowsons, Rectories, Messuages, Tithes, Lands, Tenements, Rents, Annuities charged on Lands and Hereditaments of any Tenure, or any Estate therein, partial, derivative, or otherwise, and whether such Land be held as Freehold or Chattel, or held by Lease, or whether subject to any Fee-farm or other perpetual Rent, with or without the Condition of Re-entry for securing the same or otherwise, or whether corporeal or incorporeal, and whether a divided or undivided Share;

And the Word "Estate" shall include and extend to an Estate in Equity as well as at Law, and to an Equity of Redemption, and to the Benefit of any Covenant or Contract for or Right of Renewal, and whether this Land be held in Fee Simple or for any lesser Estate, or held by Lease;

And the Word "Lease" shall include an Agreement for a Lease, and the Estate or Interest created or agreed to be created by such Lease or Agreement in the whole or in any Part of the Land therein comprised;

And the Expression "Lease in Perpetuity" shall mean any Lease or Grant for One or more Life or Lives, with or without a Term of Years, or determinable upon the Expiration of any given Term of Years, or for Years determinable on One or more Life or Lives, or for Years absolute, with a Covenant or Agreement in any of such Cases, whether in the same or any other Instrument, for the perpetual Renewal of such Lease or Grant, whether such Lease shall be derived out of the Inheritance or by way of Under-lease out of any other Lease or Estate;

The Word "Owner," as applied to Land, shall include any Person beneficially entitled in possession to an Estate in Fee Simple or Fee Tail, or *quasi* Fee Tail, or for any lesser, partial, or derivative or other Estate, Freehold or Chattel, at Law or in Equity, or any Person entitled to such Estate as a Trustee for Sale;

And the Words "Person or Owner" shall extend to a Body Politic or Corporate, as well as to an Individual;

And the Word "Judge" shall mean one of the Judges of the "Landed Estates Court, *Ireland*;"

And the Expression "the Judge" shall mean the Judge of the said Court before whom the Matter shall be pending of which the Section is conversant;

And

And the Expression "Commissioners of Her Majesty's Treasury" shall mean the Commissioners of Her Majesty's Treasury for the Time being, or such Members of them as are competent to perform Acts for the said Commission at large, or the Lord High Treasurer for the Time being;

And the Word "Incumbrance" shall mean any legal or equitable Mortgage in Fee, or for any less Estate, and also any Money secured by a Trust, and also any Legacy, Portion, Lien, or other Charge, whereby a gross Sum of Money is secured to be paid on an Event, or at a Time certain, and also any annual or periodical Charge, which, by the Instrument creating the same or any other Instrument, is made purchaseable on Payment of a gross Sum of Money, and every other Charge upon Land which is deemed an Incumbrance in a Court of Equity, and which a Court of Equity would discharge by a Sale of the Land charged, or by the Appointment of a Receiver over the same;

And the Word "Incumbrancer" shall mean a Person entitled to an Incumbrance absolutely, or a Person entitled to the absolute or any partial or lesser Interest in an Incumbrance, or in any Part thereof;

And the Word "Court" shall mean the "Landed Estates Court, *Ireland*;" and where the Expression "the Court" shall be used in connexion with any Act to be done or Order to be made by the same, it shall mean the Judge of the said Court before whom the Matter referred to shall be pending;

And the Words "Lord Chancellor" shall mean as well the Lord High Chancellor of *Ireland* as the Lord Keeper or Lords Commissioners of the Great Seal for the Time being.

Title of Court, and Place of Sitting.

II. A Court is hereby constituted, to be called the "Landed Estates Court, *Ireland*," with Power to exercise such Jurisdiction and Authority as herein-after provided, and to hold its ordinary Sittings at such Place or Places in the City of *Dublin* as the Lord Lieutenant of *Ireland* in Council shall from Time to Time appoint.

First Judges of the Court.

III. There shall be Three Judges of the said Court, and *Henry Martley* Esquire, *Mountifort Longfield* Esquire, LL.D., and *Charles James Hargreave* Esquire, shall be and are hereby constituted First Judges of the said Court.

Appointment of future Judges.

IV. It shall be lawful for Her Majesty and Her Successors from Time to Time, when and as often as any Vacancy shall occur in the Office of any of the said Judges of the said Court herein-before named, or of any of their Successors for the Time being, by Death, Resignation, or Removal from Office, by Letters Patent under the Great Seal of *Ireland*, to appoint a fit Person, being a practising Barrister of at least Fifteen Years standing, who shall have actually practised Fifteen Years in Her Majesty's Superior Courts in *Dublin*, and shall not, at the Time of his Appointment to such Office, have retired from such Practice, to supply such Vacancy.

Judges to hold Office during good Behaviour.

V. Each of the said Judges herein-before named, and every other Judge hereafter to be appointed by Her Majesty and Her Successors, under the Provisions of this Act, shall hold his Office during good Behaviour: Provided always, that it shall be lawful for Her Majesty to remove any such Judge from his Office upon an Address of both Houses of Parliament.

Oath of Judges.

VI. Every such Judge as aforesaid shall, before executing any of the Duties of his Office, take the following Oath, which the Lord Chancellor of *Ireland* or the Master of the Rolls for the Time being is hereby respectively authorized and required to administer:

'I *A. B.* do solemnly and sincerely promise and swear, That I will duly and faithfully, and to the best of my Skill and Power, execute the Office of Judge of the "Landed Estates Court, Ireland."

'So help me GOD.'

Every such Judge as aforesaid shall have Rank and Precedence next after the Puisne Judges of Her Majesty's Superior Courts of Common Law and the Judge of the Court of Probate in *Ireland*.

Judges not to sit in House of Commons.

VII. No Judge appointed under this Act shall, during his Continuance in such Office, be capable of being elected or of sitting as a Member of the House of Commons.

Court to have a Seal.

VIII. The said "Landed Estates Court, *Ireland*," shall cause to be made a Seal for their said Court, and shall cause to be sealed therewith all Orders, Conveyances, and other Instruments made by or proceeding from the said Court in pursuance of this Act, and all such Orders, Conveyances, and other Instruments, or Copies thereof, purporting to be sealed with the Seal of the said Court, shall be received in Evidence without any further Proof thereof.

Officers to be appointed.

IX. There shall be One Registrar, One Taxing Officer, One Accountant for said Court, One Examiner for each Judge, and so many Clerks and other Officers for the said Court (save the Office of Master) as the Lord Chancellor of *Ireland*, with the Sanction of the Commissioners of Her Majesty's Treasury, may from Time to Time think fit.

First Appointment of Officers.

X. *Henry Carey* Esquire, the present Secretary to the Court for the Sale of Incumbered Estates, shall be the First Registrar, *Richard Augustine Fitz Gerald* shall be the First Taxing Officer, and *Thomson Seed* shall be the First Accountant of the said Landed Estates Court, *Ireland*; and the several Examiners for the said Judges shall be appointed under the Hand of the said Judges respectively.

Certain Officers to be transferred to such Situations as Judges may select.

XI. Such of the other Clerks and Officers now employed in the said Court for the Sale of Incumbered Estates shall be transferred to such Situations in the Court hereby created as the Judges of the said Court, or any Two of them, shall, with the Approbation of the Lord Chancellor, select and appoint as best qualified for such Situations, or, in default of Appointment by them, as the Lord Chancellor himself shall select and appoint.

XII. The

Future Appointment of Officers.

XII. The Registrar, Taxing Officer, and Accountant of the said Court hereby constituted, upon the Death, Resignation, or Removal of the Persons respectively appointed or to be appointed from Time to Time to the said Offices, and the Persons to be appointed to any Situation which is of a general Nature in the said Court, and not attached to any particular Office, and every Officer who shall preside in any Office, shall be appointed by Warrant of the Lord Lieutenant, on the joint Recommendation of the Judges of the Court; or, in default of such joint Recommendation, by the Lord Lieutenant at his Discretion; and the Examiners of the said Judges, and other Officers immediately attached to their respective Courts or Chambers, shall from Time to Time be appointed by such Judges respectively for the Time being as such Office shall become vacant, and the several other inferior Officers or Clerks shall, save in the Case of such Transfer as aforesaid, be appointed by the said Judges jointly.

Salaries of Officers.

XIII. There shall be paid to *Henry Martley* Esquire a Salary of Three thousand Pounds a Year; there shall be paid to *Mountifort Longfield* Esquire and *Charles James Hargreave* Esquire a Salary of Two thousand five hundred Pounds a Year each, and to every future Judge of the said Court a Salary of Two thousand five hundred Pounds a Year each; and there shall be paid to the Registrar, Taxing Officer, Accountant, and the several other Officers and Clerks who shall be appointed under the Provisions of this Act, such Salaries as the Commissioners of Her Majesty's Treasury shall approve, upon the Recommendation of the Judges of the said Court, with the Approval of the Lord Chancellor, all which several Salaries shall be payable quarterly.

Certain Officers to hold their Offices during good Behaviour.

XIV. The Registrar, Taxing Officer, Accountant, and Examiners shall hold their Offices during good Behaviour, subject to be removed by the joint Order of the Judges of the said Court, with the Sanction of the Lord Chancellor of *Ireland*, for some reasonable Cause to be in the said Order expressed, and all other Officers of the said Court shall be removable by the joint Order of the said Judges thereof, with the Sanction of the Lord Chancellor.

Qualification of Officers.

XV. No Person, save such as shall be transferred under the Provisions of this Act, shall be appointed Examiner, Registrar, or Taxing Officer of the said Court who shall not have been a Barrister or Solicitor of at least Six Years standing, unless he shall have filled some Office or Offices in the Court for the Sale of Incumbered Estates or the Court hereby constituted, or some Offices in both Courts, or some Office or Offices in the Court of Chancery for a Period of Five Years.

Officers to act in Person.

XVI. The Registrar, Taxing Officer, Accountant, and Examiners shall execute their respective Offices in Person, and not by Deputy, unless where a Deputy for the Execution of any of such Offices shall be appointed for that Purpose by the Lord Chancellor in the Case of temporary Illness or other unavoidable Accident; and no Officer of the said Court shall, during the Term of his holding such Office, directly or indirectly practise as a Barrister or Attorney, or participate in the Fees of any other Person so practising.

Privilege of Barristers and Solicitors.

XVII. Barristers and Solicitors shall respectively have and enjoy the like Privilege of practising before and be subject to the like Authority of the said Court as they have and enjoy and are subject to in Her Majesty's High Court of Chancery, or the Court for the Sale of Incumbered Estates in *Ireland*.

Salaries of Judges and Officers.

XVIII. The Salaries payable to the Judges of the said Court under this Act shall be issued and payable out of and charged upon the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, and the Salaries payable to the other Officers of the said Court under this Act shall be payable out of such Funds as shall be provided by Parliament for such Purpose, and all such Salaries shall be paid by equal Portions, quarterly, and the first of such Payments, or a proportionate Part thereof to be computed from the Time of the Appointment of such Judge, shall be made on such of the said Days of Payment as shall first happen after the Date of such Appointment; and upon the Resignation, Death, or Removal from Office of any such Judge, such Judge, or his Executors or Administrators, shall be paid such proportionate Part of his Salary as shall have accrued from the Times of the Commencement of such Salary, or from the last Day of Payment thereof, to the Time of such Resignation, Death, or Removal from Office.

Retiring Pension of Judges.

XIX. Her Majesty, by Letters Patent under the Great Seal of the United Kingdom, may grant unto any Person exercising the Office of Judge of the said Court in pursuance of this Act an Annuity not exceeding Two Thirds of the Salary of such Judge, to commence immediately after the Period when the Person to whom such Annuity shall be granted shall resign the said Office of Judge, and to continue from thenceforth during the natural Life of the Person to whom the same shall be granted; provided that no such Judge shall be entitled to such retiring Allowance until he shall have served for a Period of at least Fifteen Years; and such Annuity shall be issued and payable out of and charged upon the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*; and such Annuity shall be paid quarterly by equal Portions, and the first quarterly Payment, or a proportionate Part thereof to be computed from the Time of the Resignation of the said Officer, shall be made on such of the same Days as shall happen next after the Resignation of the said Officer, and the Executors and Administrators of the Person to whom the same Annuity shall be granted as aforesaid shall be paid such proportionate Part of the said Annuity as shall accrue from the Commencement of the last quarterly Payment thereof, as the Case may be, to the Day of his Death; provided that it shall be lawful for Her Majesty, in and by such Letters Patent, to limit the Duration of Payment of such Annuity or any Part thereof to such Periods of Time during the natural Life of such Person in which he shall not exercise any

Office

Office of Profit under Her Majesty, so that such Annuity, together with the Salary and Profits of such other Office, shall together not exceed in the whole the Amount of the Salary of the Office previously held; provided also, that no Annuity granted to any Person having executed the Office of Judge of the said Court under this Act shall be valid unless such Person shall have continued in the said Office, or in the said Office and the Office of Commissioners for the Sale of Incumbered Estates in *Ireland*, or in the Office of a Judge in One or more of Her Majesty's Superior Courts, for the Period of Fifteen Years, or shall be inflicted with some permanent Infirmity disabling him from the due Execution of his Office, which shall be distinctly recited in the said Grant.

Retiring Pension of Officers.

XX. Every Registrar, Taxing Officer, Accountant, Examiner, or other Officer who shall hold Office under the Provisions of this Act, shall be entitled to the like retiring Allowances and upon the same Conditions as by the "Court of Chancery (*Ireland*) Regulation Act, 1850," are provided in respect of the Offices of the said Court of Chancery; and all the Provisions of the said Act relating to such retiring Allowances shall extend to and include the Officers of the Court hereby created, and their respective Salaries, save that the said retiring Allowances shall be paid out of such Moneys as may be provided by Parliament for that Purpose: Provided, that in estimating the Length of Service the Time during which any such Officer shall have filled any Office in the Court of the Commissioners for the Sale of Incumbered Estates in *Ireland*, or in the Court of Chancery or the Superior Courts of Common Law in *Ireland*, shall be taken into account as if such Service had been under this Act; that *Stephen Woulfe Flanagan*, and the several other Officers of the Court for Sale of Incumbered Estates in *Ireland* whose Offices have been or shall be abolished, and such Officers as are not to be transferred to the said last-mentioned Court, shall receive such Compensation by way of annual Payment, out of such Monies as may be provided by Parliament for that Purpose, as the Judges, with the Assent of the Lord Chancellor, shall recommend, and shall be approved of by the Commissioners of Her Majesty's Treasury.

Compensation to unemployed Officers of the Incumbered Estates Court.

As to estimating future retiring Pensions, &c. of unemployed Officers.

XXI. In case the said *Stephen Woulfe Flanagan*, or any other Officer of the said Incumbered Estates Court who shall not be transferred to the said Landed Estates Court, shall at any Time hereafter be appointed to any Office under Her Majesty, the Period during which he has served in the Incumbered Estates Court shall be taken into account and allowed in estimating the Period at which he shall be entitled to retire from such new Office, and the Amount of the retiring Pension or Superannuation Allowance to which he shall be entitled.

Commencement of Court.

XXII. The Authority and Jurisdiction of the "Landed Estates Court (*Ireland*)" shall commence and take effect from the First Day of *November* next.

Jurisdiction of Commissioners for Sale of Incumbered Estates to continue until Formation of new Court.

XXIII. Every Commissioner, Secretary, or other Officer appointed under the Provisions of the first-recited Act may hold his Office until the said First Day of *November*, and no longer, unless the Lord Chancellor shall otherwise direct; and all such Applications under the said recited Acts or any of them as are mentioned in Section Eleven of the said thirdly-recited Act of the Sixteenth and Seventeenth Years of Her Majesty, and which are by the said lastly-recited Act of the Nineteenth and Twentieth Years of Her Majesty authorized to be made within Five Years from the Twenty-eighth Day of *July* One thousand eight hundred and fifty-three, may be made before the said First Day of *November* next; and all Orders and Proceedings by such said Acts or any of them authorized, and which might be made, had, or taken under the same, may be made, had, and taken at any Time before the said last-mentioned Day.

Lord Chancellor to call for a Return of Business before the Commissioners for Sale of Incumbered Estates.

XXIV. It shall and may be lawful for the Lord Chancellor to issue an Order directed to each of the Commissioners for the Sale of Incumbered Estates in *Ireland* requiring him to report to the Lord Chancellor the Number and Titles of Matters pending in his Office, distinguishing those in which Orders for a Sale or for an independent Partition or Exchange have been made, those in which Rentals have been settled, those in which Sales have been had, those in which Deeds have been executed to a Purchaser, and those in which Final Schedules have been ruled, with the Date of the filing of the Petition in each Matter, so far as such Proceedings shall be incident to such Matters, and the Dates of such Acts of the Commissioners in the Progress of such Matters respectively as have been in this Section enumerated; and each Commissioner shall, within such Time after having been served with such Order as shall be named therein, make a Report or Return in conformity to the Terms and Requisition of same.

Judges to make annual Return to Secretary of State.

XXV. At the Termination of each Year after this Act shall come into operation, each Judge shall furnish to Her Majesty's Secretary of State for the Home Department a Return showing the Number and Titles of Matters which shall have been brought into his Chamber during the Year, and of all Matters then pending, distinguishing those which are founded upon original Applications from those referred by the Courts of Chancery and the Court of Bankruptcy and Insolvency, and distinguishing those in which Orders for a Sale or independent Partition or Exchange, or for specific Performance or Declarations of Title have been made, and those in which Applications or References have been dismissed or the Title registered, and also the Titles of Matters in which Rentals have been settled, those in which Sales have been had, those in which Deeds of Conveyance have been executed to a Purchaser, and those in which Final Schedules have been settled, together with the several Dates of such Applications or References, and the Dates of such Acts of the Judges respectively as are in this Section enumerated,

enumerated, and the Dates of the filing and Commencement of each Matter respectively, and the said Return shall also state the Sum produced on each Sale; provided, that the Form of and Particulars to be contained in such Return may be varied by any General Order of the Court.

All Matters pending before the Incumbered Estates Court to be transferred to the new Court.

XXVI. When and so soon as the Court constituted by this Act shall come into operation, all the Matters theretofore pending before the Commissioners for the Sale of Incumbered Estates in *Ireland* shall thereupon stand transferred to the "Landed Estates Court, *Ireland*," and be dealt with in that Court in respect of all Orders and Conveyances, and otherwise in the further Prosecution of the same, as if the said Matters had been commenced in the said last-mentioned Court; and all Acts and Orders of the said Commissioners, whether their Powers shall or shall not have expired, shall continue in force, save as herein mentioned; and the Court shall for the Purposes of such Matters have all the Jurisdiction, Power, and Authority possessed by the said Commissioners, as well as those conferred upon the Court by this Act; and all the Rules of Procedure which shall be in force under this Act shall be applied in the future Prosecution thereof, so far as such Rules are capable of being so applied, and if such Rules shall not be found applicable thereto, then such Matters shall be prosecuted according to the Course of Procedure theretofore used before the said Commissioners; and every Appeal previously made to the full Court of the said Commissioners which shall be then pending shall not be heard by them, but shall be prosecuted directly before the Court of Appeal in Chancery; provided, that nothing herein contained shall prevent the said Commissioners from giving Judgment in any Case which shall have been heard before them, or shall prevent any of the Parties to such Matter from having an Appeal therefrom to the Court of Appeal in Chancery; and provided, that every Proceeding to make absolute a Conditional Order which shall have been made by the Court of the Commissioners for the Sale of Incumbered Estates in *Ireland*, or by any of them, shall be prosecuted before a Judge of the said Landed Estates Court as if such Order had been pronounced by him; provided also, that nothing herein contained shall operate to prevent the Court from rescinding, vacating, or varying any Acts or Orders of the said Commissioners, as if same had been made or done by the Court itself.

Stock and Cash to be transferred to the Control of new Court.

XXVII. When and so soon as the Court constituted by this Act shall come into operation, the Cash and Stock now standing to the Credit of the Commissioners for the Sale of Incumbered Estates in *Ireland*, or under their Control, or of any Matters then pending before them, shall be transferred to or placed under the Control of "The Landed Estates Court, *Ireland*," and may be generally transferred or changed to such Names or Credit as the last-mentioned Court shall, by any General Order or Orders or by any Special Order or Orders, from Time to Time direct; and in the meantime it shall be lawful for the several Judges of the Court from Time to Time to make such Orders in relation to any Portion or Portions of such Funds, and draw or make such Orders, or ratify such Drafts or Orders of the Commissioners in relation to any Portion or Portions of such Funds, as the said Commissioners or any of them could have drawn or ratified before the Time when this Act shall have come into operation, or as such Judges shall be authorized by any General Rule or Order of the Court; and the Accountant of the "Landed Estates Court, *Ireland*," shall and hereby is authorized and empowered to do any Act which the Accountant of the said Commissioners could have done before this Act shall have come into operation, or such Acts as he shall be authorized to do by any General Rule or Special Order of the Court.

Deeds, &c. to be handed over as Lord Chancellor shall direct.

XXVIII. When the Court constituted by this Act shall come into operation the several Officers of the Court of the Commissioners for the Sale of Incumbered Estates in *Ireland* shall respectively hand over and deliver up all such Deeds, Documents, Books, and Papers as shall be then in their Custody as such Officers, and to such Person or Persons as the Judges of the Court shall by Order direct.

Judges to frame and promulgate Forms of Application, &c.

XXIX. The said Judges shall frame, and cause to be printed and circulated or promulgated, as they shall see Occasion, Forms of Applications and Directions indicating the Particulars of the Information to be furnished to the Court, on Applications to them under this Act, with reference to Title, Incumbrances, and the Circumstances of the Land, and such other Information as, in the Judgment of the said Judges, may assist them in forming an Opinion on such Application, and also such other Forms and Directions as they may deem requisite or expedient for facilitating Proceedings under this Act.

Judges to frame General Orders, to be approved by Lord Chancellor, &c.

XXX. The said Judges, on or before the First Day of *November* next, shall prepare a Code of General Rules, such as they may think best adapted for regulating the Course of Procedure under this Act, and in relation to the making Investments, and generally for securing the due Execution of the Powers vested in the said Court, and giving Effect to the Provisions and Objects of this Act; but no Fees or Sums shall, under any such General Rule or otherwise, be payable to any Officer or Person appointed under this Act, upon or in respect of any Proceedings under this Act, save in respect of the Copy or Extract of or from any Order, Document, or Proceeding actually required and taken by any Party, such Sum, not exceeding Three Halfpence for every Seventy-two Words, as shall be paid for the making of such Copy or Extract, and the said Court shall authorize to be charged to such Party for the same: Provided always, that every such Code of General Rules shall be laid before the Lord Chancellor of *Ireland*, and the Lord Chancellor thereupon, with the Assistance of the Lord Justice of Appeal, shall consider the Expediency of such Rules and every of them; and it shall be lawful for the Lord Chancellor, with the Concurrence of the Lord Justice of Appeal, by Order signed by him, to confirm or disallow all or any of such Rules, or to alter or amend, and confirm with such Alterations or Amendment, any of such

such Rules, or to remit any of such Rules to the said Judges for further Consideration, or to frame any additional Rule or Rules; and every such General Rule or Rules (when the same shall have been so confirmed by Order of the Lord Chancellor) shall be enrolled in the High Court of Chancery in *Ireland*, and when so enrolled shall be binding on the said Court in the Exercise of its Powers, and shall be of the same Force and Effect as if the same had been enacted by Authority of Parliament: Provided also, that any Rules so confirmed and enrolled as aforesaid may from Time to Time be added to, rescinded, amended, or altered, as Occasion may require, by other Rules made by the Judges for the Time being, and confirmed and enrolled in like Manner; and provided also, that it shall be lawful for any of the Judges of the Court singly to lay any Rule or Rules before the Lord Chancellor which such Judge may think expedient, whereupon the Lord Chancellor may proceed with respect to such Rule or Rules as if the same had been prepared and laid before him by both the Judges of the said Court.

Special Notice to Tenants and Owners of contiguous Lands.

XXXI. The Court or Judges thereof, in framing General Orders under this Act, shall have regard to the best Mode of apprizing Tenants on the Estate of the Subject of any Matter or Reference pending before the Court, and of the Nature and Effect of the Proceeding, by causing Notices to be posted on and in the Vicinity of the Lands, and also by Advertisement or otherwise, thereby inviting them to establish their Rights, with a view to have such reserved, and shall also have regard to the best Mode of calling the Attention of Owners of Lands contiguous to those which may be the Subject of any Matter or Reference pending before the Court, to the Boundaries set out in the Maps annexed to the Rental, and shall also have regard to the best Mode of having brought before the Judge a Draft of every proposed Conveyance or Declaration, and of having produced before the Judge such Materials as shall enable him to settle such Conveyance or Declaration in accordance with the Rights of the Tenants and other Parties concerned.

General Orders to be laid before Parliament.

XXXII. Such Code of General Rules as shall be made and confirmed as aforesaid shall be laid before both Houses of Parliament within One Calendar Month from the Enrolment thereof, if Parliament be then sitting, or if Parliament be not then sitting, within One Calendar Month from the Commencement of the next Session of Parliament.

Power of Court to summon and examine Witnesses.

XXXIII. It shall be lawful for the Court, by Summons under its Seal, to require the Attendance before One of the said Judges or any Officer of said Court, at a Time and Place to be mentioned in such Summons, of all such Persons as it shall think fit to examine in relation to any Question or Matter depending before the said Court, and to require all such Persons to produce before the said Court or Judge or Officer all Deeds, Books, Papers, Documents, and Writings relating to such Question or Matter, and to examine upon Oath, or, in case of Persons allowed to make Affirmations or Declarations in lieu of an Oath, upon Affirmation or Declaration (as the Case may require), all Persons who shall attend under such Summons, and all Persons who shall voluntarily attend as Witnesses; and it shall be lawful for either of the said Judges or any Officer appointed for that Purpose generally or in the particular Matter to administer such Oath, Affirmation, or Declaration, and every Person required by such Summons so to attend who without reasonable Cause, to be allowed by the said Court, shall fail to appear according to the Tenor of such Summons, or shall refuse to be sworn or to make Affirmation or Declaration (as the Case may be), or shall not make Answer to all such Questions as shall be lawfully put to him on such Examination, or shall refuse or fail to produce before the said Court, Judge, or Officer any such Deed, Book, Paper, Document, or Writing, being in or under his Custody, Possession, or Power, as shall be lawfully required to be produced by him before the said Court, Judge, or Officer, shall for such Default of Appearance, Refusal to be sworn or to make Affirmation or Declaration, or for not answering any such Question as aforesaid, or not producing such Deed, Book, Paper, Document, or Writing, incur and be liable to all such Penalties, Prosecutions, Actions, and Suits as a Person might incur or be liable to for failing to appear or refusing to be sworn or to give Evidence in any Suit or Matter depending in the High Court of Chancery in *Ireland*; and the said Court, and each of the Judges thereof, shall have the like Powers, Jurisdiction, and Authority for enforcing the Attendance of Persons summoned as aforesaid, for punishing Persons failing to appear or refusing to be sworn or to make Affirmation or Declaration, or to give Evidence, or guilty of Contempt, and generally for enforcing all Orders made by the said Court under any of the Powers or Authorities vested in it under this Act, and otherwise in relation to the Matters to be inquired into and done by them under this Act, as are by Law vested in the High Court of Chancery in *Ireland* for such Purposes in relation to any Suit or Matter depending in such Court.

Judges may receive Affidavits in Evidence.

XXXIV. Provided always, That the said Court or Judge thereof may, where they or he think fit, receive in Evidence Affidavits; and such Affidavits may be made before any Person empowered to take Affidavits which may be received in Evidence in the Court of Chancery in *Ireland*, or where they think fit the said Court may, by Order under the Seal thereof, appoint and authorize any Person, either generally or in a particular Matter, to take Affidavits or examine any Witness or Witnesses who shall attend before such Person to be examined in *Ireland* or elsewhere, in relation to any Application to or Matter pending before the said Court, and to administer Oaths, Affirmations, or Declarations for the Purposes of such Examination; but the Deponent in every such Affidavit shall, on the Application of any other Party interested in the Facts deposed to, be subject to be cross-examined by or on behalf of such

such other Party orally in open Court, or before any Person appointed to take such Examination, and after such Cross-examination may be re-examined orally in open Court or before such Person appointed as before said.

Examination by Commissioners.

XXXV. It shall be lawful for the Court to enforce the Attendance of Witnesses, and to have such Witnesses examined and Evidence taken in any Matter pending before it, whether by Commission or otherwise, before such Person or Persons or such Tribunal as under the several Statutes now in force and hereafter to be enacted the Court of Chancery, or Her Majesty's Superior Courts of Common Law in *Ireland*, may have Evidence taken and received.

Orders of the Court may be enforced in England.

XXXVI. Every Order made by the said Court constituted under this Act, a Copy whereof shall be certified under their Seal to the High Court of Chancery in *England*, may be enrolled in like Manner and enforced by the like Process as an Order for Payment or for accounting for Money made by the High Court of Chancery in *Ireland*, a Copy whereof is exemplified and certified to the said Court of Chancery in *England* under the Great Seal of *Ireland*, may be enrolled and enforced under an Act passed in the Forty-first Year of King *George* the Third, intituled *An Act for the more speedy and effectual Recovery of Debts due to His Majesty, His Heirs and Successors, in right of the Crown of the United Kingdom of* Great Britain *and* Ireland, *and for the better Administration of Justice within the same.*

41 G. 3. c. 90.

Court to be a Court of Record, and shall have Powers, &c. of a Court of Equity.

XXXVII. The said "Landed Estates Court, *Ireland*," shall be a Court of Record, and shall have all the Powers, Authority, and Jurisdiction of a Court of Equity in *Ireland*, for the Investigation of Title, and for ascertaining and allowing Incumbrances and Charges, and the Amounts due thereon, and settling the Priority of such Charges and Incumbrances respectively, and the Rights of Owners and others, and generally for ascertaining, declaring, and allowing the Rights of all Persons in any Land in respect of which Application may be made under this Act, or in the Money to arise from Sales under this Act, upon such Applications, and shall have the like Authority and Jurisdiction for enforcing, rescinding, or varying any Contract for Sale made under this Act, and in other Matters incident to or consequent on a Sale under this Act, as are vested in a Court of Equity in relation to a Sale under the Direction of such Court, but the Procedure of the Court in reference to the same shall be according to such General Rules as aforesaid, or when the General Rules shall be inapplicable, at the Discretion of the Court; and the said Court shall have Power, in relation to any Matter or Question before them, to direct Issues of Fact to be tried by a Jury; and, subject to any General Rules as aforesaid, the Acts and Orders of each Judge acting separately shall for all the Purposes of this Act be deemed and taken in relation to all such Inquiries and Matters as the Acts and Orders of the said Court, and so described in the said Orders and in all legal Proceedings.

Power of the Court to direct an Issue to be tried by Jury.

Power to Court, in certain Cases, to summon a Jury.

XXXVIII. It shall be lawful for the Court to cause any Matter or Question of Fact arising in any Proceeding before them to be tried by a Special or Common Jury before the Court itself; and the Court may make all such Rules and Orders upon the Sheriff, or on any other Person, for procuring the Attendance of a Special or Common Jury for the Trial of such Question or Matter of Fact, as may be made by any of the Superior Courts of Common Law at *Dublin*, and may also make any other Orders which to the Court may seem requisite; and every such Jury shall consist of Persons possessing the Qualification, and shall be struck, summoned, balloted for, and called in like Manner, as if such Jury were a Jury for the Trial of any Cause of the said Superior Courts; and every Juryman so summoned shall be entitled in the same Rights and subject to the same Duties and Liabilities as if he had been duly summoned for the Trial of any such Cause in any of the said Superior Courts; and every Party to any such Proceeding shall be entitled to the same Rights, as to Challenge and otherwise, as if he were a Party to any such Cause, and generally for all Purposes of or auxiliary to the Trial of Question of Fact by a Jury before the Court itself; and in respect of new Trial the Court shall have the same Jurisdiction, Powers, and Authority in all respects as belong to any Superior Court of Common Law, or to any Judge thereof, for the like Purposes: Provided, that from any Order made by the Court on an Application made for a new Trial there shall be the same Right of Appeal as from any other Order of the Court: Any Question of Fact which shall be so ordered to be tried by a Jury before the Court itself shall be reduced into Writing in such Form as the Court shall direct, and at the Trial the Jury shall be sworn to try the said Question, and a true Verdict give thereon according to the Evidence, and upon every such Trial the Court shall have the same Powers, Jurisdiction, and Authority as belong to any Judge of any of the said Superior Courts sitting at Nisi Prius.

Court may rescind or vary its own Orders.

XXXIX. It shall be lawful for the Court to review and rescind or vary any Order which shall have been previously made by it or by the Commissioners for the Sale of Incumbered Estates, or any of them, but, save as aforesaid, and as herein-after provided, every Order of the Court shall be final.

Proceedings in each Matter to be taken before a single Judge.

XL. Upon each Petition being presented to the said Court, the Subject Matter of the same shall be referred to and become attached before One of the said Judges, according to a Routine to be settled by the General Orders of the said Court, and all Proceedings in reference to the same, save as herein-after provided, shall be taken before the Judge before whom such Matter shall have been so attached, and the Decision of such Judge in the Course of the Proceedings in the said Petition Matter shall not be subject to any other Appeal than that herein-after provided, and every Order of such Judge shall be deemed and taken to be and shall be called the Order of the said Court: Provided always, that nothing herein contained

contained shall operate to prevent such Judge, before pronouncing any Decision, if he shall see fit, from calling in the Aid of One or both of the other Judges of the said Court; provided also, that it may be lawful for any of the Judges of said Court to take up and perform in the whole or Part the Duty of any other Judge of the said Court in relation to any Matter attached or pending before him, where such other Judge shall be ill or absent, or his Office be vacant, or for other reasonable Cause.

Appeal from Judges to be direct to the Court of Appeal in Chancery.

XLI. Every Order or Decision of the Judge shall be subject to a direct Appeal to the Court of Appeal in Chancery in *Ireland* and no other, but such Appeal must be entered within Three Months from the Date of the Decision or Order, or such further Time as the Court shall by special Leave allow, and be thereafter duly prosecuted, otherwise the Decision or Order shall be final; and every Appeal shall be subject to such Regulation in regard to Deposit of Costs as shall be directed by any General Order to be made in pursuance of this Act, and on hearing of such Appeal the only Evidence to be relied on or admissible shall be such as was given before the Court below, but the said Appeal Court, if it shall think fit, may receive such Evidence, or direct or make any such Inquiry thereon, as it shall seem fit, or may direct the Court below to rehear the Case, on such further Evidence as it may be in the Power of either Party to produce; and the Costs of such Appeal shall be in the Discretion of the said Court of Appeal: Provided always, that it may be lawful for said Court of Appeal, if it see fit, on special Application for that Purpose, to rehear any Appeal upon which it may already have made an Order, and on such Rehearing to rescind, vary, or add to such Order as to said Court of Appeal may seem just.

Appeals from Chancery to be to the House of Lords.

XLII. Any Decision of the Court of Appeal in Chancery from the "Landed Estates Court, *Ireland*," shall be subject to an Appeal to the House of Lords, in like Manner as, and subject to the like Conditions and Restrictions as apply to or govern, or hereafter from Time to Time shall apply to or govern, Appeals from the Court of Appeal in Chancery to the House of Lords.

Owner of Incumbered Estate, &c. may apply for Sale;

XLIII. Where any Land in *Ireland* shall be subject to any Incumbrance, it shall be lawful for any Incumbrancer on such Land, or for the Owner of any Estate therein charged with such Incumbrance, to apply to the Court, under the Provisions of this Act, for the Sale of the Estate in said Land charged with such Incumbrance.

as may Owner of unincumbered Estates.

XLIV. In any Case where any Person shall be seised or possessed of any Estate in Land as Owner thereof (save a Trustee, other than a Trustee for Sale,) it shall be lawful for such Person to apply to the Court for the Sale of such Estate under the Provisions of this Act.

Incumbrance by a Trust Term.

XLV. Wherever any Incumbrance affecting Land shall be secured by a Trust Term thereof of not less than Ninety-nine Years absolute, of which not less than Sixty Years shall be unexpired, and shall have been created by the Owner of a larger Estate in such Land, whether Freehold or Chattel, such Incumbrance shall for the Purposes of this Act be deemed an Incumbrance upon such larger Estate; and an Incumbrance on Land charged under a Power shall for the Purposes of this Act be deemed an Incumbrance upon the Estate in such Land of the Person who created such Power.

Court to exercise the Jurisdiction of Chancery for Sale of settled Estates under the 19 & 20 Vict. c. 120.

XLVI. It shall and may be lawful for any Person who would be authorized under the Act of the Nineteenth and Twentieth Years of Her Majesty, Chapter One hundred and twenty, entitled *An Act to facilitate Leases and Sales of settled Estates*, to make an Application to the Court of Chancery for the Sale of a settled Estate in Land, instead of making such Application to the said Court of Chancery to apply to the Court created by this Act for the Purpose of having the Sale of such settled Estate in the said Lands under the said last-mentioned Court; and thereupon it shall be lawful for the Court to exercise all the Powers conferred upon the Court of Chancery in relation to Sales of such Nature under the Provisions of the said last-mentioned Act; save that the Judge shall himself execute the Conveyance to the Purchaser under such Sale, and save that such Conveyance shall have the like Operation and Effect, and confer such indefeasible Title to the Purchaser, as if such Sale had been made and such Conveyance had been executed upon an Application for the Sale of an Incumbered Estate under this Act: Provided always, that the Court shall make such Investigation of the Title and Circumstances of the said Lands as the Court shall see expedient, and as in other Cases preliminary to Sales under this Act; provided also, that every Decision and Order in the Course of such Proceeding shall be subject to Appeal to the Court of Appeal in Chancery as in other Cases under this Act.

Vendor or Vendee may apply for an Investigation of Title, and a Conveyance with indefeasible Title.

XLVII. Whenever a Contract for Sale of any Estate in *Ireland* shall be made, it shall and may be lawful for the Vendor and Vendee jointly, or, if the Contract shall so provide, for the Vendor or Vendee individually, as the Case may be, to present a Petition to the said Court for the Purpose of procuring for the said Vendee an indefeasible Title to the Land so previously sold, and a statutable Conveyance thereof under the said Court to him, and (if necessary) the Court, as incidental to such Proceeding, may make an Order for a specific Performance of such Contract at the Instance of either Party, and thereupon all Investigations of Title and other Proceedings in relation to such Petition shall be similar to those which are and shall be prescribed for Owners applying for the Sale of incumbered or unincumbered Property by the Court as aforesaid, save that no Sale thereof shall be made by the said Court, unless the Petitioner, being the Vendor, shall so desire, with the Consent of the Purchaser, but the Sale or Contract so theretofore made by the Vendor shall be ratified by the said Court, if it shall so think fit, and a Conveyance of such Property so sold shall be executed to the Purchaser by the Judge, and such Conveyance shall have the same Validity and Effect as Conveyances of Incumbered Estates by the Judges under this Act; and it shall and may be lawful for such Court, if necessary, to pay and discharge out of the Pur-

chase Money such Incumbrances as shall appear upon Investigation of Title to be charged upon the Property so sold or contracted to be sold, and for that Purpose to order the Purchase Money into Court: Provided always, that it shall be lawful for the Court, at the joint Instance of the Vendor and Vendee, to substitute any other Person as Purchaser in the Room and Stead of the original Vendee, or to set up the Land for Sale under the Court, and in such Case the Conveyance shall be made by the Judge to such substituted or other Purchaser as if the original Application had been for a Sale of the Lands so contracted for.

Incidental Power to enforce specific Performances.

XLVIII. In the Matter of every such Application as in the last Section mentioned, the Court, if so required, shall, as incident to such Application, exercise and is hereby invested with all the Jurisdiction and Powers at present exercised by the Court of Chancery in respect to specific Performance of Contracts for the Sale of Land, whether the Person seeking for such Relief shall be the Person who shall have made the original Application in the Matter or not.

Where a Decree for a Sale is pronounced in Chancery, or where Order for Sale is in Bankruptcy or Insolvency, Sales shall be made by the "Landed Estates Court, Ireland."

XLIX. Whenever any Order or Decree for a Sale of any Estate of Land in *Ireland* shall be pronounced by the High Court of Chancery in *Ireland*, or One of the Masters thereof, or any Judge or Officer of the said Court who, according to the Practice thereof, may make such Decree or Order, and where any Order for Sale of Lands shall be pronounced by a Judge of Her Majesty's Court of Bankruptcy and Insolvency in *Ireland*, such Sale shall be effected in and by the "Landed Estates Court in *Ireland*," and not by or under the said Court of Chancery, or the said Court of Bankruptcy and Insolvency, and the Title of such Land shall undergo such Investigation by the "Landed Estates Court in *Ireland*," preparatory to such Sale, as shall be incident to Sales founded upon Petitions filed in the said last-mentioned Court, and the Conveyance of such Land to the Purchaser thereof shall be executed by a Judge of the said last-mentioned Court, and such Conveyance shall have the like Operation and Effect as Conveyances by Judges of the said Court to Purchasers upon Sales founded upon Petitions to the said Court under this Act: Provided always, that if upon the Representation of the Parties, or on Consideration of the small Value of the Property to be sold, the said Courts of Chancery or Bankruptcy and Insolvency respectively shall not deem it expedient to have such Investigation of Title or Sale or Conveyance by the "Landed Estates Court, *Ireland*," it shall be lawful for such Courts respectively to retain the Conduct of the said Sale, and otherwise act in relation thereto according to their own Course of Proceeding as if this Act had not been passed.

Proviso as to Investigation of Title.

Application of Purchase Money when Sales are made in pursuance of Order in Chancery or Bankruptcy.

L. Where Sales shall be effected in and by the "Landed Estates Court, *Ireland*," of any Lands which had been decreed or ordered to be sold by Decree or Order of the Court of Chancery or any of the Judges, Masters, or other Officers thereof as aforesaid, the Purchase Monies realized by such Sales shall, if the Court of Chancery or Judge or Master thereof shall so direct, be paid into or lodged in the Bank of *Ireland* to the Credit of the Accountant General of the Court of Chancery, or otherwise disposed of in such Matter as shall be directed by any General or Special Order of the Court of Chancery, and shall be distributed by such Court according to the Course and Practice thereof as if this Act had not been passed, and as if the Fund so realized had been produced by a Sale directly had by or under the Court in which such Proceedings had been instituted; but when the said Court of Chancery shall not direct such Purchase Monies to be so lodged to the Credit of the Accountant General of the said Court, the same shall be lodged to the Credit of the Court hereby constituted, and abide the Order thereof, as if the Sales had been made on an original Application to the same, unless the Court shall deem it expedient to transfer such Fund to the Court of Chancery; and in every Case where a Sale shall be so made by the "Landed Estates Court, *Ireland*," in pursuance of an Order of the Court of Bankruptcy and Insolvency, the Purchase Money upon the same shall abide the General or Special Orders of the said last-mentioned Court, or which may be in force for the Regulation of the same, or otherwise, as if such Sale had been made directly under the said Court of Bankruptcy and Insolvency, and this Act had not been passed: Provided nevertheless, that if on such Investigation of Title as in the last Section mentioned it shall appear to the Court that the Title is insufficient, and such as the Court ought not and would not sell if the Proceedings had been originally instituted in the "Landed Estates Court, *Ireland*," the Judge shall refuse to sell, and shall certify and report such Refusal and the Reason thereof to the Court by which such Decree or Order shall have been made, together with such other Matters relating to the Defect in such Title as to the Judge shall seem expedient, but subject to such Appeal as is herein provided from the Orders of the Judge.

Owner may obtain a Declaration of indefeasible Title from Court.

LI. Where any Owner of an Estate in Fee Simple in Land, whether subject to any Fee-farm or other perpetual Rent, in *Ireland*, shall desire to have his Title thereto investigated by the Court, and a Judicial Declaration made thereon that he has a good and sufficient Title to the same, as alleged by him, with view to future Sale, Mortgage, or Registration thereof, or other Objects, it shall be lawful for him to make an Application to the Court for that Purpose, whereupon the said Court shall investigate such Title and give such Notices, by Advertisement or otherwise, as the Court may by General or Special Order direct, and otherwise proceed in like Manner as if a Sale of such Land had been sought by the Owner; and if such Title shall appear satisfactory to the Court, it shall be lawful for the Judge to make and sign a written Declaration to that Effect, which shall be sealed with the Seal of the Court, and shall state, in a Schedule thereto, any Leases, Tenancies, and Incumbrances to which the Court shall find such Estate subject; and such Declaration, so signed, sealed, and registered as herein-after mentioned,

Effect of Declaration.

mentioned, shall have the Effect of making such Title so described in such Declaration (but subject to the Leases, Tenancies, and Incumbrances referred to in such Schedule,) conclusive and indefeasible from the Date of signing thereof by the Judge, in like Manner as same would have been vested in a Purchaser upon a Sale and Conveyance to him by the Court upon an Application to it for a Sale of the said Land; and it shall and may be lawful for such Owner to have such Declaration registered in the Office for the Registry of Deeds in *Ireland*, which original Declaration the Registrar of such Office is hereby authorized and directed to file as he is now bound by Law to do in respect to Memorials of Deeds, and shall receive such Fees on the Registration of such Declaration as are now chargeable on the Registration of Deeds; and the Registrar shall enter in the Books of the Registry the Name of the Person mentioned in said Declaration as having such Title, and the Name and Description of the Lands therein set forth, and shall refer to same on a Requisition for Searches, in like Manner as he is now bound by Law to enter the Names of Parties and Lands as described in Memorials of Deeds, and make such Return on Requisitions as aforesaid; and the Registrar shall from Time to Time give Attested Copies of such Declarations to any Persons who shall require the same, on Payment of the Fees payable in respect of Copies of Memorials, and such Copies of Declarations shall have all the Effect in Evidence which has been given by any Statute now in force with respect to Memorials of Deeds registered in the said Office: Provided always, that no Registration of such a Declaration shall be permitted by the said Registrar of Deeds, unless the Declaration be lodged with him within One Week from the Date of the Execution thereof by the Judge, and unless an Affidavit of the Execution of the same by such Judge shall be made by a Solicitor presenting the same, which Affidavit the said Registrar is hereby empowered to administer, and any Person swearing falsely in any such Affidavit shall be subject to all the Penalties and Punishment affixed by Law to the Crime of Perjury; and the said Court shall keep a Record of such Declaration in such Form and Manner as shall be provided by a General Order: Provided, that if after such Investigation of Title under this Section the Owner may be at liberty, instead of obtaining such Declaration, to have the Land sold and conveyed by the Court, and the Fund realized by such Sale disposed of as if the Application had been originally to that Effect.

Registry of Declaration.

LII. When and so soon as any Application shall be made to the Court for a Declaration of Title under this Act, the First Act of the Court in reference to such Application shall be to cause Publication thereof to be made by Advertisement in such Manner as the Court shall direct; and when and so soon as the Court shall make a Rule, Order, or Decision as to the Sufficiency of the Title of the Person applying for a Declaration thereof as aforesaid, the Court shall cause such Order or Decision to be published in such Manner as the Court shall direct; and such Declaration shall not be signed by the Judge until after the Expiration of Three Calendar Months from the First Publication hereintofore mentioned, and of One Calendar Month after the Publication of such Rule, Order, or Decision; provided that no Appeal shall lie from the Declaration of Title when signed by the Judge and registered as aforesaid.

On Application for a Declaration of Title the Court shall direct Publication thereof to be made by Advertisement.

LIII. If, upon any Application for a Sale, Conveyance to a Vendee, or Declaration under this Act, or the Execution of any Decree or Order for a Sale directed by the Court of Chancery or Bankruptcy and Insolvency in *Ireland* respectively, or upon any Information or Evidence which may be received by and produced to the Judge in relation to the Matter of such Application or Reference, it shall appear to the Judge that a Sale or Conveyance of the Land to which the Application, Decree, or Order may relate, or any Part thereof, or Conveyance to a Vendee or Declaration of Title, may be found expedient, he shall direct Notices to be given to such Persons and in such Manner as he shall think fit, and shall, where any Parties interested in the Land apply to the Court for that Purpose, hear such Parties, by themselves, their Counsel or Solicitors, and shall, so far only as may be necessary to enable him to determine whether, under all the Circumstances, it is expedient that a Sale of all or any Part of the Land should be made, or Conveyance to a Vendee be executed, or a Declaration of Title should be made, investigate the Title and the Incumbrances affecting the Land, and the State and Circumstances of the Land, and according as it shall seem so expedient to the Judge, it shall be lawful for him, at his Discretion, to make or refuse an Order for the Sale of all or any Part of such Land, or for a Conveyance to such Vendee, or a Declaration of Title accordingly, in manner aforesaid, or, if he see fit, he may dismiss any original Application in such Matter, or report or certify the Insufficiency of the Title to the Court of Chancery or Court of Bankruptcy and Insolvency in manner aforesaid.

Power of Court to sell, and Proceedings thereon.

LIV. Where a Sale shall be made, or a Conveyance executed, or a Title declared under this Act, the Judge shall, when and so far as he may deem necessary for the Purpose of such Sale, Conveyance, or Declaration, ascertain the Tenancies of the occupying Tenants, and of any Lessees or Under-lessees whose Tenancies, Leases, or Under-leases and other such Rights as aforesaid affect the Land or Part thereof to be sold, conveyed, or to be the Subject of such Declaration, and the Rights of Persons claiming Right of Common, Rights of Way, or other Easements in such Lands, and shall also ascertain the Boundaries thereof, and may give such Notices and make or cause to be made such Inquiries as he may think necessary for ascertaining and securing the Rights of such Tenants, Lessees, Under-lessees, or Persons having such Easements as aforesaid, and for ascertaining the Boundaries of such Lands; and all occupying Tenants, and all Persons being or claiming to be Lessees or Under-lessees as aforesaid, or claiming such Right of Common, Right of Way, or other Easement, shall, at such Times and Places as

Court to ascertain Tenancies, Right of Common, &c.

the Judge may by his Notices require, produce all Leases, Under-leases, Agreements in Writing, or Deeds or Instruments under which such Tenant or Person occupy or claim to hold, or such Persons claim such Easements, if such Leases, Under-leases, or Agreements, or Counterparts thereof, or such Deeds or Instruments, be in their Possession or Power, and where they occupy or claim to hold under Leases, Under-leases, or Agreements in Writing not in their Possession or Power, or under parol Agreements or Lettings, they shall deliver, at such Times and Places as aforesaid, Particulars of the Terms and Conditions upon and subject to which they occupy or claim to hold; and such Persons as may claim Right of Common, Right of Way, or other Easements, or who may dispute such alleged Boundaries, shall also in like Manner deliver Particulars of such Rights or such Grounds of Objection to such Boundaries, and shall sustain such Claims or Objections; and the Sale, Conveyance, or Declaration shall be made subject to the Tenancies, Leases, or Under-leases, Rights of Common, Rights of Way, or other Easements, and to such Boundaries, ascertained as aforesaid, and subject to which the Owner, Incumbrancer, or other Person applying for a Sale, Conveyance, or Declaration under this Act shall be Owner or Incumbrancer, and such other of the Tenancies, Leases, and Under-leases, or Easements, ascertained as above, as shall appear to the said Judge to have been granted *bonâ fide* by the Owner or Person in possession or in receipt of the Rents and Profits, and subject to which it shall appear to the said Judge the Sale, Conveyance, or Declaration should be made, save such (if any) of such respective Tenancies, Leases, and Under-leases as, with Consent as herein-after mentioned, shall be included in such Sale, and where the said Judge shall think fit be made subject to any Leases, Under-leases, or Tenancies, according to any general Description, or subject to any Condition concerning any Leases, Under-leases, or Tenancies or Easements the Nature of which shall not have been ascertained or shall be disputed; and the Decision of the said Judge in relation to such Claim under Leases or of Easement, or in relation to such Boundaries, shall be final and conclusive as to all Persons whatsoever, but subject to the Appeal hereby provided from the Orders of the Judges; and when the said Judge shall think fit, such Sale, Conveyance, or Declaration may be made subject to any annual Charge affecting the Land or Part thereof sold, or to any such apportioned Part of such annual Charge as the Judge may think fit should remain charged thereon; and where such Estate in Land or Part thereof is subject to any Incumbrance under the Terms of which the Incumbrancer cannot be required to accept Payment of the Principal Money before the Expiration of a Term of Years unexpired, such Sale or Conveyance may, if the said Judge think fit, be made subject to such Incumbrance; and the Court shall have Power, upon any Application for Sale, whether now pending before the Commissioners for Sale of Incumbered Estates, or to be hereafter made under this Act, to sell and convey any Land subject to any Right, Title, or Estate to or in Dower, Jointure, or Annuity.

Sale may be made subject to annual Charge or Apportionment thereof.

Court may sell subject to annual Charge.

Sale to be had under Control of Court either by Public Auction or by Private Contract, and Conveyance to be made by Judge under Seal.

LV. Where the said Judge shall make an Order for Sale, the Land or Part thereof to which such Order shall relate shall be sold, by or under the Control and Direction of the said Judge, by Public Sale or Private Contract, together or in Lots or Parcels, at such Times and Places and generally in such Manner as the said Judge may think fit, and the Conveyance or Assignment of the Land or Part thereof shall be made by the said Judge under the Seal of the Court, and shall be signed by the said Judge, and the Execution by any other Party shall be unnecessary; and such Conveyance or Assignment shall express or refer to the Tenancies, Leases and Under-leases, Rights of Way, Rights of Common, or other Easement (if any), and Charges (if any), subject to which the Sale is made, and may be in the Form contained in Schedule B. to this Act, or to the like Effect, with such Limitation of Uses and other Additions or Variations as, with the Approval of the said Judge, the Purchaser may direct: Provided, that every Conveyance made under or in pursuance of this Act shall set forth the full Amount of the Purchase Money or Consideration and other Facts upon which the Amount of Stamp Duty shall depend.

Purchase Money to be paid into Bank.

LVI. The Purchase Money in every Case shall be paid into the Bank of *Ireland* to an Account to be there opened in the Name of the "Landed Estates Court, *Ireland*," or otherwise as the Court by General Rule or Special Order shall direct; and on the Notification by the Bank to the said Court of the Receipt of the Money, a Certificate of such Payment shall be endorsed on or written at the Foot of the Conveyance or Assignment by the Judge who shall execute the same; and on such Payment into the Bank the Purchaser shall be discharged from all Liability in respect of the Application of the Money so paid, and such Certificate of the Judge under the Seal of the Court shall be Evidence of the Payment.

Persons interested may bid at Sale, except Petitioner, or Person having Carriage of Sale, who may bid by Permission of the Court.

LVII. Provided always, That it shall be lawful for any Incumbrancer on, or Person otherwise interested in, any Land or Rentcharge, or Part thereof, (other than the Incumbrancer or Owner upon whose Application the Sale has been ordered, or the Person having Carriage of the Sale, or Attorney or Solicitor of such Incumbrancer or Owner as last aforesaid, or of the Person having Carriage of the Sale,) to bid at any Public Sale, and to become the Purchaser at any Public Sale or by Private Contract, in like Manner as any Person not interested therein might bid and become the Purchaser; and, by Leave of the said Judge, it shall be lawful for the Incumbrancer or Owner on whose Application the Sale has been ordered to bid and become the Purchaser; and where an Incumbrancer on any Land, or Part thereof, shall be the Purchaser of such Land, or Part thereof, the Judge may, if he think fit, authorize such Purchaser to retain out of the Purchase Money the Amount which might have been

Incumbrancer becoming Pur-

ordered

ordered to be paid thereout in respect of such Incumbrance in case the whole Purchase Money had been paid into the Bank of *Ireland* under this Act, or such Sum on account of such Amount as the Judge may think fit, and to pay the Residue only of the Purchase Money into the said Bank; and where, at the Time of authorizing such Retainer as aforesaid, the said Judge shall not finally have ascertained and determined the Priority and Rights of such Purchaser in respect of his Incumbrance, or the Amount which he would be entitled to be paid in respect thereof out of the Purchase Money, such Retainer shall be without Prejudice to the Power of the said Judge to require such Purchaser to pay into the said Bank the whole or any Part of the Amount so retained which ought to be paid by him, and the said Judge shall withhold his Certificate of Payment herein-before mentioned until he shall be satisfied that the full Purchase Money, less the Amount which such Purchaser would be entitled to be paid in respect of his Incumbrance, has been paid into the said Bank.

Purchaser may deduct the Amount of his Incumbrance from the Purchase Money, with Leave of Court.

LVIII. Where a Sale is made by the Court under the said recited Acts or this Act of any Land or Lease, it shall be lawful for it, whenever it shall appear to such Court convenient so to do, to include in such Sale all or any Part of the Arrears of Rent, if any, which may at the Time of the Sale be owing from any Lessees or Tenants, subject to whose Leases or Tenancies the Sale is to be made, where such Arrears are subject to any Incumbrance in respect of which an Incumbrancer shall have obtained an Order for Sale, or where the Order for Sale has been obtained by the Owner, and in the Conveyance or Assignment of such Land or Lease to assign such Arrears to the Purchaser accordingly, and such Purchaser, his Heirs, Executors, Administrators, or Assigns, shall after such Assignment of the said Arrears, have for the Recovery, and in respect of the Nonpayment thereof, the same Rights and Remedies which the Person or Persons who would have been entitled to such Arrears would have possessed if no such Assignment thereof or any Conveyance or Assignment of such Land or Lease had been made.

Court may include Arrears of Rent in Sale of Land.

LIX. Where there is or shall be an Application to the Court for the Sale of any undivided Share of any Land, it shall be lawful for the Court, where it shall see fit so to do, upon the Application of the Owner of any other undivided Share or Shares of the same Land or Lease, (and although such other undivided Share be not subject to any Incumbrance,) or on the Application of any Incumbrancer on such other undivided Share or Shares, to include the same Share or Shares, upon such Terms as it shall see fit, with the Share so proposed to be sold as aforesaid, and in every such Case the Court shall apportion the Purchase Money among the Owners, according to their respective Shares so sold, and shall apportion the Expenses as they may see fit.

Where Sale of undivided Share, the Court may include the other undivided Share at the Instance of its Owner.

LX. Where the Court has ordered or shall order the Sale of any Lease in Perpetuity, it shall and may be lawful for the Court, if it shall think it expedient so to do, to cause the same to be converted into a Fee Farm under the Renewable Leasehold Conversion Act, and for that Purpose to cause Notice to be given to the Owners or other Person interested in the Reversion, or any Person on Behalf of such Owner or other Persons, or any Person deemed Owner under the Provisions of the Leasehold Conversion Act; and the Court may thereupon proceed to convert such Lease in Perpetuity into a Fee-farm Grant, according to the Principles prescribed in the Renewable Leasehold Conversion Act, but the Procedure in relation thereto shall be according to the General Rules and Practice of the said Court; and in case such Conversion shall be ordered the Court shall have Power to convey the Land included in such Lease to the Purchaser in Fee, subject to the Fee-farm Rent to be ascertained as aforesaid, and to such Exceptions, Reversions, Covenants, and Clauses as shall be in conformity with the original Lease, and the Provisions of the Renewable Leasehold Conversion Act, and thereupon the Owner of the immediate Reversion expectant on the said Lease in Perpetuity for the Time being shall have the same Rights and Remedies against the Purchaser, his Heirs, Executors, Administrators, and Assigns, and against the Land, by Action, Distress, Entry, or otherwise, in respect of such Rent, and of any Exceptions, Reservations, Covenants, and Clauses contained in the said Deed, as belong by Law to the Owner of any Fee-farm Rent created under the said Acts.

Court may order Conversion of Leaseholds in Perpetuity into Fee Farm.

LXI. Every such Conveyance executed as aforesaid by the said Judge purporting to pass an Estate in Fee Simple shall be effectual to pass the Fee Simple and Inheritance of the Land, subject to such Charges, Tenancies, Rights of Common or other Easements, Leases, and Under-leases, as may be expressed or referred to therein as aforesaid, but, save as aforesaid, and as herein-after provided, discharged from all former and other Estates, Rights, Titles, Charges, and Incumbrances whatsoever of Her Majesty, Her Heirs and Successors, and of all other Persons whomsoever; and every such Conveyance or Assignment executed by the said Judge upon the Sale of a Lease or Rentcharge, or an Annuity charged on Land, or any partial or lesser Estate than an Estate in Fee Simple, shall be effectual to pass the Estate created or agreed to be created by such Lease, then remaining unexpired, or by the Instrument creating such lesser or partial Estate, Rentcharge, or Annuity, but subject as to such Lease to the Rent and Covenants annexed to the Reversion expectant on the Determination of such Lease, and as to such Instrument creating such Rentcharge, Annuity, or partial or lesser Estate, subject to such Tenancies, Rights of Common or other Easements, Leases and Under-leases, as shall be expressed or referred to in such Conveyance or Assignment, but, save as aforesaid, and as herein-after provided, discharged from all Rights, Titles, Charges, and Incumbrances whatsoever affecting the Leasehold Estate or Interest, Rentcharge, Annuity, or partial or lesser Estate: Provided always, that where any Land or Lease, or Part thereof, shall be sold and conveyed or assigned subject to any annual Charge or apportioned Part thereof, such annual

Conveyance to Purchaser to pass Fee, subject to Tenancies, but discharged from all Estates and Incumbrances.

Conveyance of a Lease, Rentcharge, Annuity, or partial Estate to pass Estate created by the Instrument purporting to grant same.

annual Charge or such apportioned Part thereof (as the Case may be) shall remain and be charged on and payable out of such Land, or Part thereof, as in the Conveyance or Assignment shall be expressed.

Conveyance, &c. not to affect certain Charges made by virtue of 5 & 6 Vict. c. 89. and 10 & 11 Vict. c. 32., except where Court think fit to redeem Crown Rents, &c.

LXII. Provided always, That any Conveyance, Assignment, or Declaration of Title under this Act shall not prejudice or affect any Rentcharge in lieu of Tithes, Crown Rent, or Quitrent charged upon or issuing out of any Land, or any Charge made by virtue of an Act passed in the Sixth Year of Her Majesty, intituled *An Act to promote the Drainage of Lands and Improvement of Navigation and Water Power in connexion with such Drainage in* Ireland, and the Acts amending the same, or by virtue of an Act passed in the Tenth Year of Her Majesty, intituled *An Act to facilitate the Improvement of Landed Property in* Ireland, save where the said Court shall think fit to redeem or apportion the Crown Rents or Quitrents, or any Part thereof, or to pay off or redeem the Charges under the said Acts or either of them, under the Power herein-after contained, and shall express in such Conveyance or Assignment that the Land conveyed or assigned thereby is so conveyed or assigned discharged of all Crown Rents or Quitrents or Charges under the said Acts or either of them, as the Case may be, and in such Case such Land shall be so discharged accordingly; Provided always, that in every Case in which Application shall be made to the Court for the Sale or Conveyance of, or Declaration of Title to, the Fee Simple of any Land or Hereditaments, the Judge, before making any Final Order for such Sale, Conveyance, or Declaration, shall be satisfied that One Calendar Month's previous Notice in Writing of such Application has been given to the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, on behalf of Her Majesty or Her Successors, stating full Particulars of the Land or Hereditaments for the Sale or Conveyance of, or Declaration of Title to, which Application has been or is intended to be made, and of any Rent payable to Her Majesty or Her Successors in respect of the same.

Court may order Delivery of Tenants Leases, &c.

LXIII. The Court shall have Power to order the Delivery to the Purchaser, or as he shall direct, of all Leases or Counterparts of Leases and Agreements, and other Evidence of the Tenancies, subject to which the Sale shall be made, affecting the Land, or Part thereof sold, and shall, on the Application of any Purchaser, issue an Order to the Sheriff to put such Purchaser in possession of all such Lands not in the Occupation of Lessees, Under-lessees, or Tenants, subject to whose Leases, Under-leases, or Tenancies the Sale shall have been made, and who shall have attorned to such Purchaser within a Time to be limited in such Order, and such Order shall be executed by the Sheriff in like Manner as a Writ for the Delivery of Possession.

Application of Purchase Money.

LXIV. The Court shall, out of the Purchase Money to be received on any Sale under this Act, where any Sale has been made in any Matter of a Petition filed in the said Court, allow and pay such Costs of and consequential on the Application for the Sale and the Expenses of and incidental to the Sale, according to the Provisions contained in the Twelfth Section of the Statute of the Sixteenth and Seventeenth of the Reign of Her Majesty, Chapter Sixty-four, and the Surplus of such Purchase Money, after Payment of such Costs and Expenses, shall, under the Order of the Court, be applied in or towards Payment or Satisfaction of the Incumbrances or Charges, if any, which affect such Land, or Part thereof, according to their Priorities, and shall, subject as aforesaid, be paid to the Owner where such Owner was absolutely entitled thereto, or, where not so entitled, be laid out in the Purchase of Land, which shall be limited and settled to the same Uses, upon the same Trusts, for the same Purposes, and in the same Manner as the Land or Part thereof sold stood settled or limited to, or such of them as shall be then subsisting or capable of taking effect; and until such Money can be so laid out it may, under such Order as aforesaid, be transferred or paid over to the Trustees to be appointed or approved by the Court for the Purpose of being so laid out as aforesaid, with such Power for the Investment thereof in Government Stocks, Funds, or Securities in the meantime, and such Directions for the Payment of the Income of such Investment in the Manner in which the Rents of the Land to be purchased would be applicable, as the Court shall think fit: Provided always, that if by Mistake or otherwise any Purchase Money shall, under the Provisions aforesaid, have been paid to any Person or Persons as being the Person or Persons absolutely entitled thereto when he or they were not so entitled, such Money shall be deemed to have been paid to him or them upon an express Trust to invest the same in the Purchase of Lands to be settled to the Uses and upon the Trusts to and upon which the Lands sold stood limited, settled, and assured at the Time of the Sale.

Court may invest at Instance of Parties for their Benefit.

LXV. Where the Judge shall be of opinion that from the Nature of the Case the Proceedings must be protracted, the Money so paid into the Bank as aforesaid may, by Order of the Court, be invested in the Purchase of any Stocks, Funds, or Annuities transferable at the Bank of *Ireland* in such Manner as shall be directed by any General or Special Order of the Court, and until the same shall be sold by Order of the Court for the Purposes of this Act, the Dividends thereof shall from Time to Time be applied, under the Order of the Court, in like Manner as the Rents of the Land or Lease, or Part thereof, from the Sale whereof the Money invested in such Stocks, Funds, or Annuities has arisen, would have been applicable, the Investments in and Sale of such Stocks, Funds, and Annuities to be made through a Stockbroker or Stockbrokers to be appointed by the Court by General or Special Order, as the Court may think fit.

Where expedient to appoint, &c.,

LXVI. Whenever in the Course of Proceedings in any Petition Matter pending before the Court it shall appear expedient to appoint, change, or remove Trustees, it shall and may be lawful for the Judge to

to make such Orders, and give such Directions in reference to such Appointment, Change, or Removal, and in reference to the vesting Property in new Trustees, as the Lord High Chancellor is empowered to make under the Authority vested in him for such Purposes by "The Trustee Act, 1850," and also by another Act passed in the Session of Parliament holden in the Fifteenth and Sixteenth Years of the Reign of Her Majesty, intituled *An Act to extend the Provisions of the Trustee Act*, 1850, and by any other Act which may be passed in relation to Trustees.

Trustees, Judge to make Orders as to vesting Property in new Trustees, as in 13 & 14 Vict. c. 60. and 15 & 16 Vict. c. 55.

LXVII. Whenever the Court shall appoint or direct the Appointment of Trustees for any of the Purposes of this Act, it shall be lawful for the Judge to make or to direct to be made such Provision as he shall think fit for the Appointment of new Trustees on any Event to be determined by the Court.

Court may vest Property in new Trustees.

LXVIII. It shall be lawful for the Court, with the Consent in Writing of the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, or One of them, to apportion any Crown Rent upon or amongst the several Lands liable to the Payment thereof, or to charge the whole of any such Rent on any Part of the Lands charged therewith in exoneration of the Remainder of such Lands, and every such Apportionment or exclusive Charge shall be binding on the Queen's Majesty and on every Corporation and Person, and the apportioned Parts of any such Crown Rent, or any such Crown Rent so exclusively charged, shall thenceforth be issuing out of and chargeable upon the Lands whereon the same may be apportioned or exclusively charged, but no such Apportionment or exclusive Charge shall in any Manner prejudice or affect any Reversion or Remainder of the Crown in any Lands originally charged with any such Rent so apportioned or exclusively charged, nor shall the Sale of any apportioned Part of any Crown Rent, or of any Crown Rent so exclusively charged, or of any Interest in the Reversion or Remainder of the Crown in the same Lands, affect the Right or Interest of the Crown in any other Part of the Lands originally charged with any Rent so apportioned or exclusively charged, either as regards the Rent remaining unsold, or the Crown's Interest in the Remainder or Reversion of such Lands or otherwise; and it shall also be lawful for the Court to sell any Land, or Part thereof, discharged from any Crown Rent or Quitrent which it may be enabled, and may, with the Consent of the Owner, think fit to purchase, or from any Charge made by virtue of the said Acts of the Sixth and Tenth Years of Her Majesty, or either of them, which it may, with such Consent, think fit to pay off or redeem; and in any such Case the Court shall, out of the Money arising from the Sale, and in preference to all other Payments thereout, pay the Consideration for the Purchase of such Crown Rent or Quitrent, or such Sum as may be necessary for paying off or redeeming such Charge; and it shall be lawful for the Court, where it shall think fit, to purchase, with the Consent of the said Commissioners of Woods, any Estate or Interest of the Crown, in remainder or reversion, in the whole or any Part of the Lands for the Sale of or Declaration of Title to which Application has been made, or to pay to any Person entitled to any annual or other Charge, not being an Incumbrance according to the Definition of this Act, who may consent to accept the same, a gross Sum in discharge or by way of Redemption thereof or of a Part thereof, and where a Part only of any Land or Lease subject to any Incumbrance or Charge is sold, to charge the Part not sold with such Incumbrance or Charge, or an apportioned Part thereof, in exoneration of the Money arising from the Sale, and to enable or authorize Persons to release the Money arising from the Part so sold from any Incumbrance or Charge, or to relinquish their Claim on such Money in respect thereof, without impairing or affecting such Incumbrance or Charge as to the remaining Part of the Land or Lease originally charged; and the Court, where it shall think fit, may invest or provide for the Investment of Money to meet any annual or periodical Charge, or any other Charge, Incumbrance, or Interest, where by reason of such Charge, Incumbrance, or Interest being contingent or otherwise, it shall appear to the Court proper or expedient so to do, and otherwise may make such Orders and Directions for applying the Money arising from any Sale in such Manner as will secure the convenient Application thereof for the Benefit and according to the Rights of the Parties interested in the Land or Part thereof from the Sale of which the same shall have arisen.

Court may provide for Redemption of certain Charges, and otherwise to facilitate the Distribution of the Purchase Money.

LXIX. Provided always, That no Payment under this Act towards Discharge of what shall be due on any Incumbrance or Charge, not being Payment in full, shall prejudice or affect any Right or Remedy of the Incumbrancer or the Person entitled to the Charge in respect of the Balance, otherwise than against the Land, or Part thereof, sold under this Act; and no Payment under this Act for or in respect of any Incumbrance or Charge shall impair any Right or Equity of any Persons out of whose Estate such Payment shall be made to be reimbursed or indemnified by any Person or out of any other Land or Estate, except so far as the Court under any special Circumstances shall order.

No Payment, not being in full, to affect Right of Incumbrancer for Balance, &c.

LXX. Where any Money arising from a Sale under this Act is not immediately distributable, or the Parties entitled thereto cannot be ascertained, or where from any other Cause the Court may think it expedient for the Protection of the Rights and Interests therein, the Court, at its Discretion, may order such Money, or any Stocks, Funds, or Securities in which the same may have been invested under this Act, to be transferred to the Account of the Accountant General of the High Court of Chancery, or (where the Case may require) of the High Court of Chancery in *England*, in the Matter of the Parties interested in the same, to be described as the Court shall think fit and direct, in trust to attend the Orders of such Courts respectively, and the Court may by its Order declare the Trust affecting such Money, Stocks, Funds, or Securities, so far as it may have ascertained the same, or state (for the Information

Power to Court to order Money to be paid into Court of Chancery.

Information of the respective Courts) the Facts or Matters found by it in relation to the Rights and Interests therein, and the High Court of Chancery, Lord Chancellor, and Master of the Rolls, in *England* and *Ireland* respectively, may make such Orders and give such Directions in relation to any such Moneys, Stocks, Funds, or Securities as shall be so transferred to the Account of the Accountant General of such respective Court, as such Court or Judge respectively might make or give in relation to any Trusts, Moneys, Stocks, or Securities paid in, transferred, or deposited under the Act passed in the Eleventh Year of Her Majesty, "for better securing Trust Funds, and for the Relief of Trustees," or the Act of the Eleventh and Twelfth Year of the Reign of Her Majesty, for extending to *Ireland* the said Act of the Eleventh Year of Her Majesty, respectively; and no Money transferred into the Name of the Accountant General of the Court of Chancery in *Ireland*, or paid out under this Provision under any Order of the Lord Chancellor or Master of the Rolls, shall be liable to Ushers Poundage.

10 & 11 Vict. c. 96. 11 & 12 Vict. c. 68.

Lands included in different Applications, and different Interests in the same Lands, may be included in the same Sale.

LXXI. Where there shall be separate Applications to the Court for Sales under this Act of any Land and of any Lease in the same Land, or there shall be such Applications for Sales of different undivided Shares of any Land or Lease, it shall be lawful for the Court, where they shall see fit so to do, to include, with the Consent of the Persons by whom such respective Application may be made or prosecuted, and of any other Persons whose Consent the Court may under the Circumstances think fit to require in the same Sale, upon such Terms as they think fit, such Land or Lease, or such Leases, or such several undivided Shares as aforesaid; and where there shall be separate Applications for Sales under this Act of any Land, and of any Lease in other Land, or if different Lands or Leases in different Lands, it shall be lawful for the Court, where, from the Lands being intermixed, or from other Circumstances, it shall appear to them convenient so to do, to include, with such Consent as aforesaid, such Land or Lease, or Lands or Leases, in the same Sale, upon such Terms as it may think fit; and where any Land, or Part thereof, subject to any Incumbrance, is proposed or ordered to be sold under this Act, it shall be lawful for the Court, upon the Application of the Owner of any Lease or Under-lease, or Estate in Reversion, or other Estate or Interest whatsoever in the same Land, (and although such Lease, Under-lease, Estate in Reversion, or other Estate or Interest be not subject to any Incumbrance, or would not, if subject to any Incumbrance, be subject to be sold under an Order of the Court under the Provisions herein-before contained,) or upon the Application of any Incumbrancer of any such Lease, Under-lease, Estate, or Interest, to include the same, upon such Terms as they may see fit, in the Sale of the Land or Lease, or Part thereof, so proposed or ordered to be sold as aforesaid; and all the Provisions of this Act applicable to any Land subject to any Incumbrance, and ordered to be sold under this Act, and to any Incumbrance or Charge upon such Land, and the Purchase Money arising from the Sale thereof, and to the Conveyance or Assignment thereof, shall, so far as Circumstances admit, extend and be applicable to every such Lease, Under-lease, Estate in Reversion, or other Estate or Interest to be so included in the Sale; and in every such Case as aforesaid the Judge shall apportion the Purchase Money and Expenses as he shall see fit.

If Land sold be subject to a Lease, &c. comprising other Land, or if Part of Lease in Perpetuity, &c. be sold, Court may apportion the Rent.

LXXII. If any Land to be sold under this Act shall be subject to a Lease or Under-lease for Years or Lives comprising other Land at an entire Rent, it shall be lawful for the Court to apportion the Rent between the Land to be sold and the Remainder of the Land subject to such Rent; and where it is intended to sell under this Act a Part only of any Lease in Perpetuity or other Lease, it shall be lawful for the Court, where it shall think fit, and (having regard to the Rights and Interests of the Owner of the Reversion) it shall appear to the Court just so to do, to apportion the Rent reserved by such Lease between the Land to be sold and the Remainder of the Land; and the Court shall direct Notices of any such intended Apportionment as aforesaid to be given to such Persons and in such Manner as it shall think fit, and shall hear such Parties as shall apply to them in relation thereto; and after such Apportionment, and after the Sale shall be completed, the Owners of the Reversion in the respective Lands shall have the like Remedies for the apportioned Rents against the Lands out of which the same shall be payable, and the Owners and Occupiers thereof respectively, as were subsisting for the entire Rent before such Apportionment, and all the Covenants, Conditions, and Agreements of every Lease or Under-lease, except as to the Amount of Rent to be paid, shall, as regards the apportioned Parts, remain in force in the same Manner as they would have done in case no such Application had taken place: Provided always, that the Enactment in this Section shall be deemed to apply to any Rent reserved upon a Lease, where the Court shall have sold or shall sell the Reversion expectant upon such Lease at different Times or in different Lots.

Provisions for Persons under Disability.

LXXIII. Where any Person who (if not under Disability) might have made any Application, given any Consent, done any Act, or been Party to any Proceedings under this Act, shall be a Minor, Idiot, Lunatic, or married Woman, the Guardian, Committee of the Estate, and Husband respectively of such Person may make such Applications, give such Consents, do such Acts, and be Party to such Proceedings, as such Persons respectively, if free from Disability, might have made, given, done, or been Party to, and shall otherwise represent such Person for the Purposes of this Act; but a married Woman entitled for her separate Use (with or without Power of Anticipation) shall, for the Purposes of this Act, be deemed a Feme Sole: Provided always, that where there shall be no Guardian or Committee of the Estate of any such Person as aforesaid being infant, idiot, or lunatic, or where any Person, the Committee of whose Estate, if he were an Idiot or Lunatic, would be authorized to act for and represent such

such Person under this Act, shall be of unsound Mind, or incapable of managing his Affairs, but shall not have been found idiot or lunatic under an Inquisition, it shall be lawful for the Court to appoint a Guardian of such Person for the Purpose of any Proceedings under this Act, and from Time to Time to change such Guardian; and where the Court sees fit it may appoint a Person to act as the next Friend of a married Woman for the Purpose of any Proceeding under this Act, and from Time to Time remove or change such next Friend.

Court may obtain Assistance of Accountants, Merchants, &c.

LXXIV. It shall be lawful for the said Court or any Judges thereof, in such Way as they may think fit, to obtain the Assistance of Accountants, Merchants, Engineers, Actuaries, or other scientific Persons, the better to enable such Court or Judge to determine on any Matter at issue in any Case or Proceeding.

Fees to such Accountants, &c.

LXXV. The Allowance in respect of Fees to such Accountants, Merchants, Engineers, Actuaries, or other scientific Persons shall, unless the Court or a Judge shall have given any special Direction in regard of the same, be regulated by the Taxing Officer of the Court, subject to an Appeal to the Judge to whose Court this Matter shall be attached, whose Decision shall be final.

Proceedings not to abate by Death.

LXXVI. Proceedings under this Act shall not abate or be suspended by any Death or Transmission, or Change of Interest, but in any such Case of Death or Transmission, or Change of Interest, it shall be lawful for the Court, where it shall see fit, to require Notices to be given to Persons becoming interested, or to make any Order for discontinuing, suspending, or carrying on the Proceedings or otherwise in relation thereto, which to it may appear just.

Costs.

LXXVII. In every Proceeding under this Act the Court shall have full Power and Discretion as to the giving or withholding Costs and Expenses, and as to the Persons by whom and the Funds out of which the same shall in the first instance or ultimately be paid, repaid, and borne, and shall and may apportion the same amongst such Parties, and in respect of Interest, Rents, or Income, and Principal or Corpus, as it shall see fit.

Costs of Petition for a Sale.

LXXVIII. Provided always, That in the Case of any Petition for a Sale the Costs of the Petitioner in respect of such Petition and of any Proceedings thereunder shall not (unless the Judge shall otherwise direct) be payable out of the Proceeds otherwise than in the same Order of Priority in which the Incumbrance of the Petitioner shall be payable; and provided also, that where a Judge shall not order Costs to be paid by a Party unsuccessfully making or resisting an Application to the Court, such Judge shall state on the Face of the Order the Reason why such Costs have been withheld.

On Application for Sale of an undivided Share, or after Sale, Court may, on Application of Party interested, and giving Notices and hearing Parties, make Order for a Partition.

LXXIX. Where an Application shall be made for a Sale under this Act of an undivided Share of any Land, or where any such undivided Share shall have been sold under this Act, and, either before or after the Conveyance or Assignment thereof under this Act, the Court, on the Application of any Party interested in such undivided Share, or of the Purchaser, (as the Case may be,) and after causing to be given such Notices to the Owner or Owners of the other undivided Share or Shares of the same Land or Lease as it may think fit, and hearing such Parties interested in the respective Shares as may apply to it, and making or causing to be made such Inquiries as may enable it to make a just Partition, may, if it shall think fit, make an Order under its Seal for the Partition of such Land; and in such Order, or in a Map or Plan annexed thereto, shall be shown the Part allotted in Severalty in respect of each of the undivided Shares in such Land; and the Court shall have the like Authorities, Jurisdiction, and Power in relation to such Partition under the Direction of such Court; and the Part so allotted in Severalty in respect of each such undivided Share by such Order for Partition as aforesaid shall, without any Conveyance or other Assurance in relation thereto, go and enure to and upon the same Uses and Trusts, and be subject to the same Conditions, Charges, and Incumbrances, as the undivided Share in respect of which the same is so allotted would have stood limited or been subject to in case such Order had not been made; and the like Order for a Sale of the Part allotted in respect of the undivided Share to which the Application for the Sale shall relate may be made (where the Order for Partition is made before the Sale), and the like Proceedings had in relation to such Sale, and the like Conveyance or Assignment may be made of the Part allotted in respect of the Share sold (where the Order for Partition is made after Sale, and before Conveyance or Assignment), and with the like Consequences in the several Cases aforesaid, as if the Application for a Sale, or the Sale, (as the Case may be,) had been in respect of the Part so allotted as aforesaid; and where any Land or Lease, or Part thereof, to be sold under this Act, is subject to any Lease, Under-lease, or Tenancy under which the Lessees, Under-lessees, or Tenants hold jointly, or as Tenants in Common, it shall be lawful for the Court, on the Application of any such Lessee, Under-lessee, or Tenants, and after causing to be given such Notices as it may think fit, and hearing such Parties as may apply to it, and making such Inquiries as it may think necessary, to make an Order under its Seal for the Partition, as between such Lessees, Under-lessees, or Tenants, of the Land included in their Lease, Under-lease, or Tenancy, and for the Apportionment of the Rent reserved or payable under such Lease, Under-lease, or Tenancy; and after such Order of Partition the Owner of the Reversion in the respective Parts of the Land shall have the like Remedies for the apportioned Rents against the respective Parts out of which the same shall be payable, and the Lessees, Under-lessees, or Tenants holding such respective Parts under such Lease, Under-lease, or Tenancy, and such Order of Partition, as were subsisting for the entire Rent before such Partition and Apportionment; and all the Covenants, Conditions, and Agreements of every such Lease, Under-lease, or

Tenancy, except as to the Amount of Rent to be paid, shall, as regards the respective Parts allotted on such Partition, and the apportioned Parts of the Rent, remain in force as against the respective Lessees, Under-lessees, or Tenants to whom under such Partition such respective Parts shall be allotted.

On Application for Sale, or after Sale, Court, on Application of Party interested, and with Consent, may make Order for Exchange.

LXXX. Where an Application shall be made for a Sale under this Act of any Land or Part thereof, or where the same shall have been sold under this Act, and either before or after the Conveyance or Assignment thereof under this Act, if Application be made to the Court by any Party interested in such Land, or by the Purchaser, (as the Case may be,) for the Exchange of all or any Part of such Land for other Land which the Owner thereof may be willing to give in Exchange, the Court may make or cause to be made such Inquiries as they think fit, for ascertaining whether such Exchange would be beneficial to the Person interested in the respective Lands, and cause such Notices to be given to Parties interested in the respective Lands, as it may think fit; and if, after making such Inquiries, and hearing such Parties interested in the respective Lands as may apply to them, the Court shall be of opinion that such Exchange would be beneficial, and that the Terms thereof as proposed, or as modified by it, with the Consent of such Owner as aforesaid, are just and reasonable, the said Court may make an Order under their Seal for such Exchange accordingly, and in such Order for Exchange, or in a Map or Plan annexed thereto, shall be shown the Lands given and taken in Exchange respectively under such Order; and the Land taken upon such Exchange under such Order shall, without any Conveyance or other Assurance in relation thereto, go and enure to and upon the same Uses and Trusts, and be subject to the same Conditions, Charges, and Incumbrances, as the Land given on such Exchange would have stood limited or been subject to in case such Order had not been made; and the like Order for a Sale may be made by the Court in respect of the Land taken in Exchange for any Land to which the Application for a Sale shall relate, (where the Order for Exchange is made before Sale,) and the like Proceedings had in relation to such Sale, and the like Conveyance or Assignment may be made in respect of the Land taken in Exchange for the Land or Part thereof sold, (where the Order for Exchange is made after Sale, and before Conveyance or Assignment,) and with the like Consequences in the several Cases aforesaid, as if applicable for a Sale, or the Sale (as the Case may be) had been in respect of the Land taken in Exchange.

Partition may be made of Land where Shares are not subject to be sold under this Act.

LXXXI. It shall be lawful for the Court, on the Application of the Owners of the several undivided Shares (not subject to be sold under this Act, or as to which no Proceedings for a Sale under this Act shall be pending,) of any Land in *Ireland* who shall desire to effect a Partition of such Land, to make or cause to be made such Inquiries as the Court may think fit for ascertaining whether such Partition would be beneficial to the Persons interested in such respective Shares; and in case the Court shall be of opinion that the proposed Partition would be beneficial, and that the Terms thereof are just and reasonable, it shall make an Order under their Seal for such Partition accordingly; and in such Order, or in a Map or Plan annexed thereto, shall be shown the Part allotted in Severalty in respect of each such undivided Share, and the Part so allotted in Severalty in respect of such undivided Share by such Order of Partition shall, without any Conveyance or other Assurance in relation thereto, go and enure to and upon the same Use, and be subject to the same Conditions, Charges, and Incumbrances, as the undivided Share in respect of which the same is so allotted would have stood limited or been subject to in case such Order had not been made.

Exchanges may be made of Lands not subject to be sold under this Act.

LXXXII. It shall be lawful for the Court, upon the Application of the Owner of Lands in *Ireland* not subject to be sold under this Act, or as to which no Proceedings for a Sale under this Act shall be pending, who shall desire to effect an Exchange of such Lands, to make or cause to be made such Inquiries as the Court may think fit for ascertaining whether such Exchange would be beneficial to the Persons interested in the respective Lands; and in case the Court shall be of opinion that the proposed Exchange would be beneficial, and that the Terms thereof are just and reasonable, they shall make an Order under their Seal for such Exchange accordingly; and in such Order for Exchange, or in a Map or Plan annexed thereto, shall be shown the Lands given and taken in Exchange respectively under such Order; and the Land taken upon such Exchange under such Order shall, without any Conveyance or other Assurance in relation thereto, go and enure to and upon the same Uses and Trusts, and be subject to the same Conditions, Charges, and Incumbrances, as the Land given upon such Exchange would have stood limited or been subject to in case such Order had not been made.

Division of intermixed Land not subject to be sold under this Act.

LXXXIII. It shall be lawful for the Court, upon the Application of any Number of Persons who shall be separately Owners of Parcels of Land for any Estate in *Ireland* not subject to be sold under this Act, or as to which no Proceedings for a Sale under this Act shall be pending, so intermixed or divided into Parcels of inconvenient Forms or Quantity that the same cannot be cultivated or occupied to the best Advantage, but forming together a Tract which may be divided into convenient Parcels, and who shall desire to have the whole of such Tract divided into convenient Parcels, to be allotted in lieu of the old Parcels, to make or cause to be made such Inquiries as the Court may think fit, for ascertaining whether such proposed Division and Allotment would be beneficial to the Persons interested in such Lands; and in case the Court shall be of opinion that the proposed Division and Allotment would be beneficial, it shall make an Order for the Division and Allotment thereof accordingly, with a Map or Plan thereunto annexed, in which shall be specified as well the Parcels in which the several Persons on whose Application such Order shall have been made were respectively interested before such Division and

and Allotment, as the several Parcels allotted to them respectively by such Order; and the Parcels of Land taken under such Division and Allotment shall go and enure to and upon the same Uses and Trusts, and be subject to the same Conditions, Charges, and Incumbrances, as the several Lands which the Persons taking the same shall have relinquished or lost in such Division would have stood limited or been subject to in case such Order had not been made.

Notices of Partitions, Exchanges, and Division to be given.

LXXXIV. Provided always, That in the Case of Land in which no Proceedings for a Sale under this Act shall be pending, no such Order of Partition, or of Exchange, or of Division and Allotment, as aforesaid, shall be made by the Court until such Notices by Advertisement in public Newspaper or Newspapers as the Court shall direct shall have been given of such proposed Partition, Exchange, or Division and Allotment, and Three Calendar Months shall have elapsed from the Publication of the last of such Advertisements; and in case before the Expiration of such Three Calendar Months any Person entitled to any Estate in or to any Charge upon any Land included in such proposed Partition, Exchange, or Division and Allotment, shall give Notice in Writing to the Court of his Dissent from such proposed Partition, Exchange, or Division and Allotment, (as the Case may be,) the Court shall not make an Order for such Partition, Exchange, or Division and Allotment, unless such Dissent shall be withdrawn, or it shall be shown to the Court that the Estate or Charges of the Party so dissenting shall have ceased, or that such Estate or Charges is not an Estate or Charge in respect of which he would be entitled in Equity to prevent such Partition, Exchange, or Division and Allotment; but no such Order as aforesaid shall be in anywise liable to be impeached by reason of any Infirmity of Estate or Defect of Title of the Persons on whose Application the same shall have been made.

Conveyances, Assignments, and Orders for Partition, Exchange, or Division and Allotment, conclusive.

LXXXV. Every Conveyance, Assignment, and Declaration respectively executed as required by this Act, and every Order for Partition or for Exchange, or for Division and Allotment, made by the Court under its Seal, shall for all Purposes be conclusive Evidence that every Application, Proceeding, Consent, and Act whatsoever which ought to have been made, given, and done previously to the Execution of such Conveyance, Assignment, or Declaration, or the making of such Order respectively, has been made, given, and done by the Persons authorized to make, give, and do the same; and no such Conveyance, Assignment, Declaration, or Order shall be impeached by reason of any Informality therein; and every such Order shall operate, and may be registered in the Office for registering Deeds in *Ireland*, in like Manner as if Conveyances by way of Partition, Exchange, Division, or Allotment had been executed for such Purposes.

Court not to be restrained by Injunction.

LXXXVI. The Court shall not be subject to be restrained in the Execution of its Powers under this Act; nor shall any Person be restrained from making Application under this Act to the Court, or doing any other Act or giving any Consent under the Provisions of this Act, by Order or Injunction of a Court of Equity, or by Writ of Prohibition; nor shall the Court be required by Writ of Mandamus to do any Act or take any Proceedings under this Act; nor shall Proceedings before them be removed by Certiorari; and the Judge of the Court shall not, nor shall any Person acting under the Order or Authority of them or any of them, be liable to any Action, Suit, or Proceeding for or in respect of any Act or Matter *bonâ fide* done or omitted by them respectively in the Exercise or supposed Exercise of the Powers of this Act.

Rights of Purchaser against Tenants.

LXXXVII. Where any Conveyance or Assignment has been made before the passing of this Act by the Commissioners for the Sale of Incumbered Estates in *Ireland*, or shall hereafter be made by the Court, subject to any Lease, Under-lease, or Tenancy, such Conveyance or Assignment shall be deemed to afford conclusive Proof that the Estate or Interest purporting to be conveyed or assigned thereby is the Reversion expectant upon such Lease, Under-lease, or Tenancy; and it shall not be necessary, in any Action arising out of or connected with such Lease, Under-lease, or Tenancy, or in any Pleadings in such Action, to allege or prove the Title of such Reversion prior to the said Conveyance or Assignment; and the Person to whom such Conveyance or Assignment is made, his Heirs, Executors, Administrators, and Assigns, and every of them, shall and may have and enjoy the like Advantages against the Lessees, Under-lessees, and Tenants, their Heirs, Executors, Administrators, Assigns, and Under-tenants, and against all other Persons in possession or occupation of the Land comprised in such Conveyance or Assignment, by Distress or by Entry for Nonpayment of Rent, or for doing of Waste or other Forfeiture, and also shall and may have and enjoy like Advantages and Remedies by Action for not performing other Conditions, Covenants, and Agreements contained in such Lease or Under-lease, or in the parol Agreement for such Tenancy, against the said Lessees, Under-lessees, and Tenants, their Heirs, Executors, Administrators, and Assigns, as the Person granting such Lease or Under-lease, or as the Landlord entering into the Agreement for such Tenancy, or his Heirs, Executors, Administrators, or Assigns, ought to have had and enjoyed at any Time or Times, in like Manner and Form as if the Reversion in such Land expectant on such Lease, Under-lease, and Tenancy had remained or continued in such Person granting such Lease or Under-lease, or as Landlord entering into such Agreement.

Duty payable on Proceedings.

LXXXVIII. A Duty shall be levied upon every Estate which shall be sold or conveyed under this Act, or of which a Partition, Exchange, or Division shall be made by the Court, where no Sale is to be effected by the Court, or of which the Title shall be verified by Declaration under this Act as aforesaid; and such Duty shall be payable, in the Proportion herein-after mentioned, according to the Value of

such Estate; and such Value shall, when the Estate shall be sold or conveyed, be estimated by the *bonâ fide* Purchase Money, and where the Court shall make a Partition, Exchange, or Division of Land, or shall verify the Title thereof by Declaration as aforesaid, the Value of such Estate shall be ascertained by such Means as shall be settled by a General Order of the Court; and such Duty shall be the First Charge upon the Purchase Money, and, where there shall be no Sales, the Duty shall be a First Charge upon the Estate conveyed, or the Estate being the Subject of such Declaration of Title as aforesaid, or the Estates which shall be the Subject of such Exchange, Partition, or Division as aforesaid; and Payment of such Duty shall be enforced by such Method as shall be determined by any General Order of the Court for that Purpose; and such Duty shall be paid so as to become and form Part of the Consolidated Fund of *Great Britain* and *Ireland* in such Manner as shall be determined by General Order of the Court, to be approved by the Commissioners of Her Majesty's Treasury: The Rate of such Duty shall be Ten Shillings upon every Hundred Pounds of the gross Value of the Estate or Estates which shall form the Subject of each Application to the Court, or Reference from the Courts of Chancery or Bankruptcy and Insolvency respectively, where such Value shall be less than Ten thousand Pounds, and One Pound upon every Hundred Pounds of such gross Value, where such Value shall amount to Ten thousand Pounds or upwards: Provided that it may be lawful for the Commissioners of the Treasury to lower or raise such Rate of Duty from Time to Time within the Limit of the Rate hereby provided as a Maximum, according as such Rate or substituted Rate shall to them seem sufficient to provide a Fund for the Support of such Court: Provided always, that no such Duty shall be payable in respect of any Property which shall be sold in pursuance of an Order of the Commissioners of the Incumbered Estates Court made before the passing of this Act.

Rate of Duty.

Power to Commissioners of the Treasury to invest unproductive Cash.

LXXXIX. 'Whereas it has been found that a large Sum in Cash, the Produce of the Sales under 'the Court for the Sale of Incumbered Estates in *Ireland*, has from Time to Time been lying unpro- 'ductive in the Bank of *Ireland*: And whereas there is Reason to expect that a large Sum in Cash, the 'Produce of Sales under the Court hereby constituted, will be unproductive, unless the same shall be 'rendered profitable in the Manner herein-after provided:' Be it therefore enacted, That it may be lawful for the Commissioners of Her Majesty's Treasury, at their Discretion, to make such Arrangements, from Time to Time, as to them shall seem expedient, for the Investment in Public Funds or in Exchequer Bills or Exchequer Bonds of so much as they may think fit of the Cash, being the Proceeds of Sales lodged in the Bank of *Ireland* under the Provisions of this Act, as in their Opinion, after Reference to and Report from the Judges of the said Court, may not be required to meet the Payments or special Investments which may from Time to Time be ordered by the Court, or if the said Commissioners shall think fit, it shall be lawful for them, at their Discretion, to make such other Arrangements with the said Bank as they may deem expedient for rendering such Cash, or such Part thereof as aforesaid, productive while deposited in the said Bank; and the Dividends, Interest, or other annual Proceeds derived from such Public Securities, or from any other Arrangements with the said Bank, shall be paid to and form Part of the Consolidated Fund of the United Kingdon of *Great Britain* and *Ireland*: Provided that if at any Time the whole or any Part of the Securities in which such Cash may be so invested shall be wanted to answer any of the Demands of the Parties entitled thereto in the several Matters pending in the said Court, then and in such Case the said Commissioners, on the Certificate from the Court of such Want, may direct such Securities or any Part thereof to be disposed of, in order that such Parties may at all Times be paid the Sums in full to which they may be respectively entitled.

Persons swearing falsely to be punished for Perjury.

XC. Every Person who, upon Examination upon Oath, Affirmation, or Declaration before the Court or any of the Judges thereof, or any Person appointed and authorized under this Act by the Court, or by any General or Special Order thereof, to administer such Oath, Affirmation, or Declaration, shall wilfully give false Evidence, and every Person who shall wilfully swear, affirm, or declare falsely in any Affidavit authorized under this Act to be received in Evidence by the Court, shall be liable to the Pains and Penalties of Perjury.

Act only to extend to Ireland.

XCI. This Act shall, except as far as the special Provisions of the same otherwise require, extend only to *Ireland*.

SCHEDULE.

SCHEDULE A.

FORMS OF CONVEYANCE on Sales by the Court [*which may be used with such Variations as the Circumstances may appear to the to require*].

I, *A.B.*, One of the Judges of the "Landed Estates Court, Ireland," under the Authority of an Act passed in the Year of the Reign of Queen Victoria, intituled [*here set forth the Title of this Act*], in consideration of the Sum of by *E.F.* of &c. paid into the Bank of Ireland [*or other Bank, as the Case may be*], to our Account, to the Credit of , do grant unto the said *E.F.* all [*here describe the Premises to be sold*], to hold the same unto the said *E.F.*, his Heirs and Assigns [*or, in the Case of a Chattel Interest in a Lease*, his Executors, Administrators, and Assigns] for ever, [*or* for the unexpired Term created by a certain Lease, *describing the Lease*,

Lease, as the Case may be,] subject to [*here specify, where the Sale is made subject thereto, the Tenancies, Leases, Under-leases, or Charge, either by Reference to a Schedule or otherwise*].

In witness whereof, I, the said *A.B.*, have hereunto set my Hand and the Seal of the said Court, this Day of in the Year of our Lord .

A.B.

(*Seal of the Court.*)

The Certificate of Payment to be endorsed on or written at the Foot of the Conveyance or Assignment may be in the following Form:—

I certify, That the within [*or* above] mentioned Sum of was paid in the Bank of or to the Account and Credit within [*or* above] mentioned, on the Day of

A.B.

(*Seal of the Court.*)

CAP. LXXIII.

An Act to amend the Law concerning the Powers of Stipendiary Magistrates and Justices of the Peace in certain Cases. [2d *August* 1858.]

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

A Stipendiary Magistrate may do alone all Acts authorized to be done by Two Justices.

I. Every Stipendiary Magistrate appointed for any City, Town, Liberty, Borough, Place, or District, sitting at a Police Court or other Place appointed in that Behalf, shall have Power to do alone any Act and to exercise alone any Jurisdiction which under any Law now in force, or under any Law not containing an express Enactment to the contrary hereafter to be made, may be done or exercised by Two Justices of the Peace, and all the Provisions of any Act of Parliament auxiliary to the Jurisdiction of such Justices shall be applicable also to the Jurisdiction of such Stipendiary Magistrate.

Foregoing Enactment to extend to Acts required to be done at Petty Sessions.

II. The Authority and Jurisdiction given to a Stipendiary Magistrate by the Enactment herein-before contained shall extend and apply as well to the Cases where the Act or Jurisdiction is or hereafter may be expressly required to be done or exercised by Justices sitting or acting in Petty Sessions as to other Cases, and any Enactment authorizing or requiring Persons to be summoned or to appear at such Petty Sessions shall in the like Cases authorize or require Persons to be summoned or to appear before the Stipendiary Magistrate having Jurisdiction at the Police Court or other Place appointed for his sitting.

Saving Jurisdiction of Quarter and Special Sessions, and as to Licences.

III. Nothing herein-before contained shall extend to Acts to be done or Jurisdiction to be exercised at the General or Quarter Sessions of the Peace, or to Acts or Jurisdiction expressly required (by any existing or future Law) to be done or exercised at Special Sessions, or to any Act or Jurisdiction in relation to the Grant or Transfer of any Licence.

Saving as to Metropolitan Police Magistrates.

IV. Nothing herein-before contained shall extend, alter, or affect in any Manner the Powers or Authorities of the Magistrates appointed or to be appointed to the Police Courts in the Metropolitan Police District.

As to Extent of Section 22. of 11 & 12 Vict. c. 43.

V. Section Twenty-two of the Act of the Session holden in the Eleventh and Twelfth Years of Her Majesty, Chapter Forty-three, shall extend and be deemed to have extended to all Cases in which it is returned to a Warrant of Distress issued under the Authority of such Act for levying any Penalty, Compensation, or Sum of Money adjudged or ordered to be paid by any Conviction or Order that no sufficient Goods of the Party against whom such Warrant was issued can be found, where the Statute on which the Conviction or Order is founded provides no Mode of raising or levying such Penalty, Compensation, or Sum of Money, or of enforcing Payment of the same, as well as to Cases where the Statute on which the Conviction or Order is founded authorizes the issuing thereon of a Warrant of Distress.

Section 18. of 2 & 3 Vict. c. 71. amended.

VI. So much of Section Eighteen of the Act of the Session holden in the Second and Third Years of Her Majesty, Chapter Seventy-one, as makes void (except in the Cases therein excepted) "every "Summons or Warrant issued by any Justice of the Peace of the Counties of *Middlesex, Surrey, Kent,* "*Essex,* or *Hertfordshire* respectively, requiring any Person residing within the Metropolitan Police "District to appear at any Place without the said District to answer any Information or Complaint "touching any Matter arising within the said District," shall not apply to any such Summons or Warrant in respect of any Matter arising within any Part of the said District not assigned for the Time being to any of the Police Courts of the Metropolis.

Magistrates acting for Places in the Metropolitan Police District within which no Police Court is established may commit

VII. In every Case in which any Person shall be brought before any Police Magistrate, or any Two Magistrates acting within the said Metropolitan Police District, for any Place within which no Police Court shall have been established, for any Offence under the Twenty-fourth Section of an Act of the Session holden in the Second and Third Years of Her Majesty, Chapter Seventy-one, such Police Magistrate, or such Magistrates acting in and for such Place, may hear and determine the Matter, and in case of Conviction may commit the Offender to be imprisoned in any Gaol or House of Correction in and for the County, Liberty, or Place in which such Offence shall have been committed, though not within

certain Offenders to County Gaol, &c.

within the said Metropolitan Police District, and with or without Hard Labour for any Time not exceeding Two Calendar Months, and in their Discretion without the Infliction of any Fine in default of Payment of which such Imprisonment might be adjudged.

Repeal of certain Acts and Parts of Acts herein named.

VIII. 'And whereas an Act was passed in the Fifty-ninth Year of King *George* the Third, Chapter 'Twenty-eight, "to empower Magistrates to divide the Court of Quarter Sessions," which Act has been 'amended by Section Four of an Act of the Session holden in the Seventh Year of King *William* the 'Fourth and the First Year of Her Majesty, Chapter Nineteen, and by Section Four of an Act of the 'Session holden in the Fifth and Sixth Years of Her Majesty, Chapter Thirty-eight; and it is expedient 'to make further Provision in relation to the Division of Courts of Quarter Sessions:'

The said Act of the Fifty-ninth Year of King *George* the Third and the said Sections shall be repealed, but not so as to affect any Orders, Rules, and Regulations made before the passing of this Act.

Power to divide Courts of Quarter Sessions, General Sessions, and adjourned Sessions.

IX. Whenever and so often as any Court of Quarter Sessions or General Sessions or adjourned Quarter Sessions of the Peace is assembled for the Despatch of Business, the Justices then present may, if and when in their Discretion they see fit so to do, appoint Two or more Justices, One of whom shall be of the Quorum, to form a Second Court for the Purpose of hearing and determining such Business as may be referred to them, and the Proceedings by and before such Second Court shall be as good and effectual in the Law, to all Intents and Purposes, as if the same were had before the Court assembled and sitting as usual in its ordinary Place of Sitting, and shall be enrolled and recorded accordingly.

As to Renewal of Regulations made for Apportionment of Business.

X. When a Second Court is formed as aforesaid, and Orders, Rules, and Regulations have been made for the Apportionment of Business, such Orders, Rules, and Regulations shall continue in force as long as may be thought expedient, without the Necessity of renewing such Orders, Rules, and Regulations at each succeeding Session.

Clerk of the Peace to appoint a Person to record the Proceedings of such separate Court.

XI. The Clerk of the Peace or his Deputy, wherever a Second Court is formed as aforesaid, shall appoint a fit and sufficient Person to record the Proceedings so had before the Justices at such Second Court, and such Proceedings shall be delivered over to the Clerk of the Peace or his Deputy, and shall be deemed to be a Part of the Records of the Session, as if the same Proceedings had been recorded by the Clerk of the Peace himself; and it shall be lawful for the Justices assembled at the Sessions to make an Order upon the Treasurer of the County to pay to the Clerk of the Peace such Sum as they shall deem a fit and reasonable Remuneration to the Clerk of the Peace for such Purpose as aforesaid; and it shall be lawful for such Justices to appoint an additional Crier, and to grant him such Remuneration (to be paid by the Treasurer of the County) as they deem reasonable.

Time from which certain Sentences shall take effect.

XII. Every Sentence pronounced by any Court of General or Quarter Sessions or adjourned Sessions of the Peace shall take effect from the Time of the same being pronounced, unless the Court otherwise directs.

Stipendiary Magistrate may appoint a Deputy, with Approval of Secretary of State.

XIII. It shall be lawful for any Stipendiary Magistrate, with the Approval of the Secretary of State for the Home Department, to appoint a Deputy, who shall have practised as a Barrister-at-Law for at least Seven Years, to act for him for any Time or Times not exceeding Six Weeks in any consecutive Period of Twelve Calendar Months; and every Deputy so appointed, during the Time for which he shall be so appointed, shall have all the Powers and perform all the Duties of the Stipendiary Magistrate for whom he shall have been so appointed.

Power to appoint County Stipendiary Magistrates to be Magistrates of Metropolitan Police Courts.

XIV. It shall be lawful for Her Majesty to appoint any Stipendiary Magistrate acting for any City, Town, Liberty, Borough, or Place in *England* or *Wales* to be a Magistrate of any One of the Police Courts of the Metropolitan Police District, although such Stipendiary Magistrate shall not have practised as a Barrister during at least Seven Years then last past, nor shall have practised as a Barrister for Four Years then last past having previously practised as a Certificated Special Pleader for Three Years below the Bar.

Extent of Act.

XV. This Act shall extend only to *England*.

CAP. LXXIV.

An Act for the Re-arrangement of the Districts of the County Courts among the Judges thereof. [2d *August* 1858.]

9 & 10 Vict. c. 95.

'WHEREAS under the Provisions of an Act passed in the Session of Parliament holden in the 'Ninth and Tenth Years of the Reign of Her present Majesty, Chapter Ninety-five, certain 'Districts are constituted for the Purpose of holding therein County Courts, and such Districts 'are divided in unequal Numbers among the Sixty Judges of such Courts: And whereas it is expedient 'that Provision should be made for the better Division of the Business of the said Courts among the 'Judges thereof:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Ld. Chancellor may alter and redistribute the

I. The Nineteenth Section of the said Act is hereby repealed; and it shall be lawful for the Lord Chancellor from Time to Time to alter the Distribution of the Districts among the Judges of County Courts,

Courts, and for that Purpose to remove any Judge of a County Court from all or any of the Districts of which he is the Judge, for the Purpose of appointing him to any other District or Districts, or to appoint any such Judge to be the Judge of any District or Districts in addition to the District or Districts of which he is the Judge. Districts of the Courts among the Judges thereof.

II. The Lord Chancellor may from Time to Time appoint Two Persons to be the Judges of a District or Districts, and may make such Regulations as to their respective Sittings or otherwise as to the Division of their Duties as he may think right, and each of the Persons when acting as such Judge shall have all such Powers and Authorities as if he had been sole Judge of such District. Two Persons may be Judges of One or more Districts.

III. Until Parliament shall otherwise direct, the Judges of the County Courts shall not exceed Sixty in Number. Number of Judges not to exceed Sixty.

IV. 'Whereas it is desirable that the Powers given by Section Forty-three of the Act passed in the 'Session of Parliament holden in the Nineteenth and Twentieth Years of the Reign of Her present 'Majesty, Chapter One hundred and eight, to any Superior Court, or a Judge thereof, should be exer- 'cised only by such Superior Court and not by a single Judge:' Be it enacted, That no Rule or Summons requiring a Judge or an Officer of a County Court to show Cause why any Act relating to the Duties of his Office should not be done, nor any Rule or Order directing such Act to be done, shall be issued or made except by the Superior Court, and the said Section Forty-three, and any Provisions of the said Act having reference thereto, shall be read and construed as if the Words "or a Judge thereof" were not inserted in the said Section. Rule or Order requiring a Judge or Officer of a County Court to perform certain Duties to be issued only by a Superior Court.

V. So much of the Common Law Procedure Act, 1854, as enables any One of Her Majesty's Superior Courts of Common Law at *Westminster*, or any Judge thereof, to refer any Cause to the Judge of any County Court is hereby repealed. 17 & 18 Vict. c. 125. as to referring Causes to County Courts repealed.

CAP. LXXV.

An Act to amend the Law relating to Cheap Trains, and to restrain the Exercise of certain Powers by Canal Companies being also Railway Companies. [2d *August* 1858.]

'Whereas by the Act passed in the Session of Parliament held in the Seventh and Eighth Years 'of the Reign of Her present Majesty, Chapter Eighty-five, Section Six, it is enacted, amongst 'other things, with respect to the Cheap Trains thereby required to be provided in certain Cases, that 'the Fare or Charge for each Third-class Passenger by any such Train shall not exceed One Penny for 'each Mile travelled: And whereas it is expedient to amend the said Act in manner herein-after men- 'tioned: And whereas it is also expedient to amend the Act passed in the Ninth Year of the Reign of 'Her present Majesty, Chapter Forty-two, intituled *An Act to enable Canal Companies to become* 'Carriers of Goods upon their Canals, by restraining as herein-after mentioned the Exercise of certain 'Powers therein contained:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: 7 & 8 Vict. c. 85. 8 & 9 Vict. c. 42.

I. When the Distance travelled by any Third-class Passenger by any Train run in compliance with the Provisions relating to Cheap Trains contained in the said Act of the Seventh and Eighth of *Victoria*, Chapter Eighty-five, is a Portion of a Mile, and does not amount to One Mile, the Fare for such Portion of a Mile may be One Penny, or when such Distance amounts to One Mile, or Two or more Miles, and a Portion of another Mile, the Fare or Charge for such Portion of a Mile, if the same amounts to or exceeds One Half Mile, may be One Halfpenny: Provided always, that for Children of Three Years and upwards, but under Twelve Years of Age, the Fare or Charge shall not exceed Half the Charge for an adult Passenger. As to Charges for Fractions of a Mile.

II. After the passing of this Act, no Fare heretofore charged to or received from any Third-class Passenger by any such Train as aforesaid shall in any Proceeding to be hereafter instituted be deemed to have exceeded the Rate prescribed in such Case by the said Act of the Seventh and Eighth of *Victoria*, Chapter Eighty-five, if the same shall not have exceeded the Rate of One Farthing for each entire Quarter of a Mile travelled. Certain Rates heretofore charged not to be deemed excessive.

III. Notwithstanding anything contained in the said recited Act of the Ninth Year of Her Majesty, it shall not be lawful for any Canal or Navigation Company, being also a Railway Company, or entitled to work any Railway constructed under the Authority of any Act of Parliament, hereafter to accept a Lease of the whole or any Part of the Undertaking of any other Railway and Canal Company or of any Canal or Navigation Company, or of the Tolls, Dues, or Charges upon or in respect of the whole or any Part of any such Undertaking, except under the Powers of some Act or Acts heretofore passed or to be hereafter passed in which the Parties to any such Lease shall be specifically named and authorized to enter into the same. Canal Companies, being also Railway Companies, not to take Leases of Canals unless specially authorized.

IV. This Act shall continue in force for One Year next after the passing thereof, and thence to the End of the then next Session of Parliament. Act to be in force for One Year.

CAP.

CAP. LXXVI.

An Act to simplify the Forms and diminish the Expense of completing Titles to Land in *Scotland.* [2d *August* 1858.]

'WHEREAS it is expedient to simplify the Forms and diminish the Expense of completing Titles to Land in *Scotland:*' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Instruments of Sasine no longer necessary, but Conveyances may be recorded instead.

I. From and after the First Day of *October* in the present Year, it shall not be necessary to expede and record an Instrument of Sasine on any Conveyance of Lands, but it shall be competent and sufficient for the Person or Persons in whose Favour the Conveyance is granted, instead of expeding and recording such Instrument of Sasine, to record the Conveyance itself in the Register of Sasines applicable to the Lands therein contained; and the Conveyance, being presented for Registration with a Warrant of Registration thereon, in or as nearly as may be in the Form of Schedule (A.) No. 1. hereto annexed, specifying the Person or Persons on whose Behalf it is so presented, and signed by such Person or Persons, or his or their Agent, and being so recorded along with such Warrant, shall have the same legal Force and Effect in all respects as if the Conveyance so recorded had been followed by an Instrument of Sasine duly expede and recorded at the Date of recording the said Conveyance, according to the present Law and Practice, in favour of the Person or Persons on whose Behalf the Conveyance is presented for Registration.

Not necessary to record the whole Conveyance.

II. Where a Conveyance of Lands shall be contained in a Deed granted for further Purposes and Objects, such as a Marriage Contract, Deed of Trust, or Deed of Settlement, it shall not be necessary to record the whole of such Deed, but it shall be competent and sufficient to expede and record in the appropriate Register of Sasines a Notarial Instrument setting forth generally the Nature of the Deed, and containing at length those Portions of the Deed by which the Lands are conveyed, and by which Real Burdens, Conditions, or Limitations are imposed; and where a Deed conveys separate Lands or separate Interests in the same Lands to the same or different Persons, it shall not be necessary to record the whole of such Deed, but it shall be competent and sufficient to expede and record as aforesaid a Notarial Instrument setting forth generally the Nature of the Deed, and containing at length the Part or Parts of the Deed by which particular Lands are conveyed to the Person or Persons in whose Favour the Notarial Instrument is expede, and the Part of the Deed which specifies the Nature and Extent of the Right and Interest of such Person or Persons, with the Real Burdens, Conditions, and Limitations, if any, and such Notarial Instrument shall be in or as nearly as may be in the Form of Schedule (B.) hereto annexed.

Clause directing Part of Conveyance to be recorded.

III. Immediately before the Testing Clause of any Conveyance it shall be competent to insert a Clause of Direction, in or as nearly as may be in the Form of Schedule (C.) hereto annexed, specifying the Part or Parts of the Conveyance which the Granter thereof desires to be recorded in the Register of Sasines, and when such Clause is so inserted the Keeper of the Register shall record such Part or Parts only, together with the Clause of Direction and the Testing Clause, and the recording of such Part or Parts of the Conveyance, together with the Clause of Direction and the Testing Clause, and the Warrant of Registration as before provided, shall have the same legal Force and Effect as if a Notarial Instrument containing such Part or Parts of the Conveyance had been duly expede and recorded in favour of the Party on whose Behalf the Conveyance is presented: Provided always, that, notwithstanding such Clause of Direction, it shall be competent for the Party entitled to present the Conveyance for Registration to record the whole Conveyance, or to expede and record a Notarial Instrument as herein-before provided, in the same Manner as if the Conveyance had contained no such Clause of Direction; and where a Notarial Instrument shall be expede as herein-before provided, no Part or Parts of the Conveyance directed to be recorded shall be omitted from such Instrument.

Instruments of Resignation ad remanentiam no longer necessary, but Conveyances in favour of Superior may be recorded instead.

IV. It shall not be necessary to expede and record an Instrument of Resignation *ad remanentiam* on any Procuratory of Resignation *ad remanentiam*, or on any Conveyance containing an express Clause of Resignation *ad remanentiam*, but it shall be competent and sufficient for the Superior in whose Favour the Resignation under such Procuratory or Conveyance is authorized to be made to record in the appropriate Register of Sasines such Procuratory or Conveyance, with a Warrant of Registration thereon, or to expede and record a Notarial Instrument as nearly as may be in the Form of Schedule (B.); and such Procuratory or Conveyance and Warrant, or such Notarial Instrument, being so recorded, shall have the same Effect as if an Instrument of Resignation *ad remanentiam* had been expede on such Procuratory or Conveyance, and had been recorded in the Register of Sasines, according to the present Law and Practice at the Date of recording such Procuratory or Conveyance or Instrument; and all Instruments of Resignation *ad remanentiam* may be in or as nearly as may be in the Form of Schedule (D.), and when in such Form may be recorded in the appropriate Register of Sasines at any Time during the Life of the Party in whose Favour the Resignation is made, and the Date of Presentment and Entry set forth on any Instrument of Resignation in such Form by the Keeper of the Register shall be the Date of the Resignation and of the Instrument.

V. It

Certain Clauses no longer necessary in Conveyances.

V. It shall not be necessary to insert in any Conveyance a Clause of Obligation to infeft, or a Precept of Sasine or Warrant for Infeftment; and if the Lands shall be disponed to be holden *a me* only or *a me vel de me*, the Clause so expressing the Manner of holding shall imply that the Lands are to be holden in the Manner expressed in the Act Tenth and Eleventh *Victoria*, Chapter Forty-eight, Section Two, with reference to Obligations to infeft *a me* or *a me vel de me* respectively; and where no holding is expressed the Conveyance shall be held to imply that the Lands are to be holden in the same Manner in which the Grantor of the Conveyance held or might have held the same; and a Clause of Resignation in any Conveyance shall be held to import a Resignation *in favorem* only, unless specially expressed to be a Resignation *ad remanentiam:* Provided always, that nothing herein contained shall prevent an Instrument of Resignation *ad remanentiam* being expede and recorded on a Conveyance heretofore granted, and containing a Clause of Resignation in the Form authorized by the Act of the Tenth and Eleventh *Victoria*, Chapter Forty-eight.

Provision where Lands are held of the Crown, &c., and a Confirmation of a Deed, &c. required.

VI. Where Lands are held of the Crown or Prince and Steward of *Scotland*, and a Confirmation of any Deed or Instrument of Sasine or Notarial Instrument recorded in the appropriate Register of Sasines shall be required, it shall be competent to apply to the Presenter of Signatures for a Writ of Confirmation to be written on such Deed or Instrument, instead of a Charter of Confirmation, and such Application shall be made in the same Manner in all respects as when a Charter of Confirmation is now applied for; and on the Presenter of Signatures being satisfied that the Party applying would be entitled to a Charter of Confirmation, he shall direct a Writ of Confirmation in, or as nearly as may be in, the Form of Schedule (E.) to be written on such Deed or Instrument; and such Writ of Confirmation shall be signed by the Presenter of Signatures, and the Amount of the Fees exigible in the Office of the Presenter of Signatures, and also of the Duties and Casualties payable in Exchequer on account of the Lands contained in the Deed or Instrument confirmed, shall be marked on the Deed or Instrument confirmed, and certified by the Signatures of the Auditor of Exchequer and of the Presenter of Signatures; and on Payment of such Fees, Duties, and Casualties being made, the Deed or Instrument so confirmed shall be officially transmitted to the Director of Chancery, who, or his Deputy or Substitute, shall enter or cause to be entered in a Book to be kept for the Purpose, and intituled "The Register of Confirmations and Resignations," the leading Name or Names or other short distinctive Description of the Lands comprehended in the Deed or Instrument confirmed, the Date of recording such Deed or Instrument, the Register in which the same is recorded, the Name of the Party in whose Favour the Writ of Confirmation is granted, the Date of the Confirmation, and also the Name of the last entered Vassal, and the Date of his Entry, and the Deed or Instrument so confirmed shall thereafter be delivered to the Party applying for Confirmation, or his Agent; and the Confirmation so granted shall in all respects be as effectual as a Charter of Confirmation according to the present Law and Practice, and shall be held to confirm the whole prior Deeds and Instruments necessary to be confirmed, in order to complete the Investiture of the Party obtaining the Confirmation.

Provision where Lands are held of a Subject Superior, and a Confirmation of a Deed, &c. required.

VII. Where Lands are held of a Subject Superior, and a Confirmation of any Deed or Instrument of Sasine or Notarial Instrument recorded as aforesaid shall be required, it shall be competent for the Superior to confirm such Deed or Instrument by a Writ of Confirmation to be written upon such Deed or Instrument as nearly as may be in the Form of Schedule (E.), and the Confirmation so granted shall be to all Intents and Purposes as effectual as a Charter of Confirmation according to the present Law and Practice, and the Superior shall be bound so to confirm such Deed or Instrument, if required so to do: Provided always, that the Party requiring such Confirmation shall be entitled to demand an Entry by Confirmation, and shall, if required, produce to the Superior a Charter or other Writ showing the Tenendas and Reddendo of the Lands contained in such Deed or Instrument, and shall also at the same Time pay or tender to the Superior such Duties or Casualties as he may be entitled to demand; and the Confirmation so granted shall be held to confirm the whole prior Deeds and Instruments necessary to be confirmed in order to complete the Investiture of the Party obtaining the Confirmation.

Provision where Lands are held of the Crown, &c., and a new Investiture by Resignation, &c. required.

VIII. Where Lands are held of the Crown, or Prince and Steward of *Scotland*, and a new Investiture by Resignation shall be required, it shall be competent for the Party in right of the Deed which is the Warrant for Resignation to apply to the Presenter of Signatures for a Writ of Resignation, to be written on such Deed, instead of a Charter of Resignation; and the Application shall be made in the same Manner in all respects as when a Charter of Resignation is now applied for; and on the Presenter of Signatures being satisfied that the Party applying would be entitled to a Charter of Resignation, he shall direct a Writ of Resignation, in or as nearly as may be in the Form of Schedule (F.), to be written on the Deed which is the Warrant for Resignation; and the Writ of Resignation shall be signed by the Presenter of Signatures, and the Amount of the Fees exigible in the Office of the Presenter of Signatures, and also of the Duties and Casualties payable in Exchequer on account of the Lands resigned, shall be marked on the Deed, and certified by the Signatures of the Auditor of Exchequer and of the Presenter of Signatures; and on Payment of such Fees, Duties, and Casualties being made, the Deed shall be officially transmitted to the Director of Chancery, who, or his Deputy or Substitute, shall enter or cause to be entered in "The Register of Confirmations and Resignations," the leading Name or Names or other short distinctive Description of the Lands resigned, the Name of the Party in whose Favour the Writ is granted, the Date of the Writ, and also the Name

of the last entered Vassal, and the Date of his Entry; and the Deed shall thereafter be delivered to the Party applying for the same, or his Agent, and the Deed, with the Writ of Resignation so written upon it, shall in all respects be as effectual as if a Charter of Resignation of the Lands had been duly obtained according to the present Law and Practice, and shall, to all Intents and Purposes, operate as a Confirmation of the whole prior Deeds and Instruments necessary to be confirmed in order to complete the Investiture of the Party obtaining such Writ; and it shall be competent to record in the appropriate Register of Sasines the Deed, with the Writ of Resignation written thereon, and Warrant of Registration also written thereon, and the recording of the same shall have the same legal Force and Effect in all respects as if a Charter of Resignation had been granted, and such Charter had been followed by an Instrument of Sasine duly expede and recorded at the Date of recording such Deed and Writ, according to the present Law and Practice, in favour of the Party on whose Behalf the Deed and Writ are presented for Registration: Provided always, that the recording of such Deed along with such Writ shall not have the Effect of an Instrument of Sasine following on such Deed.

Provision where Lands are held of a Subject Superior, and a new Investiture by Resignation, &c. required.

IX. Where Lands are held of a Subject Superior, and a new Investiture by Resignation shall be required, it shall be competent for the Superior to grant in favour of the Party in right of the Deed which is the Warrant for Resignation a Writ of Resignation as nearly as may be in the Form of Schedule (F.), which shall be written on such Deed, and the Deed with the Writ of Resignation written thereon shall be to all Intents and Purposes as effectual as if a Charter of Resignation had been granted in the usual Form, according to the present Law and Practice, and the Superior shall be bound to grant such Writ of Resignation instead of a Charter of Resignation, if required so to do: Provided always, that the Party requiring such Writ shall be entitled to demand an Entry by Resignation, and shall, if required, produce to the Superior a Charter or other Writ showing the Tenendas and Reddendo of the Lands resigned, and shall also at the same Time pay or tender to the Superior such Duties or Casualties as he may be entitled to demand; and the Writ of Resignation shall to all Intents and Purposes operate as a Confirmation of the whole prior Deeds and Instruments necessary to be confirmed in order to complete the Investiture of the Party obtaining the Writ; and it shall be competent to record in the appropriate Register of Sasines the Deed with the Writ of Resignation written thereon, and Warrant of Registration also written thereon, and the recording of the same shall have the same legal Force and Effect in all respects as if a Charter of Resignation had been granted, and such Charter had been followed by an Instrument of Sasine duly expede and recorded at the Date of recording the said Deed and Writ, according to the present Law and Practice, in favour of the Party on whose Behalf the Deed and Writ are presented for Registration: Provided always, that the recording of such Deed along with such Writ shall have the Effect of an Instrument of Sasine following on such Deed.

As to Charters by Progress.

X. In granting Charters of Confirmation or Resignation or other Charters by Progress, it shall be competent and sufficient to refer to the Tenendas and Reddendo of the Lands therein contained, as set forth at Length in any Charter or other Writ recorded in any Public Register, and Subject Superiors shall be bound, if required, to grant such Charters containing such Reference, in like Manner as they are now bound to grant similar Charters according to the Forms at present in use.

As to Writs of Clare constat.

XI. Where, according to the present Law and Practice, Precepts from Chancery or Precepts of Clare constat are in use to be granted, it shall be competent and sufficient to grant a Writ of Clare constat in or as nearly as may be in the Form of Schedule (G.), and to record such Writ of Clare constat with the Warrant of Registration thereon in the appropriate Register of Sasines, and the same being so recorded shall have the same legal Force and Effect in all respects as if a Precept from Chancery or Precept of Clare constat had been granted, and an Instrument of Sasine thereon had been duly expede and recorded at the Date of recording the said Writ, according to the present Law and Practice, in favour of the Person or Persons on whose Behalf such Writ is presented for Registration; and Superiors shall be bound to grant such Writs of Clare constat, if required by the Heir entitled to demand the same: Provided always, that the Heir shall, if required, produce a Charter or other Writ showing the Tenendas and Reddendo of the Lands in which his Ancestor died vest, and shall also at the same Time pay or tender to the Superior such Duties or Casualties as he may be entitled to demand; and where the Lands are held of the Crown or of the Prince and Steward of *Scotland*, or where the Heir is required by the Superior, he shall also produce a Decree of General or of Special Service establishing his Right to succeed to the Lands; and where the Lands are held of the Crown or Prince and Steward of *Scotland*, the Application for such Writ of Clare constat shall be made in the same Manner in all respects as when a Precept from Chancery is now applied for; and such Writ of Clare constat shall be recorded in Chancery as Precepts are now in use to be recorded, and all Precepts from Chancery, Precepts and Writs of Clare constat, shall operate as a Confirmation of the whole Deeds and Instruments necessary to be confirmed in order to complete the Investiture of the Parties obtaining such Precepts or Writs.

As to Notarial Instruments in favour of General Disponees.

XII. Where a Party shall have granted or shall grant a General Conveyance of his Lands, whether by Deed *mortis causâ* or *inter vivos*, it shall be competent to the Disponee under such Conveyance, or to any other Party who shall have acquired Right to such Conveyance, in whole or in part, by Service, Assignation, Adjudication, or otherwise, to expede and record a Notarial Instrument in or as nearly as may

may be in the Form of Schedule (H.); and on such Notarial Instrument being duly recorded in the appropriate Register of Sasines, such Disponee or such other Party acquiring Right as aforesaid shall be in all respects in the same Position as if a Disposition had been executed by the Grantor of the General Conveyance, in favour of the Party expeding the Notarial Instrument, of the Lands contained in such Notarial Instrument, with such Manner of holding, if any, as is expressed in the General Conveyance, and if no particular Manner of holding is therein expressed, then to be holden in the same Manner as the Grantor of the General Conveyance held or might have held the same, and as if such Disposition had been followed by an Instrument of Sasine of the said Lands in his Favour, duly expede and recorded at the Date of recording such Notarial Instrument, according to the present Law and Practice, except in the Case where the Subjects contained in such Notarial Instrument are Heritable Securities, in which Case the Party so expeding and recording the Instrument shall be in the same Position as if an Assignation of such Heritable Securities had been executed in his Favour by the Grantor of the General Conveyance, and as if such Assignation had been duly recorded in the appropriate Register of Sasines at the Date of recording such Notarial Instrument: Provided always, that where such Notarial Instrument shall be expede by a Party other than the original Disponee under such General Conveyance, the Notarial Instrument shall set forth the Title or Series of Titles by which the Party in whose Favour the Instrument is expede acquired Right to such Conveyance, and the Nature and Extent of his Right.

As to Assignations to unrecorded Conveyances.

XIII. It shall be competent to any Party, in right of an unrecorded Conveyance, to assign the Conveyance in or as nearly as may be in the Form of Schedule (I.), No. 1., and the Assignation, or, in the event of there being more than One, the successive Assignations, may be recorded in the appropriate Register of Sasines along with the Conveyance itself, and a Warrant of Registration thereon, in or as nearly as may be in the Form of Schedule (A.), No. 2., and it shall be competent to write the Assignation or Assignations on the Conveyance itself in or as nearly as may be in the Form of Schedule (I.), No. 2.; and the Conveyance, with such Warrant of Registration, along with the Assignation or Assignations, separate from or written upon the Conveyance, being so recorded, shall operate in favour of the Assignee on whose Behalf they are presented for Registration, as fully and effectually as if the Lands contained in the Assignation, or, if there be more than One, the last Assignation, had been disponed by the original Conveyance in favour of such Assignee, and the Conveyance, with the Warrant of Registration, had been recorded in the Manner herein-before provided of the Date of recording such Conveyance and Assignation or Assignations.

As to Notarial Instruments in favour of Parties acquiring Rights to unrecorded Conveyances.

XIV. Where any Party shall have acquired Right by General Conveyance, Service, Assignation, Adjudication, or otherwise, to an unrecorded Conveyance, granted in favour of another Person, it shall be competent to such Party to expede a Notarial Instrument in or as nearly as may be in the Form of Schedule (K.), setting forth the Conveyance and the Title or Series of Titles by which he acquired Right to the same, and the Nature and Extent of his Right, and to record the Conveyance along with the Notarial Instrument in the appropriate Register of Sasines, or where it is not desired to record the whole of the Conveyance it shall be competent to expede a Notarial Instrument in or as nearly as may be in the Form of Schedule (B.), setting forth generally the Nature of the Deed, and containing at Length those Portions of the Deed by which the Lands in regard to which the said Instrument is expede are conveyed, and by which Real Burdens, Conditions, or Limitations are imposed, and also setting forth the Title or Series of Titles by which the Party acquired Right to the Conveyance, and the Nature and Extent of his Right, and to record such Notarial Instrument in the appropriate Register of Sasines; and on the Conveyance, with a Warrant of Registration thereon, along with such Notarial Instrument in the Form of the said Schedule (K.), or on such Notarial Instrument in the Form of the said Schedule (B.) being so recorded, the Party expeding the Instrument shall be in the same Position as if the original Conveyance had been granted to himself, and along with a Warrant of Registration thereon had been recorded in the Manner herein-before provided of the Date of recording the Notarial Instrument.

Particular Description of Lands contained in prior recorded Deeds may be referred to, &c.

XV. Where Lands have been particularly described in any prior Conveyance, or other Writ, duly recorded in the appropriate Register of Sasines, it shall not be necessary, in any subsequent Conveyance or Writ containing or referring to the whole or any Part of such Lands, to repeat the particular Description of the Lands at Length, but it shall be sufficient to specify the leading Name or Names or other short distinctive Description of the Lands conveyed, and the Name of the County and Parish or supposed Parish, and to refer to the particular Description contained in the prior Conveyance or other Writ so recorded, in or as nearly as may be in the Manner set forth in Schedule (L.), No. 1.; and the Specification and Reference so made shall be held to be equivalent to the full Insertion of the particular Description contained in such prior Conveyance or other Writ so recorded, and shall have the same Effect as if the particular Description had been inserted exactly as it is set forth in such prior Conveyance or other Writ; and in any other subsequent Conveyance or Writ it shall be competent and sufficient to use such leading Name or Names or short distinctive Description, with the Addition of the Name of the County and Parish or supposed Parish, and to make Reference to the Conveyance or Writ in which such leading Name or Names or short distinctive Description shall have been so specified, without again referring to the several Conveyances or other Writs containing the particular Description of such Lands; and in such Case the Use of such leading Name or Names, or short distinctive Description,

with the Addition and Reference before provided, shall be held to be equivalent to the full Insertion of the particular Description contained in the several Conveyances or other Writs recorded and specified as aforesaid.

Several Lands conveyed by the same Deed may be comprehended under One general Name.

XVI. Where several Lands are comprehended in One Conveyance in favour of the same Person or Persons, it shall be competent to insert a Clause in the Conveyance declaring that the whole Lands conveyed, and therein particularly described, shall be designed and known in future by One general Name to be therein specified; and on the Conveyance containing such Clause being duly recorded in the appropriate Register of Sasines, it shall be competent in all subsequent Conveyances or other Writs to use the general Name specified in such Clause as the Name of the several Lands declared by such Clause to be comprehended under it, and a Conveyance of such several Lands under the general Name so specified shall be as effectual in all respects as if the Conveyance contained a particular Description of each of such several Lands: Provided always, that Reference be made in such Conveyances and Instruments of Sasine and Notarial Instruments to a prior recorded Conveyance or Instrument of Sasine or Notarial Instrument or other Writ in which such Clause and Description are contained; provided also, that it shall not be necessary in such Clause to comprehend under One general Name the whole Lands contained in the Conveyance in which such Clause is inserted, but that it shall be competent to comprehend certain Lands under one general Name, and certain other Lands under another general Name, it being clearly specified what Lands are comprehended under each general Name; and such Clause of Reference shall be in or as nearly as may be in the Terms set forth in Schedule (L.), No. 2., hereto annexed.

Destinations in Entails may be referred to.

XVII. Where Lands are or shall hereafter be held under a Deed of Entail it shall not be necessary to repeat the Destination contained in such Entail at Length in the Conveyances, Instruments of Sasine, Notarial Instruments, or other Writs necessary to transmit, renew, or complete a Title under such Entail, but it shall be sufficient to refer to the Destination as set forth at full Length in the Deed of Entail recorded in the Register of Tailzies, if the same shall have been so recorded, or as set forth at full Length in any Conveyance, Instrument of Sasine, Notarial Instrument, or other Writ duly recorded in the appropriate Register of Sasines forming Part of the Progress of Title Deeds of the Lands comprehended under the said Entail, such Reference being made in the Terms or as nearly as may be in the Terms set forth in Schedule (L.), No. 3., hereto annexed; and the Reference so made to such Destination shall be equivalent to the full Insertion thereof, and shall to all Intents and in all Questions whatever have the same legal Effect as if the Destination in the recorded Deed, Instrument, or other Writ referred to had been inserted at Length, notwithstanding any Law or Practice to the contrary, or any Injunction to the contrary contained in such Deed of Entail, and notwithstanding any Enactments or Provisions to the contrary contained in any Act or Acts of Parliament now in force, all which are hereby repealed, so far as inconsistent herewith, but no farther.

Certain Clauses in Entails no longer necessary.

XVIII. Where a Deed of Entail contains an express Clause authorizing Registration of the Deed in the Register of Tailzies it shall not be necessary to insert Clauses of Prohibition against Alienation, contracting Debt, and altering the Order of Succession, but such Clause of Registration shall have in every respect the same Operation and Effect as if such Clauses of Prohibition had been inserted according to the present Law and Practice, and duly fenced with irritant and resolutive Clauses.

Recording of Conveyances in the Register of Sasines authorized.

XIX. All Conveyances and Procuratories of Resignation *ad remanentiam*, with Warrants of Registration written thereon, and all Notarial Instruments and Instruments of Resignation *ad remanentiam*, hereby authorized to be recorded in the Register of Sasines, may be recorded at any Time in the Life of the Party on whose Behalf the same shall be presented for Registration in the same Manner as Instruments of Sasine are recorded, and the Keepers of such Register are hereby authorized and required to record the same accordingly, when presented for that Purpose; and the Date of Entry in the Minute Book shall be held to be the Date of Registration, and the Date of Registration of all such Conveyances, Procuratories of Resignation *ad remanentiam*, Notarial Instruments, and Instruments of Resignation *ad remanentiam*, shall be equivalent to the Date of Registration of Instruments of Sasine and Instruments of Resignation *ad remanentiam* according to the existing Law and Practice; and Extracts of all such Conveyances, Procuratories of Resignation, Warrants of Registration, Notarial Instruments, and Instruments of Resignation *ad remanentiam* so recorded shall make faith in all Cases in like Manner as the recorded Conveyances, Procuratories, Warrants, and Instruments themselves, except where any such Conveyance, Procuratory, Warrant, or Instrument so recorded shall be offered to be improven.

Present Forms of Conveyances may be used.

XX. Nothing contained in this Act shall prevent the Constitution, Transmission, or Completion of Land Rights by the Forms in use prior to the passing of this Act.

Mode of completing Title by a Judicial Factor.

XXI. Where a Judicial Factor or other Judicial Manager shall apply by Petition for Authority to complete a Title to any Lands forming Part of the Estate under his Management, and where the Petition shall specify the Lands to which such Title is to be completed, the Warrant granted for completing such Title shall also specify the Lands to which such Title is to be completed, and such Warrant shall have the legal Operation and Effect of a Disposition of the Lands in favour of such Judicial Factor or Manager from the Party whose Estate is under Judicial Management, to be holden in the same Manner as such Party held or might have held the same, except in the Case where the

Subjects

Subjects contained in such Warrant shall be Heritable Securities, in which Case such Judicial Factor or Manager on recording such Warrant in the appropriate Register of Sasines shall be in the same Position as if such Party had granted in his Favour an Assignation of such Heritable Securities, and as if such Assignation had been recorded in the appropriate Register of Sasines at the Date of recording such Warrant.

Mode of completing Title by a Trustee in Sequestration, and by Liquidators of Joint Stock Companies.

XXII. It shall be competent to a Trustee on a sequestrated Estate, or to Liquidators, official or voluntary, appointed for the Purpose of winding up a Joint Stock Company, to expede a Notarial Instrument, setting forth the Act and Warrant of Confirmation in favour of such Trustee, or the Appointment of such Liquidators, official or voluntary, respectively, and specifying the Lands belonging to the Bankrupt or Company to which a Title is to be completed, and the Title by which such Lands are held by the Bankrupt or Company, in or as nearly as may be in the Form of Schedule (M.) hereto annexed, and to record such Notarial Instrument in the appropriate Register of Sasines, and on such Notarial Instrument being so recorded, such Trustee or such Liquidators shall be held to be in all respects in the same Position as if the Bankrupt or Company had granted a Conveyance of the Lands contained in the Notarial Instrument in favour of such Trustee or such Liquidators, to be holden in the same Manner as the Bankrupt or the Company held or might have held the same, and as if such Conveyance had been followed by an Instrument of Sasine of said Lands in favour of such Trustee or of such Liquidators, duly expede and recorded at the Date of recording such Notarial Instrument, except in the Case where the Subjects contained in such Notarial Instrument are Heritable Securities, in which Case such Trustee or such Liquidators, on recording the Instrument in the appropriate Register of Sasines, shall be in the same Position as if an Assignation of such Heritable Securities had been granted in favour of such Trustee by the Bankrupt, or in favour of such Liquidators by the Company, and as if such Assignation had been duly recorded in the appropriate Register of Sasines at the Date of recording such Notarial Instrument.

Mode of relinquishing Superiorities.

XXIII. In order to facilitate the extinguishing of Midsuperiorities not defeasible by the Vassal it shall be competent to any Subject Superior, whether himself entered with his Superior or not, to relinquish his Right of Superiority in favour of his immediate Vassal, by granting a Deed of Relinquishment in the Form and as nearly as may be in the Terms of Schedule (N, No. 1.) hereto annexed; and on the Deed of Relinquishment being accepted by the Vassal by an Acceptance written on such Deed in the Terms set forth in the Schedule (N, No. 2.) hereto annexed, and being followed by a Writ of Investiture by the Oversuperior as herein-after provided, also written upon the Deed of Relinquishment, and on such Deed with the Acceptance and Writ of Investiture written thereon being thereafter recorded in the appropriate Register of Sasines, the Superiority so relinquished shall be held to be extinguished, and the Vassal and his Successors in the Lands shall hold the same as immediate Vassals of the Oversuperior by the Tenure and for the Reddendo by and for which such relinquished Superiority was held, and the Vassal and his foresaids shall be entitled to apply for an Entry to such Oversuperior accordingly as his immediate Superior; and such Relinquishment by a Superior who shall not have completed his Title to the Superiority relinquished shall not infer a passive Representation on his Part, nor any Liability for the Debts of the Person last infeft therein, beyond the Price or Consideration, if any, which he may receive for such Relinquishment.

Investiture by Oversuperior.

XXIV. On the Application of the Vassal in the relinquished Superiority, and on Production by him of the Deed of Relinquishment, and Acceptance thereof, and on his paying or tendering such Duties and Casualties as may be exigible by the Oversuperior, the Oversuperior shall be bound to receive the Vassal as his immediate Vassal by Writ of Investiture in or as nearly as may be in the Form of the Schedule (N, No. 3.) to be written on the Deed of Relinquishment, and the Tenendas and Reddendo contained in the Title Deeds of the relinquished Superiority shall be inserted therein in room of those contained in the former Investiture held under the relinquished Superiority; and where the Lands are held of the Crown or of the Prince and Steward of *Scotland* such Writ of Investiture shall be obtained from the Presenter of Signatures in the same Manner as is herein-before directed in regard to Confirmations written on the Deeds confirmed: Provided always, that the Party applying for such Writ of Investiture shall lodge or cause to be lodged in the Office of the Presenter of Signatures a Draft of the proposed Writ, in the same Manner as when a Crown Charter or Precept is now applied for; and the Deed of Relinquishment, with the Acceptance and Writ of Investiture thereon, shall be officially transmitted to the Director of Chancery, and recorded in the same Manner in which Crown Charters are now in use to be recorded, and shall thereafter be delivered to the Vassal or his Agent on Payment of the same Fees as are now payable for recording a Charter in Chancery; and the Investiture completed upon such Relinquishment of the Superiority shall be as effectual as if the Granter of the Deed of Relinquishment had completed his Title to the Superiority, and had thereafter conveyed the same to the Vassal, and the latter, after having completed his Titles under the Oversuperior, had resigned *ad remanentiam* in his own Hands: Provided always, that the Investiture so completed shall not in any respect extend the Rights or Interests of such Oversuperior, and that he shall be entitled to no more than the Duties and Casualties, taxed or untaxed, to which he would have been entitled if the Granter of the Deed of Relinquishment had remained his Vassal.

XXV. Where

Application of Price of entailed Superiorities.

XXV. Where the Right of Superiority so relinquished shall form Part of an Estate held under a Deed of strict Entail, such Relinquishment shall not operate as a Contravention of such Entail, anything contained in the Deed of Entail or any Act of Parliament notwithstanding; and the Price agreed to be paid for such Superiority so relinquished, if any, shall be consigned by the Vassal in One of the Chartered Banks in *Scotland*, subject to the Orders of the Court of Session, and shall be applicable and applied in such and the like Manner and to such and the like Purposes as Purchase Money or Compensation coming to Parties having limited Interests is made applicable, under the Lands Clauses Consolidation (*Scotland*) Act, 1845, or under the Act of the Eleventh and Twelfth *Victoria*, Chapter Thirty-six, intituled *An Act for the Amendment of the Law of Entail in* Scotland, or under an Act of the Sixteenth and Seventeenth *Victoria*, Chapter Ninety-four, intituled *An Act to extend the Benefits of the Act of the Eleventh and Twelfth Years of Her present Majesty for the Amendment of the Law of Entail in* Scotland; and for that Purpose it shall be competent to the Heir of Entail in possession to present a summary Petition to the Court of Session, praying to have the Price so applied, and such Petition shall set forth the Names, Designations, and Places of Abode of those Heirs of Entail whose Consents would be required to the Execution of an Instrument of Disentail; and on such Petition being served on such Parties, and being intimated in the Minute Book and on the Walls in common Form, it shall be competent for the Court to direct the Price to be applied to such of the said Purposes as may appear to them to be most expedient: Provided always, that where the Sums agreed to be paid for all the Superiorities which form Part of an entailed Estate shall not exceed the Sum of Two hundred Pounds such Sums shall belong to the Heir in possession, and the Court shall direct such Sums to be paid to him: Provided also, that the Price of such Superiorities may be applied by the Heir in Possession to such Purposes and in such Manner as may be authorized by any Private Act of Parliament authorizing the Sale of the entailed Estate or any Portion thereof, and the Application of the Price thereof.

Price of Superiorities of entailed Lands may be charged on the entailed Estate.

XXVI. Where the Lands of which the Superiority is so relinquished shall be held by the Vassal under a Deed of strict Entail, the Vassal in such Lands shall be entitled and he is hereby authorized to grant a Bond and Disposition in Security over the entailed Estate for the full Amount of the Price paid for the relinquished Superiority, together with all Expenses incurred in the relative Proceedings, including the estimated Expense of such Bond and Disposition in Security, and his granting such Bond and Disposition in Security shall not operate as a Contravention of such Entail, anything contained in the Deed of Entail or any Act of Parliament notwithstanding: Provided always, that such Bond and Disposition in Security shall be granted with the Consent of those Heirs of Entail whose Consents would be required to the Execution of an Instrument of Disentail of the Lands, or under the Authority of a Judicial Warrant or Decree of the Court of Session pronounced on a summary Petition by the Heir of Entail in possession praying for such Warrant; and the Proceedings under such Petition shall be the same or as nearly as may be the same as the Proceedings under a Petition to charge an entailed Estate with Provisions to younger Children, as authorized by the said Acts of the Eleventh and Twelfth *Victoria*, Chapter Thirty-six, and Sixteenth and Seventeenth *Victoria*, Chapter Ninety-four: Provided always, that it shall not be necessary that such Petition should be publicly advertised in the Gazette or any Newspaper, but that Service and Intimation only shall be made in common Form.

Diligence against Apparent Heirs.

XXVII. In Actions of Constitution and Adjudication against an Apparent Heir on account of his Ancestor's Debt or Obligation, for the Purpose of attaching the Ancestor's Heritable Estate, it shall not be necessary to raise a separate Summons of Constitution and a separate Summons of Adjudication, but both Actions may be combined in One Summons, whether the Heir renounce the Succession or not; and Actions of Constitution, and Actions of Constitution and Adjudication, against an Apparent Heir, on account of his Ancestor's Debt or Obligation, for the Purpose of attaching the Ancestor's Heritable Estate, and Actions of Adjudication against such Heir on account of his own Debt or Obligation, for the Purpose of attaching such Estate, may be insisted in at any Time after the Lapse of Six Months from the Date of his becoming Apparent Heir, any Law or Practice to the contrary notwithstanding; and in all such Cases a Decree of Adjudication shall be held equivalent to and shall have the legal Operation and Effect of a Conveyance from such Ancestor of the Lands adjudged in favour of the Adjudger, to be holden in the same Manner as the Ancestor held or might have held the same, except in the Case where the Subjects contained in the Decree of Adjudication are Heritable Securities, in which Case the Adjudger or other Party in right of the Decree on recording the Decree in the appropriate Register of Sasines shall be in the same Position as if an Assignation of such Heritable Securities had been granted in his Favour by the Ancestor whose Estate is adjudged, and as if such Assignation had been duly recorded in the appropriate Register of Sasines at the Date of recording such Decree; but the Right of the Superior to the Composition payable by an Adjudger as due under the existing Law is hereby reserved entire, and the Adjudger by recording the Decreet of Adjudication in the Register of Sasines, and such Adjudger or any Person in his Right by expeding and recording in such Register a Notarial Instrument proceeding on such Decreet, with or without any connecting Title, in virtue of this Act, shall become indebted in such Composition to the Superior, and shall be bound to pay the same on the Superior tendering a Charter of Confirmation, whether such Charter shall be accepted or not, and the Superior shall be entitled to recover such Composition as accords of Law.

XXVIII. Where

Prohibition against Subinfeudation not to be affected.

XXVIII. Where the Investiture of any Lands has imposed or shall impose a Prohibition against Subinfeudation or against alternative holding, nothing contained in this Act shall operate to authorize Subinfeudation or an alternative holding in respect to such Lands; and nothing in this Act contained shall be construed to take away or impair any of the Rights or Remedies competent to a Superior against his Vassal lying out unentered.

Obligations appointed to be inserted in Instruments of Sasine shall be inserted in Notarial Instruments.

XXIX. Where any Obligation, Burden, Condition, Qualification, or other Matter has been or shall be appointed to be inserted or referred to in the Instruments of Sasine or of Resignation *ad remanentiam* applicable to any Lands, such Obligation, Burden, Condition, Qualification, or other Matter shall be inserted or referred to in any Notarial Instrument applicable to such Lands to be expede in virtue of this Act.

Case of Party where Domicile is unknown.

XXX. Where a General Service only is intended to be carried through by an Heir, it shall not be necessary, if the Deceased died upwards of Forty Years prior to the Date of presenting the Petition for General Service as Heir to him, to state or prove the County within which the Deceased had his ordinary or principal Domicile at the Time of his Death, or that such Domicile was furth of *Scotland;* but in such Cases it shall be sufficient (so far as regards the Domicile of the Deceased) for the Heir to state in his Petition, and if required in the Court of Service to make Oath, that he is unable to prove at what Place the Deceased had his ordinary or principal Domicile at the Time of his Death: Provided always, that in every such Case the Petition for General Service as Heir to the Deceased shall be dealt with, and all relative Procedure shall be regulated, in or as nearly as may be in the same Manner as if it had been proved that the Deceased had at the Time of his Death his ordinary or principal Domicile furth of *Scotland.*

Power to record of new the Conveyance, &c., with the Original, or a new Warrant of Registration, &c.

XXXI. In case of any Error or Defect in any Notarial Instrument expede in virtue of the Act Eighth and Ninth *Victoria*, Chapter Thirty-five, or in any Notarial Instrument to be expede in virtue of that Act or of the present Act, or in the recording of any such Instrument, or of any Instrument of Resignation *ad remanentiam*, or in the recording of any Conveyance or Procuratory of Resignation *ad remanentiam* or Warrant of Registration to be recorded in the Register of Sasines in virtue of the present Act, it shall be competent of new to make and record a Notarial Instrument or Instrument of Resignation, or of new to record the Conveyance or Procuratory of Resignation with the original or a new Warrant of Registration, as the Case may require; and such new Notarial Instrument or Instrument of Resignation so expede and recorded, or such Conveyance or Procuratory of Resignation so of new recorded with the original or new Warrant of Registration, as the Case may require, shall from the Date of recording thereof have the same Effect as if no previous Notarial Instrument or Instrument of Resignation had been expede or recorded, or as if such Conveyance or Procuratory of Resignation and original Warrant of Registration had not been previously recorded.

Not necessary to append Seal to Crown Charters.

XXXII. It shall not be necessary to append the Seal appointed by the Treaty of Union to be kept and used in *Scotland*, in place of the Great Seal thereof formerly in use, to any Charter from Her Majesty or Her Royal Successors, or the Seal of His Royal Highness the Prince and Steward of *Scotland* to any Charter from His Royal Highness or His Royal Successors, unless the Receivers of such Charters shall require the appropriate Seal to be appended; and in framing such Charters hereafter the Statement with reference to the Seal "that the same is accordingly appended" now in use to be inserted in the Testing Clause shall be omitted, except in Cases where the Seal is actually appended; and such Charters shall be in all respects as valid and effectual without the Seal as if the same had been appended thereto.

Recorded Instruments not to be challenged on the Ground of Erasures.

XXXIII. The Act of the Sixth and Seventh of His late Majesty King *William* the Fourth, Chapter Thirty-three, intituled *An Act to amend and regulate the Law of* Scotland *as to Erasures in Instruments of Sasine and of Resignation* ad remanentiam, shall extend and be applicable to Notarial Instruments, and Instruments of Resignation *ad remanentiam* authorized by this Act, and to Notarial Instruments expede and to be expede under the Act of Eighth and Ninth of *Victoria*, Chapter Thirty-one.

Deeds and Instruments may be partly written and partly printed or engraved.

XXXIV. All Deeds, Writs, and Instruments whatever, mentioned or not mentioned in this Act, having a Testing Clause, may be partly written and partly printed or engraved: Provided always, that in the Testing Clause the Date, if any, and the Names and Designations of the Witnesses, and the Number of the Pages of the Deed or Instrument, if the Number be specified, and the Name and Designation of the Writer of the written Portions of the Body of the Deed, Writ, or Instrument, and of the written Portions of the Testing Clause, shall be expressed at Length in Writing; and such Deeds, Writs, and Instruments shall be valid and effectual in the same Manner as if they had been wholly in Writing.

Extent of Act.

XXXV. This Act shall not extend or apply to the Titles of Lands held by Burgage Tenure, or by any similar Mode of Tenure known and effectual in Law.

Interpretation of Terms.

XXXVI. The following Words in this Act and in the Schedules annexed to this Act shall have the several Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Construction; that is to say, the Word "Deed" and the Word "Conveyance" shall extend to and include Original Charters, Charters and Writs of Resignation, Charters of Adjudication and of Sale, Dispositions, Bonds and Dispositions in Security, Bonds of Annuity and of Annual Rent, and other Heritable Bonds, Feu Contracts, Contracts of Ground Annual, Decrees of Adjudication, Decrees of Sale and of Special Service, Precepts from Chancery, Precepts and Writs of Clare constat, Writs of Acknowledgment, Contracts of Excambion, and other Deeds and Decrees by which Lands are conveyed, or Rights in Lands, either absolute or redeemable or in Security, are constituted or conveyed, and

and official Extracts of any such Deeds, Conveyances, and Decrees, and all Codicils, Deeds of Nomination, Decrees of Declarator, and other Writings bearing Reference to Conveyances separately granted, and naming or appointing Persons to exercise or enjoy the Rights or Powers conferred by such Conveyances, shall be deemed and taken for the Purposes of this Act to be Parts of the Conveyances to which they separately bear Reference; the Word "Lands" shall extend to and include Lands, Houses, Teinds, Fishings, Patronages, Mills, Mines, Minerals, and in general all Heritable Subjects, Securities, and Rights; the Word "Instrument" shall extend to and include all Notarial Instruments authorized by this Act, and also Instruments of Sasine; the Words "Notarial Instruments" shall include only the Notarial Instruments authorized by this Act.

Short Title. XXXVII. This Act may be cited for all Purposes as "The Titles to Land (*Scotland*) Act, 1858."

SCHEDULES referred to in the foregoing Act.

SCHEDULE (A.)

No. 1.

Warrant of Registration to be written on a Conveyance when presented without Assignation apart or Notarial Instrument.

Register on behalf of *A.B.* (*insert Designation*) [*or* Register, *&c.* along with Assignation (*or* Assignations) (*or* Writ of Resignation) hereon] (*or otherwise, as the Case may be*).

(Signed) *A.B.*
[*or*] *C.D.*, W.S., Edinburgh,
(*or, as the Case may be,*) Agent of the said *A.B.*

No. 2.

Warrant of Registration to be written on a Conveyance when presented with Assignation apart or Notarial Instrument.

Register on behalf of *A.B.* (*insert Designation*) along with the Assignation [*or* Assignations *or* Notarial Instrument] docketed with reference hereto (*or otherwise, as the Case may be*).

(Signed) *A.B.*,
[*or*] *C.D.*, W.S., Edinburgh,
(*or, as the Case may be,*) Agent of the said *A.B.*

SCHEDULE (B.)

Notarial Instrument in favour of Disponee or his Assignee, &c.

At there was by [*or* on behalf of] *A.B.* of *Z.*, Esquire, presented to me, Notary Public subscribing, a Disposition [*or other Deed, or* an Extract of a Deed, *as the Case may be,*] granted by *C.D.* of *Y.*, Esquire, and bearing Date [*insert the Date*], by which Disposition the said *C.D.* sold, alienated, and disponed to the said *A.B.* [*or* gave, granted, and disponed, *or otherwise, as the Case may be,* to the said *A.B.*] [*or* to *E.F.*], and his Heirs and Assignees [*insert the Destination, if any,*] heritably and irredeemably [*or* redeemably, *or* in Liferent, *or otherwise, as the Case may be,*] all and whole [*here insert the Description of the Subjects conveyed; and if the Deed be granted under the Burden of a Real Lien or Servitude, or any other Incumbrance, Condition, or Qualification of the Right, or under Redemption, add here*], "but always under the Burden of a Real Lien," *&c.* [*as the Case may be*]. [*If the Party expeding the Instrument be other than the original Disponee, add*] as also there was presented to me [*here specify the Title or Series of Titles by which the Party acquired Right, and the Nature and Extent of his Right*], whereupon this Instrument is taken by the said *A.B.* in the Hands of *G.H.* [*insert Name and Designation of Notary Public*], in the Terms of "The Titles to Land (Scotland) Act, 1858." In witness whereof [*here insert a Testing Clause, as in Instrument of Sasine*].

(Signed) *G.H.*, Notary Public.

I.K. Witness,
L.M. Witness.

SCHEDULE (C.)

Clause of Direction specifying Part of Deed which Grantor desires to be recorded.

And I direct to be recorded in the Register of Sasines the Part of this Deed from its Commencement to the Words (*insert Words*) on the Line of the Page [and also the Part from the Words (*insert Words*) on the Line of the Page to the Words (*insert Words*) on the Line of the Page] [*or* I direct the whole of this Deed to be recorded in the Register of Sasines with the Exception of the Part] [*or* Parts, *as the Case may be, specifying the Part or Parts excepted, as above*].

SCHEDULE (D.)

Instrument of Resignation ad remanentiam.

At there was by [*or*, on behalf of,] *A.B.* [*here insert the Name and Designation of the Superior*] presented to me, Notary Public subscribing, a Disposition, dated the Day of , granted by *C.D.*, [*here insert the Name and Designation of the Vassal*], being the

Vassal

Vassal in the Lands after described, holding the same of the said *A.B.* as his Superior thereof, by which Disposition the said *C.D.* disponed to the said *A.B.*, and his Heirs and Assignees whomsoever, [*or as the Case may be,*] all and whole [*here insert Description of the Lands*]: In virtue of which Disposition the said Lands were resigned in the Hands of the said *A.B.* [*or*, "in the Hands of *E.F.* as his Commis- "sioner, duly authorized,] conform to Commission" [*describe by Date and other Particulars* "as in the "Hands of the said *A.B.* himself"] [*or*, "in the Hands of *E.F.*, being the known Agent of the said "*A.B.*, and as such duly authorized, in virtue of the Act of the Eighth and Ninth Years of the Reign "of Her Majesty Queen Victoria, Chapter Thirty-five, intituled 'An Act to simplify the Form and "'diminish the Expense of obtaining Infeftment in Heritable Property in Scotland,' as in the Hands "of the said *A.B.* himself,"] ad perpetuam remanentiam, and to the Effect that the Right of Property of the foresaid Lands and others might be united and consolidated with the Right of Superiority of the same in the Person of the said *A.B.* in all Time coming: Whereupon this Instrument is taken by [*or* "on behalf of] the said *A.B.* and *C.D.*," in the Hands of me, *&c.*, as in Schedule (B.)

SCHEDULE (E.)

Crown Writ of Confirmation.

Victoria, *&c.* We confirm this Deed [*or* Decree, *or* Instrument, *or otherwise, as the Case may be,*] in favour of *C.D.*, but only in so far as consistent with the [*here specify a Charter or other Writ, containing the Tenendas and Reddendo, &c.*], and with Our own Rights. [*If the Reddendo is to be different from that in the Charter or other Writ, specify it here.*] Given at Edinburgh, the Day of in the Year .

(*Signed by the Presenter of Signatures.*)

Note.—When the Writ of Confirmation is to be granted by or on behalf of the Prince or Steward of Scotland, His Highness' other Titles need not be added.

SCHEDULE (F.)

Crown Writ of Resignation.

Victoria, *&c.* We, in respect of the within Clause of Resignation, dispone to *C.D.* the Lands contained in this Deed in his Favour [*or* in favour of *A.B., or otherwise, as the Case may be, specifying shortly the connecting Title*], but only in so far as consistent with the [*here specify a Charter or other Writ containing the Tenendas and Reddendo, &c.*] and with Our own Rights. [*If the Reddendo is to be different from that in the Charter or other Writ, specify it here.*] Given at Edinburgh, the Day of in the Year .

(*Signed by the Presenter of Signatures.*)

Note.—When the Writ of Resignation is granted by or on behalf of the Prince or Steward of Scotland, His Highness' other Titles need not be added.

SCHEDULE (G.)

Crown Writ of Clare constat.

Victoria, *&c.* Whereas by Decree of General Service, *or* "of Special Service," *as the Case may be,* of *A.B.* [*here insert the Name and Designation of the Heir*], dated [*here insert the Date of the Decree*], and recorded in Chancery [*here insert the Date of Registration*], and other authentic Instruments and Documents, it clearly appears that *C.D.* [*here insert the Name and Designation of the Ancestor*] died last vest and seised as of Fee in [*here describe the Lands, &c., and where there are Conditions of Entail, insert them, or make a competent Reference to them, and in Entails with Clause of Registration as instead of the irritant and resolutive Clauses, or of the prohibitory, irritant, and resolutive Clauses, refer to the Clause of Registration, and in all Entail Cases describe the Deed of Entail or other Deed of Provision by Date and Date of Registration, and insert or competently refer to the Destination, and where there are any other Burdens or Qualifications insert or make a competent Reference to them*]. And that in virtue of [*here describe the Charter or Precept and Sasine, or recorded Charter or Precept, or other Writ or Writs forming the last Investiture, by Dates and Dates of Registration*]. And that the said *A.B.* is eldest Son and nearest and lawful Heir of the said *C.D.* [*or whatever Relationship and Character of Heir the Party holds, here state it.*] Therefore we hereby declare the said *A.B.* to be the Heir entitled to succeed to the said *C.D.* in the said Lands to be holden of Us and Our Royal Successors, in manner and for Payment of the Duties specified in the [*here specify a Charter or other Writ containing the Tenendas and Reddendo. If the Reddendo is different from that in the Charter or other Writ, specify it here*].

Given at Edinburgh, the Day of in the Year .

(*Signed by the Director of Chancery or his Depute or Substitute.*)

Note.—When the Precept is to be granted by or on behalf of the Prince and Steward of Scotland, His Highness' other Titles need not be added.

SCHEDULE (H.)

Notarial Instrument in favour of a General Disponee, or his Assignee, &c.

At there was by [*or* on behalf of] *A.B.* of *Z.*, presented to me, Notary Public subscribing, a Disposition [*or other Deed or Instrument*], recorded in the [*specify Register of Sasine and Date of recording*], by which recorded Disposition [*or other Deed or Instrument*] *C.D.* of *Y.* was vest in all and whole [*here describe the Lands*]; as also there was presented to me a general Disposition [*or other Deed, or* an Extract of a Deed], granted by the said *C.D.*, and bearing Date [*here insert Date*], by which general Disposition the said *C.D.* gave, granted, and disponed [*or otherwise, as the Case may be,*] to the said *A.B.*, and his Heirs and Assignees [*or otherwise, as the Case may be*], heritably and irredeemably [*or* in Liferent, *or otherwise, as the Case may be*], all and sundry the whole Heritable Estate of which he was [*or* might die] possessed. [*If the Deed be granted under any Real Burden or Condition or Qualification, add here,* "but always under the Burden of the Real Lien, *&c.;*" *and if the Deed be granted in trust, or for specific Purposes, add,* "but always in trust *or* for the Uses and Purposes mentioned in "said Deed." *If the Party expeding the Instrument be other than the original Disponee, add* "as also there "was presented to me" (*here specify the Title or Series of Titles by which the Party acquired Right, and the Nature and Extent of his Right.*)] Whereupon, *&c., as in Schedule* (*B.*)

SCHEDULE (I.)

No. 1.

Assignation of an unrecorded Conveyance.

I *A.B.*, in consideration of, *&c.* [*or otherwise, as the Case may be*], hereby assign to *C.D.*, and his Heirs and Assignees [*or otherwise, as the Case may be*], the Disposition [*or other Deed, specifying the Nature of the Deed*], granted by *E.F.*, dated, *&c.*, by which he conveyed the Lands of *X.*, as therein described, to me [*or otherwise, as the Case may be, specifying the connecting Title, and the Nature and Extent of the Right conveyed. State also the Term of the Assignee's Entry, and other Particulars, if any ought to be specified*]. In witness whereof [*here insert a Testing Clause in the usual Form*].

No. 2.

Assignation of an unrecorded Conveyance written upon the Conveyance.

I *A.B.*, in consideration of, *&c.* [*or otherwise, as the Case may be*], hereby assign to *C.D.*, and his Heirs and Assignees [*or otherwise, as the Case may be*], the foregoing Disposition of the Lands of *X.*, as therein described, granted in my Favour [*or otherwise, as the Case may be, specifying the connecting Title and the Nature and Extent of the Right conveyed. State also the Term of the Assignee's Entry, and other Particulars, if any ought to be specified*]. In witness whereof [*here insert a Testing Clause in the usual Form*].

SCHEDULE (K.)

Notarial Instrument in favour of an Assignee to an unrecorded Conveyance to be recorded along with the Conveyance.

At there was by [*or* on behalf of] *A.B.*, of *Z.*, Esquire, presented to me, Notary Public subscribing, a Disposition [*or other Deed, as the Case may be, specifying the Nature of the Deed*], granted by *C.D.* of *Y.*, Esquire, and bearing Date [*insert Date*], by which Disposition the said *C.D.* conveyed to *E.F.* the Lands of *X.*, as therein described, and which Disposition is to be recorded in the Register of Sasines along with this Instrument; as also there was presented to me [*here specify the Title or Series of Titles by which A.B. acquired Right, and the Nature and Extent of his Right*], whereupon, *&c., as in Schedule* (*B.*)

(Signed) *G. H.*,
Notary Public.

I. K., Witness.
L. M., Witness.

SCHEDULE (L.)

No. 1.

Clause of Reference to particular Description contained in a prior Deed.

[*After giving the leading Name or Names or other short distinctive Description of the Lands conveyed, and the Name of the County and of the Parish or supposed Parish, add*] "as particularly described in the Disposition [*or other Deed, as the Case may be,*] granted by *C.D.*, and bearing Date [*here insert Date*], and recorded in the [*specify the Register of Sasines*] on the Day of in the Year ," [*or* "as particularly described in the Instrument of Sasine or Notarial Instrument recorded, *&c.*," *or as the Case may be.*] [*If Part only of Lands is conveyed, describe such Part, and add* "being Part of the Lands particularly described, *&c.*;" *or thus,* "as particularly described, *&c.*, with the Exception of," *and describe the Part excepted.*]

No. 2.

No. 2.

Clause of Reference to Conveyance, containing General Designation of Lands.

[*After giving the leading Name or Names or other short distinctive Description of the Lands conveyed, and the Name of the County and Parish or supposed Parish, add*] "as particularly described in the Disposition [*or other Deed, as the Case may be,*] granted by *C.D.*, and bearing Date [*here insert Date*], and recorded in the [*specify the Register of Sasines*] on the Day of in the Year , and in which the Lands herein contained are declared to be designed and known by the said Name of" [*here insert Name,*] [*or* "as particularly described in the Instrument of Sasine or Notarial Instrument recorded, *&c.*, and in which the Lands herein contained are declared; *&c.*"] [*If Part only of Lands is conveyed, then follow Form for similar Case given in Schedule (I.) No.* 1.]

No. 3.

Clause of Reference to Destinations in Entails.

[*After inserting such Part of the Destination as may be thought necessary, add*] "and to the other Heirs specified and contained in a Disposition and Deed of Entail of the said Lands executed by the deceased *E.F.*, bearing Date the Day of in the Year , and recorded in the Register of Tailzies on the Day of in the Year ," [*or* "in the said Disposition and Deed of Entail dated and recorded as aforesaid," *or* "in a Deed [*or* Instrument] recorded [*specify Register of Sasines*] upon the Day of in the Year "].

SCHEDULE (M.)

Notarial Instrument in favour of a Trustee in a Sequestration, or of Liquidators of Joint Stock Companies.

At there was, by [*or* on behalf of] *A.B.*, as Trustee on the sequestered Estate of *C.D.* [*or*, as Liquidator for winding up the (*specify Name of Company*)], presented to me, Notary Public subscribing, a Disposition [*or other Deed or Instrument*] [*insert Date*] recorded in the [*specify Register and Date of recording*], by which [*&c., specify the Title or Series of Titles by which the Bankrupt held the Lands*]; as also there was presented to me an Extract Act and Warrant of Confirmation in favour of the said *A.B.*, dated [*insert Date*] [*or here specify the Appointment of the Liquidator or Liquidators, and the Date thereof*]. Whereupon this Instrument, [*&c., as in Schedule (B.)*].

SCHEDULE (N.)

No. 1.

Deed of Relinquishment of Superiority.

I *A.B.*, immediate lawful Superior of all and whole [*here describe the Lands*], do hereby absolutely and gratuitously [*or* in consideration of the Sum of Pounds paid to me, *or, if the Superiority is entailed,* "consigned in the (*specify Bank*) subject to the Orders of the Court of Session,"] relinquish and renounce my Right of Superiority of the said Lands in favour of *C.D.*, my immediate Vassal, and his Successors therein, and declare that the said Lands shall no longer be held of me as Superior, but shall be held of my immediate lawful Superior in all Time to come. In witness whereof [*here insert usual Testing Clause*].

No. 2.

Acceptance by Vassal written on Deed of Relinquishment.

I *C.D.*, the immediate Vassal in the Lands described in this Deed, accept the Relinquishment of the Superiority of the said Lands. In witness whereof [*here insert usual Testing Clause*].

No. 3.

Crown Writ of Investiture written on Deed of Relinquishment.

Victoria, *&c.* We, lawful Superior of the Lands contained in this Deed, accept and receive *C.D.*, and his Heirs and Successors whomsoever, [*or otherwise, according to the Destination contained in the Title to the Lands,*] in place of *E.F.*, and his Heirs and Successors, in virtue of the above Deed of Relinquishment, and Acceptance thereof. To be holden the said Lands by the said *C.D.* and his foresaids [*specify the Tenendas and Reddendo contained in the Titles of the relinquished Superiority, also insert or competently refer to the Conditions and Limitations, if any, under which the Lands are held by the Vassal as in Writ of Clare constat*]. Given at Edinburgh, the Day of in the Year

(*Signed by the Presenter of Signatures.*)

Note.—When the Writ of Investiture is to be granted by or on behalf of the Prince or Steward of Scotland, His Highness' other Titles need not be added.

CAP. LXXVII.

An Act to amend and extend the Settled Estates Act of 1856. [2d *August* 1858.]

19 & 20 Vict. c. 120.

'WHEREAS it is expedient to amend and extend the Settled Estates Act of 1856 (Nineteenth and Twentieth *Victoria*, Chapter One hundred and twenty,) in certain Particulars:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Definitions of "Settlement" and "Settled Estates."

I. For the Purposes of the Definitions of "Settlement" and "Settled Estates" contained in the First Section of the said Act, all Estates or Interests in remainder or reversion not disposed of by the Settlement, and reverting to a Settlor, or descending to the Heir of a Testator, shall be deemed to be Estates coming to such Settlor or Heir under or by virtue of the Settlement.

"Building Lease" to include Repairing Lease.

II. The Term "Building Lease" in the said Act shall be deemed to include a Repairing Lease, so that no Repairing Lease shall be made for a Term exceeding Sixty Years.

Powers of Leasing to extend to Copyhold and Customary Tenants of Manors.

III. All the Powers to authorize and to grant Leases contained in the said Act and this Act shall be deemed to include Powers to the Lords of Settled Manors to give Licences to their Copyhold or Customary Tenants to grant Leases of Lands held by them of such Manors to the same Extent and for the same Purposes as Leases may be authorized or granted of Freehold Hereditaments under the said Act and this Act.

Extension of Power under s. 2. of recited Act as to Term for Building Leases.

IV. The Power given to the Court by the Second Section of the said Act to extend the Term thereby prescribed for Building Leases, where it shall be satisfied that it is the usual Custom of the District, and beneficial to the Inheritance, to grant Building Leases for longer Terms, shall be extended and may be exercised with respect to all the other Leases in the same Section mentioned, except Agricultural Leases, provided the Court shall be satisfied that it is the usual Custom of the District and beneficial to the Inheritance to grant such Leases for longer Terms.

As to Surrender of Leases.

V. The Power conferred by the Fifth Section of the said Act to surrender Leases granted under the Provisions of the said Act shall be deemed to extend to all Leases, whether granted in pursuance of the said Act or otherwise.

As to taking Examinations of married Women.

VI. Whenever a married Woman is resident out of the Jurisdiction of the Court of Chancery of *England* or the Court of Chancery of *Ireland* respectively, as the Case may be, her Examination, under the Thirty-eighth Section of the Act, may be made by any Person appointed for that Purpose by the Court, whether he is or is not a Solicitor of the Court; and the Appointment of any such Person, not being a Solicitor, shall afford conclusive Evidence that the married Woman was at the Time of such Examination resident out of the Jurisdiction of the Court.

Extension of Power to rescind General Rules, &c.

VII. The Power contained in the said Act to make and rescind General Rules and Orders shall extend to the Matters to which this Act relates; and such Rules and Orders may, so far as may be found expedient, alter the Procedure prescribed by the said Act and this Act.

As to Validity of Demises under s. 33. of recited Act.

VIII. In addition to the Persons expressly enumerated in the Thirty-third Section of the said Act against whom Demises authorized by the Thirty-second Section are to be valid, such Demises, in the Case of unsettled Estates, shall be valid against the Wife of any Husband making such Demise of Estates to which he is entitled in right of such Wife.

CAP. LXXVIII.

An Act to enable the Committees of both Houses of Parliament to administer Oaths to Witnesses in certain Cases. [2d *August* 1858.]

'WHEREAS it is expedient that the Evidence taken before the Committees of either House of Parliament on a Private Bill should be available, if desired, before the Committee of the other House to which the same Bill is referred, and that for this Purpose the Committees of the House of Commons on Private Bills should be enabled to administer an Oath to the Witnesses examined before them; and it is also expedient for the Convenience of the House of Lords that the Committees of that House should be enabled to administer an Oath to the Witnesses examined before them, instead of such Witnesses being as heretofore sworn at the Bar of the House:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Select Committees of H. C. may examine on Oath.

I. Any Select Committee of the House of Commons to which any Private Bill has been referred by the House may examine Witnesses upon Oath upon Matters relating to such Bill, and for that Purpose may administer an Oath to any such Witness.

Committee of H. L. may administer Oath.

II. Any Committee of the House of Lords may administer an Oath to the Witnesses examined before such Committee.

False Evidence Perjury.

III. Any Person examined as aforesaid who shall wilfully give false Evidence shall be liable to the Penalties of Perjury.

CAP.

CAP. LXXIX.

An Act to amend the Law relating to Cheques or Drafts on Bankers. [2d *August* 1858.]

'WHEREAS it is expedient to amend the Law relating to Cheques or Drafts on Bankers:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

The Crossing to be deemed a material Part of a Cheque or Draft, &c.

I. Whenever a Cheque or Draft on any Banker, payable to Bearer, or to Order, on Demand, shall be issued, crossed with the Name of a Banker, or with Two transverse Lines with the Words "and Company" or any Abbreviation thereof, such crossing shall be deemed a material Part of the Cheque or Draft, and, except as hereafter mentioned, shall not be obliterated or added to or altered by any Person whomsoever after the issuing thereof; and the Banker upon whom such Cheque or Draft shall be drawn shall not pay such Cheque or Draft to any other than the Banker with whose Name such Cheque or Draft shall be so crossed, or if the same be crossed as aforesaid without a Banker's Name, to any other than a Banker.

The lawful Holder of a Cheque uncrossed, or crossed "and Company," may cross the same with the Name of a Banker.

II. Whenever any such Cheque or Draft shall have been issued uncrossed, or shall be crossed with the Words "and Company" or any Abbreviation thereof, and without the Name of any Banker, any lawful Holder of such Cheque or Draft, while the same remains so uncrossed, or crossed with the Words "and Company" or any Abbreviation thereof, without the Name of any Banker, may cross the same with the Name of a Banker; and whenever any such Cheque or Draft shall be uncrossed, any such lawful Holder may cross the same with the Words "and Company" or any Abbreviation thereof, with or without the Name of a Banker; and any such Crossing as in this Section mentioned shall be deemed a material Part of the Cheque or Draft, and shall not be obliterated or added to or altered by any Person whomsoever after the making thereof; and the Banker upon whom such Cheque or Draft shall be drawn shall not pay such Cheque or Draft to any other than the Banker with whose Name such Cheque or Draft shall be so crossed as last aforesaid.

Persons obliterating, &c. Crossing with Intent to defraud, guilty of Felony.

III. If any Person shall obliterate, add to, or alter any such Crossing with Intent to defraud, or offer, utter, dispose of, or put off with Intent to defraud, any Cheque or Draft on a Banker, whereon such fraudulent Obliteration, Addition, or Alteration has been made, knowing it to have been so made, such Person shall be guilty of Felony, and, being convicted thereof, shall be liable, at the Discretion of the Court, to be transported beyond the Seas for Life, or to such other Punishment as is enacted and provided for those guilty of Forgery of Bills of Exchange in the Statute in that Case made and provided.

Banker not to be responsible for paying a Cheque which does not plainly appear to have been crossed or altered.

IV. Provided always, That any Banker paying a Cheque or Draft which does not at the Time when it is presented for Payment plainly appear to be or to have been crossed as aforesaid, or to have been obliterated, added to, or altered as aforesaid, shall not be in any way responsible or incur any Liability, nor shall such Payment be questioned by reason of such Cheque having been so crossed as aforesaid, or having been so obliterated, added to, or altered as aforesaid, and of his having paid the same to a Person other than a Banker, or other than the Banker with whose Name such Cheque or Draft shall have been so crossed, unless such Banker shall have acted *malâ fide*, or been guilty of Negligence in so paying such Cheque.

Interpretation of the Word "Banker."

V. In the Construction of this Act the Word "Banker" shall include any Person or Persons, or Corporation, or Joint Stock Company, acting as a Banker or Bankers.

CAP. LXXX.

An Act to confirm certain Provisional Orders made under an Act of the Fifteenth Year of Her present Majesty, to facilitate Arrangements for the Relief of Turnpike Trusts. [2d *August* 1858.]

14 & 15 Vict. c. 38.

'WHEREAS in pursuance of the Act of the Fifteenth Year of Her Majesty, "to facilitate Arrangements for the Relief of Turnpike Trusts, and to make certain Provisions respecting "Exemptions from Tolls," certain Provisional Orders have been made for reducing the Rate of Interest, and for extinguishing the Arrears of Interest on the Mortgage Debts charged or secured on the Tolls or Revenues of certain Turnpike Roads, and such Orders have been published in the *London Gazette* and in Newspapers circulating in the Neighbourhood of such Roads, and the Dates of such Provisional Orders, and the Acts under which the Tolls or Revenues on which such Debts are charged or secured are levied or raised, together with the Amount to which the Rate of Interest on such Debts is to be reduced, and the Day up to which the Interest and Arrears of Interest on such Debts are to be extinguished by such Orders, are mentioned in the Schedule to this Act, and the First of the said Orders bearing Date in the Year One thousand eight hundred and fifty-seven was made by the Right Honourable Sir *George Grey*, who at the Date thereof was One of Her Majesty's Principal Secretaries of State, and the Second of the said Orders bearing Date in the Year One thousand eight hundred and fifty-eight was made by the Right Honourable *Spencer Horatio Walpole*, who at the Date thereof was One of such Secretaries of State: And whereas it is expedient that the said Provisional Orders should be confirmed and made absolute:' Be it therefore enacted by the Queen's most Excellent Majesty,

Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Provisional Orders confirmed.

I. The said Provisional Orders are hereby confirmed and made absolute, and shall be as binding and of the like Force and Effect as if the Provisions thereof had been expressly enacted by Parliament.

SCHEDULE.

Date of Provisional Order.	TITLE OF LOCAL ACT.	Amount of Principal Debt.	Interest to be reduced to the following Rates per Annum.	Arrears of Interest to be extinguished to the following Dates.
1857. 18 Nov.	3 G. 4. c. 96., "An Act for continuing the "Term and enlarging the Powers of an Act "of the Forty-first Year of His late Majesty "King George the Third for repairing the "Road from the Town and Port of Dover to "the Town and Port of Sandwich, and also "the Road from the present Turnpike Road "leading from Dover to Barham Downs, up "Kersney Court Hill, to the Parish of Whit-"field, otherwise Beausfield, in the County "of Kent."	£ s. d. 2,650 0 0	3*l.* per Cent.	31 Dec. 1857.
1858. 6 April	59 G. 3. c. 99., "An Act for continuing and "amending Three Acts of His late and "present Majesty for repairing the Roads "from Brown's Lane in Great Staughton in "the County of Huntingdon to the Way "Post near Wellingborough Bridge in the "County of Northampton, and from the "Pound in Kimbolton to the Way Post "near Brington Bridge in the said County "of Northampton."	3,150 0 0	3*l.* per Cent.	24 June 1857.

CAP. LXXXI.

An Act for confirming a Scheme as amended of the Charity Commissioners for *Cowley*'s Charity in the Parish of *Swineshead* in the County of *Lincoln*. [2d *August* 1858.]

5th Report, dated 26th Feb. 1858, approving Scheme for Cowley's Charity.

'WHEREAS the Charity Commissioners for *England* and *Wales*, in their Report to Her Majesty 'of their Proceedings during the Year One thousand eight hundred and fifty-seven, have reported 'that they have provisionally approved and certified (among other Schemes for the Application and 'Management of Charities) a Scheme for *Cowley*'s Charity in the Parish of *Swineshead* in the County 'of *Lincoln*, and such Scheme is set out in the Appendix to the said Report, and is also set out, with 'certain Alterations, in the Schedule to this Act: And whereas it is expedient that the said Scheme as 'amended should be confirmed:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Scheme confirmed.

I. The said Scheme as amended shall be confirmed and take effect.

SCHEDULE.

SCHEME

For the APPLICATION and MANAGEMENT of THOMAS COWLEY'S CHARITY, in the Parish of Swineshead, in the County of Lincoln.

1. The Reverend Joseph Watkins Barnes, clerk, formerly vicar of the above-mentioned parish of Swineshead, but now vicar of Kendal, in Westmoreland, and Richard Odlin Milson, formerly of Swineshead aforesaid, but now of Hanging Heaton, in the County of York, surgeon, having respectively ceased to reside in the parish of Swineshead, are hereby discharged from being trustees of the above-mentioned Charity.

2. The

2. The following persons shall be the trustees for the administration and management of the said Charity, under the provisions of this scheme, viz.:—The vicar of the parish of Swineshead and the incumbent of the perpetual curacy of Chapel Hill, in the said parish of Swineshead respectively for the time being; Thomas Holmes and John Cooper, of Swineshead, farmers, two of the present surviving trustees; John Jessop, farmer; Robert Shaw, farmer; William Caswall Ingall, farmer; and Charles Henry Little, farmer, all of Swineshead aforesaid.

3. The office of any trustee under this scheme (not being a trustee by virtue of his office) shall be vacated by death, resignation, bankruptcy, insolvency, incapacity to act, or the omission for a period of two consecutive years to attend any meeting of the trustees; and whenever the number of trustees shall be reduced by the occurrence of vacancies to less than eight, the remaining trustees for the time being shall elect and appoint some fit person or persons from the most sufficient inhabitants of the parish as the new trustee or trustees, to fill such vacancy or vacancies, so as to make up the number of trustees to eight; provided that the approval of the Board of Charity Commissioners for England and Wales shall be requisite to the validity of every such election and appointment, and that, until such appointment, the continuing trustees of the Charity shall be competent in all respects to act in the administration of the trust.

4. All the real estate, of whatsoever tenure, and rights and privileges belonging to or held in trust for the Charity, including the school house and its appurtenances in the parish of Swineshead, now used as a parochial school, and all the personal estate belonging to the said Charity, and the right to sue for and recover all choses in action recoverable for the benefit thereof, shall be immediately vested in the said trustees hereby appointed, and shall from time to time vest and continue vested in the trustees of the Charity for the time being for the purposes and according to the provisions of this scheme, without any conveyance, assignment, or assurance.

5. The clear annual income of the Charity, after providing for the proper outgoings and expenses of repairs and management, and after paying thereout, as directed by the founder, the weekly sum of 2*s.* for providing bread, to be distributed every Sunday to 12 poor inhabitants of Swineshead, and the annual sum of 20*s.* to the vicar of Swineshead for preaching or causing to be preached a sermon annually in the parish church of Swineshead on Easter Tuesday, shall be applied by the trustees as follows; that is to say, a yearly sum, to be fixed from time to time by the trustees, according to the requirements of the school, with the sanction of the Board of Charity Commissioners for England and Wales, and not exceeding in any one year the sum of 90*l.*, shall be appropriated and applied by the trustees in or towards the payment of the salaries of the master and mistress, and the general maintenance and support of a school for the instruction of children of the parish of Swineshead, (which shall be called "Cowley's Foundation School,") according to regulations to be established by the said trustees, with the approval of the said Board.

6. The annual residue of the said income which shall remain after providing for the payments aforesaid shall be applied by the trustees, in such manner and proportions as they shall from time to time think most desirable, in providing fuel, blankets, clothing, and other necessaries or comforts, to be distributed, according to the discretion of the trustees, amongst the poorest and most deserving persons or families residing in the parish of Swineshead, such persons or families to be selected from time to time by the trustees duly assembled at a meeting, due regard being had to the respective necessities and other claims and qualifications of the several objects.

7. Subject to the provisions herein-before contained, suitable rules shall be established by the trustees, with the approval of the Board of Charity Commissioners for England and Wales, for the administration and management of the Charity by the trustees and for the conduct and regulation of the school, and the master, mistress, teachers, and scholars thereof; and such rules may from time to time be altered or modified by the said trustees, with the like approval: Provided that no alteration shall be made which shall be inconsistent with the principal objects and provisions of this scheme.

CAP. LXXXII.

An Act to defray the Charge of the Pay, Clothing, and contingent and other Expenses of the Disembodied Militia in *Great Britain* and *Ireland;* to grant Allowances in certain Cases to Subaltern Officers, Adjutants, Paymasters, Quartermasters, Surgeons, Assistant Surgeons, and Surgeons Mates of the Militia; and to authorize the Employment of the Non-commissioned Officers. [2d *August* 1858.]

[*This Act is to continue in force until September* 1*st*, 1859.]

CAP. LXXXIII.

An Act to make Provision for the better Government and Discipline of the Universities of *Scotland,* and improving and regulating the Course of Study therein; and for the Union of the Two Universities and Colleges of *Aberdeen.* [2d *August* 1858.]

'WHEREAS it is expedient for the Advancement of Religion and Learning to make Provision for the better Government and Discipline of the Universities in *Scotland, viz.,* the Universities of *St. Andrew's, Glasgow, Aberdeen,* and *Edinburgh,* and for improving and regulating the Course of

'Study

'Study therein:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

King's College and Marischal College, Aberdeen, to be united under the Title of "University of Aberdeen."

I. From and after such Date as may be fixed by the Commissioners herein-after appointed by special Ordinance, approved by Her Majesty in Council, the "University and *King's College* of *Aberdeen*" and "*Marischal College* and University of *Aberdeen*" shall be united and incorporated into One University and College, in all Time coming thereafter, under the Style and Title of the "University of *Aberdeen*;" and the said united University shall take Rank among the Universities of *Scotland* as from the Date of Erection of *King's College* and University, viz., the Year One thousand four hundred and ninety-four, and all the Funds, Properties, and Revenues now pertaining or belonging in any manner of way to the "University and *King's College*," or, to "*Marischal College* and University," shall in Time coming thereafter pertain and belong to the "University of *Aberdeen*."

Appointment of Chancellors.

II. The Chancellor of each of the Universities of *St. Andrew's*, *Glasgow*, and *Aberdeen* shall be elected by the other Members of the General Council herein-after mentioned; and in Time coming there shall be a Chancellor of the University of *Edinburgh*, to be elected in like Manner: Provided always, that the present Chancellors of *Saint Andrew's* and *Glasgow* shall continue in Office for Life, and the present Chancellor of the University and *King's College* of *Aberdeen*, and the present Chancellor of *Marischal College* and University of *Aberdeen*, shall, during their joint Lives, be joint Chancellors of the University of *Aberdeen*, and the Survivor shall be sole Chancellor during his Survivance, and thereafter a Chancellor shall be appointed in manner herein provided; provided also, that the Chancellor of each of the said Universities shall hold his Office for Life; the Chancellor in each University shall have Power to appoint a Vice-Chancellor, who may in the Absence of the Chancellor discharge his Office in so far as regards conferring Degrees, but in no other respect.

Offices of Principal in Glasgow, &c. not to be deemed "Chairs of Theology." 16 & 17 Vict. c. 89.

III. The Principals in the Universities of *Glasgow*, *Aberdeen*, and *Edinburgh*, appointed in Time to come, shall not, as such, be or be deemed Professors of Divinity, nor shall it be a valid Objection to any Person appointed to the Office of Principal in any of the said Universities that he is a Layman, and no such Office of Principal therein shall fall under or be included in the Terms "Chair of Theology" as used in an Act passed in the Sixteenth and Seventeenth Years of the Reign of Her Majesty Queen *Victoria* (Chapter Eighty-nine), intituled *An Act to regulate Admission to the Lay Chairs in the Universities of* Scotland.

University Courts to be constituted.

IV. From and after the Date or Dates at which this Act shall come into operation, as herein-after provided, there shall be constituted in each of the said Universities a University Court, which shall consist of the Members and possess and exercise the Powers herein-after enacted, and of which the Rector shall be the ordinary President, with a deliberative and a casting Vote.

Powers of the Senatus Academicus and Principal.

V. The Senatus Academicus of each of the said Universities shall consist of the Principal or Principals and whole Professors in each University, and shall possess and exercise the Powers heretofore belonging to a Senatus Academicus in so far as the same are not modified or altered by or in pursuance of the Provisions of this Act, and shall superintend and regulate the Teaching and Discipline of the University, and administer its Property and Revenues, subject to the Control and Review of the University Court, as herein-after provided; One Third of the Senatus shall be a Quorum; and the Principal, or the Senior Principal if more than One, shall be the ordinary President of the Senatus Academicus, with a deliberative and a casting Vote; and the Principal shall be bound to undertake and perform such Duties of teaching and lecturing as may be assigned to him by the Commissioners herein-after appointed during the Continuance of their Powers, and thereafter by the University Court.

General Councils of the Universities to be constituted.

VI. There shall be in each University a General Council consisting of the Chancellor, of the Members of the University Court, from and after their First Election, of the Professors, of all Masters of Arts of the University, of all Doctors of Medicine of the University who shall have, as Matriculated Students of the University, given regular Attendance on Classes in any of the Faculties in the University during Four complete Sessions, and also of all Persons who within Three Years from and after the passing of this Act shall establish to the Satisfaction of the Commissioners herein-after appointed that they have, as Matriculated Students, given regular Attendance on the Course of Study in the University for Four complete Sessions, or such regular Attendance for Three complete Sessions in the University, and regular Attendance for One such complete Session in any other *Scottish* University, the Attendance for at least Two of such Sessions having been on the Course of Study in the Faculty of Arts: Provided that no Person shall be a Member of the General Council until he has attained the Age of Twenty-one Years complete, and has his Name registered in a Book to be kept for the Purpose by each University, which shall be done on Payment of such annual Fee as shall be fixed by the said Commissioners; and provided also, that no Person shall be a Member of the General Council while he is a Student enrolled in any Class of the University; and the said General Council shall assemble twice every Year, on such Days as may be fixed by the Commissioners herein-after appointed, subject to Alteration thereafter from Time to Time by Resolution of the said Council, with the Approval of the University Court, at the Meetings of which Council the Chancellor, and in his Absence the Rector, whom failing, the Principal or Senior Principal, whom failing, the Senior Professor, shall preside, and shall have a deliberative and also a casting Vote: It shall be competent to such Council to take part in the Election of Office Bearers of the University in manner herein provided, and also to take into their Consideration all Questions affecting the Well-being and

and Prosperity of the University, and to make Representations from Time to Time on such Questions to the University Court, who shall consider the same, and return to the Council their Deliverance thereon.

General Council of the University of Aberdeen.

VII. The General Council of the University of *Aberdeen* shall consist of the Chancellors or Chancellor, of the Members of the University Court, of the Professors, and of all such Graduates and Students as is herein above provided in regard to the other Universities, whether they be Graduates and Students of the University and *King's College* or of *Marischal College* and University.

St. Andrew's.

University Court, of whom to consist.

VIII. The University Court of the University of *Saint Andrew's* shall consist of the following Members; *viz.*,

1. A Rector to be elected by the Matriculated Students, voting in such Manner as shall be determined by the Commissioners herein-after appointed;
2. The Senior Principal;
3. An Assessor to be nominated by the Chancellor;
4. An Assessor to be nominated by the Rector;
5. An Assessor to be elected by the General Council;
6. An Assessor to be elected by the Senatus Academicus:

Four shall be a Quorum; and the Rector and the Assessor nominated by him shall continue in Office for Three Years, and the other Assessors shall continue in Office for Four Years; and no Principal or Professor of any University shall be eligible to the Office of Rector or Assessor, except in the Case of the Assessor to be elected by the Senatus Academicus.

Glasgow.

University Court, of whom to consist.

IX. The University Court of the University of *Glasgow* shall consist of the following Members; *viz.*,

1. A Rector to be elected by the Matriculated Students, voting by Nations as at present, subject to any Re-distribution of Nations or other Regulations to be made by the Commissioners;
2. The Principal;
3. The Dean of Faculties;
4. An Assessor to be nominated by the Chancellor;
5. An Assessor to be nominated by the Rector;
6. An Assessor to be elected by the General Council of the University;
7. An Assessor to be elected by the Senatus Academicus:

Neither the Rector nor any of the Assessors, with the Exception of the Assessor to be elected by the Senatus Academicus, shall be a Principal or Professor of any University. The Rector and the Assessor nominated by him shall continue in Office for Three Years, and the other Assessor shall continue in Office for Four Years; and Five Members of the University Court shall be a Quorum; and the Rector and Dean of Faculties and Minister of *Glasgow* shall no longer exercise any Right or Power as ordinary Visitors of the College of *Glasgow* other than is or may be conferred on any of them as Members of the University Court.

Aberdeen.

University Court, of whom to consist.

X. The University Court of the University of *Aberdeen* shall consist of the following Members; *viz.*,

1. A Rector to be elected by the Matriculated Students, voting according to the present Usage in *Marischal College*, but subject to any Regulations as to voting to be made by the Commissioners;
2. The Principal;
3. An Assessor to be nominated by the Chancellor;
4. An Assessor to be nominated by the Rector;
5. An Assessor to be elected by the General Council of the University;
6. An Assessor to be elected by the Senatus Academicus:

Four shall be a Quorum. The Rector and the Assessor nominated by him shall continue in Office Three Years, and the other Assessors shall continue in Office for Four Years; and no Principal or Professor of any University shall be eligible to the Office of Rector or Assessor, except in the Case of the Assessor to be elected by the Senatus Academicus.

Edinburgh.

University Court, of whom to consist.

XI. The University Court of the University of *Edinburgh* shall consist of the following Members; *viz.*,

1. A Rector to be elected by the Matriculated Students, voting in such Manner as shall be determined by the Commissioners;
2. The Principal;
3. An Assessor to be nominated by the Chancellor;
4. The Lord Provost of *Edinburgh* for the Time being;
5. An Assessor to be nominated by the Lord Provost, Magistrates, and Town Council of *Edinburgh*;
6. An Assessor to be nominated by the Rector;
7. An Assessor to be elected by the General Council of the University;
8. An Assessor to be elected by the Senatus Academicus:

And no Principal or Professor of any University shall be eligible to the Office of Rector or Assessor, except in the Case of the Assessor to be elected by the Senatus Academicus; And the Rector and the Assessor nominated by him shall continue in Office Three Years, and the other Assessors shall continue in Office for Four Years, and Five Members of the University Court shall be a Quorum.

Powers of University Courts.

XII. The University Court of each University shall, subject to the Provisions of this Act, have the following Powers; *viz.*,

1. To review all Decisions of the Senatus Academicus, and to be a Court of Appeal from the Senatus in every Case except as herein otherwise provided for:
2. To effect Improvements in the internal Arrangements of the University, after due Communication with the Senatus Academicus, and with the Sanction of the Chancellor; provided that all such proposed Improvements shall be submitted to the University Council for their Consideration:
3. To require due Attention on the Part of the Professors to Regulations as to the Mode of Teaching and other Duties imposed on the Professors:
4. To fix and regulate from Time to Time the Fees in the several Classes:
5. Upon sufficient Cause shown, and after due Investigation, to censure a Principal or Professor, or to suspend him from his Office and from the Emoluments thereof, in whole or in part, for any Period not exceeding One Year, or to require him to retire from his Office on a retiring Allowance, or to deprive him of his Office; and during the Suspension of any Professor to make due Provision for the Teaching of his Class: Provided always, that no such Sentence of Censure, Suspension, or Deprivation, or Requisition on a Professor to retire from Office, shall have any Effect until it has been approved by Her Majesty in Council:
6. To inquire into and control the Administration by the Senatus Academicus or Principal and Professors of any College of the Revenue, Expenditure, and all the pecuniary Concerns of the University and of any College therein, including Funds mortified for Bursaries and other Purposes.

Right of Nomination to Professorships vested in University Courts.

XIII. The Right of Nomination or Presentation to any Professorships within any of the said Universities in Time past, and presently exercised by the Senatus or Faculty thereof, or by One or more of the Professors therein, or by any Member or other Officer thereof, shall be transferred to and in all Time coming be exercised, as regards each University, by the University Court thereof, to be established in manner herein-before provided; and the Right of Nomination or Presentation to the Office of Principal and to all Professorships in the University of *Edinburgh* in Times past, and presently exercised by the Town Council of *Edinburgh*, or by One or more of the Members thereof, either by themselves or conjointly with others, shall be transferred from the said Town Council or Members thereof to and in all Time coming be exercised by Seven Curators to be nominated as follows: Within Two Months from and after the Date at which this Act shall come into operation, as herein-after provided, the Town Council shall nominate Four Curators, and the University Court of the said University shall nominate the remaining Three Curators, and the Curators shall continue in Office for Three Years; and in the event of Vacancies in the Office of Curator occurring from Death, Resignation, or any other Cause, the Vacancies shall, as respects the Four Nominations made by the Town Council, be filled up by the Town Council, and shall, as respects the other Nominations, be filled up by the University Court.

Appointment of Commissioners.

XIV. The following Persons, (that is to say,) his Grace *John George Douglas Campbell* Duke of *Argyll*, the Right Hon. *George Hamilton Gordon* Earl of *Aberdeen*, the Right Honourable *Philip Henry Stanhope* Earl *Stanhope*, the Right Hon. *William David Murray* Earl of *Mansfield*, the Right Hon. *Duncan McNeill* Lord Justice General and Lord President of the Court of Session, Sir *William Gibson Craig* of *Riccarton*, Baronet, *John Inglis* Esquire, Lord Justice Clerk for *Scotland*, *James Craufurd* Esquire, One of the Senators of the College of Justice, *William Stirling* Esquire, of *Keir*, *James Moncrieff* Esquire, *Alexander Hastie* Esquire, and *Alexander Murray Dunlop* Esquire, shall be Commissioners for the Purposes of this Act, and shall have a Common Seal; and Four of the said Commissioners shall be a Quorum; and the Commissioners may elect One of their Number to be their permanent Chairman, and the permanent Chairman, or in his Absence One of the Commissioners elected and acting as Chairman at any Meeting, shall have both a deliberative and a casting Vote. If any Vacancy occurs in the Number of the Commissioners by means of Death, Resignation, or Incapacity to act, Her Majesty may fill up such Vacancy by Warrant under the Sign Manual. The Powers hereby conferred on the Commissioners shall be in force until the First Day of *January* One thousand eight hundred and sixty-two; and it shall be lawful to Her Majesty, by and with the Advice of Her Privy Council, to continue the same until the First Day of *January* One thousand eight hundred and sixty-three, and no longer.

Her Majesty may fill up Vacancies.

Declaration of Powers of Commissioners.

Powers of Commissioners: To cite and examine Office Bearers in Universities, and require Production of Documents, &c.

XV. The Commissioners shall possess and exercise the following Powers; *viz.*,

1. To call before them the respective Principals, Professors, Regents, Masters, and others bearing Office in the said Universities and the Colleges therein respectively; *viz.*, the University of *St. Andrew's*, the University of *Glasgow*, the University and *King's College* of *Aberdeen*, the University of *Edinburgh*, *Marischal College* and University of *Aberdeen*, and to examine them as to all Rules and Ordinances now in force in the said Universities, and to require the Production of all Documents and Accounts relating to any of the said Universities or Colleges:

To revise the Foundations, &c., and to alter Trusts;

2. To revise the respective Foundations, Mortifications, Bursaries, and Donations bestowed on any of the said Universities or Colleges, or for the Benefit of any Professors, Students, or others therein; and further, if in the Case of any such Gift or Endowment which has taken effect for more than Fifty Years, and has been held by any of the said Universities or Colleges, or by any other Person in trust for or on behalf of the same or of any Persons therein, it shall appear to the Commissioners that the Interests of Religion and Learning and the main Design of the Donor,

Donor, so far as is consistent with the Promotion of such Interests, may be better advanced by an Alteration of the Conditions or Directions affecting such Gift or Endowment, it shall be lawful to the Commissioners to alter or modify such Conditions or Directions, and to frame a new Statute or Ordinance for the Application of such Gift or Endowment, in such Manner as may better advance the Purposes thereof:

3. Subject to the Provisions of this Act, to regulate by Ordinance the Powers, Jurisdictions, and Privileges of Chancellors, Rectors, Assessors, Professors, and all other Members or Office Bearers in the said Universities and Colleges, as also of the Senatus Academicus, the General Council, and the University Court, and their Meetings, as well with respect to the Government, Policy, and Discipline of the University as to the Management and Disposal of the Revenues and Endowments thereof, with Power to abolish unnecessary Offices: To regulate the Powers of Office Bearers;

4. Subject to the Provisions of this Act, to make Regulations as to Time, Place, and Manner of presenting and electing all University Officers: Provided always, that the existing Rights of Nomination or Presentation to any Professorships shall not, except in so far as herein expressly otherwise provided, be thereby affected: To regulate Elections of University Officers;

5. To make Rules for the Management and Ordering of the said Universities, the Manner and Conditions in and under which Students shall be admitted thereto, the Course of Study, and Manner of Teaching therein, the Amount and Exaction of Fees, the Manner of Examination, with the Qualifications, Appointment, and Number of Examiners, and the Amount and Manner of their Remuneration, the granting of Degrees, whether in Arts, Divinity, Law, or Medicine, and to provide that, in so far as shall be practicable, and in the Opinion of the Commissioners conducive to the Well-being of the Universities, and to the Advancement of Learning, the Course of Study, the Manner of Examination, and the Conditions under which Degrees are to be conferred, shall be uniform in all the Universities of *Scotland*: To regulate Course of Study, Exaction of Fees, &c.;

6. To make Ordinances in order to found new Professorships where they are required, and to provide for the Appointment of Assistants to such Professors as from the Nature and Duties of their Professorships require Assistance, and to provide for the Remuneration of such Assistants, and to provide by whom the Right of presenting or appointing such new Professors and Assistants shall be exercised: To make Ordinances in order to found Professorships and provide for Assistants;

7. To make such Provision by Ordinance as the Commissioners shall see fit, as well for the due Preservation, Administration, and Disposal of the whole Property, Funds, Rents, Revenues, and Endowments as for the Preservation and Maintenance of all the Fabrics and Buildings of or connected with the Universities and Colleges, and for the better Custody and Management of any Libraries and Museums thereto belonging, or of the Contents thereof, and of any Furniture, Apparatus, or Objects acquired or to be acquired for the Use of the University, or of any Class therein: To provide for the due Administration of Revenues and Endowments;

8. To provide by Ordinance, as the Commissioners shall judge expedient, by means of any of the Funds, Property, Rents, Revenues, and Endowments of any University or College, for the Payment and Extinction of any Debts forming a present Burden on such Rents, Revenues, or Endowments respectively: To provide for the Extinction of Debt;

9. To provide by special Ordinance, at what Date, with reference to each of the said Universities, the Provisions of this Act shall come into operation: To fix Date of Commencement of Act.

10. To inquire and report to Her Majesty how far it may be practicable and expedient that a new University should be founded, to be a National University for *Scotland*: To report on National University;

11. In the event of the Erection of such an University, to make Arrangements, with Consent of the *Scottish* Universities named in this Act, or any of them, for converting them respectively into Colleges, One or more, as the Case may be, of the said National University, and for the due Representation of such Colleges in the Governing Body thereof: To make Arrangements for converting Universities into Colleges of the said National University.

Provided always, that all Rules, Statutes, and Ordinances to be made by the Commissioners shall be published in the *Edinburgh Gazette* for Four consecutive Weeks, and shall be at the same Time laid before both Houses of Parliament, if Parliament be sitting, or if not, then within Three Weeks after the Commencement of the next ensuing Session of Parliament, and shall thereafter be submitted for the Approval of Her Majesty in Council; and it shall be lawful for any University or any College, and for the Trustees or Patron of any Foundation, Mortification, Bursary, or Endowment, or for any other Person directly affected by any such Rule, Statute, or Ordinance, within One Month after the last Publication thereof in the Gazette, to petition Her Majesty in Council to withhold Her Approbation of the whole or any Part thereof, and it shall be lawful for Her Majesty in Council to refer such Petition to the Commissioners, and to direct that they shall hear the Petitioner or Petitioners by Counsel, and report specially to Her Majesty in Council on the Matter of the said Petition; and it shall be lawful for Her Majesty, by Order in Council, either to declare Her Approbation of any such Rule, Statute, or Ordinance, in whole or in part, or to signify Her Disapproval thereof, in whole or in part, and in case of such Disapproval the Commissioners may proceed to frame other Statutes or Ordinances in that Behalf, subject to the like Provisions and Conditions as are herein-before enacted; and no such Rule, Statute, or Ordinance shall be effectual until it shall have been so published, laid before Parliament, and approved: Provided also, that each of the said Universities shall be governed and conducted according to the existing Law and Practice, until the Commissioners shall have made and published, with reference to

such University, an Ordinance providing at what Date this Act shall come into operation, and such Ordinance shall have been approved of by Her Majesty, as herein-before provided.

Scottish Universities may surrender Power of granting Degrees, &c.

XVI. If Her Majesty shall be pleased, at any Time within the Duration of the Commission, to grant a Charter for the Foundation of a National University for *Scotland*, the *Scottish* Universities named in this Act, or any of them, may, if they shall think fit, surrender to the Commissioners the Powers of examining for and of granting Degrees, with or without the Exception of Degrees in Theology, and to become Colleges, One or more, as the Case may be, of the said National University.

No such Surrender, &c. to be valid unless signified in Writing by the Chancellor, &c.

XVII. No such Surrender or Consent as is herein-before mentioned of any *Scotch* University named in this Act, with a view to becoming a College or Colleges of a National University for *Scotland*, shall be valid, except it be signified in Writing by the Chancellor and by the University Court of the University concerned therein, nor except it be declared by the said Court that the said Surrender or Consent respectively is given with the Approval of the Senatus Academicus, and likewise of the University Council.

Powers of Commissioners as to University of Aberdeen:

XVIII. Without Prejudice to any of the Powers herein-before conferred, the said Commissioners shall, with respect to the University of *Aberdeen*, possess and exercise, subject to the Provisions of this Act, the following Powers:

To determine Number of Professors, and regulate Course of Study;

1. To make Ordinances in order to determine the Number of Professors, and to prescribe and regulate the Course of Study in the several Faculties of Arts, Divinity, Law, and Medicine: Provided that in the Faculty of Arts there shall be a Professor of Greek, a Professor of Humanity, a Professor of Logic, a Professor of Mathematics, a Professor of Moral Philosophy, a Professor of Natural Philosophy, and a Professor of Natural History; or, in the Discretion of the Commissioners, Two Professors in any One or more of such Branches of Instruction in the Faculty of Arts, if it shall appear to be necessary or expedient, with Power to the said Commissioners to determine where the Classes of each of the said Professors shall assemble; in the Faculty of Divinity there shall be Professors of Systematic Theology, of Oriental Languages, of Church History, and of Biblical Criticism; in the Faculty of Law a Professor of Law; and in the Faculty of Medicine Professors of the Institutes of Medicine, of the Practice of Medicine, of Chemistry, of Anatomy, of Surgery, of Materia Medica, of Midwifery, of Medical Jurisprudence, of Botany; and such other Professorships in each of the said Faculties as the said Commissioners shall think to be expedient;

To abolish Offices rendered unnecessary by the Union, &c.;

2. To make Ordinances in order to abolish such Professorships and other Offices within the said University as are rendered unnecessary by the Union of the Two Universities and Colleges, or to conjoin Two or more of such Professorships, making full Compensation to the Holders of such Offices for all Loss of Emoluments consequent on such Abolition or Conjunction of Offices; and, having regard as far as practicable to the main Design of any existing Gift or Endowment of such Professorships or other Offices, to make such other Arrangements respecting such Professorships and other Offices as may seem expedient; and, having regard as aforesaid, to appropriate the Funds and Revenues belonging or payable to the Holders of such Professorships or other Offices, after the Death, Resignation, or Deprivation of any of the present Incumbents, to any of the following Purposes within the said University; (that is to say,)
   1. For providing retiring Allowances to aged and infirm Principals and Professors:
   2. For providing additional Teaching by means of Assistants to the Professors in any Professorships already established or to be established:
   3. For providing Remuneration to the Examiners appointed in pursuance of this Act:
   4. For increasing the Salaries presently attached to such Professorships, and any other Offices in the University:
   5. For the Endowment of new Professorships;

To accept Resignations, &c.;

3. To accept Resignations of the existing Incumbents of such Professorships as they may think fit to abolish, and to make Arrangements for giving reasonable Compensation to such Persons for Loss of Emoluments by such Resignation, or for the Appointment of such Incumbents to other Professorships or other Offices in the said University;

To determine Right of Patronage;

4. To make Ordinances in order to determine in whom for the future shall be vested the Patronage or Right of presenting Professors to each of the Chairs in the said University, having regard as far as possible to the Preservation of the existing Rights of Patronage;

To arrange as to Buildings of Colleges;

5. To make Arrangements and Regulations as to the Uses and Purposes to which the Buildings of *King's College* and *Marischal College* respectively shall be appropriated;

To make all necessary Rules, &c.

6. To make all such Rules and Ordinances as may be necessary for securing good Order and Government, and regulating the Course of Study in the said University:

Provided always, that all Rules, Statutes, and Ordinances to be made by the Commissioners in virtue of the Powers herein conferred shall be published, laid before Parliament, and approved, in like Manner, and shall be subject to the same Provisions and Conditions in all respects, as is provided with respect to the Rules and Ordinances to be made in the Exercise of the Powers conferred on them as regards the whole of the said Universities.

Power to University Court to alter

XIX. During the Subsistence and Exercise of the Powers of the Commissioners, the Powers herein-before conferred on the University Courts shall be exercised in subordination to and so as not to conflict with

with the Powers of the Commissioners: But any of the Rules, Statutes, and Ordinances to be framed and passed by the Commissioners, as herein-before provided, may, at any Time after the Expiration of the Powers herein conferred on the Commissioners, be altered or revoked by the University Court of the University to which the same are applicable, but only with the Consent, expressed in Writing, of the Chancellor thereof, and with the Approval of Her Majesty in Council.

or revoke Statutes passed by Commissioners after Expiration of their Powers.

XX. It shall be the Duty of the Commissioners herein appointed to take into their deliberate Consideration any Matters connected with the said Universities to which their Attention may be at any Time called by Instructions issued to them by Her Majesty's Command.

Her Majesty's Instructions to be considered.

XXI. The Commissioners of Her Majesty's Treasury shall be empowered to pay out of such Moneys as may be provided by Parliament for the Purpose, by Four equal Quarterly Payments, on the Fifth Day of *January*, the Fifth Day of *April*, the Fifth Day of *July*, and the Tenth Day of *October* in every Year, such Sums of Money as the Commissioners herein appointed shall recommend to be paid for any One or more of the following Purposes; (that is to say,)

How Parliamentary Grant to be applied.

1. For providing retiring Allowances to aged and infirm Principals and Professors;
2. For providing additional Teaching by means of Assistants to the Professors in any Professorships already established or to be established;
3. For providing Remuneration to the Examiners appointed in pursuance of this Act;
4. For increasing the Salaries presently attached to existing Professorships and to any other Offices in the University;
5. For the Endowment of new Professorships;
6. For providing full Compensation to the present Holders of Professorships or other Offices for the Loss of Emoluments consequent on the Abolition or Conjunction of such Professorships or other Offices in the present Universities and Colleges of *Aberdeen:*

And it is hereby provided that the whole of such Payments shall be subject to whatever Rules, Statutes, and Ordinances the Commissioners herein appointed shall from Time to Time see fit to prescribe in reference thereto: Provided always, that all Rules, Statutes, and Ordinances providing for or affecting the Application or Distribution of such Sums of Money shall be laid before both Houses of Parliament, if Parliament be sitting, or if not then within Three Weeks after the Commencement of the next ensuing Session of Parliament, and shall thereafter be submitted for the Approval of Her Majesty in Council; and no such Rule, Statute, or Ordinance shall be effectual until it has been so laid before Parliament and approved of by Her Majesty.

XXII. It shall be lawful to the Commissioners of Her Majesty's Treasury to grant from Time to Time, out of any Moneys to be provided by Parliament for that Purpose, such Sums as shall to them appear necessary for the following Purposes; (that is to say,)

Power to Treasury to grant Moneys for Purposes herein named.

1. For the Salary or other Remuneration of any Clerks or other Officers to be appointed by the Commissioners herein named, with the Consent of the said Commissioners of Her Majesty's Treasury;
2. For the Expense of providing any Office Accommodation for the Use of the Commissioners herein named, and of defraying the Cost of Books, Stationery, Printing, Postages, and other necessary Expenses connected with the same;
3. For defraying the whole reasonable Travelling Expenses which may be incurred by the Commissioners herein named, or by any Clerk or other Officer in their Service, in the Execution of the Powers herein conferred.

XXIII. The Commissioners herein appointed shall in the Exercise of their Powers have special Regard to the Reports presented by the Commissioners acting under the several Commissions for visiting the Universities of *Scotland; viz.*, a Commission issued by His Majesty King *George* the Fourth on the Twenty-third Day of *July* One thousand eight hundred and twenty-six, renewed by His Majesty King *William* the Fourth on the Twelfth Day of *October* One thousand eight hundred and thirty; a Commission issued by His Majesty King *William* the Fourth on the Twenty-third Day of *November* One thousand eight hundred and thirty-six, re-appointed by Her present Majesty on the Second Day of *October* One thousand eight hundred and thirty-seven; and a Commission issued by Her present Majesty on the Sixteenth Day of *April* One thousand eight hundred and fifty-seven.

Commissioners under this Act specially to regard Reports of Commissioners for visiting Universities of Scotland.

XXIV. All Rules, Statutes, and Ordinances to be made by the Commissioners shall, when approved by Her Majesty as herein-before provided, be inserted in a Book or Books to be signed by the Commissioners or their Quorum, and such Book or Books shall, on the Expiration of the Powers of the Commissioners, be lodged with Her Majesty's Clerk Register for *Scotland*, and shall be preserved among the Public Records, and a Duplicate shall be sent to each of the said Universities of the Rules, Statutes, and Ordinances applicable thereto, and such Rules, Statutes, and Ordinances shall be observed until the same be altered in manner herein-before provided.

Rules, Statutes, &c., when approved, to be entered in a Book, and signed by the Commissioners.

XXV. The said Universities may sue and be sued under the Style and Title of "The University of *St. Andrew's*," "The University of *Glasgow*," "The University of *Aberdeen*," and "The University of *Edinburgh*," respectively.

Universities may sue and be sued.

XXVI. From and after the passing of this Act no Distinction shall be recognized among the Professors of the University of *Glasgow*, but the whole Professors thereof admitted to Chairs heretofore established or which may hereafter be established therein shall be deemed to be and shall be Professors of the University

No Distinction to be henceforward recognized among

Professors of Glasgow University.

University and College of *Glasgow*, and shall all equally exercise the whole Rights and Functions which have heretofore been exercised by any Portion of such Professors: Provided always, that no Claim is hereby given to any Participation in the Income or Emoluments already appropriated to existing Chairs in the said University and College.

Nothing in this Act to affect certain Trusts.

XXVII. Nothing in this Act contained shall be construed to affect any Trusts now vested in and administered by the Senatus Academicus of any University or College, or in the Principal and Professors, or any of them, for Purposes unconnected with such University or College; and any such Trusts as are now held and administered by the Senatus Academicus, or the Principal and Professors of the University and *King's College* of *Aberdeen*, or of *Marischal College* and University, for Purposes unconnected with such Universities and Colleges, shall from and after the Date at which this Act shall come into operation, as regards the University of *Aberdeen*, be vested in and administered by the Senatus Academicus of the University of *Aberdeen*; and any Trust now administered, in whole or in part, by the Principal of either of the said Universities and Colleges, or by any Professor or Professors thereof, shall from and after the Date aforesaid be in like Manner administered, in whole or in part, by the Principal of the University of *Aberdeen*, or, as the Case may be, by the Professor or Professors who in the said University shall hold the same Professorship as the said Professor or Professors of *King's College* or *Marischal College* respectively.

CAP. LXXXIV.

An Act for enabling the Commissioners of Public Works in *Ireland* to acquire certain Lands and Houses for the Site of a new Court or Courts, and other Offices and Buildings required for the Public Service, in Extension of the Four Courts in the City of *Dublin*; and for other Purposes. [2d *August* 1858.]

'WHEREAS it is expedient to erect a new Court or Courts and other Offices and Buildings adjacent to and in Extension of the Four Courts in the City of *Dublin*, and to form a new Street in connexion therewith, and certain Lands and Houses situate in the Parish of *Saint Michan* in the said City would be a suitable Site for the Purposes aforesaid, which Lands and Houses are described in the Schedule to this Act, and delineated on a Plan thereof, of which Copies have been deposited for public Inspection at the Office of the Clerk of the Peace for the County of the City of *Dublin*: And whereas it is expedient that the Commissioners of Public Works should obtain compulsory Powers for the Purchase of the Estate, Interest, and Rights of all Persons in the said Lands and Houses; but the same cannot be effected without the Authority of Parliament:' May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Construction of Terms.

I. In the Construction of this Act the following Words and Expressions, if not inconsistent with the Context, shall have the Meaning herein-after assigned to them; (that is to say,)

The Word "Commissioners" shall mean the Commissioners of Public Works in *Ireland*, or any Two of them:

"Lord Lieutenant" shall mean the Chief Governor or Governors of *Ireland* for the Time being:

"Lands and Houses" or "Lands" shall mean and include Grounds, Houses, Tenements, Messuages, and Hereditaments, and the Ground and Soil of such Streets, Courts, Alleys, Ways, Paths, or Passages as are authorized to be stopped up or enclosed under the Provisions of this Act, and all Public and Private Rights and Privileges in, over, or upon the same:

"Lease" shall include an Agreement for a Lease:

"Party" shall extend to and include the Commissioners.

Short Title.

II. This Act may be cited for all Purposes as "The Four Courts (*Dublin*) Extension Act, 1858."

Provisions of 8 & 9 Vict. c. 18. extended to this Act, so far as same may be applicable.

III. The Provisions of "The Lands Clauses Consolidation Act, 1845," save and except such Parts thereof as relate to Compensation for any Damage or Injury to any Lands by reason of the Execution of any Works, shall, so far as the same may be applicable to and are not inconsistent with or modified by the Provisions of this Act, be incorporated with and form Part of this Act, and shall be applicable to the Purposes thereof; and in the Construction of this Act, and the said Act incorporated herewith, this Act shall be deemed to be the "Special Act."

Commissioners of Public Works (Ireland) to be a Corporation for Purposes of this Act.

IV. The Commissioners of Public Works in *Ireland* for the Time being and their Successors shall, for the Purposes of this Act, be a Corporation, by the Name or Style of "The Commissioners of Public Works in *Ireland*," and by that Name, for the Purposes of this Act, shall have perpetual Succession and a Common Seal, to be by them made and from Time to Time altered as they shall think fit, and shall and may sue and be sued, plead or be impleaded, in all Courts and before all Justices and others, and in that Capacity shall be deemed Promoters of the Undertaking authorized to be executed by this Act.

Power to purchase Lands and Houses.

V. It shall be lawful for the Commissioners, with the Approval and under the Direction of the Commissioners of Her Majesty's Treasury, and they are hereby authorized, out of any Monies appropriated

appropriated or which may be appropriated by Parliament for the Purpose, or may be otherwise applicable thereto, to purchase, compulsorily or by Agreement, enter on, and hold, the whole or any Part of the Lands and Houses mentioned and described in the Schedule to this Act, and delineated on the Map or Plan deposited as aforesaid, which shall be required for the Purposes of this Act, and to pull down and remove the Buildings thereon when so purchased, and to erect and maintain on the Site of such Houses, or any Part thereof, or on the said Lands or any Part thereof, such new Court or Courts, Offices, and Buildings, with all necessary Enclosures and Erections, as they may, with the Sanction of the Commissioners of Her Majesty's Treasury, think proper and requisite for the Public Service, and after the Completion of such Purchase, all Rights in, over, or affecting the said Lands and Houses shall be extinguished, and the said Lands shall be vested in the Commissioners in trust for Her Majesty, Her Heirs and Successors: Provided always, that it shall not be necessary for any Persons interested in the Lands so purchased to ascertain that such Consent has been given, nor shall the Commissioners be required to produce to any such Person any Evidence of such Consent.

Errors and Omissions in Schedule may be corrected by Two Justices, who may certify the same.

VI. If any Omission, Mis-statement, or erroneous Description shall have been made of any Lands or Houses, or of the Owners, Lessees, and Occupiers of any Lands or Houses, mentioned in the Schedule to this Act annexed, the Commissioners, after giving Ten Days Notice to the Owners, Lessees, and Occupiers of the Lands or Houses affected by such proposed Correction, may apply to Two Justices of the Peace for the Correction thereof, and if it shall appear to such Justices that such Omission, Mis-statement, or erroneous Description arose from Mistake, they shall certify the same accordingly, and they shall in such Certificate state the Particulars of any such Omission, Mis-statement, or erroneous Description, and such Certificate shall be deposited with the Clerk of the Peace for the County of the City of *Dublin*, and such Certificate shall be kept by such Clerk of the Peace with the other Documents to which it relates, and thereupon such Schedule shall be deemed to be so corrected according to such Certificate, and the Commissioners may take any Lands or Houses in accordance with such Certificate, as if such Omission, Mis-statement, or erroneous Description had not been made.

Power to make Street according to Plans.

VII. 'Whereas Plans and Sections of the said new Street showing the Line and Level thereof have 'been deposited with the Clerk of the Peace for the County of the City of *Dublin*:' Subject therefore to the Provisions in this Act and the Act incorporated herewith contained, it shall be lawful for the Commissioners to make the following Road, Street, or Carriageway, with all proper Works and Conveniences connected therewith, in the Lines delineated on the said Plans, and according to the Levels described on the said Section; that is to say, a Road, Street, or Carriageway commencing on the Western Side of *Greek Street*, in continuation of *Pill Lane*, and terminating on the Eastern Side of *Church Street Old*, with all necessary Approaches and Conveniences connected therewith, which Road, Street, or Carriageway and other Works will be situate in the Parish of *Saint Michan* in the City of *Dublin*.

As to Deviations from Plans.

VIII. It shall be lawful for the Commissioners to deviate from the Line of such Road, Street, or Carriageway delineated on the Plans so deposited, provided that no such Deviation shall extend beyond the Lands described upon the said Plans.

How new Street to be kept in repair.

IX. When and so soon as such Road, Street, or Carriageway shall have been made as aforesaid, the same shall for ever thereafter be maintained and kept in repair by and at the Expense of such Corporations or Persons as are liable to repair the Streets and Thoroughfares of the District in which such Road, Street, or Carriageway shall be situate.

Power to stop up or alter Streets and Ways.

X. It shall be lawful for the Commissioners to stop up, alter, or otherwise vary all such Streets, Courts, Alleys, Ways, Paths, or Passages connected with or adjoining the Lands and Houses authorized to be purchased as aforesaid as shall be necessary for the Purposes of this Act; and the Ground and Soil of such Streets, Courts, Alleys, Ways, Paths, or Passages, or Parts thereof respectively, as shall be so stopped up, altered, or otherwise varied, shall be and the same are hereby vested in the Commissioners and their Successors for the Purposes of this Act.

Streets may be raised or lowered.

XI. It shall be lawful for the Commissioners and they are hereby empowered to raise or lower the Ground of any Streets or Ways which shall communicate with the Court or Courts, Offices, or Buildings so to be erected as aforesaid, or any Part or Parts thereof.

Commissioners may stop up Sewers, &c.

XII. It shall be lawful for the Commissioners to stop up all or any of the Sewers, Drains, and Pipes on or near to, under, through, or over any of the Lands mentioned in the said Schedule, they, the said Commissioners, making, opening, or laying down another sufficient Sewer, Drain, or Pipe, when requisite, in lieu of the one stopped up.

Power to sell Materials of Houses pulled down.

XIII. It shall be lawful for the Commissioners, if they shall see fit, to sell or cause to be sold the Materials of the Houses and other Buildings so to be taken down or removed, and the Monies produced by the Sale thereof, (after deducting the Expenses of pulling down such Houses and Buildings respectively, and of such Sale or Sales,) and also the Rents and Profits of such Lands and Houses as may be purchased or taken by virtue of this Act, until the same shall be pulled down or cleared, shall be received and applied by the Commissioners for the Purposes of this Act.

Commissioners to render Accounts.

XIV. The Commissioners shall from Time to Time render such Accounts of all Monies which shall be received by them for the Purposes or under the Authority of this Act as they are now required to render of the Expenditure of other Public Monies received by them under the Provisions of any Act or Acts.

XV. It

Commissioners may sell surplus Lands.

XV. It shall be lawful for the Commissioners from Time to Time, in such Manner as they may deem most advantageous, with Consent of the Commissioners of Her Majesty's Treasury, to sell or in any Manner dispose of all or any of the Lands and Houses purchased or acquired by them under the Authority of this Act, and which may not be required for the Purposes aforesaid.

Powers for compulsory Purchases limited.

XVI. The Powers of the Commissioners for the compulsory Purchase or taking of Lands shall not be exercised after the Expiration of Five Years from the passing of this Act.

Commissioners to deliver Maps, Schedules, and Estimates at Office of Under Secretary at Dublin Castle, and deposit Copies with Clerk of Peace.

XVII. In order to acquire the said Lands and Houses without Delay, and at the least possible Expense, the Commissioners shall from Time to Time cause to be made out, and to be signed by their Secretary, Maps or Plans and Schedules of the Lands and Houses for the Purchase of which or of all the several Interests in which the Commissioners shall not have contracted, together with the Names of the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers of the said Lands and Houses respectively, so far as the same can be reasonably ascertained; and every such Map or Plan shall be upon a Scale of not less than One Inch to every Two hundred Feet; and all Lands, Buildings, Yards, and Courtyards, and Lands within the Curtilage of any Building and Ground cultivated as a Garden, shall be marked thereon, with distinct Numbers corresponding with the Numbers marked upon the Map or Plan herein-before referred to, showing the Lands and Houses required for the Site of the said intended Court or Courts, Offices, and Buildings, and the other Purposes connected therewith; and the Commissioners shall deposit such Maps or Plans and Schedules at the Office of the Chief or Under Secretary of the Lord Lieutenant, *Dublin Castle*, and a Copy of such Maps or Plans and Schedules with the Clerk of the Peace for the County of the City of *Dublin*.

Power to appoint a Valuator on Application to Commissioners.

XVIII. After such Deposit at the Office of the Chief or Under Secretary as aforesaid, it shall be lawful for the Lord Lieutenant, upon the Application of the Commissioners, to appoint a fit Person to be a Valuator under this Act, and if any such Valuator die, or refuse or become incapable to act, the Lord Lieutenant may, as often as the same may happen, appoint a Valuator in his Place, who shall have the same Powers and Authorities as the Valuator first appointed.

Valuator may call for Documents and administer Oaths.

XIX. The Valuator may call for the Production of any Documents in the Possession or Power of the Commissioners, or of any Party making any Claim under the Provisions of this Act, which such Valuator may think necessary for determining any Question or Matter to be determined by him under this Act, and may examine any such Party and his Witnesses and the Witnesses for the Commissioners on Oath, and administer the Oaths necessary for that Purpose.

Valuator, &c. to make and subscribe Declaration.

XX. Before any Valuator, or any Arbitrator or Umpire who may be appointed as herein-after provided, shall enter upon any Inquiry, he shall in the Presence of a Justice of the Peace make and subscribe the following Declaration:

'I *A.B.* do solemnly and sincerely declare, That I will faithfully and honestly, and to the best of my 'Skill and Ability, hear and determine the Matters referred to me under the Provisions of "The Four 'Courts (Dublin) Extension Act, 1858.'

'Made and subscribed in the Presence of.'

And such Declaration when made shall be lodged with the Commissioners, and if any Valuator, Arbitrator, or Umpire, having made such Declaration, shall wilfully act contrary thereto, he shall be guilty of a Misdemeanor.

Maps, &c. deposited to be delivered to Valuator.

Notice of Appointment of Valuator &c. to be published.

XXI. Upon the Appointment of a Valuator as aforesaid, the Chief or Under Secretary of the Lord Lieutenant shall deliver to such Valuator the Maps or Plans and Schedules deposited at his Office, as herein-before required; and the Commissioners shall forthwith after such Appointment publish a Notice of such Appointment and of such Deposits as herein-before directed with such Clerk of the Peace as aforesaid once in the *Dublin Gazette*, and once in each of Two successive Weeks in some One and the same Newspaper circulated in the County of the City of *Dublin*, stating the Times and Places of such Deposits, and requiring all Persons claiming to have any Right to or Interest in the Lands required for the Purposes of this Act, and specified in such Maps and Plans, to deliver to the Valuator on or before a Day fixed by the Valuator, and named in such Notice (and which Day shall not be earlier than Seven Days from the Date of the Insertion of the last of such Newspaper Notices), a short Statement in Writing of the Nature of such Claim; and upon the Appointment of any Valuator in the Place of a Valuator dying, or refusing, declining, or becoming incapable to act, all the Documents relating to the Matter of the Valuation which were in the Possession of such Valuator shall be delivered to the Valuator appointed in his Place, and the Commissioners shall publish a Notice of such Appointment in the *Dublin Gazette*.

Valuator to adjudicate upon Compensation to be paid for Lands and Houses.

XXII. The Valuator shall, after the Expiration of the Period within which such Claims are required to be delivered to him as aforesaid, proceed to inquire and adjudicate upon the Value of the several Rights to or Interests in such Lands in respect of which no Agreement shall have been come to between the Commissioners and the Persons entitled thereto, and the Purchase Money to be paid for such Rights or Interests; and the Valuator shall, after due Inquiry and Examination, frame a Draft Award or Draft Awards setting forth the Price or Compensation to be paid by the Commissioners in respect of the several Rights to or Interests in the Lands so required and specified to be paid for the Purchase of any Rights or Interests in such Lands to which the Inquiry may relate; and such Draft Award or Awards

and

and Copies thereof shall be deposited as herein-before directed concerning the said Maps or Plans and Schedules as aforesaid; and the Valuator shall cause Notice of such Draft Award to be given to all Persons entitled to Payment under the same, where such Persons may be known to the Valuator, or who shall have been heard before such Valuator as Claimants for Compensation, and shall also cause Notice to be published of such Draft Award once in the *Dublin Gazette*, and once in each of Two successive Weeks in some One and the same Newspaper circulated in the County of the City of *Dublin*, and shall in such Notices appoint a Time and Place or Times and Places for holding a Meeting or Meetings to hear Objections against any such Draft Award (the First such Meeting to be not earlier than Ten Days after the First Day of Publication of the said Notice), and shall hold such Meeting or Meetings accordingly, and thereat hear and determine any Objections which may then and there be made to any such Draft Award by any Person interested therein, or adjourn the further Hearing thereof, if the Valuator shall think fit, to a future Meeting, and may take any Measures which he may deem proper for ascertaining the Value of any such Rights or Interests as aforesaid, or the Justice or Propriety of any other Matter of such Draft Award, and may from Time to Time, if he shall see Occasion so to do, appoint and hold further Meetings for hearing and determining Objections to any such Draft Award; and when the Valuator has heard and determined all such Objections, and made such Inquiries as he may think necessary in relation thereto, and made such Alterations (if any) as he may deem proper in the Draft Award, he shall make his Award under his Hand and Seal accordingly, and every such Award shall be binding and conclusive, subject to the Provisions herein-after contained, upon all Persons whomsoever, and no such Award shall be set aside for Irregularity in Matter of Form; and a Copy of every such Award shall be deposited with the Clerk of the Peace for the County of the City of *Dublin*, and the Commissioners shall thereupon publish Notice in some Paper circulated in the County of the City of *Dublin* once in each of Two successive Weeks of the Deposit of such Award as aforesaid, and requiring all Persons claiming to have any Right to or Interest in the Lands, the Price or Compensation to be paid in respect of which is ascertained by such Award, to deliver to the Commissioners, on or before a Day to be named in such Notice (such Day not being earlier than Seven Days from the Date of the last Publication of the Notice), a short Statement in Writing of the Nature of such Claim, and a short Abstract of the Title on which the same is founded.

Clerk of Peace to take charge of Documents, as provided by 7 W. 4. & 1 Vict. c. 83.

XXIII. The Clerk of the Peace aforesaid is hereby required to retain the Documents to be deposited with him under this Act in his Custody, and to permit all Persons interested to inspect the same, and to make Copies and Extracts of and from the same in the like Manner, and upon the like Terms, and under the like Penalty for Default, as is provided by an Act of the Session holden in the Seventh Year of King *William* the Fourth and First Year of Her present Majesty, Chapter Eighty-three.

Expenses of Valuator to be borne by the Commissioners.

XXIV. The Salary or Remuneration, Travelling and other Expenses, of the Valuator, and all Costs, Charges, and Expenses (if any) which shall be incurred in carrying the Provisions of this Act into execution, shall be paid by the Commissioners.

Valuator to certify Amount of Costs, to be paid by Commissioners.

XXV. It shall be lawful for the Valuator, where he thinks fit, upon the Request of any Party by whom any Claim has been made before him, to certify the Amount of the Costs properly incurred by such Party in relation to the Valuation, and the Amount of the Costs so certified shall be paid by the Commissioners.

Receipts duly stamped to act as a Conveyance.

XXVI. In every Case in which any Monies are paid by the Commissioners under the Provisions of this Act for such Price or Compensation as aforesaid, the Party receiving such Monies may give to the Commissioners a Receipt for the same, and such Receipt shall have the Effect of a Grant, Release, and Conveyance of all the Estate, Right, and Interest of such Party, and of all Parties claiming under or through him, in the Lands in respect of which such Monies are paid, so as such Receipt shall have an *ad valorem* Stamp of the same Amount impressed thereon in respect of the Purchase Monies mentioned therein as would have been necessary if such Receipt had been an actual Conveyance of such Estate, Right, or Interest; and every such Receipt shall be prepared by and at the Costs of the Commissioners.

Payment of Monies where Parties making Claim deemed not entitled, or are under Disability, or Title not satisfactorily deduced.

XXVII. If it appear to the Commissioners from any such Statement and Abstract as aforesaid, or otherwise, that the Party making any such Claim as aforesaid is not absolutely entitled to the Lands, Estate, Right, or Interest in respect of which his Claim is made, or is under any Disability, or if the Title to such Lands, Estate, Right, or Interest be not satisfactorily deduced to the Commissioners free from Incumbrance, then and in every such Case the Amount to be paid by the Commissioners in respect of such Lands, Estate, Right, or Interest as aforesaid shall be paid and applied as provided by the Clauses of "The Lands Clauses Consolidation Act, 1845," with respect to the Purchase Money or Compensation coming to Parties having limited Interests, or prevented from treating or not making Title.

Commissioners may require further Evidence of Title at their own Costs.

XXVIII. Nothing herein contained shall prevent the Commissioners from requiring any further Abstract or Evidence of Title respecting any Lands included in such Award as aforesaid in addition to the Abstract or Statement herein-before mentioned, if they think fit, so as the same be obtained at the Costs of the Commissioners.

If either Party dissatisfied with Award

XXIX. Where the Party claiming Compensation or the Commissioners shall be dissatisfied with the Award made by the Valuator, as herein-before mentioned, it shall be lawful for such Party or the

of Valuator, Amount of Compensation to be settled by Arbitration.

Commissioners respectively, at any Time within Fourteen Days from and after the Deposit of such Award with the Clerk of the Peace as herein-before mentioned, to have the Question of Compensation settled by Arbitration upon either Party signifying such Desire by Notice in Writing to such other Party, and the Amount of Compensation so claimed shall in such Case be settled accordingly in the Manner provided in Sections Twenty-five to Thirty-seven inclusive of "The Lands Clauses Consolidation Act, 1845."

SCHEDULE.

The Parish of Saint Michan in the City of Dublin.

No. on Plan.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
	King's Inns Quay.			
1	House - -	Robert Jones Stavelly.	Miles Kehoe	James Cooney.
2	House and Yard -	Robert Jones Stavelly.	Miles Kehoe, Mathew Anderson and Robert Campbell Lee.	Mathew Anderson and Robert Campbell Lee.
3	House, Stores, and small Yard.	Robert Jones Stavelly.	Charles Hopes, Charles Hope, Thomas Saunders.	Thomas Saunders.
7	House (Law Chambers).	The Hon. Society of King's Inns.	Nathaniel Callwell and Robert Callwell, Anthony O'Brien.	William Sullivan, Messrs. Tighe and McGready.
8	House (Law Chambers).	Same -	Same - -	Mathew White, George Beamish, and Co.
9	House, Store, and Office.	Same -	Nathaniel Callwell and Robert Callwell, John Doherty.	John Doherty.
10	House (Tavern) -	Same -	Nathaniel Callwell, Robert Callwell, Francis Codd and Joseph Lemass, Patrick Fottrell.	Joseph Lemass.
11	House (The Angel Hotel).	Same -	Nathaniel Callwell, Robert Callwell, John Bergin.	John Bergin.
12	House (The Angel Hotel).	Same -	Nathaniel Callwell, Robert Callwell, William Ternan, John Bergin.	John Bergin.
13	House and Shop -	Mrs. Emma Moore -	None - -	John Brereton.
14	House and Shop -	Same - -	None - -	John Fisher and Patrick D'Arcy.
15	House, Shop, and Yard.	Same - -	None - -	Johnston and Company.
15a	Open Passage at Rear of Houses.	The Hon. Society of King's Inns.	Nathaniel Callwell and Robert Callwell, Daniel O'Donnell and Alicia Kelly.	Daniel O'Donnell and Alicia Kelly.
	Morgan Place.			
1	House (Law Chambers).	Same - -	Nathaniel Callwell, Robert Callwell, Anthony O'Brien.	John McNally, T. Faussit, James Fenton, Henry E. Jones, and William A. Drinan.

Four Courts (Dublin) Extension.

No. on Plan.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
	Morgan Place—cont.			
2	House (Law Chambers).	The Hon. Society of King's Inns.	Anthony O'Brien -	Richard Rawson, Fergus Days.
3	Stable - - -	Board of Works -	None - -	Board of Works.
4	Bakers Committee House and Yard. -	Mrs. Elizabeth Garde	John Robertson -	Bakers Committee.
5	House - - -	Mrs. Elizabeth Garde	Peter Hughes, John Robertson.	Peter Hughes.
	Church Street.			
2	House, Shop, and small Yard.	Arthur Barlow, Esq.	William Geraghty	William Geraghty.
3	House and small Yard.	Same - -	None - -	John Doyle.
4	House and Yard -	Peter Barlow, Esq. -	James Kenny -	James Kenny.
5	House and Yard -	Same - -	Same - -	Same.
6	House and Yard -	Same - -	Same - -	Same.
7	House and Yard -	John O'Connell, Esq., P. J. Kearney, and Miss Ellen Ryan.	None - -	Michael Brittain.
8	House, Shop, and Yard.	Same - -	None - -	Same.
9	House and Yard -	Same - -	None - -	Anne Murphy.
10	House and Yard -	Same - -	None - -	Same.
11	House, Shop, Two Yards, and Three Stores.	Same - -	Daniel O'Donnell and Alicia Kelly.	Daniel O'Donnell and Alicia Kelly.
12	House, Office, and Yard.	Alexander Talbot Eustace Mapas.	Mary Scally, Michael Kelly.	Michael Kelly.
13	House, Office, and Yard.	Mrs. Clark and Mrs. Odlum.	None - -	Vacant.
14	House, Offices, and Yard.	Sarah Anne Scott and George Scott.	Daniel Dillon -	Daniel Dillon.
15	House, Office, and Yard.	Corporation of Dublin.	Mary Scally -	Mary Scally.
16	House, Offices, and Yard.	Corporation of Dublin.	James Tyrrell -	James Tyrrell.
17 & 18	Houses, Office, and Yard.	Corporation of Dublin.	Francis Hargrave	Francis Hargrave.
19	House, Office, and Yard.	Corporation of Dublin.	James Maher -	James Maher.
20	House, Office, and Yard.	Corporation of Dublin.	Francis Hargrave	Francis Hargrave.
21	House, Office, and Yard.	Alexander Talbot Eustace Mapas.	Michael Clarke -	Michael Clarke.
22	House, Office, and Yard.	Alexander Talbot Eustace Mapas.	Michael Clarke -	Michael Clarke.
22*a*	Offices and Yard -	Alexander Talbot Eustace Mapas.	Michael Clarke -	Michael Clarke.
23 & 24	House, Offices, and Yard.	Alexander Talbot Eustace Mapas.	Peter Mara - -	Peter Mara.
25	Building Ground -	William Crichton Chambers.	Martin Walter O'Byrne.	Vacant.

Four Courts (Dublin) Extension.

No. on Plan.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
	Downe's Court or Michan's Villas.			
1	House	Corporation of Dublin.	Francis Hargrave	Francis Hargrave.
2	House	Do.	Do.	
3	House and Yard	Do.	Do.	
4	House	Do.	Do.	
5	House	Do.	Do.	
6	House	Do.	Do.	
7	House	Do.	Do.	
8	House	Do.	Do.	
	Chancery Place.			
1	House and Yard	Robert Peel Dawson	Thomas Duffy	William Nerney.
2	House	Same	Patrick Duff	Vacant.
3	House and Yard	Same	John Wellington Pepper, Representative of Anastatia, Eleanor, and Mary Woods.	John Wellington Pepper.
4	House and Yard	Same	John Moore, Representative of Ignatius Rossiter.	John Moore.
5	House	Same	James Cooke	James Keegan.
6	House and Yard	Same	Edward Drummond	Edward Drummond.
7	House and small Yard	Same	Richard Seery	John Kent.
8	House and small Yard	Same	None	Allan Bacchus.
9	House	Same	John Egan	John Egan.
10	House	Same	John Hutton	John Hutton.
	Mountrath Street.			
1	House	Sir Charles Coote, Bart.	George Robert Hoey, Viscount Frankfort.	John Flanagan.
2	House	Same	Same	Same.
3	House	Same	Same	Same.
4	House and Yard	Same	George Robert Hoey.	Charles, Samuel, and George Eastwood.
4½	House	Same	George Robert Hoey, Charles, Samuel, and George Eastwood, Thomas Saunders.	Thomas Saunders.
5	Yard	Board of Works	None	Board of Works.
6 & 7	House, Stores, and Yard.	Sir Charles Coote, Bart.	George Robert Hoey, Charles, Samuel, and George Eastwood, Edward Gatchell.	Edward Gatchell.
8	House	Same	George Robert Hoey, Charles, Samuel, and George Eastwood, Caleb Palmer.	Do.
9	House	Same	Samuel Alker, Henry Gorman, Edward Gatchell.	Do.

Four Courts (Dublin) Extension.

No. on Plan.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
	Mountrath Street—cont.			
10	House and small Yard	Sir Charles Coote, Bart.	Samuel Alker, Edward Gatchell.	Robert Orr and Michael Murphy, Official Assignees.
11	House - - -	Robert Peel Dawson	John Hutton -	Peter Callaghan.
	Charles Street, West.			
20	House and Yard -	Sir Charles Coote, Bart.	Samuel Alker, Owen Beatty.	Owen Beatty.
21	House and Yard -	Same - -	Samuel Alker, George Robert Hoey, Patrick Curtin.	Patrick Curtin.
22	House and Yard -	Same - -	Samuel Alker -	Patrick Mitchell.
23	House and Yard -	Same - -	Miss A. M. A. McKay.	John Flanagan.
24	House, Forge, and Yard.	Same - -	George R. Hoey, William Creighton Chambers, Patrick Curtin.	Patrick Curtin.
25	House, Forge, and Yard.	Same - -	G. R. Hoey, Michael Dalton.	Michael Dalton.
26	House - -	Same - -	G. R. Hoey, Viscount Frankfort.	John Flanagan.
27	House - -	Robert Peel Dawson	John Hutton -	Joseph Bownas.
28	House and Yard -	Robert Peel Dawson	John Egan - -	John Egan.
29	House and small Yard.	Same - -	None - - -	John Hutton.
30	House and Yard -	Same - -	Richard Seery -	Richard Seery.
31	House and Yard -	Same - -	Edward Drummond	Edward Drummond.
32	House and Yard -	Same - -	James Cooke -	John Flanagan.
33	House and Yard -	Same - -	Peter Smith -	Peter Smith.
34	House and Yard -	Same - -	Michael Dalton -	Michael Dalton.
35	House and Yard -	Same - -	Richard Seery -	Richard Seery.
36	House - -	Same - -	Thomas Duffy -	William Nerney.
37	House - -	Robert Jones Stavelly	Miles Kehoe -	James Cooney.
	Pill Lane.			
27	House and Yard -	Rev. Nathaniel Poyntz.	Mrs. Elizabeth Nash, Christopher Ryder, Nicholas Crinion.	Nicholas Crinion.
28	House, Office, and Yard.	Same - -	Nicholas Crinion.	Nicholas Crinion.
29	House and Office -	Miss Dora Anne Strahan.	John Wilson, John Scally.	John Scally.
29*a*	Office - - -	Rev. Nathaniel Poyntz.	Mrs. Jane Sheil, William McKay, John Wilson, John Scally.	John Scally.
30	House, Offices, and Yard, also Gateway under No. 4, Anderson's Court.	Dora Anne Strahan -	Elizabeth and Jane Blizard, Rebecca Wilson, John Wilson.	Rebecca Wilson.
31	House, Office, and Yard.	Miss Elizabeth Johnstone, Mrs. Jane Popham, Samuel Lane Popham.	John Wilson, Thomas Percival Swan, and Peter J. Kavanagh.	Peter J. Kavanagh, John Wilson and Son.

Four Courts (Dublin) Extension.

No. on Plan.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
	Pill Lane—cont.			
32	House - -	Isabella Tennant, Daniel Crosbie, Elizabeth and Louisa Crosbie.	Mary and Margaret Mackey.	Mary and Margaret Mackey.
33*a* and 34	House, Office, and Yard.	Rev. James Hopkins -	James Woods, Robert Gatchell.	Robert Gatchell.
33*b*	Offices and Yard -	Rev. Nathaniel Poyntz.	Mrs. Jane Shiel, Robert Gatchell.	Robert Gatchell.
33*c*	Offices - -	Same - -	Same - -	Same.
	(3, 4, and 5, Anderson's Court are included in the same Lease with 33*c*.)			
35	House, Offices, and Yard.	Sir Charles Domvile, Bart.	William North. -	William North.
36	House, Offices, and Yard.	Daniel Crosbie, Elizabeth Crosbie, and Louisa Crosbie.	None - -	Vacant.
37	House, Offices, and Yard.	William I. McCausland.	None - -	Margaret Finn, Mary Cavanagh, John Carton, Hugh Murray, Owen Brennan.
38 and 39	Houses, Office, and Yard.	Mary Tandy, Rev. Philip Smith, Isabella Smith, Frances George, George Cooper Stawell, Elizabeth Stawell, Samuel Garnett, and Mary Anne Garnett.	Michael Clarke -	Michael Clarke.
40	Stores and Yard -	James McCreight -	None - -	Vacant.
41	Stores and Yard -	Same - -	None - -	Vacant.
42	House, Offices, and Yard.	Same - -	None - -	Vacant.
43	House, Offices, and Yard.	Same - -	None - -	Vacant.
44	House and Yard -	Same - -	None - -	Vacant.
45	House, Office, and Yard.	Same - -	None - -	Vacant.
46	House and Yard -	Same - -	None - -	Vacant.
47	House and Yard -	Same - -	None - -	Vacant.
48	House, Office, and Yard.	Mrs. Clarke and Mrs. Odlum.	None - -	James Kavanagh.
49	House, Office, and Yard.	Same - -	None - -	Thomas Healy.
50	House, Office, and Yard.	Richard Bolton -	Luke Dunn -	Luke Dunn.
51	House, Office, and Yard.	Richard Bolton -	None - -	Hugh Tighe.
52	House and Shop -	John O'Connell, Esq., P. J. Kearney, and Miss Ellen Ryan.	None - -	Hugh Tighe.
53	House and Yard (Coal Store).	John O'Connell, Esq., P. J. Kearney, and Miss Ellen Ryan.	None -	James Farrell.
54	House and small Yard.	Same - -	None - -	Joseph Keely.
55	House and Shop -	Same - -	None - -	James Mitchell.
56	House and Yard -	Mrs. Elizabeth Garde	John Robertson -	Laurence Smyth.

No. on Plan.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
	Pill Lane—cont.			
57	House and Shop and Yard.	Mrs. Elizabeth Garde	Peter Hughes, John Robertson.	Joseph Keely.
58	House - - -	Sir Charles Coote, Bart.	Samuel Alker, Denis Drumgoole, Mathew Crinion.	Nicholas Crinion.
59	House and Yard - -	Same - -	Samuel Alker -	Samuel Alker.
60	House and Yard -	Same - -	Same - -	Same.
61	House, Stores, and small Yard.	Same - - -	Same - -	Vacant.
62	House and Yard -	Same - -	Same - -	Vacant.
62½	House - - -	Same - -	Same - -	Samuel Alker.
63	House - - -	Same - -	Same - -	James Brereton.
	Greek Street.			
32	Building Ground -	Rev. Nathaniel Poyntz.	- - -	Vacant.
34, 35, and 36	Office - - -	Same - -	Mrs. Jane Shiel, William McKay, John Scally.	John Scally.
	Anderson's Court.			
1*a*	Building Ground, Yard, and Offices.	Rev. Nathaniel Poyntz.	Mrs. Jane Sheil, Mrs. Elizabeth Murphy.	Mary Molloy.
1*b*	Building Ground and old Vault.	Same - -	Same - -	Vacant.
1*c*	Building Ground, Yard, and Offices.	Same - -	Mrs. Jane Sheil, Mrs. Elizabeth Murphy, Sir Thomas Whelan.	Mary Molloy.
2	Office and Yard -	Same - -	Mrs. Jane Shiel -	Vacant.
2*a*	House, Offices, and Yard.	Same - -	Mrs. Jane Shiel, John Scally.	John Scally.
3	Office - - -	Same - -	Mrs. Jane Shiel, Robert Gatchell.	Robert Gatchell.
4	House - - -	Same - -	Mrs. Jane Shiel, Robert Gatchell.	Robert Gatchell.
5	House and Yard -	Same - -	Mrs. Jane Shiel, Robert Gatchell.	Robert Gatchell.
	Streets to be taken.			
	Morgan Place -	The Corporation of Dublin.	- - -	The Public.
	Downe's Court -			
	Anderson's Court -			
	The Portion of Pill Lane lying between Greek Street and Church Street.			
	Mountrath Street -			
	Chancery Place -			

CAP. LXXXV.

An Act to continue an Act to enable Her Majesty to accept the Services of the Militia out of the United Kingdom. [2d *August* 1858.]

[18 & 19 *Vict. c.* 1. *revived and continued until* 2d *August* 1861. *This Act not to affect Duration of Provisions of ss.* 14, 15, 16. *of recited Act.*]

CAP.

C A P. LXXXVI.

An Act further to continue an Act to authorize the embodying of the Militia. [2d *August* 1858.]

[20 & 21 *Vict. c.* 82. *continued in force till 25th March* 1861.]

C A P. LXXXVII.

An Act to continue and amend the Corrupt Practices Prevention Act, 1854.

[2d *August* 1858.]

17 & 18 Vict. c. 102.

'WHEREAS an Act was passed in the Session holden in the Seventeenth and Eighteenth Years of Her Majesty, Chapter One hundred and two, "to consolidate and amend the Laws "relating to Bribery, Treating, and undue Influence at Elections of Members of Parliament;" and by an Act of the Session holden in the Nineteenth and Twentieth Years of Her Majesty, Chapter Eighty-four, the said first-mentioned Act was continued until the Tenth Day of *August* One thousand eight hundred and fifty-seven, and thenceforth to the End of the then next Session of Parliament: And whereas it is expedient that the said first-mentioned Act should be further continued and amended:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

As to Travelling Expenses of Voters.

I. It shall be lawful for any Candidate, or his Agent by him appointed in Writing according to the Provisions of the first-mentioned Act, to provide Conveyance for any Voter for the Purpose of polling at an Election and not otherwise, but it shall not be lawful to pay any Money or give any valuable Consideration to a Voter for or in respect of his Travelling Expenses for such Purpose; provided always, that a full, true, and particular Account of all Payments made for such Conveyance, signed by the Candidate or his Agents, shall be delivered to the Election Auditor, with the Names and Addresses of the Persons to whom such Payments have been made; and the Amount of such Account shall be included in the general Account of the Expenses incurred at any Election to be made out and kept by such Election Auditor.

Section 34 of 17 & 18 Vict. c. 102. amended as to further Remuneration of Election Auditors.

II. 'And whereas by Section Thirty-four of the said first-mentioned Act the Election Auditor is entitled to receive, by way of Remuneration for his Services, Ten Pounds from each Candidate as and by way of First Fee, and a further Commission at the Rate of Two Pounds *per Centum* from each Candidate upon every Payment made by him for or in respect of any Bill, Charge, or Claim sent in to such Election Auditor as therein provided:' The said further Commission shall be payable only upon any Payment made by the Candidate as aforesaid over and above the Sum of Two hundred Pounds: Provided always, that the Election Auditor shall not be entitled to receive for such First Fee and further Commission more than the Sum of Twenty Pounds in the whole from each Candidate.

Definition of Candidates.

III. So much of Section Thirty-eight of the said first-mentioned Act as defines the Words "Candidate at an Election" shall be repealed; and in the Construction of the said Act as amended by this Act the Words "Candidate at an Election," and the Words "Candidate at any Election," shall include all Persons elected to serve in Parliament at such Election, and all Persons nominated as Candidates at such Election, or who shall have declared themselves Candidates on or after the Day of the issuing of the Writ for such Election, or after the Dissolution or Vacancy in consequence of which such Writ shall have been issued: Provided that nothing herein contained shall be construed to impose any Liability on any Person nominated without his Consent.

Election Auditor not to act as Election Agent.

IV. It shall not be lawful for the Election Auditor of any Borough or County, or his Partner or Agent, to act as Election Agent, or as paid Agent in any Capacity, or Canvasser, for any Candidate for such Borough or County.

Duration of Act.

V. The said first-mentioned Act as amended by this Act shall continue in force until the Tenth Day of *August* One thousand eight hundred and fifty-nine, and thenceforth to the End of the then next Session of Parliament.

C A P. LXXXVIII.

An Act to amend an Act of the Fourteenth and Fifteenth Years of Her present Majesty, to consolidate and amend the Laws relating to Civil Bills and the Courts of Quarter Sessions in *Ireland*, and to transfer to the Assistant Barristers certain Jurisdiction as to Insolvent Debtors. [2d *August* 1858.]

14 & 15 Vict. c. 57.

'WHEREAS by the Provisions of an Act passed in the Session of Parliament holden in the Fourteenth and Fifteenth Years of the Reign of Her present Majesty, Chapter Fifty-seven, it was enacted, that the Lord Lieutenant of *Ireland* might nominate and appoint to the Office of Assistant Barrister for each and every County and Riding in *Ireland* a practising Barrister-at-Law of Ten Years standing at the least, who shall have actually practised Ten Years in Her Majesty's Superior Courts in *Dublin*, and shall not at the Time of his Appointment to such Office have retired from such Practice; and that every Assistant Barrister so appointed should hold his Office during good Behaviour, but that

'it

'it should be lawful for Her Majesty to remove any such Assistant Barrister from his Office upon the 'Address of both Houses of Parliament; and that such Assistant Barristers should severally receive 'the annual Salaries in the Schedule to the said Act mentioned, according to the Classification of the 'County to which he was appointed; and that it should be lawful for Her Majesty to grant to any 'Person who shall have executed the Office of Assistant Barrister, and who shall have resigned the 'same, an Annuity or yearly Sum not exceeding Four hundred Pounds, provided he shall have continued 'in Office Twenty Years, or be afflicted with some permanent Infirmity disabling him from the due 'Execution of his Office: And whereas the said Annuity or Pension is disproportionate to the Salaries 'and Services of the Assistant Barrister of First and Second Class Counties, and by reason thereof no 'adequate Provision can be made for such of the Assistant Barristers as by reason of their advanced 'Age and lengthened Services may have become unable to discharge the Duties of their Office with 'the necessary Diligence and Efficiency, whereby the due Administration of Justice in the County 'Courts in *Ireland* is greatly hindered:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Provision for Retiring Pensions of Assistant Barristers.

I. It shall be lawful for Her Majesty and Her Successors, by any Letters Patent under the Great Seal of *Ireland*, to grant to any Person who shall have executed the Office of Assistant Barrister, within the Meaning of the said recited Act, for any County or Riding of a County in *Ireland*, and who shall have resigned the same, or been removed from the same for Infirmity, in manner herein-after mentioned, an Annuity or yearly Sum not exceeding Two Thirds of the annual Salary or Salaries or Emoluments to which the Person so resigning shall have been entitled immediately before his Resignation, the said Annuity or yearly Sum to be paid out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*: Provided always, that no such Annuity or yearly Sum of Money shall be granted to any Assistant Barrister unless he shall have continued in Office Twenty Years, or be afflicted with some permanent Infirmity disabling him from the due Execution of his Office, the same to be distinctly recited in such Grant.

Power to remove Assistant Barristers on Certificate of Lord Chancellor for Inability.

II. For and notwithstanding anything contained in the said recited Act, if it shall appear to the Lord Chancellor of *Ireland* (for the Time being) that any Assistant Barrister within the Meaning of the said Act shall be incapable of discharging his Duty therein in Person by reason of permament Infirmity, it shall and may be lawful for the said Lord Chancellor to certify the same to the Lord Lieutenant of *Ireland*, whereupon it may be lawful for the said Lord Lieutenant, by Order in Council, on hearing what may be offered by or on behalf of such Assistant Barrister with reference to the Matter of such Certificate, Care being taken that all the Members of the said Council then resident in the County and City of *Dublin* be summoned to attend, by a Notice stating the Case or Cases to be considered, such Notice to be transmitted to each of the said Council as aforesaid at least Seven Days before such Meeting, to remove such Assistant Barrister from his Office; so nevertheless that no such Removal shall take place except in Term Time: Provided, that, save as aforesaid, Assistant Barristers shall hold their Office during good Behaviour, and that, notwithstanding such Power of Removal herein-before vested in the Lord Lieutenant of *Ireland*, any Assistant Barrister may be removed by the Crown on Addresses from both Houses of Parliament, in manner provided by the said recited Act.

Style of Assistant Barrister after passing of this Act.

III. After the passing of this Act every Assistant Barrister of a County in *Ireland* shall be styled Chairman of the Quarter Sessions of the County to which he may be attached as such Assistant Barrister.

CAP. LXXXIX.

An Act to amend an Act of the last Session, for the Regulation of the Care and Treatment of Lunatics; and for the Provision, Maintenance, and Regulation of Lunatic Asylums, in *Scotland*. [2d *August* 1858.]

'WHEREAS by an Act of the Fifty-fifth Year of His Majesty King *George* the Third, intituled *An Act to regulate Madhouses in* Scotland, Sheriffs of Counties are authorized to grant Licences 55 G. 3. c. 69.
'for the Reception and Confinement of Lunatics, and have been in use to license separate Portions or 'Wards of Poorhouses for the Reception of Pauper Lunatics: And whereas by an Act passed in the 'last Session of Parliament, intituled *An Act for the Regulation of the Care and Treatment of Lunatics,* 20 & 21 Vict.
'*and for the Provision, Maintenance, and Regulation of Lunatic Asylums, in* Scotland, District Asylums c. 71.
'are appointed to be erected for the Reception of Lunatics; and it is expedient that Provision should 'be made for the Custody of such Pauper Lunatics till such District Asylums shall be ready for their 'Reception:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

As to Reception, &c. of Pauper Lunatics in Poorhouses.

I. It shall be lawful for the General Board of Commissioners in Lunacy for *Scotland* to grant to the Governors or Keepers of Poorhouses Licences for the Reception of Pauper Lunatics in Wards set apart for that Purpose, or in detached or separate Portions of such Poorhouses, and from Time to Time to renew or withdraw such Licences; and it shall also be lawful for Sheriffs of Counties to grant Orders for

for the Reception and Confinement of such Lunatics in the Wards or Portions of Poorhouses so set apart and licensed, subject always to such Rules, Regulations, and Restrictions as may be framed by the said General Board of Commissioners in Lunacy for the Reception and Treatment of Patients in such Wards or Portions of Poorhouses, consistently with the Provisions of the said last-recited Act in regard to private Asylums.

Term of Act. II. This Act shall continue in force for Five Years, from and after the First Day of *January* One thousand eight hundred and fifty-eight, and no longer.

CAP. XC.

An Act to regulate the Qualifications of Practitioners in Medicine and Surgery.

[2d *August* 1858.]

'WHEREAS it is expedient that Persons requiring Medical Aid should be enabled to distinguish qualified from unqualified Practitioners:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title. I. This Act may for all Purposes be cited as "The Medical Act."

Commencement of Act. II. This Act shall commence and take effect from the First Day of *October* One thousand eight hundred and fifty-eight.

Medical Council. III. A Council which shall be styled "The General Council of Medical Education and Registration of the United Kingdom," herein-after referred to as the General Council, shall be established, and Branch Councils for *England*, *Scotland*, and *Ireland* respectively formed thereout as herein-after mentioned.

Members of Council. IV. The General Council shall consist of One Person chosen from Time to Time by each of the following Bodies; (that is to say,)

The Royal College of Physicians:
The Royal College of Surgeons of *England*:
The Apothecaries Society of *London*:
The University of *Oxford*:
The University of *Cambridge*:
The University of *Durham*:
The University of *London*:
The College of Physicians of *Edinburgh*:
The College of Surgeons of *Edinburgh*:
The Faculty of Physicians and Surgeons of *Glasgow*:

One Person chosen from Time to Time by the University of *Edinburgh* and the Two Universities of *Aberdeen* collectively:

One Person chosen from Time to Time by the University of *Glasgow* and the University of *Saint Andrew's* collectively:

One Person chosen from Time to Time by each of the following Bodies:

The King and Queen's College of Physicians in *Ireland*:
The Royal College of Surgeons in *Ireland*:
The Apothecaries Hall of *Ireland*:
The University of *Dublin*:
The Queen's University in *Ireland*:

And Six Persons to be nominated by Her Majesty with the Advice of Her Privy Council, Four of whom shall be appointed for *England*, One for *Scotland*, and One for *Ireland*; and of a President, to be elected by the General Council.

Provision in case certain Universities fail to appoint a Person to represent them. V. If the said Universities of *Edinburgh* and *Aberdeen*, of *Glasgow* and *Saint Andrew's* respectively, shall not be able to agree upon some One Person to represent them in the Council, it shall be lawful for each One of the said Universities to select One Person; and thereupon it shall be lawful for Her Majesty, with the Advice of Her Privy Council, to appoint One of the Persons so selected to be a Member of the said Council for the said Universities.

Branches of the Council for England, Scotland, and Ireland. VI. The Members chosen by the Medical Corporations and Universities of *England*, *Scotland*, and *Ireland* respectively, and the Members nominated by Her Majesty, with the Advice of Her Privy Council, for such Parts respectively of the United Kingdom, shall be the Branch Councils for such Parts respectively of the United Kingdom, to which Branch Councils shall be delegated such of the Powers and Duties vested in the Council as the Council may see fit other than the Power to make Representations to Her Majesty in Council as herein-after mentioned: The President shall be a Member of all the Branch Councils.

Qualification. VII. Members of the General Council representing the Medical Corporations must be qualified to be registered under this Act.

Duration of Office and supply of. VIII. The Members of the General Council shall be chosen and nominated for a Term not exceeding Five Years, and shall be capable of Re-appointment, and any Member may at any Time resign his Appointment

Appointment by Letter addressed to the President of the said Council, and upon the Death or Resignation of any Member of the said Council, some other Person shall be constituted a Member of the said Council in his Place in manner herein-before provided; but it shall be lawful for the Council during such Vacancy to exercise the Powers herein-after mentioned. Vacancies in General Council.

IX. The General Council shall hold their First Meeting within Three Months from the Commencement of this Act, in such Place and at such Time as One of Her Majesty's Principal Secretaries of State shall appoint, and shall make such Rules and Regulations as to the Times and Places of the Meetings of the General Council, and the Mode of summoning the same, as to them shall seem expedient, which Rules and Regulations shall remain in force until altered at any subsequent Meeting; and in the Absence of any Rule or Regulation as to the summoning a Meeting of the General Council, it shall be lawful for the President to summon a Meeting at such Time and Place as to him shall seem expedient by Letter addressed to each Member; and at every Meeting, in the Absence of the President, some other Member to be chosen from the Members present shall act as President; and all Acts of the General Council shall be decided by the Votes of the Majority of the Members present at any Meeting, the whole Number present not being less than Eight, and at all such Meetings the President for the Time being shall, in addition to his Vote as a Member of the Council, have a Casting Vote, in case of an Equality of Votes; and the General Council shall have Power to appoint an Executive Committee out of their own Body, of which the Quorum shall not be less than Three, and to delegate to such Committee such of the Powers and Duties vested in the Council as the Council may see fit, other than the Power of making Representations to Her Majesty in Council as herein-after mentioned. Time and Place of Meeting of the General Council.

X. The General Council shall appoint a Registrar, who shall act as Secretary of the General Council, and who may also act as Treasurer, unless the Council shall appoint another Person or other Persons as Treasurer or Treasurers; and the Person or Persons so appointed shall likewise act as Registrar for *England*, and as Secretary and Treasurer or Treasurers, as the Case may be, for the Branch Council for *England*; the General Council and Branch Council for *England* shall also appoint so many Clerks and Servants as shall be necessary for the Purposes of this Act; and every Person so appointed by any Council shall be removable at the Pleasure of that Council, and shall be paid such Salary as the Council by which he was appointed shall think fit. Appointment of Registrars and other Officers.

XI. The Branch Councils for *Scotland* and *Ireland* shall each respectively in like Manner appoint a Registrar and other Officers and Clerks, who shall be paid such Salaries as such Branch Councils respectively shall think fit, and be removable at the Pleasure of the Council by which they were appointed; and the Person appointed Registrar shall also act as Secretary to the Branch Council, and may also act as Treasurer, unless the Council shall appoint some other Person or Persons as Treasurer or Treasurers. Appointment of Registrars and other Officers by Branch Councils.

XII. There shall be paid to the Members of the Councils such Fees for Attendance and such reasonable Travelling Expenses as shall from Time to Time be allowed by the General Council and approved by the Commissioners of Her Majesty's Treasury. Fees for Attendance at Councils.

XIII. All Monies payable to the respective Councils shall be paid to the Treasurers of such Councils respectively, and shall be applied to defray the Expenses of carrying this Act into execution in manner following; that is to say, separate Accounts shall be kept of the Expenses of the General Council, and of those of the Branch Councils; and the Expenses of the General Council, including those of keeping, printing, and publishing the Register for the United Kingdom, shall be defrayed, under the Direction of the General Council, by means of an equal Per-centage Rate upon all Monies received by the several Branch Councils; Returns shall be made by the Treasurers of the respective Branch Councils, at such Times as the General Council shall direct, of all Monies received by them; and the necessary Per-centage having been computed by the General Council, the respective Contributions shall be paid by the Treasurers of such Branch Councils to the Treasurer or Treasurers of the General Council; and the Expenses of the Branch Councils shall be defrayed, under the Direction of those Councils respectively, out of the Residue of the Monies so received as aforesaid. Expenses of the Councils.

XIV. It shall be the Duty of the Registrars to keep their respective Registers correct in accordance with the Provisions of this Act, and the Orders and Regulations of the General Council, and to erase the Names of all registered Persons who shall have died, and shall from Time to Time make the necessary Alterations in the Addresses or Qualifications of the Persons registered under this Act; and to enable the respective Registrars duly to fulfil the Duties imposed upon them it shall be lawful for the Registrar to write a Letter to any registered Person, addressed to him according to his Address on the Register, to inquire whether he has ceased to practise, or has changed his Residence, and if no Answer shall be returned to such Letter within the Period of Six Months from the sending of the Letter it shall be lawful to erase the Name of such Person from the Register; provided always, that the same may be restored by Direction of the General Council should they think fit to make an Order to that Effect. Duty of Registrar to keep the Register correct.

XV. Every Person now possessed, and (subject to the Provisions herein-after contained) every Person hereafter becoming possessed, of any One or more of the Qualifications described in the Schedule (A.) to this Act, shall, on Payment of a Fee, not exceeding Two Pounds, in respect of Qualifications obtained before Registration of Persons now qualified, and of Persons

hereafter becoming qualified.

before the First Day of *January* One thousand eight hundred and fifty-nine, and not exceeding Five Pounds in respect of Qualifications obtained on or after that Day, be entitled to be registered on producing to the Registrar of the Branch Council for *England*, *Scotland*, or *Ireland* the Document conferring or evidencing the Qualification or each of the Qualifications in respect whereof he seeks to be so registered, or upon transmitting by Post to such Registrar Information of his Name and Address, and Evidence of the Qualification or Qualifications in respect whereof he seeks to be registered, and of the Time or Times at which the same was or were respectively obtained: Provided always, that it shall be lawful for the several Colleges and other Bodies mentioned in the said Schedule (A.) to transmit from Time to Time to the said Registrar Lists certified under their respective Seals of the several Persons who, in respect of Qualifications granted by such Colleges and Bodies respectively, are for the Time being entitled to be registered under this Act, stating the respective Qualifications and Places of Residence of such Persons; and it shall be lawful for the Registrar thereupon, and upon Payment of such Fee as aforesaid in respect of each Person to be registered, to enter in the Register the Persons mentioned in such Lists, with their Qualifications and Places of Residence as therein dated, without other Application in relation thereto.

Council to make Orders for regulating Registers.

XVI. The General Council shall, with all convenient Speed after the passing of this Act, and from Time to Time as Occasion may require, make Orders for regulating the Registers to be kept under this Act as nearly as conveniently may be in accordance with the Form set forth in Schedule (D.) to this Act, or to the like Effect.

Persons practising in England before 1st August 1815 entitled to be registered.

XVII. Any Person who was actually practising Medicine in *England* before the First Day of *August* One thousand eight hundred and fifteen shall, on Payment of a Fee to be fixed by the General Council, be entitled to be registered on producing to the Registrar of the Branch Council for *England*, *Scotland*, or *Ireland* a Declaration according to the Form in the Schedule (B.) to this Act signed by him, or upon transmitting to such Registrar Information of his Name and Address, and enclosing such Declaration as aforesaid.

Council may require Information as to Course of Study, &c., required for obtaining Qualifications.

XVIII. The several Colleges and Bodies in the United Kingdom mentioned in Schedule (A.) to this Act shall from Time to Time, when required by the General Council, furnish such Council with such Information as they may require as to the Courses of Study and Examinations to be gone through in order to obtain the respective Qualifications mentioned in Schedule (A.) to this Act, and the Ages at which such Courses of Study and Examination are required to be gone through, and such Qualifications are conferred, and generally as to the Requisites for obtaining such Qualifications; and any Member or Members of the General Council, or any Person or Persons deputed for this Purpose by such Council, or by any Branch Council, may attend and be present at any such Examinations.

Colleges may unite in conducting Examinations.

XIX. Any Two or more of the Colleges and Bodies in the United Kingdom mentioned in Schedule (A.) to this Act may, with the Sanction and under the Directions of the General Council, unite or co-operate in conducting the Examinations required for Qualifications to be registered under this Act.

Defects may be represented by General Council to Privy Council.

XX. In case it appear to the General Council that the Course of Study and Examinations to be gone through in order to obtain any such Qualification from any such College or Body are not such as to secure the Possession by Persons obtaining such Qualification of the requisite Knowledge and Skill for the efficient Practice of their Profession, it shall be lawful for such General Council to represent the same to Her Majesty's most Honourable Privy Council.

Privy Council may suspend the Right of Registration in respect of Qualifications granted by College, &c. in default, &c.

XXI. It shall be lawful for the Privy Council, upon any such Representation as aforesaid, if it see fit, to order that any Qualification granted by such College or Body, after such Time as may be mentioned in the Order, shall not confer any Right to be registered under this Act: Provided always, that it shall be lawful for Her Majesty, with the Advice of Her Privy Council, when it is made to appear to Her, upon further Representation from the General Council or otherwise, that such College or Body has made effectual Provision, to the Satisfaction of such General Council, for the Improvement of such Course of Study or Examinations, or the Mode of conducting such Examinations, to revoke any such Order.

Persons not to be registered in respect of Qualifications granted before Revocation.

XXII. After the Time mentioned in this Behalf in any such Order in Council no Person shall be entitled to be registered under this Act in respect of any such Qualification as in such Order mentioned, granted by the College or Body to which such Order relates, after the Time therein mentioned, and the Revocation of any such Order shall not entitle any Person to be registered in respect of any Qualification granted before such Revocation.

Attempts to impose Restrictions as to any particular Theory of Medicine or Surgery prohibited.

XXIII. In case it shall appear to the General Council that an Attempt has been made by any Body, entitled under this Act to grant Qualifications, to impose upon any Candidate offering himself for Examination an Obligation to adopt or refrain from adopting the Practice of any particular Theory of Medicine or Surgery, as a Test or Condition of admitting him to Examination or of granting a Certificate, it shall be lawful for the said Council to represent the same to Her Majesty's most Honourable Privy Council, and the said Privy Council may thereupon issue an Injunction to such Body so acting, directing them to desist from such Practice; and in the event of their not complying therewith, then to order that such Body shall cease to have the Power of conferring any Right to be registered under this Act so long as they shall continue such Practice.

XXIV. All

Medical Practitioners.

As to the making and Authentication of Orders, &c.

XXIV. All Powers vested in the Privy Council by this Act may be exercised by any Three or more of the Lords and others of the Privy Council, the Vice-President of the Committee of the said Privy Council on Education being One of them; and all Orders and Acts of the Privy Council under this Act shall be sufficiently made and signified by a written or printed Document, signed by One of the Clerks of the Privy Council, or such Officer as may be appointed by the Privy Council in this Behalf; and all Orders and Acts made or signified by any written or printed Document purporting to be so signed shall be deemed to have been duly made, issued, and done by the Privy Council; and every such Document shall be received in Evidence in all Courts, and before all Justices and others, without Proof of the Authority or Signature of such Clerk or other Officer or other Proof whatsoever, until it be shown that such Document was not duly signed by the Authority of the Privy Council.

As to Registration by Branch Registrars.

XXV. Where any Person entitled to be registered under this Act applies to the Registrar of any of the said Branch Councils for that Purpose, such Registrar shall forthwith enter in a Local Register in the Form set forth in Schedule (D.) to this Act, or to the like Effect, to be kept by him for that Purpose, the Name and Place of Residence, and the Qualification or several Qualifications in respect of which the Person is so entitled, and the Date of the Registration, and shall, in the Case of the Registrar of the Branch Council for *Scotland* or *Ireland*, with all convenient Speed send to the Registrar of the General Council a Copy, certified under the Hand of the Registrar, of the Entry so made, and the Registrar of the General Council shall forthwith cause the same to be entered in the General Register; and such Registrar shall also forthwith cause all Entries made in the Local Register for *England* to be entered in the General Register; and the Entry on the General Register shall bear Date from the Local Register.

Evidence of Qualification to be given before Registration.

XXVI. No Qualification shall be entered on the Register, either on the First Registration or by way of Addition to a registered Name, unless the Registrar be satisfied by the proper Evidence that the Person claiming is entitled to it; and any Appeal from the Decision of the Registrar may be decided by the General Council, or by the Council for *England*, *Scotland*, or *Ireland* (as the Case may be); and any Entry which shall be proved to the Satisfaction of such General Council or Branch Council to have been fraudulently or incorrectly made may be erased from the Register by Order in Writing of such General Council or Branch Council.

Register to be published.

XXVII. The Registrar of the General Council shall in every Year cause to be printed, published, and sold, under the Direction of such Council, a correct Register of the Names in alphabetical Order according to the Surnames, with the respective Residences, in the Form set forth in Schedule (D.) to this Act, or to the like Effect, and Medical Titles, Diplomas, and Qualifications conferred by any Corporation or University, or by Doctorate of the Archbishop of *Canterbury*, with the Dates thereof, of all Persons appearing on the General Register as existing on the First Day of *January* in every Year; and such Register shall be called "The Medical Register;" and a Copy of the Medical Register for the Time being, purporting to be so printed and published as aforesaid, shall be Evidence in all Courts and before all Justices of the Peace and others that the Persons therein specified are registered according to the Provisions of this Act; and the Absence of the Name of any Person from such Copy shall be Evidence, until the contrary be made to appear, that such Person is not registered according to the Provisions of this Act: Provided always, that in the Case of any Person whose Name does not appear in such Copy, a certified Copy, under the Hand of the Registrar of the General Council or of any Branch Council, of the Entry of the Name of such Person on the General or Local Register shall be Evidence that such Person is registered under the Provisions of this Act.

Names of Members struck off from List of College, &c. to be signified to General Council.

XXVIII. If any of the said Colleges or the said Bodies at any Time exercise any Power they possess by Law of striking off from the List of such College or Body the Name of any One of their Members, such College or Body shall signify to the General Council the Name of the Member so struck off; and the General Council may, if they see fit, direct the Registrar to erase forthwith from the Register the Qualification derived from such College or Body in respect of which such Member was registered, and the Registrar shall note the same therein: Provided always, that the Name of no Person shall be erased from the Register on the Ground of his having adopted any Theory of Medicine or Surgery.

Offences for which Names may be struck off the Register.

XXIX. If any registered Medical Practitioner shall be convicted in *England* or *Ireland* of any Felony or Misdemeanor, or in *Scotland* of any Crime or Offence, or shall after due Inquiry be judged by the General Council to have been guilty of infamous Conduct in any professional Respect, the General Council may, if they see fit, direct the Registrar to erase the Name of such Medical Practitioner from the Register.

Registered Persons may have subsequent Qualifications inserted in the Register.

XXX. Every Person registered under this Act who may have obtained any higher Degree or any Qualification other than the Qualification in respect of which he may have been registered, shall be entitled to have such higher Degree or additional Qualification inserted in the Register in substitution for or in addition to the Qualification previously registered, on Payment of such Fee as the Council may appoint.

Privileges of registered Persons.

XXXI. Every Person registered under this Act shall be entitled according to his Qualification or Qualifications to practise Medicine or Surgery, or Medicine and Surgery, as the Case may be, in any Part of Her Majesty's Dominions, and to demand and recover in any Court of Law, with full Costs of

of Suit, reasonable Charges for professional Aid, Advice, and Visits, and the Cost of any Medicines or other Medical or Surgical Appliances rendered or supplied by him to his Patients: Provided always, that it shall be lawful for any College of Physicians to pass a Byelaw to the effect that no one of their Fellows or Members shall be entitled to sue in manner aforesaid in any Court of Law, and thereupon such Byelaw may be pleaded in bar to any Action for the Purposes aforesaid commenced by any Fellow or Member of such College.

None but registered Persons to recover Charges.

XXXII. After the First Day of *January* One thousand eight hundred and fifty-nine, no Person shall be entitled to recover any Charge in any Court of Law for any Medical or Surgical Advice, Attendance, or for the Performance of any Operation, or for any Medicine which he shall have both prescribed and supplied, unless he shall prove upon the Trial that he is registered under this Act.

When Poor Law Medical Officers may register.

XXXIII. Provided also, that no Person who on the First of *October* One thousand eight hundred and fifty-eight shall be acting as Medical Officer under an Order of the Poor Law Commissioners or Poor Law Board shall be disqualified to hold such Office by reason of his not being registered as herein required, unless he shall have failed to be registered within Six Months from the passing of this Act.

"Legally qualified Medical Practitioner," &c.

XXXIV. After the First Day of *January* One thousand eight hundred and fifty-nine, the Word "legally qualified Medical Practitioner" or "duly qualified Medical Practitioner," or any Words importing a Person recognized by Law as a Medical Practitioner or Member of the Medical Profession, when used in any Act of Parliament, shall be construed to mean a Person registered under this Act.

Registered Persons exempted from serving on Juries, &c.

XXXV. Every Person who shall be registered under the Provisions of this Act shall be exempt, if he shall so desire, from serving on all Juries and Inquests whatsoever, and from serving all corporate, parochial, Ward, Hundred, and Township Offices, and from serving in the Militia, and the Name of such Person shall not be returned in any List of Persons liable to serve in the Militia, or in any such Office as aforesaid.

Unregistered Persons not to hold certain Appointments.

XXXVI. After the First Day of *January* One thousand eight hundred and fifty-nine, no Person shall hold any Appointment as a Physician, Surgeon, or other Medical Officer either in the Military or Naval Service, or in Emigrant or other Vessels, or in any Hospital, Infirmary, Dispensary, or Lying-in Hospital, not supported wholly by voluntary Contributions, or in any Lunatic Asylum, Gaol, Penitentiary, House of Correction, House of Industry, Parochial or Union Workhouse or Poorhouse, Parish Union, or other Public Establishment, Body, or Institution, or to any Friendly or other Society for affording mutual Relief in Sickness, Infirmity, or old Age, or as a Medical Officer of Health, unless he be registered under this Act: Provided always, that nothing in this Act contained shall extend to repeal or alter any of the Provisions of the Passengers Act, 1855.

No Certificate valid if Person signing not registered.

XXXVII. After the First Day of *January* One thousand eight hundred and fifty-nine, no Certificate required by any Act now in force, or that may hereafter be passed from any Physician, Surgeon, Licentiate in Medicine and Surgery, or other Medical Practitioner, shall be valid unless the Person signing the same be registered under this Act.

Penalty on wilful Falsification of Register.

XXXVIII. Any Registrar who shall wilfully make or cause to be made any Falsification in any Matters relating to the Register shall be deemed guilty of a Misdemeanor in *England* or *Ireland*, and in *Scotland* of a Crime or Offence punishable by Fine or Imprisonment, and shall, on Conviction thereof, be imprisoned for any Term not exceeding Twelve Months.

Penalty for obtaining Registration by false Representations.

XXXIX. If any Person shall wilfully procure or attempt to procure himself to be registered under this Act, by making or producing or causing to be made or produced any false or fraudulent Representation or Declaration, either verbally or in Writing, every such Person so offending, and every Person aiding and assisting him therein, shall be deemed guilty of a Misdemeanor in *England* and *Ireland*, and in *Scotland* of a Crime or Offence punishable by Fine or Imprisonment, and shall, on Conviction thereof, be sentenced to be imprisoned for any Term not exceeding Twelve Months.

Penalty for falsely pretending to be a registered Person.

XL. Any Person who shall wilfully and falsely pretend to be or take or use the Name or Title of a Physician, Doctor of Medicine, Licentiate in Medicine and Surgery, Bachelor of Medicine, Surgeon, General Practitioner or Apothecary, or any Name, Title, Addition, or Description implying that he is registered under this Act, or that he is recognized by Law as a Physician, or Surgeon, or Licentiate in Medicine and Surgery, or a Practitioner in Medicine, or an Apothecary, shall, upon a summary Conviction for any such Offence, pay a Sum not exceeding Twenty Pounds.

Recovery of Penalties.

XLI. Any Penalty to which under this Act any Person is liable on summary Conviction of any Offence may be recovered as follows; (that is to say,) in *England*, in manner directed by the Act of the Session holden in the Eleventh and Twelfth Years of Her Majesty, Chapter Forty-three, and in *Ireland* in manner directed by "The Petty Sessions (*Ireland*) Act, 1851," or any other Act for the Time being in force in *England* and *Ireland* respectively for the like Purposes; and any such Penalty may in *Scotland* be recovered by the Procurator Fiscal of the County, or by any other Person before the Sheriff or Two Justices, who may proceed in a summary Way and grant Warrant for bringing the Party complained against before him or them, or issue an Order requiring such Party to appear on a Day and at a Time and Place to be named in such Order, and every such Order shall be served on the Party by delivering to him in Person or by leaving at his usual Place of Abode a Copy of such Order

and

and of the Complaint whereupon the same has proceeded, and upon the Appearance or Default to appear of the Party, it shall be lawful for the Sheriff or Justices to proceed to the hearing of the Complaint, and upon Proof on Oath or Confession of the Offence, the Sheriff or Justices shall without any written Pleadings or Record of Evidence commit the Offender and decern him to pay the Penalty named as well as such Expenses as the Sheriff or Justices shall think fit, and failing Payment shall grant Warrant for Recovery thereof by Poinding and Imprisonment, such Imprisonment to be for such Period as the Discretion of the Sheriff or Justices may direct, not exceeding Three Calendar Months, and to cease on Payment of the Penalty and Expenses.

Application of Penalties.

XLII. Any Sum or Sums of Money arising from Conviction and Recovery of Penalties as aforesaid shall be paid to the Treasurer of the General Council.

Application of Monies.

XLIII. All Monies received by any Treasurer arising from Fees to be paid on Registration, from the Sale of Registers, from Penalties, or otherwise, shall be applied for Expenses of Registration and of the Execution of this Act.

Accounts to be published.

XLIV. The Treasurers of the General and Branch Councils shall enter in Books to be kept for that Purpose a true Account of all Sums of Money by them received and paid, and such Accounts shall be submitted by them to the respective General Council and Branch Councils at such Times as the Councils shall require; and the said Accounts shall be published annually, and such Accounts shall be laid before both Houses in the Month of *March* in every Year, if Parliament be sitting, or, if Parliament be not sitting, then within One Month after the next Meeting of Parliament.

Notice of Death of Medical Practitioners to be given by Registrars.

XLV. Every Registrar of Deaths in the United Kingdom on receiving Notice of the Death of any Medical Practitioner shall forthwith transmit by Post to the Registrar of the General Council and to the Registrar of the Branch Council a Certificate under his own Hand of such Death, with the Particulars of Time and Place of Death, and may charge the Cost of such Certificate and Transmission as an Expense of his Office, and on the Receipt of such Certificate the Medical Registrar shall erase the Name of such deceased Medical Practitioner from the Register.

Provision for Persons practising in the Colonies and elsewhere, and for Students.

XLVI. It shall be lawful for the General Council by Special Orders to dispense with such Provisions of this Act or with such Part of any Regulations made by its Authority as to them shall seem fit, in favour of Persons now practising Medicine or Surgery in any Part of Her Majesty's Dominions other than *Great Britain* and *Ireland* by virtue of any of the Qualifications described in Schedule (A.); and also in favour of Persons practising Medicine or Surgery within the United Kingdom on foreign or colonial Diplomas or Degrees before the passing of this Act; and also in favour of any Persons who have held Appointments as Surgeons or Assistant Surgeons in the Army, Navy, or Militia, or in the Service of the *East India* Company, or are acting as Surgeons in the public Service, or in the Service of any Charitable Institutions, and also, so far as to the Council shall seem expedient, in favour of Medical Students who shall have commenced their professional Studies before the passing of this Act.

New Charter may be granted to the College of Physicians of London.

XLVII. It shall be lawful for Her Majesty to grant to the Corporation of the Royal College of Physicians of *London* a new Charter, and thereby to give to such Corporation the Name of "The Royal College of Physicians of *England*," and to make such Alterations in the Constitution of the same Corporation as to Her Majesty may seem expedient; and it shall be lawful for the said Corporation to accept such Charter under their Common Seal, and such Acceptance shall operate as a Surrender of all Charters heretofore granted to the said Corporation, except the Charter granted by King *Henry* the Eighth, and shall also operate as a Surrender of such Charter and of any Rights, Powers, or Privileges conferred by or enjoyed under an Act of the Session holden in the Fourteenth and Fifteenth Years of King *Henry* the Eighth, Chapter Five, confirming the same, as far as such Charter and Act respectively may be inconsistent with such new Charter: Provided nevertheless, that within Twelve Months after the granting of such Charter to the College of Physicians of *London*, any Fellow, Member, or Licentiate of the Royal College of Physicians of *Edinburgh*, or of the Queen's College of Physicians of *Ireland*, who may be in practice as a Physician in any Part of the United Kingdom called *England*, and who may be desirous of becoming a Member of such College of Physicians of *England*, shall be at liberty to do so and be entitled to receive the Diploma of the said College, and to be admitted to all the Rights and Privileges thereunto appertaining, on the Payment of a Registration Fee of Two Pounds to the said College.

Examinations, &c. for Dentists.

XLVIII. It shall, notwithstanding anything herein contained, be lawful for Her Majesty, by Charter, to grant to the Royal College of Surgeons of *England* Power to institute and hold Examinations for the Purpose of testing the Fitness of Persons to practise as Dentists who may be desirous of being so examined, and to grant Certificates of such Fitness.

New Charter may be granted to College of Physicians of Edinburgh.

XLIX. It shall be lawful for Her Majesty to grant to the Corporation of the Royal College of Physicians of *Edinburgh* a new Charter, and thereby to give to the said College of Physicians the Name of "The Royal College of Physicians of *Scotland*," and it shall be lawful for the said Royal College of Physicians, under their Common Seal, to accept such new Charter, and such Acceptance shall operate as a Surrender of all Charters heretofore granted to the said Corporation.

The Faculty at Glasgow may be amalgamated.

L. If at any future Period the Royal College of Surgeons of *Edinburgh* and Faculty of Physicians and Surgeons of *Glasgow* agree to amalgamate, so as to form One united Corporation, under the Name of "The Royal College of Surgeons of *Scotland*," it shall be lawful for Her Majesty to grant, and for such College and Faculty under their respective Common Seals to accept, such new Charter or Charters as may be necessary for effecting such Union, and such Acceptance shall operate as a Surrender of all Charters heretofore granted to such College and Faculty; and in the event of such Union it shall be competent for the said College and Faculty to make such Arrangements as to the Time and Place of their Examinations as they may agree upon, these Arrangements being in conformity with the Provisions of this Act, and subject to the Approval of the General Council.

New Charter may be granted to the King and Queen's College of Physicians in Ireland.

LI. It shall be lawful for Her Majesty to grant to the Corporation of the King and Queen's College of Physicians in *Ireland* a new Charter, and thereby to give to such Corporation the Name of "The Royal College of Physicians of *Ireland*," and to make such Alterations in the Constitution of the said Corporation as to Her Majesty may seem expedient; and it shall be lawful for the said Corporation to accept such Charter under their Common Seal, and such Acceptance shall operate as a Surrender of the Charter granted by King *William* and Queen *Mary*, so far as it may be inconsistent with such new Charter.

Charters not to contain new Restrictions in the Practice of Medicine or Surgery.

LII. Provided always, That nothing herein contained shall extend to authorize Her Majesty to create any new Restriction in the Practice of Medicine or Surgery, or to grant to any of the said Corporations any Powers or Privileges contrary to the Common Law of the Land or to the Provisions of this Act, and that no such new Charter shall in anywise prejudice, affect, or annul any of the existing Statutes or Byelaws of the Corporations to which the same shall be granted, further than shall be necessary for giving full effect to the Alterations which shall be intended to be effected by such new Charters and by this Act in the Constitution of such Corporation.

Provisions of 17 & 18 Vict. c. 114. as to University of London to continue in force.

LIII. The Enactments and Provisions of the University of *London* Medical Graduates Act, 1854, shall be deemed and construed to have applied and shall apply to the University of *London* for the Time being, notwithstanding the Surrender or Determination of the therein-recited Charter, and the granting or Acceptance of the now existing Charter of the University of *London*, or the future Determination of the present or any future Charter of the said University, and the granting of any new Charter to the said University; and that every Bachelor of Medicine and Doctor of Medicine of the University of *London* for the Time being shall be deemed to have been and to be entitled and shall be entitled to the Privileges conferred by the said Act, in the same Manner and to the same Extent as if the Charter recited in the said Act remained in force, subject nevertheless to the Provisions of this Act.

British Pharmacopœia to be published.

LIV. The General Council shall cause to be published under their Direction a Book containing a List of Medicines and Compounds, and the Manner of preparing them, together with the true Weights and Measures by which they are to be prepared and mixed, and containing such other Matter and Things relating thereto as the General Council shall think fit, to be called "British Pharmacopœia;" and the General Council shall cause to be altered, amended, and republished such Pharmacopœia as often as they shall deem it necessary.

Chemists, &c. not to be affected.

LV. Nothing in this Act contained shall extend or be construed to extend to prejudice or in any way to affect the lawful Occupation, Trade, or Business of Chemists and Druggists and Dentists, or the Rights, Privileges, or Employment of duly licensed Apothecaries in *Ireland*, so far as the same extend to selling, compounding, or dispensing Medicines.

SCHEDULE (A.)

1. Fellow, Licentiate, or extra Licentiate of the Royal College of Physicians of London.
2. Fellow or Licentiate of the Royal College of Physicians of Edinburgh.
3. Fellow or Licentiate of the King's and Queen's College of Physicians of Ireland.
4. Fellow or Member or Licentiate in Midwifery of the Royal College of Surgeons of England.
5. Fellow or Licentiate of the Royal College of Surgeons of Edinburgh.
6. Fellow or Licentiate of the Faculty of Physicians and Surgeons of Glasgow.
7. Fellow or Licentiate of the Royal College of Surgeons in Ireland.
8. Licentiate of the Society of Apothecaries, London.
9. Licentiate of the Apothecaries Hall, Dublin.
10. Doctor, or Bachelor, or Licentiate of Medicine, or Master in Surgery of any University of the United Kingdom; or Doctor of Medicine by Doctorate granted prior to passing of this Act by the Archbishop of Canterbury.
11. Doctor of Medicine of any Foreign or Colonial University or College, practising as a Physician in the United Kingdom before the First Day of October 1858, who shall produce Certificates to the Satisfaction of the Council of his having taken his Degree of Doctor of Medicine after regular Examination, or who shall satisfy the Council, under Section Forty-five of this Act, that there is sufficient Reason for admitting him to be registered.

SCHE-

SCHEDULE (B.)

DECLARATION required of a Person who claims to be registered as a Medical Practitioner, upon the Ground that he was in practice as a Medical Practitioner in England or Wales before the First Day of August 1815:

To the Registrar of the Medical Council.

I, residing at in the County of hereby declare that I was practising as a Medical Practitioner at in the County of before the First Day of August 1815.

(Signed) [*Name.*]

Dated this Day of 185 .

SCHEDULE (D.)

Name.	Residence.	Qualification.	Title.
A.B.	London	Fellow of the Royal College of Physicians of	
C.D.	Edinburgh	Fellow and Member of the Royal College of Surgeons of	
E.F.	Dublin	Graduate in Medicine of University of	
G.H.	Bristol	Licentiate of the Society of Apothecaries.	
I.K.	London	Member of College of Surgeons and Licentiate of the Society of Apothecaries.	

CAP. XCI.

An Act to enable Joint Stock Banking Companies to be formed on the Principle of Limited Liability. [2d *August* 1858.]

'WHEREAS it is expedient to enable Banking Companies to be formed on the Principle of 'Limited Liability:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Act prohibiting Banking Companies from being registered with limited Liability repealed. Issuing Notes.

I. So much of the Joint Stock Banking Companies Act, 1857, as prohibits a Banking Company from being formed under that Act with limited Liability, or prohibits an existing Banking Company from being registered under that Act with limited Liability, shall be repealed, subject to the following Proviso, that no Banking Company claiming to issue Notes in the United Kingdom shall be entitled to limited Liability in respect of such Issue, but shall continue subject to unlimited Liability in respect thereof, and that, if necessary, the Assets shall be marshalled for the Benefit of the general Creditors, and the Shareholders shall be liable for the whole Amount of the Issue, in addition to the Sum for which they would be liable as Shareholders of a Limited Company.

Re-registration of Banking Companies.

II. The Registration of a Banking Company under the Joint Stock Banking Companies Act, 1857, or under any other Act, shall not prejudice the Right of such Company to register itself again as a Limited Company under the said Joint Stock Banking Companies Act, 1857, and the Acts incorporated therewith.

On Re-registration with limited Liability Notice to be given to Customers.

III. Provided, That every Company so registering itself again as a Limited Company, and every existing Banking Company which shall register itself as a Limited Banking Company, shall, at least Thirty Days previous to obtaining a Certificate of Registration with limited Liability, give Notice that it is intended so to register the same to every Person and Partnership Firm who shall have a Banking Account with the Company, and such Notice shall be given either by delivering the same to such Person or Firm, or leaving the same or putting the same into the Post addressed to him or them at such Address as shall have been last communicated or otherwise become known as his or their Address to or by the Company; and in case the Company shall omit to give any such Notice as is herein-before required to be given, then as between the Company and the Person or Persons only who are for the Time being interested in the Account in respect of which such Notice ought to have been given, and so far as respects such Account and all Variations thereof down to the Time at which such Notice shall be given, but not further or otherwise, the Certificate of Registration with limited Liability shall have no operation.

In default of Notice unlimited Liability to continue as to such Customers.

Banking Company to make and renew every Half Year a Statement according to Schedule.

IV. Every Limited Joint Stock Banking Company shall, before it commences Business, or, if a Banking Company at the Time carrying on Business with unlimited Liability, before it avails itself of the Provisions of this Act, and also on the First Day of *February* and First Day of *August* in every Year during which it carries on Business, make a Statement in the Form contained in the Schedule hereto, or as near thereto as Circumstances will admit, and a Copy of such Statement shall be put up in a conspicuous Place in the registered Office of the Company, and in every Branch Office or Place where the Banking Business of the Company is carried on; and if Default is made in due Compliance with the Provisions of this Section, each Director shall be liable to a Penalty not exceeding Five Pounds for every Day during which such Default continues, and such Penalties shall be recovered in a summary Manner.

How Limited Banking Companies are to be wound up.

V. Limited Joint Stock Banking Companies shall be wound up in the same Manner and under the same Jurisdiction as that in and under which Joint Stock Banking Companies other than Limited are required to be wound up by the Joint Stock Banking Companies Act, 1857.

SCHEDULE referred to in the foregoing Act.

Form of Statement to be published by a Limited Joint Stock Banking Company.

The Liability of the Shareholders is limited.

The Capital of the Company is One million divided into Ten thousand Shares of One hundred Pounds each.

The Number of Shares issued is Ten thousand.

Calls to the Amount of Twenty Pounds per Share have been made, under which the Sum of One hundred and eighty thousand Pounds has been received.

The Liabilities of the Company on the First Day of January (*or* July) were,	£	*s.*	*d.*
Notes issued			
Deposits not bearing Interest			
Deposits bearing Interest			
Seven Day and other Bills			
Total			

The Assets of the Company on that Day were,			
Government Securities			
Bills of Exchange			
Loans on Mortgage			
Other Loans			
Bank Premises			
Other Securities, exclusive of unpaid Calls on Shares			
Total			

Dated the First Day of February (*or* August) One thousand eight hundred and fifty-nine.

CAP. XCII.

An Act to provide for the Conveyance of County Property to the Clerk of the Peace of the County. [2d *August* 1858.]

'WHEREAS by divers Acts of Parliament Her Majesty's Justices of the Peace for the several Counties in *England* and *Wales*, in General or Quarter Sessions assembled, are authorized and empowered to purchase and hire Lands, Tenements, and Hereditaments for certain Public Works and Purposes within such Counties, and they are also authorized and empowered to make and enter into Contracts in relation to such Public Works and Purposes, and for other Purposes within their Jurisdiction as Justices of the Peace; but no Provision is made for the Manner in which such Purchases, Hirings, and Contracts are to be carried into effect:' For Remedy whereof be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Justices of the Peace may order Conveyances or Grants of Land, &c. to be made in the Name of Clerk of the Peace and his Successors.

I. In all Cases where by any Act or Acts of Parliament Justices of the Peace of any County or Division of a County now are or may be hereafter authorized to purchase or to take on Hire, for any of the public Uses or Purposes of such County, any Lands, Tenements, and Hereditaments, it shall be lawful for such Justices of the Peace, if they shall think fit, to order and direct that the Conveyance or Grant thereof shall and may be made and taken to and in the Name of the Clerk of the Peace for the Time being of such County, and his Successors, upon trust for such public Uses and Purposes; and such Conveyance or Grant, when so made, shall be valid and effectual in the Law, and shall vest such Lands, Tenements, and Hereditaments in such Clerk of the Peace and his Successors, upon trust

for the Purposes for which the same were purchased and granted and conveyed, and be by him and them held for the public Uses and Purposes aforesaid, or otherwise be by him and them sold, conveyed, and disposed of in such Manner as the Justices of the Peace for the Time being of such County or Division of County in General or Quarter Sessions assembled may from Time to Time order and direct.

Contracts and Agreements may be entered into in the Name of the Clerk of the Peace.

II. Except where otherwise specially provided for by any Act or Acts of Parliament, all Contracts and Agreements to be made and entered into by the Justices of the Peace of any County or Division of County for any of the public Uses or Purposes of such County shall and may, by the Order of such Justices, if they shall think fit, be made and entered into on their Behalf by and in the Name of the Clerk of the Peace for the Time being of such County or Division of County; and all such Contracts and Agreements shall and may be enforced and sued upon by or against the Clerk of the Peace for the Time being of such County or Division of County; and no Action, Suit, or Proceeding shall abate or be discontinued by the Death, Resignation, or Removal of such Clerk of the Peace, but the Clerk of the Peace for the Time being shall always be deemed the Plaintiff or Defendant as the Case may be; and all Costs, Charges, Damages, and Expenses which such Clerk of the Peace may incur or pay or be liable to pay by reason of such Action, Suit, or Proceeding shall be reimbursed to him or paid, by Order of the said Justices of the Peace, by the Treasurer of the County or Division of the County out of the County Rates raised or to be raised within such County or Division of County.

Lands, &c. to be vested in the Clerk of the Peace and his Successors.

III. Except where otherwise specially provided by any Act or Acts of Parliament, on the Resolution of the General or General Quarter Sessions to that Effect, all Lands, Tenements, and Hereditaments which shall have been heretofore purchased or hired by the Justices of the Peace of any County or Division of a County under the Authority of any Act or Acts of Parliament, for any of the public Uses and Purposes of such County or Division of County, and granted or conveyed to any Person or Persons in trust for or on behalf of the said Justices, and which now remain applicable to such Uses and Purposes, shall, from and immediately after the passing of this Act, notwithstanding such Grant or Conveyance, become and be absolutely vested in the Clerk of the Peace for such County or Division of County and his Successors upon the Trusts and for the Uses and Purposes in the Grant or Conveyance thereof respectively declared, and the same Lands, Tenements, and Hereditaments shall be at all Times hereafter held, used, and managed, or, when so ordered by the said Justices, sold, conveyed, and disposed of, by the Clerk of the Peace for the Time being of such County or Division of County, according to the Orders and Directions of the said Justices of the Peace from Time to Time in General or Quarter Sessions assembled; and every Sale and Conveyance so made and executed by the Clerk of the Peace for the Time being shall be valid in the Law, and effectually vest the Lands and Hereditaments thereby conveyed in the Purchaser or Purchasers thereof.

Grants and Conveyances to be valid though not enrolled.

IV. All Grants and Conveyances of any Lands, Tenements, and Hereditaments heretofore made or hereafter to be made, under any of the Acts herein-before referred to, or in trust for the said Justices, for any of the public Uses and Purposes of such Counties or Divisions of Counties, shall be valid and effectual to all Intents and Purposes, notwithstanding the same Grants and Conveyances may not have been or be enrolled, any Law, Statute, or Usage to the contrary notwithstanding.

CAP. XCIII.

An Act to enable Persons to establish Legitimacy and the Validity of Marriages, and the Right to be deemed natural-born Subjects. [2d *August* 1858.]

'WHEREAS it is expedient to enable Persons to establish their Legitimacy, and the Marriage of their Parents and others from whom they may be descended, and also to enable Persons to establish their Right to be deemed natural-born Subjects:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Application to Court for Divorce and Matrimonial Causes for Declaration of *Legitimacy* or *Validity* or Invalidity of Marriage.

I. Any natural-born Subject of the Queen, or any Person whose Right to be deemed a natural-born Subject depends wholly or in part on his Legitimacy or on the Validity of a Marriage, being domiciled in *England* or *Ireland*, or claiming any Real or Personal Estate situate in *England*, may apply by Petition to the Court for Divorce and Matrimonial Causes, praying the Court for a Decree declaring that the Petitioner is the legitimate Child of his Parents, and that the Marriage of his Father and Mother, or of his Grandfather and Grandmother, was a valid Marriage, or for a Decree declaring either of the Matters aforesaid; and any such Subject or Person, being so domiciled or claiming as aforesaid, may in like Manner apply to such Court for a Decree declaring that his Marriage was or is a valid Marriage, and such Court shall have Jurisdiction to hear and determine such Application and to make such Decree declaratory of the Legitimacy or Illegitimacy of such Person, or of the Validity or Invalidity of such Marriage, as to the Court may seem just; and such Decree, except as herein-after mentioned, shall be binding to all Intents and Purposes on Her Majesty and on all Persons whomsoever.

Application to Court for Declaration of

II. Any Person, being so domiciled or claiming as aforesaid, may apply by Petition to the said Court for a Decree declaratory of his Right to be deemed a natural-born Subject of Her Majesty, and the

Right to be deemed a natural-born Subject.

the said Court shall have Jurisdiction to hear and determine such Application, and to make such Decree thereon as to the Court may seem just, and where such Application as last aforesaid is made by the Person making such Application as herein-mentioned for a Decree declaring his Legitimacy or the Validity of a Marriage, both Applications may be included in the same Petition; and every Decree made by the said Court shall, except as herein-after mentioned, be valid and binding to all Intents and Purposes upon Her Majesty and all Persons whomsoever.

Petition to be accompanied by Affidavit.

III. Every Petition under this Act shall be accompanied by such Affidavit verifying the same, and of the Absence of Collusion, as the Court may by any General Rule direct.

20 & 21 Vict. c. 85. to apply to Proceedings under this Act.

IV. All the Provisions of the Act of the last Session, Chapter Eighty-five, so far as the same may be applicable, and the Powers and Provisions therein contained in relation to the making and laying before Parliament of Rules and Regulations concerning the Practice and Procedure under that Act, and fixing the Fees payable upon Proceedings before the Court, shall extend to Applications and Proceedings in the said Court under this Act, as if the same had been authorized by the said Act of the last Session.

Power to award and enforce Payment of Costs.

V. In all Proceedings under this Act the Court shall have full Power to award and enforce Payment of Costs to any Persons cited whether such Persons shall or shall not oppose the Declaration applied for, in case the said Court shall deem it reasonable that such Costs should be paid.

Attorney General to have a Copy of Petition.

VI. A Copy of every Petition under this Act, and of the Affidavit accompanying the same, shall, One Month at least previously to the Presentation or filing of such Petition, be delivered to Her Majesty's Attorney General, who shall be a Respondent upon the Hearing of such Petition and upon every subsequent Proceeding relating thereto.

Court may require Persons to be cited.

VII. Where any Application is made under this Act to the said Court such Person or Persons (if any) besides the said Attorney General as the Court shall think fit shall, subject to the Rules made under this Act, be cited to see Proceedings or otherwise summoned in such Manner as the Court shall direct, and may be permitted to become Parties to the Proceedings, and oppose the Application.

Saving for Rights of Persons not cited.

VIII. The Decree of the said Court shall not in any Case prejudice any Person, unless such Person has been cited or made a Party to the Proceedings or is the Heir-at-Law or next of Kin, or other Real or Personal Representative of or derives Title under or through a Person so cited or made a Party; nor shall such Sentence or Decree of the Court prejudice any Person if subsequently proved to have been obtained by Fraud or Collusion.

Person domiciled in Scotland may insist, on an Action, that he is a natural-born Subject.

IX. Any Person domiciled in *Scotland*, or claiming any Heritable or Moveable Property situate in *Scotland*, may raise and insist, in an Action of Declarator before the Court of Session, for the Purpose of having it found and declared that he is entitled to be deemed a natural-born Subject of Her Majesty; and the said Court shall have Jurisdiction to hear and determine such Action of Declarator, in the same Manner and to the same Effect, and with the same Power to award Expenses, as they have in Declarators of Legitimacy and Declarators of Bastardy.

Final Judgments, &c.

X. No Proceeding to be had under this Act shall affect any final Judgment or Decree already pronounced or made by any Court of competent Jurisdiction.

Acts to be read together. Short Title.

XI. The said Act of the last Session and this Act shall be construed together as One Act; and this Act may be cited for all Purposes as "The Legitimacy Declaration Act, 1858."

CAP. XCIV.

An Act to amend the Copyhold Acts. [2d *August* 1858.]

4 & 5 Vict. c. 35. 6 & 7 Vict. c. 23. 7 & 8 Vict. c. 55. 15 & 16 Vict. c. 51. 16 & 17 Vict. c. 57.

'WHEREAS it is expedient to repeal certain Provisions of "the Copyhold Acts," and to make further and other Provisions for the Commutation of Manorial Rights in respect of Lands of Copyhold and Customary Tenure, and in respect of other Lands subject to such Rights, and for facilitating the Enfranchisement of such Lands, and for the Improvement of such Tenure:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Commencement of Act.

I. This Act shall come into operation on the First Day of *October* One thousand eight hundred and fifty-eight.

Repeal of Acts, &c.:

II. The following Acts and Sections and Parts of Sections of "the Copyhold Acts" are hereby repealed; that is to say,

16 & 17 Vict. c. 57.

The whole of the Act of the Sixteenth and Seventeenth of *Victoria*, Chapter Fifty-seven, intituled *An Act to explain and amend the Copyhold Acts:*

4 & 5 Vict. c. 35. s. 11.

So much of the Eleventh Section of "The Copyhold Act, 1841," as follows after the Words "substituted in the Place of such Lord, Tenant, or other Person:"

15 & 16 Vict. c. 51. s. 2.;

The whole of the Second Section of "The Copyhold Act, 1852:"

s. 11;

The whole of the Eleventh Section of "The Copyhold Act, 1852:"

s. 27;

The whole of the Twenty-seventh Section of "The Copyhold Act, 1852:"

All the Provisions of the Copyhold Acts which authorize Commutations by Schedule of Apportionment, and also all the Provisions which authorize Commutations by a Schedule to be prepared by the

the Steward, and also all the Provisions which authorize Enfranchisement by Schedule of Apportionment, and also all the Provisions which authorize the charging of Enfranchisement or Compensation Moneys or the Expenses of Commutations or Enfranchisements upon Land, are hereby repealed.

Repeal not to affect Acts done, &c.

III. This Repeal shall not affect any Commutations or Enfranchisements or Charges already effected, or any Rights or Remedies attaching thereto, or any Acts done in pursuance of the Act or Provisions hereby specifically repealed, or Rights or Remedies vested by or resulting therefrom.

Acts not to extend to Ecclesiastical Manors.

IV. The Copyhold Acts shall not extend to any Manors belonging, either in possession or reversion, to any Ecclesiastical Corporation, or to the Ecclesiastical Commissioners for *England*, where the Tenant hath not a Right of Renewal.

Application of Consideration Moneys in Cases where Enfranchisements might have been effected under 14 & 15 Vict. c. 104.

V. Whenever it shall appear to the Copyhold Commissioners that an Enfranchisement under the Copyhold Acts is one which might have been effected under the Provisions of the Act of the Fourteenth and Fifteenth of Her Majesty, Chapter One hundred and four, intituled *An Act to facilitate the Management and Improvement of Episcopal and Capitular Estates in* England, so long as that Act or any Act for continuing the same shall be in force, the Moneys or Rentcharges which form the Consideration of such Enfranchisement shall be paid and applied to the same Account and in the same Manner as if such Enfranchisement had been effected under the said Act of the Fourteenth and Fifteenth of Her Majesty; and all the Provisions of the said last-mentioned Act which affect the Application of Enfranchisement Moneys under that Act shall be applicable to such Enfranchisements as aforesaid, made under the Provisions of the Copyhold Acts; and the Church Estates Commissioners and Ecclesiastical Commissioners shall respectively have the same Powers over such Consideration Moneys, or the Interest accruing thereon, or upon Land, Rentcharges, or Securities acquired in respect of such Enfranchisements, and also over or against any Ecclesiastical Corporation interested therein, as such Commissioners respectively would have had if such Enfranchisement had been effected with the Consent of the Church Estates Commissioners, and under the Provisions of the said Act of the Fourteenth and Fifteenth of Her Majesty or any Act continuing the same: But where any Ecclesiastical Corporation within the Meaning of the said last-mentioned Act or the said Ecclesiastical Commissioners have only a Reversionary Interest in the Manorial Rights extinguished by Enfranchisement, the Consideration for such Enfranchisement shall be dealt with in the Manner directed by the Thirty-ninth Section of "The Copyhold Act, 1852," until the Time when the said Reversionary Interest in the same Manorial Rights would, if the same had not been extinguished, have come into possession, when the said Consideration, or any Government Securities in which it may have been invested, shall, upon Petition to the Court of Chancery, be paid or transferred to the said Church Estates Commissioners, who shall be considered the Parties become absolutely entitled to such Money, to be dealt with as if they had come into possession thereof in consequence of an Enfranchisement effected under the said Act of the Fourteenth and Fifteenth of Her Majesty.

Appropriation of Enfranchisement Moneys in Cases of Ecclesiastical Manors.

Tenant or Lord of certain Copyhold Land may compel Enfranchisement.

VI. Notwithstanding the First Section of "The Copyhold Act, 1852," it shall be lawful, from and after the passing of this Act, for any Tenant or Lord of any Copyhold Lands to which the last Admittance shall have taken place before the First of *July* One thousand eight hundred and fifty-three, or of any Freehold or Customary Freehold Lands in respect of which the last Heriot shall have become due or payable before the First of *July* One thousand eight hundred and fifty-three, to require and compel Enfranchisement of the said Lands in the Manner herein and in the said Act mentioned: Provided always, that no such Tenant shall be entitled to require such Enfranchisement until after Payment or Tender (in the Case of Copyhold Lands) of such a Fine, and of the Value of such a Heriot, and in the Case of Freehold and Customary Freehold Lands of the Value of such a Heriot as would become due or payable in the event of Admittance or Death subsequent to the First of *July* One thousand eight hundred and fifty-three, and also, in the Case both of Copyhold and of Freehold or Customary Freehold Lands, of Two Thirds of such a Sum as the Steward would have been entitled to for Fees in respect of such Admittance or Heriot.

Lord or Tenant may compel Extinguishment of Claim to Heriots.

VII. And whereas in many Manors Heriots are by Custom due and payable to the Lord by Tenants of Freehold or Customary Freehold Lands holden of such Manors: Be it enacted, That at any Time after any such Heriot shall be due and payable with respect to any such Freehold or Customary Freehold Lands, it shall be lawful for the Lord or the Tenant to require and compel the Extinguishment of all such Claim to Heriots, and the Enfranchisement of the Lands subject thereto, in the same Way as if such Lands were Copyhold; and the same Proceedings shall thereupon be had as are herein and in the Copyhold Act, 1852, mentioned with reference to the Enfranchisement of Copyhold Lands, or as near thereto as the Nature of the Case will admit.

Mode of effecting compulsory Enfranchisements.

VIII. When any Lord or Tenant shall, under the Provisions of the Copyhold Act, 1852, or of this Act, require the Enfranchisement of any Land held of a Manor, he shall give Notice in Writing (the Lord or his Steward to the Tenant, or the Tenant to the Lord or his Steward,) of his Desire that such Land shall be enfranchised; and the Consideration to be paid to the Lord for such Enfranchisement, and also the Sum to be paid to the Lord in respect of such Fine or Heriot as mentioned in the last preceding Clause, shall, unless the Parties agree about the same, be ascertained under the Directions

Directions of the Copyhold Commissioners, and upon a Valuation to be made in the Manner following; that is to say,

Where the Manorial Rights to be compensated shall consist only of Heriots, Rents, and Licences at fixed Rates to demise or fell Timber, or any of these, or where the Land to be enfranchised shall not be rated to the Poor's Rate at a greater Amount than the net annual Value of Twenty Pounds, then the Valuation shall be made by a Valuer to be nominated by the Justices at a Petty Sessions holden for the Division or Place in which the Manor or the chief Part thereof is situate; provided that no Justice, being Lord, either in whole or in part, of such Manor, shall take any Part in nominating such Valuer; subject, however, to these Provisoes: First, that if the Parties agree to recommend to the Commissioners any Person to be the Valuer, such Person shall be nominated by the Commissioners; and Second, that either Party may, upon paying the Charges of his own Valuer, have the Valuation made as next herein-after provided:

But when the Manorial Rights to be compensated do not consist only of Rents and Heriots and such Licences as aforesaid, or when the Land to be enfranchised is rated to the Poor's Rate at a greater Amount than the net annual Value of Twenty Pounds, or where the Valuation to be made is of the Sum to be paid to the Lord in respect of such Fine or Heriot as mentioned in the last preceding Clause, then the Valuation shall, unless the Parties agree to refer it to One Valuer, be made by Two Valuers, One to be appointed by the Lord, and the other by the Tenant; and such Two Valuers, before they proceed, shall appoint an Umpire, to whom any Points in dispute between them shall be referred; and in case the Valuer or Valuers or Umpire, as the Case may be, shall not make a Decision and deliver the Particulars thereof in Writing to the Lord or the Steward and to the Tenant, and to the Copyhold Commissioners, within Forty-two Days after the Appointment of such Valuers, or Reference of the Matter to the Umpire, as the Case may be, then the Commissioners shall fix the Consideration to be paid or rendered to the Lord; and in any Case where, after Notice to the Lord or to the Steward or to the Tenant so to do, either Party shall neglect or refuse, for Twenty-eight Days, to appoint his Valuer, the Commissioners shall appoint a Valuer for him as soon as may be after the Expiration of such Twenty-eight Days; and in any Case where any Valuers shall, for the Space of Fourteen Days after the Appointment, be unable to agree in the Appointment of an Umpire, the Commissioners shall appoint an Umpire.

When Commissioners shall fix Consideration.

When Commissioners to appoint Umpire.

Extension of Time for Appointments, &c.

IX. The Commissioners may, by an Order under Seal, extend the Time within which this Act directs that any Valuer be appointed, or any Act to be done by such Valuer be performed.

Award of Enfranchisement.

X. After the Valuation has been made, or upon the Receipt of the Agreement of the Parties, the Commissioners, having made such Inquiries concerning the Circumstances of the Case as to them shall seem fit, and having duly considered the Applications made to them by the Parties, may frame an Award of Enfranchisement in the Terms of the Valuation, and in such Form as they shall provide, and may confirm the same; and such confirmed Award shall have the same Force and Validity for all Purposes of Enfranchisement or otherwise as a Deed of Enfranchisement now has under the Provisions of the Copyhold Acts, or would have had under any Provision of the Copyhold Acts which is by this Act repealed; and for all Purposes of declaring the Amount, Nature, and Particulars of the Compensation, and for attaching thereto the Remedies provided by the Copyhold Acts, the said confirmed Award shall have the same Force and Validity as an Award made by Valuers or an Umpire under the Provisions of the Copyhold Acts: Provided nevertheless, that nothing herein contained shall affect the Right of the Steward for the Time being of any Manor to receive such Sum of Money by way of Compensation or otherwise as he would have been entitled to if such Enfranchisement had been effected by a Deed of Enfranchisement under the Provisions of the Copyhold Acts or any of them: Provided also, that the Commissioners shall, Fourteen clear Days before Confirmation of any such Award, serve a Copy of the same in the Form in which it is proposed to be confirmed upon the Steward of the Manor of which the Lands to be enfranchised are held.

Corn Rentcharges to be calculated as Tithe Rentcharges.

XI. Whenever a Rentcharge hereafter granted under the Provisions of the Copyhold Acts shall be a Rentcharge varying with the Price of Corn, such Rentcharge shall not be calculated in the Manner now directed by the Copyhold Acts, but shall be calculated upon the same Averages and variable in the same Manner as a Tithe Commutation Rentcharge; but this Amendment shall apply only to Corn Rentcharges hereafter to be imposed, and not to any already existing under the Authority of the Copyhold Acts, but these last-named Corn Rentcharges shall retain their former Character and Incidents.

Receipts for Consideration Money, &c. to be produced.

XII. The Commissioners shall not confirm any Award of Enfranchisement where the Consideration is a gross Sum of Money immediately payable, or Land, until the Receipt of the Person entitled to receive the Consideration or Compensation Money has been produced to them, or the Conveyance of the Land has been confirmed by them.

In case of Refusal by Lord.

XIII. If the Lord refuse to receive the Enfranchisement Money it shall be dealt with as is provided in Cases where the Lord is only entitled for a limited Estate.

Owners of enfranchised Lands may use the Soil for Purposes con-

XIV. After Enfranchisement, whether under the voluntary or compulsory Proceedings of "the Copyhold Acts," the Owner of the Lands so enfranchised shall, notwithstanding any Reservation of Mines or Minerals in the said Acts or in any Instrument of Enfranchisement contained, have full Power and Right to disturb or remove the Soil so far as may be necessary or convenient for the

Purposes

Purposes of making Roads or Drains or erecting Buildings or obtaining Water upon the said Lands: Provided always, that this shall not prejudice the Rights to any Mines or Minerals, or to work and carry away the same, which were reserved by Section Forty-eight of "The Copyhold Act, 1852." nected with the Enjoyment of the Surface.

XV. In the Case of a Corporation or other Lord of any Manor holden upon any Charitable Trust within the Provisions of the "Charitable Trust Act, 1853," or "Charitable Trust Amendment Act, 1855," not authorized to make an absolute Sale otherwise than under the Provisions of the said last-mentioned Acts or of the Copyhold Acts, the Consideration Money to be paid for the Redemption or Sale of any Rentcharge, or as Compensation for any Enfranchisement, may, at the Option of the Lord, be paid into the Hands of the official Trustees of Charitable Funds acting under the said Charitable Trusts Acts, in trust for the Charity to which the Manor shall belong; and the Principal Moneys shall be applied by the Trustees, under the Order of the Charity Commissioners for *England* and *Wales*, for the Purposes to which the said Money if paid into the Bank of *England* in the Name of the Accountant General of the Court of Chancery would be applicable under the Copyhold Acts, and in the meantime shall be invested, and the Dividends of such Investments shall be applied, according to the Provisions of the said Acts relating to Charitable Funds paid to such official Trustees. Enfranchisement Money may be paid to official Trustees of Charitable Funds.

XVI. Any Consideration or Compensation Money to be paid to the Use of a Corporation, Lord of a Manor, other than of a Manor holden for Charitable Purposes within the Meaning of the "Charitable Trust Act, 1853," and "Charitable Trust Amendment Act, 1855," may, at the Option of such Lord, be paid into the Hands of Trustees, to be nominated by the Commissioners by Order under Seal, in the same Manner as in other Cases already provided for in the Copyhold Acts, and the Money shall be applied by the Trustees, with the Consent of the Commissioners, to the Purposes to which Consideration or Enfranchisement Money paid into the Bank of *England* in the Name of the Accountant General is directed by the Copyhold Acts to be applied; and upon every Vacancy in the Office of such Trustee, or in case any such Trustee should be desirous of resigning, or should become incapable of acting, some other Person shall be appointed by the Commissioners in like Manner. Enfranchisement Money for the Use of a Corporation, &c. may, at the Option of the Lords of the Manor, be paid into the Hands of Trustees.

XVII. Any Compensation or Consideration Money paid for the Use of any Spiritual Person in respect of his Benefice or Cure may at the Option of the Lord, be paid to the "Governors of Queen "*Anne*'s Bounty for the Augmentation of the Maintenance of the Poor Clergy," and when so paid shall be applied and disposed of by the said Governors as Money in their Hands appropriated for the Augmentation of such Benefice or Cure should by Law, and under the Rules of the said Governors, be applied and disposed of; and the Receipt of the Treasurer of the said Governors shall be a sufficient Discharge for such Money, and the Person paying the same to such Treasurer shall not be concerned to see to the Application or Disposal thereof. Enfranchisement Money for the Use of any Spiritual Person may be paid to the Governor of Queen Anne's Bounty.

XVIII. The Commencement of every Commutation or Enfranchisement, and of any Rentcharge, may be fixed by the Memorandum of Confirmation of the Instrument of Commutation or Enfranchisement, or, in default of being so fixed, it shall take place on the Day of Confirmation; but the Commissioners shall have Power to fix the Day whence the half-yearly Payments of the Rentcharge shall commence to be calculated, at any Period not more than Six Months posterior to the Day fixed for the Commencement of the Commutation or Enfranchisement; and the Portion of Rentcharge which shall accrue between the Day of the Commencement of the Commutation or Enfranchisement and the Day fixed by the Commissioners as the Day whence the half-yearly Payments of the Rentcharge shall commence to be calculated shall be paid and recoverable in like Manner as any after-accruing half-yearly Sum is payable or recoverable. Commencement of Enfranchisement.

XIX. Where any Land proposed to be enfranchised under this Act shall be held of a Manor belonging either in possession or reversion to an Ecclesiastical Corporation within the Meaning of the Act of the Fourteenth and Fifteenth Years of Her Majesty's Reign, Chapter One hundred and four, the Ecclesiastical Commissioners for *England* shall have Notice of such Proceedings, and shall have the same Power of expressing Assent to or Dissent from such Proceedings as is by this Act directed with respect to Persons entitled to the next Estate of Inheritance in reversion or remainder, and the Provisions of the Copyhold Acts respecting such Notices, and all Proceedings thereon (except as otherwise by this Act is provided), shall be applicable to such Cases. Notice to be given to the Ecclesiastical Commissioners in Cases wherein they are interested.

XX. Where Notice or other Writing is required to be given to or served on any designated Person or Party, it may be given either by sending it by the Post in a registered Letter to or by leaving it at the Office or usual Place of Abode of such Person, and all Notices required to be given by the Commissioners or any Valuer (the Mode of giving which is not particularly directed) may be in the Name either of the Person giving the Notice or of any Person authorized by the Commissioners to give Notices, and all Notices so given shall be deemed sufficient Notices to all Persons concerning all Matters and Things to which such respective Notices may relate. Notices how to be given.

XXI. Whenever by the Copyhold Acts Power is given or an Obligation attaches to any Person to pay Money as Consideration or Compensation for Commutation or Enfranchisement, it shall be lawful for such Person, with the Consent of the Commissioners, to charge upon the Land commuted or enfranchised the Sum of Money paid. Consideration Money, &c. may be charged on Land.

XXII. Whenever Land is conveyed as Consideration or Compensation for Commutation or Enfranchisement, and the Person conveying the same was absolute Owner of the Land so conveyed, it shall be lawful Value of Land given as Enfranchisement

Consideration may be charged.

lawful for such Person, with the Consent of the Commissioners, to charge upon the Land commuted or enfranchised such reasonable Sum as in the Judgment of the Commissioners may be equivalent in Value to the Land so conveyed.

Power to Lords to charge the Land purchased.

XXIII. Where Power is by the Copyhold Acts given to the Lord to purchase the Tenant's Interest in Land, he shall have the same Right to charge the Land purchased, and also the Manor and any Land settled therewith to the same Uses, as a Tenant has under this Act to charge Enfranchisement Moneys.

Expenses may be charged.

XXIV. Any Expenses incurred in Proceedings under the Copyhold Acts may be charged upon the Manor or upon the Land commuted or enfranchised, or upon both, according as the Obligations to pay may attach, or Expenses payable by the Lord may be paid out of the Compensation or Consideration Money, or be charged upon the Rentcharge or other Consideration or Compensation for Commutation or Enfranchisement.

How Consideration Moneys, &c. may be charged.

XXV. Any Charge under this Act in respect of Consideration or of Compensation Money, or of Purchase Money, or of the Value of Land conveyed, may, when the Parties so agree, and the Commissioners approve, be made for a Principal Sum and Interest, or for a Series of periodical Payments, which, at the Termination thereof at the Period specified, shall leave the Manor or Land discharged.

Certain Expenses may be charged as Consideration Money.

XXVI. Whenever by the Provisions of the Copyhold Acts any Lord or Tenant is authorised to raise Money upon Charge, or to purchase or convey any Land, and to charge the Principal or the Purchase Money or the Value upon a Manor or Land, then the Expenses incurred about the raising of such Money upon Charge, or incurred about the Purchase, or Purchase and Conveyance, shall (but as distinct from the general Expenses of Commutation or Enfranchisement) be considered for all Purposes or Effects of charging as Part of the Principal Purchase Money or Value to be charged.

Charge for Expenses not to exceed Fifteen Years.

XXVII. All other Charges in respect of Expenses of Proceedings under the Copyhold Acts (except the Expenses of a Purchase by a Lord) shall be for such Period as the Parties may agree and the Commissioners may approve, not exceeding Fifteen Years, and at such Interest as stated in the Certificate of Charge.

Commissioners may in certain Cases grant Certificates of Charge for Expenses.

XXVIII. If by reason of Disputes as to Title it shall appear to the Commissioners to be uncertain upon what Person the Order to pay Costs or Expenses should be made, the Commissioners may, if they shall so see fit, grant to the Person entitled to receive Payment of such Costs or Expenses a Certificate of Charge upon the Manor or Land, as the Case may be, in respect of which such Costs or Expenses were incurred, which shall operate in all respects as other Certificates of Charge under this Act.

Certificate of Charge.

XXIX. Every Charge under this Act shall be made by a Certificate under Seal of the Commissioners, and countersigned by the Person at whose Instance the Charge is made, to be called a Certificate of Charge; and if such Charge shall be a Series of periodical Payments which, at the Termination thereof at a Period specified, shall leave the Manor or Land discharged, such Series shall be specified in the Certificate; but if the Charge shall be a Principal Sum bearing Interest, and repayable at or before a certain future Date, or after a certain Notice, then such Certificate shall specify the whole Amount of Principal Money to be charged, and shall contain a Proviso declaring that such Certificate shall be void on Payment of the Amount thereby secured, with any Arrears of Interest due thereon, at a Time therein appointed, or at the Expiration of an ascertained Notice; and such Certificate shall state whether the Charge was made in respect of Costs or Expenses, or in respect of Consideration or Compensation Money, and may specify any Place, to be agreed upon between the Parties, as the Place of Payment of the Principal Money and Interest charged by such Certificate; and the Manor or Land charged thereby may be described by Reference to the Enfranchisement Proceedings under the Copyhold Acts, or otherwise, as the Commissioners may see fit.

Certificate transferable.

XXX. Every Certificate and the Charge thereby made shall be transferable by Endorsement on such Certificate.

Lord's Charge to be appurtenant to the Manor.

XXXI. Whenever a Lord of limited Interest shall be entitled to a Certificate of Charge in respect of Enfranchisement Money left chargeable upon the Land enfranchised, the Charge shall remain appendant and appurtenant to the Manor (but not so as to be incapable of being severed therefrom, or to be affected by the Extinction thereof); and the Certificate of Charge shall state that the Lord to whom such Certificate is issued has only a limited Interest in such Charge, or it may purport to be issued to the Lord for the Time being of the Manor; and either of such Statements in such Certificate shall be Notice to all Persons of the limited Interest in such Charge which may pass by Transfer of such Certificate.

Stamp Duty.

XXXII. Every Award of Enfranchisement, Certificate of Charge, and Transfer thereof, issued or made under this Act, shall be chargeable with the like Stamp Duties as are chargeable in respect of Deeds of Enfranchisement, Mortgages, and Transfers of Mortgages.

Priority of Charge.

XXXIII. Any Charge under this Act made in consideration of the Value of Land conveyed as Consideration, or of Consideration or Compensation Money, or of Purchase Money, or of the Expenses of Purchase and Conveyances, shall be a First Charge on such Manor or Land, and shall have Priority over all Mortgages, Charges, and Incumbrances whatsoever affecting such Manor or Land, (except Tithe Commutation Rentcharges, and any Charges or Rentcharges which may have been or shall be charged upon the same Land for the Drainage thereof, by virtue of any of the Statutes in that Behalf.)

Behalf,) notwithstanding the actual Priority in point of Date or anterior Title of such Mortgages, Charges, and Incumbrances; but any Moneys already invested or previously secured or charged thereon may be continued on the Security of the same, notwithstanding the Imposition of the said Charge under this Act.

Charge not to merge.

XXXIV. Any such Certificate of Charge may be taken by any Person although he may be the Lord or Tenant or Owner of any Manor or Land charged thereby; and the same shall not merge in the Freehold, unless the Owner of such Charge shall, by Endorsement upon the Certificate of Charge or otherwise, declare in Writing that it is his Will that such Charge shall merge and cease.

Sums charged how to be recovered.

Land charged with Enfranchisement Considerations as on Mortgage in Fee.

XXXV. The Owner for the Time being of a Certificate of Charge shall, in respect of any Payment in the Nature of Interest or Instalment that may become due under the Certificate, have the same Remedies and be subject to the same Conditions in the Recovery thereof as are by the Copyhold Acts provided in respect of Rentcharges; and for a further and additional Remedy in that Behalf, and in respect of any Payment in the Nature of Interest, or of a periodical Payment, or of an Instalment, or of a gross Principal Sum, that may be secured by the Certificate, the Manor or Land shall from the Date of the Certificate stand charged with the respective Sums mentioned in such Certificate to be payable, and until such Payment the Owner for the Time being of the Certificate shall be deemed to stand seised of the Manor or Land as a Mortgagee in Fee thereof, and it shall be lawful for the Person so seised from Time to Time to adopt such Means and Proceedings as a Mortgagee in Fee of Freehold Land is entitled to, for the enforcing Payment of Principal Sums, or Interest, with the like Right to obtain Payment of all attendant and incident Costs and Expenses.

Form of Certificate of Charge.

XXXVI. A Certificate of Charge may be in the Form following:

'WE, the Copyhold Commissioners, do hereby certify, That the Land mentioned in the Schedule to this Certificate is charged with the Payment to *A.B.*, his Executors, Administrators, or Assigns, [*or* "to the Lord of the Manor of for the Time being," *as the Case may be,*] of the following Series of periodical Payments; that is to say, the Sum of £ payable on the Day of A.D. ; the further Sum of £ payable on the Day of A.D. *&c.* [*or* "with the Principal Sum of £ , with Interest thereon after the Rate of per Centum per Annum, the Principal to be repayable in Manner following; that is to say," *state the Terms*]; and we do further certify that this Certificate of Charge was made in respect of Consideration Money [*or* in respect of Expenses]; and further, that after Payment of the Series of periodical Payments above mentioned [*or* after Payment of the Principal Money hereby charged, and all Arrears of Interest due thereon,] this Certificate shall be void. In witness whereof we have hereunto set our Hands and the Seal of the said Commissioners, this Day of A.D. 18 .

'*The Schedule.*

'*E.F.*
'*G.H.*'

Form of Transfer of Certificate.

XXXVII. A Transfer of a Certificate of Charge may be in the Form following:

'I *A.B.* of of hereby transfer the within Certificate of Charge to *C.D.* of

'Dated this Day of A.D.

'*A.B.*'

Owner of Two Thirds to be "Tenant."

XXXVIII. When Land is held in undivided Shares the Person for the Time being in receipt of at least Two Thirds of the Value of the Rents and Profits of such Land shall be the "Tenant" of such Land for all the Purposes of "the Copyhold Acts."

Agent may be appointed by Power of Attorney.

XXXIX. It shall be lawful for any Lord or Tenant of a Manor, or any other Person interested in any Proceedings under this Act, by a Power of Attorney given in Writing under his Hand, or, in the Case of a Corporation Aggregate, under the Common Seal of such Corporation, from Time to Time to appoint an Agent to act for him in carrying into execution the Provisions of this Act; and all Things which by this Act are directed or authorized to be done by or in relation to any Person may be fully done by or in relation to the Agent so duly authorized of such Person; and every such Agent shall have full Power, in the Name and on behalf of his Principal, to concur in and execute any Agreement or Application or other Document arising out of the Execution of this Act; and every Person shall be bound by the Acts of any such Agent, according to the Authority committed to him, as fully as if the Principal of such Agent had so acted; and the Power of Attorney under which the Agent shall have acted, or a Copy thereof authenticated by the Signature of Two credible Witnesses, shall be sent to the Office of the Commissioners; and any such Power of Attorney may be in the Form following:

'Manor of in the County of

'I [*A.B.*] of, *&c.*, do hereby appoint *C.D.* of, *&c.*, to be my lawful Attorney, to act for me in all respects as if I myself were present and acting in the Execution of "The Copyhold Act, 1858."

'Dated this Day of One thousand eight hundred and .

'(Signed) *A.B.*'

Revocation of Power of Attorney.

XL. If any Person, having made such an Appointment as last aforesaid, shall deliver Notice in Writing or under a Common Seal (as the Case may require) of the Revocation thereof to the Commissioners,

sioners, no Act which shall be done by the Person so appointed, after the Delivery of such Notice, without a fresh Appointment, shall bind the Principal.

Arbitration in case of Difference as to Terms of Enfranchisement in Crown Manors.

XLI. In any Case in which the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, or either of them, on behalf of Her Majesty in right of Her Crown, or the Chancellor and Council of the Duchy of *Lancaster*, on behalf of Her Majesty in right of Her said Duchy, shall at any Time hereafter have proceeded, in exercise of the Powers vested in them, to negotiate the Terms for the Enfranchisement of any Hereditaments held of any Manor vested in Her Majesty in right of Her Crown or of Her Duchy of *Lancaster*, either in possession, or in remainder expectant on any Estate less than an Estate of Inheritance, and either solely or in Coparcenary with any Subject or Subjects, and a Difference of Opinion shall arise between the said Commissioners or either of them, or the said Chancellor and Council, on the one hand, and the Tenant of the said Hereditaments on the other hand, touching the Amount of the Consideration Money to be paid by the Tenant to the said Commissioners or to the said Receiver General of the Duchy of *Lancaster* for such Enfranchisement, it shall be lawful for the said Commissioners or either of them, or for the said Chancellor and Council, if they or he respectively shall so think fit, on the Request of the Tenant, and upon an Agreement for the Enfranchisement being entered into by them or him with such Tenant, to refer it to the Copyhold Commissioners to appoint, as they are hereby authorized to do, some practical Land Surveyor to determine the Amount of the Consideration Money to be paid to the said Commissioners or to the said Receiver General of the Duchy of *Lancaster* for such Enfranchisement, and the Award of such Land Surveyor shall be final and conclusive, and shall not be subject to Appeal or Revision; and the Costs and Expenses of and incident to any Reference to the Copyhold Commissioners, to be made as herein-before provided, shall be treated as Costs and Expenses incurred in the Case of a compulsory Enfranchisement at the Instance of a Tenant.

As to Enfranchisements in Manors belonging to the Crown, &c.

XLII. Any Manor vested in Her Majesty in right of Her Crown in remainder or reversion expectant on an Estate of Inheritance, and any Hereditaments held of such Manor, may, with the Consent in Writing from Time to Time of the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, or any One of them, be dealt with under the Copyhold Acts.

Provision, as to Payment of Compensation for such Enfranchisements.

XLIII. In every Case of an Enfranchisement of Land held of any Manor so vested in Her Majesty in remainder or reversion expectant on an Estate of Inheritance, where the Compensation under the Provisions of the Copyhold Acts shall be a gross Sum of Money, the same shall be paid to such Two Persons as Trustees as shall be from Time to Time nominated for the Purpose by the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, or any One of them, and by the Person who shall for the Time being be entitled to the Receipt of the Rents and Profits of the Manor, One of such Trustees being from Time to Time nominated by the Commissioners or One of them, and the other of such Trustees being from Time to Time nominated by the Person so entitled for the Time being: Provided always, that in any Case in which the Commissioners, or One of them, and the Person for the Time being so entitled, shall not upon the Occasion of any Enfranchisement agree that the Compensation, if payable in a gross Sum of Money, shall be paid to Trustees, the same shall with all convenient Speed be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Chancery, to be placed to his Account there *ex parte* the Queen's most Excellent Majesty and the Person so for the Time being entitled, and when so paid in the Compensation shall remain to such Account as aforesaid until, by Order of the Court, to be made in a summary Way upon Petition, after Notice to the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, by the Person who may be entitled to the Rents and Profits of the Manor, it shall be applied in manner by this Act provided.

Application of such Enfranchisement Money.

XLIV. The Compensation Money paid for any such Enfranchisement shall be applied by any Trustees to be from Time to Time so nominated, or by Direction of the Court of Chancery, if the same shall have been paid into the Bank of *England* to the Credit of the Accountant General of the Court, in the Purchase or Redemption of Land Tax affecting the Manor or any other Land settled to the like Uses as the Manor, or in the Purchase of Land of Fee-simple Tenure, and convenient to be held with the settled Estates; and until such Application of the Compensation Money, it may, by any such Trustees, or by the Accountant General of the Court of Chancery, under Order of the Court, to be made upon Application thereto, after Notice to the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, be from Time to Time invested, in the Names or Name of such Trustees or of the Accountant General, in the Purchase of or upon Government or Real Securities; and in the meantime and until such Securities be sold or realized by the Trustees, or pursuant to any Order of the Court for either of the Purposes aforesaid, the Income thereof shall be paid by the Trustees or by the Accountant General, under Order of the Court, to the Person who for the Time being may be entitled to the Rents and Profits of the Manor.

Land to be purchased with Enfranchisement Money to be settled to same Uses as Manor.

XLV. Any Land to be purchased with any Compensation Money to be paid or any Rentcharge to be granted or awarded as the Consideration for any such Enfranchisement shall be settled to such Uses, upon such Trusts, and subject to such Powers and Provisions as will most nearly correspond with the Uses, Trusts, Powers, and Provisions then affecting the Manor in which such Enfranchisement shall be made, and all such Uses, Trusts, Powers, and Provisions shall be valid, and have full Effect, any Law to the contrary notwithstanding.

XLVI. Upon

As to Execution of Enfranchisement Deed.

XLVI. Upon Payment of the Compensation Money as by this Act provided, in any Case in which such Compensation is made by Payment of a gross Sum of Money, or previously to or contemporaneously with the Execution of a Deed of Grant or of an Award by the Copyhold Commissioners of a Rentcharge, in any Case in which the Compensation for an Enfranchisement shall be made by way of Rentcharge, the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, or any One of them, may concur with the Person for the Time being entitled to the Rents and Profits of the Manor in executing a Deed of Enfranchisement to the Copyholder of the Land to be enfranchised, which shall state in what Manner the Enfranchisement Money, if any, has been applied; and such Deed of Enfranchisement shall, when a Memorial thereof is enrolled as by this Act provided, be effectual to vest in the Copyholder all the Estate, Right, and Interest of the Queen's Majesty, Her Heirs and Successors, in right of Her Crown, and of all other Persons interested therein under the Settlement of the Manor in the Land enfranchised, either absolutely or subject to such Reservations as may be agreed upon; but nothing contained in this Act with reference to Enfranchisements by Awards of the Copyhold Commissioners shall apply to Manors in which Her Majesty, Her Heirs or Successors, may have any Estate or Interest in possession, reversion, or remainder.

Record of such Enfranchisements to be preserved in Office of Land Revenue Records.

XLVII. The Keeper of Land Revenue Records and Enrolments shall, for the Purpose of preserving a Record of such Enfranchisements as last aforesaid, from Time to Time provide a Book or Books in which shall be entered a Memorial of every Deed of Enfranchisement of Land held of any Manor, and of every Award or Grant of any Rentcharge, and of every Deed of Conveyance which shall be executed upon the Purchase of Land with Moneys arising from the Enfranchisement of Lands within any such Manor (such last-mentioned Memorial being in every Case accompanied by a Plan of the Land purchased); and every such Memorial shall be under the Hand of One of the Parties to the Deed of Enfranchisement, or Conveyance, Award, or Grant; and no such Deed, Award, or Grant shall have Effect until there be written thereon a Certificate signed by the Keeper of Land Revenue Records and Enrolments, that a Memorial thereof hath been lodged at the Office of Land Revenue Records and Enrolments; and in the Absence of Evidence to the contrary of the Fact stated therein such Certificate shall be admissible in Evidence in any Court of Justice or before any Person now or hereafter having by Law or by Consent of Parties Authority to hear, receive, or examine Evidence, without Proof of the Signature thereto, or of the Fact that the Person signing or purporting to sign the same is the Keeper of Land Revenue Records and Enrolments for the Time being; and a Copy of the Enrolment of the Memorial, certified in the Manner provided by an Act passed in the Sixteenth Year of the Reign of Her present Majesty, Chapter Sixty-two, Section Eight, shall be receivable as Evidence of the Deed or Facts referred to in such Memorial.

The Commissioners of Woods to indemnify Trustee for the Crown.

XLVIII. Every Trustee so nominated by the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, or One of them, shall be absolutely indemnified by the said Commissioners for the Time being, out of the Rents and Profits of the Possessions and Land Revenues of the Crown, of and from all such Costs, Charges, Damages, and Expenses (if any) as he may in anywise whatsoever incur or be put to in consequence of having been so nominated, and which he may not be able to obtain Repayment of out of the Trust Moneys.

The Treasury to direct Fees for Enrolment of Memorials, &c.

XLIX. The Commissioners of Her Majesty's Treasury may direct what reasonable Fees shall be from Time to Time paid in respect of the Revision and Enrolment, as by this Act provided, of any such Deed of Enfranchisement or Conveyance of any Land to be so purchased, and such Fees shall be deemed to be Part of the Expenses of the Enfranchisement or Purchase, as the Case may be, and shall be paid or be recoverable accordingly.

Provision as to Manors held in Joint Tenancy with the Crown.

L. Any Manor vested in Her Majesty in right of Her Crown in possession, remainder, or reversion, in Joint Tenancy or Coparcenary with any Subject, may, so far as regards the Rights and Interests of such Subject and of the Tenant of such Manor, be dealt with under the Copyhold Acts, and the Provision of this Act in regard to Enfranchisements in Manors vested in Her Majesty in right of Her Crown in remainder or reversion expectant on an Estate of Inheritance shall apply to Manors so vested in Her Majesty in Joint Tenancy or Coparcenary with any Subject, so far as respects the Share or Interest in any such Manor to which Her Majesty may be so entitled.

Certain Terms not to extend to Christ Church.

LI. In the Construction of this Act the Words "Ecclesiastical Corporation" shall not be taken to extend to or include the Cathedral or House of *Christ Church, Oxford.*

Act to be Part of the Copyhold Acts.

LII. This Act shall be taken and construed as Part of the Copyhold Acts, and may be cited either generally under the Term "the Copyhold Acts" or specifically as "The Copyhold Act, 1858."

CAP. XCV.

An Act to amend the Act of the Twentieth and Twenty-first *Victoria,* Chapter Seventy-seven.

[2d *August* 1858.]

20 & 21 Vict. c. 77.

'WHEREAS in the last Session of Parliament an Act was passed, intituled *An Act to amend the Law relating to Probates and Letters of Administration in* England, herein-after designated "The Court of Probate Act:". And whereas it is expedient to amend the same:' Be it therefore enacted

by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

The Judge of the High Court of Admiralty and the Judge of the Court of Probate may sit for each other.

I. It shall be lawful for the Judge of the High Court of Admiralty to sit in open Court or in Chambers for the Judge of Her Majesty's Court of Probate, and it shall be lawful for the Judge of Her Majesty's Court of Probate to sit in open Court or in Chambers for the Judge of the High Court of Admiralty; and all Orders, Decrees, or Sentences, and other Acts whatsoever, made, decreed, pronounced, or done by either of the Judges aforesaid acting for the other, shall, in the Court Books, be stated to have been made, decreed, pronounced, or done by such Judge sitting and acting on behalf of such other Judge; and such Orders, Decrees, Sentences, and other Acts so made, decreed, pronounced, or done, shall have the same Force and Validity in Law as if they had been made, decreed, pronounced, or done by the Judge on whose Behalf they purport to have been so made, decreed, pronounced, or done.

Serjeants, &c. may practise.

II. All Serjeants and Barristers-at-Law shall be entitled from and after the passing of this Act to practise in all Causes and Matters whatsoever in the Court of Probate.

The Judge of the Court of Probate may sit in Chambers.

III. It shall be lawful for the Judge of the Court of Probate for the Time being to sit in Chambers for the Dispatch of such Part of the Business of the said Court as can in the Opinion of the said Judge, with Advantage to the Suitors, be heard in Chambers; and the Times at which such Sittings shall be held shall from Time to Time be fixed by the Judge: Provided always, that no Question shall be heard in Chambers which either Party shall require to be heard in open Court.

The Treasury to cause Chambers to be provided.

IV. The Commissioners of Her Majesty's Treasury shall from Time to Time provide Chambers in which the Judge of the Court of Probate shall sit for the Dispatch of such Business as aforesaid; and until such Chambers are provided elsewhere the said Judge shall sit in Chambers in any Room which he may find convenient for the Purpose.

Powers of Judge sitting in Chambers.

V. The Judge of the Court of Probate, when so sitting in Chambers, shall have and exercise the same Power and Jurisdiction in respect of the Business to be brought before him as if sitting in open Court.

Power to appoint an additional Registrar.

VI. 'Whereas there are now Three Registrars only of the Principal Registry of the said Court, that 'is to say, *Augustus Frederic Bayford*, the Senior Registrar; *Charles John Middleton*, the Second 'Registrar; and *Edward Francis Jenner*, the Third Registrar; And whereas the Duties of the said 'Principal Registry cannot be efficiently discharged by Three Registrars:' Be it enacted, That it shall be lawful for the Judge of the said Court to appoint a Fourth Registrar for the Principal Registry of the said Court, in addition to the Three Registrars appointed under the Court of Probate Act; and from and after the Appointment of such Fourth Registrar there shall be paid to each of the said Registrars the annual Salary mentioned in the Schedule to this Act, in lieu of the Salary provided by the Court of Probate Act, such Salaries to be paid out of any Monies provided by Parliament for the Purposes of the said Act: Provided always, that nothing herein contained shall be construed to diminish the Salary of any of the Three Registrars appointed before the passing of this Act.

Vacancy in Office of Registrar how to be filled up.

VII. On the Death, Resignation, or Removal of any of the Four Registrars of the said Principal Registry, other than the Junior Registrar for the Time being, the Vacancy thereby occasioned shall be filled up by the Registrar next in Seniority to whom no sufficient Objection shall be made to the Satisfaction of the Judge of the said Court.

Certain Clerks eligible to be Registrars, &c.

VIII. Clerks having served Five Years in the Principal Registry of the Court of Probate shall be eligible to be appointed Registrars or District Registrars of the said Court.

Certain Articled Clerks to be admitted Proctors of the Court of Probate.

IX. It shall be lawful for the Judge of the Court of Probate to admit any Person who at the Time of the passing of the Court of Probate Act was articled to a Proctor in *Doctors Commons*, or to a Proctor belonging to any Ecclesiastical Court, so soon as he shall have served the full Term for which he was articled, or within the Period of One Year therefrom, to be a Proctor of Her Majesty's Court of Probate, upon the Payment of such Fees as shall be fixed by the Judge of the said Court, with the Sanction of the Commissioners of Her Majesty's Treasury.

Where Personalty is under 200*l.* County Court to have Jurisdiction.

X. Where it appears by Affidavit to the Satisfaction of a Registrar of the Principal Registry that the Testator or Intestate in respect of whose Estate a Grant or Revocation of a Grant of Probate or Letters of Administration is applied for had at the Time of his Death his fixed Place of Abode in One of the Districts specified in Schedule (A.) to the said "Court of Probate Act," and that the Personal Estate in respect of which such Probate or Letters of Administration are to be or have been granted, exclusive of what the Deceased may have been possessed of or entitled to as a Trustee, and not beneficially, but without deducting anything on account of the Debts due and owing from the Deceased, was at the Time of his Death under the Value of Two hundred Pounds, and that the Deceased at the Time of his Death was not seised or entitled beneficially of or to any Real Estate of the Value of Three hundred Pounds or upwards, the Judge of the County Court having Jurisdiction in the Place in which the Deceased had at the Time of his or her Death a fixed Place of Abode shall have the contentious Jurisdiction and Authority of the Court of Probate in respect of Questions as to the Grant and Revocation of Probate of the Will or Letters of Administration of the Effects of such deceased Person, in case there be any Contention in relation thereto.

Sect. 54. of 20 & 21 Vict. c. 77. repealed;

XI. Section Fifty-four of the said Court of Probate Act shall be and the same is hereby repealed.

XII. The

XII. The said Court of Probate Act, Section Fifty-nine, shall, so far as the County Courts or a Judge thereof are concerned, apply to an Application for the Revocation of a Grant of Probate or Administration as well as to an Application for any such Grant. and Sect. 59. to apply to certain Applications.

XIII. The Power and Authority to make Rules and Orders for regulating the Proceedings of the County Courts shall extend and be applicable to all Proceedings in the County Courts under this Act, and also to framing a Scale of Costs and Charges to be paid to Counsel, Proctors, Solicitors, and Attornies, in respect of Proceedings in County Courts, under the said Court of Probate Act or this Act. Power to make Rules and Orders and frame Scales of Fees for the County Courts.

XIV. All Noncontentious Business pending in any Ecclesiastical Court at the Time when "The Court of Probate Act" came into operation shall be deemed to have been transferred to the Court of Probate, in the same Way as all pending Suits were transferred to the said Court under the said Act, and all Acts executed under the Authority of any such Ecclesiastical Court with reference to such Business which would have been valid if the Authority of such Court had not been abolished shall be valid, and all Oaths and Bonds sworn and executed in manner required by any such Ecclesiastical Court in reference to such Business, prior to the Eleventh Day of *January* One thousand eight hundred and fifty-eight, shall continue to have and be deemed to have had the same Force and Effect in Law as they would have had if sworn and executed in pursuance of the Provisions of the said Act or of this Act. Noncontentious Business pending in any Ecclesiastical Court to be transferred.

XV. Bonds given to any Archbishop, Bishop, or other Person exercising Testamentary Jurisdiction in respect of Grants of Letters of Administration made prior to the Eleventh Day of *January* One thousand eight hundred and fifty-eight, or in respect of Grants made in pursuance of the Court of Probate Act or of this Act, whether taken under a Commission or Requisition executed before or after the said Eleventh Day of *January*, shall enure to the Benefit of the Judge of the Court of Probate, and, if necessary, shall be put in force in the same Manner and subject to the same Rules (so far as the same may be applicable to them) as if they had been given to the Judge of the said Court subsequently to that Day. Bonds given before Jan. 11, 1858, to remain in force.

XVI. Whenever an Executor appointed in a Will survives the Testator, but dies without having taken Probate, and whenever an Executor named in a Will is cited to take Probate, and does not appear to such Citation, the Right of such Person in respect of the Executorship shall wholly cease, and the Representation to the Testator and the Administration of his Effects, shall and may, without any further Renunciation, go, devolve, and be committed in like Manner as if such Person had not been appointed Executor. An Executor not acting or not appearing to a Citation to be treated as if he had renounced.

XVII. The Judge of the Court of Probate shall have and exercise the same Power of altering and amending Grants of Probate and Letters of Administration made before the Eleventh Day of *January* One thousand eight hundred and fifty-eight as any Ecclesiastical Court had and exercised in respect of such Grants. Judge may amend Grants made before Jan. 11, 1858.

XVIII. The Provisions of an Act passed in the Thirty-eighth Year of *George* the Third, Chapter Eighty-seven, and of "The Court of Probate Act," shall be extended to all Executors and Administrators residing out of the Jurisdiction of Her Majesty's Courts of Law and Equity, whether it be or be not intended to institute Proceedings in the Court of Chancery, and to all Grants made before and subsequently to the passing of the last-mentioned Act, and it shall be lawful to alter the Language of the Grant prescribed by the first-named Statute so as to make it apply to Grants made in the Court of Probate under the said last-mentioned Act. Provisions of 38 G. 3. c. 87. and 20 & 21 Vict. c. 77. extended.

XIX. From and after the Decease of any Person dying intestate, and until Letters of Administration shall be granted in respect of his Estate and Effects, the Personal Estate and Effects of such deceased Person shall be vested in the Judge of the Court of Probate for the Time being, in the same Manner and to the same Extent as heretofore they vested in the Ordinary. How Property to vest between Death of Person deceased and Grant.

XX. All Second and subsequent Grants of Probate or Letters of Administration shall be made in the Principal Registry or in the District Registry where the original Will is registered or the original Grant of Letters of Administration has been made, or in the District Registry to which the original Will or a registered Copy thereof, or the Record of the original Grant of Administration, have been transmitted, by virtue of a Requisition issued in pursuance of Section Eighty-nine of "The Court of Probate Act;" and for and in respect of such Second or subsequent Grants of Probate or Letters of Administration to be made in a District Registry it shall not be requisite that it should appear by Affidavit that the Testator or Intestate had a fixed Place of Abode within the District in which the Application is made. Second and subsequent Grants to be made where the original Will or the original Letters of Administration are deposited.

XXI. It shall be lawful for the Court of Probate to require Security by Bond, in such Form as by any Rules and Orders shall from Time to Time be directed, with or without Sureties, from any Receiver of the Real Estate of any deceased Person appointed by the said Court, under Section Seventy-one of "The Court of Probate Act;" and the Court may, on Application, made on Motion or in a summary Way, order One of the Registrars of the Court to assign the same to some Person to be named in such Order; and such Person, his Executors or Administrators, shall thereupon be entitled to sue on the said Security, or put the same in force in his or their own Name or Names, both at Law and in Equity, The Court of Probate may require Security from a Receiver of Real Estate.

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as if the same had been originally given to him instead of to the Judge of the said Court, and shall be entitled to recover thereon, as Trustee for all Persons interested, the full Amount due in virtue thereof.

Administration pending Suit deemed to apply to Appeals.

XXII. All the Provisions contained in the Court of Probate Act respecting Grants of Administration pending Suit shall be deemed to apply to the Case of Appeals to the House of Lords under the said Act.

Registrar may issue Subpœnas to produce Papers, &c.

XXIII. It shall be lawful for a Registrar of the Principal Registry of the Court of Probate, and whether any Suit or other Proceeding shall or shall not be pending in the said Court, to issue a Subpœna requiring any Person to produce and bring into the Principal or any District Registry, or otherwise as in the said Subpœna may be directed, any Paper or Writing being or purporting to be testamentary, which may be shown to be in the Possession, within the Power, or under the Control of such Person; and such Person, upon being duly served with the said Subpœna, shall be bound to produce and bring in such Paper or Writing, and shall be subject to the like Process of Contempt in case of Default as if he had been a Party to a Suit in the said Court, and had been ordered by the Judge of the Court of Probate to produce and bring in such Paper or Writing.

The Registrars to do all Acts heretofore done by Surrogates.

XXIV. The Registrars of the Principal Registry shall be invested with and shall and may exercise with reference to Proceedings in the Court of Probate the same Power and Authority which Surrogates of the Judge of the Prerogative Court of *Canterbury* could or might before the passing of the Court of Probate Act have exercised in Chambers with reference to Proceedings in the said Prerogative Court.

Copies of Wills may be certified by a Stamp.

XXV. Copies of Wills required to be transmitted by a District Registrar, and certified by him to be correct Copies, under Section Fifty-one of the Court of Probate Act, may be so certified and transmitted under a Stamp provided by the District Registrar for that Purpose, and approved of by the Judge of the Court of Probate.

Certificates from the Principal Registry may be stamped.

XXVI. Certificates issued from the Principal Registry with reference to Notices of Applications transmitted from the District Registrars under Section Forty-nine of the Court of Probate Act need not be made under the Hand of a Registrar of the Principal Registry, as required by the said Act, but may be issued under a Stamp provided for that Purpose, and approved of by the Judge of the Court of Probate.

Requisitions may be issued for the Transmission of a single Paper.

XXVII. 'Whereas Doubts have been entertained whether a Requisition can be issued under Section 'Eighty-nine of the Court of Probate Act for the Transmission of One or more Papers only, not being 'all the Papers and Documents in the Custody of the Person to whom any such Requisition may be 'addressed:' Be it therefore enacted and declared, That the said Section shall be construed to extend to all Requisitions, whether for the Transmission of One or of more Records, Wills, Grants, Probates, Letters of Administration, Administration Bonds, Notes of Administration, Court Books, Calendars, Deeds, Processes, Acts, Proceedings, or other Instruments relating exclusively or principally to Matters and Causes Testamentary.

Power to enforce Decree as to Costs.

XXVIII. The Judge of the Court of Probate, and the Registrars of the Principal Registry thereof, shall respectively, in any Case where an Ecclesiastical or other Court having Testamentary Jurisdiction had previously to the Eleventh Day of *January* One thousand eight hundred and fifty-eight made any Order or Decree in respect of Costs, have the same Power of taxing such Costs, and enforcing Payment thereof, or of otherwise carrying such Order or Decree into effect, as if the Cause wherein such Decree was made had been originally commenced and prosecuted in the said Court of Probate: Provided that in taxing any such Costs, or any other Costs incurred in Causes depending in any such Courts before the Time aforesaid, all Fees, Charges, and Expenses shall be allowed which might have been legally made, charged, and enforced according to the Practice of the Prerogative Court of *Canterbury*.

Irish Letters of Administration not to be resealed in England, until sufficient Bond is given.

XXIX. Letters of Administration granted by the Court of Probate in *Ireland* shall not be resealed, under Section Ninety-five of the Twentieth and Twenty-first *Victoria*, Chapter Seventy-nine, until a Certificate has been filed under the Hand of a Registrar of the Court of Probate in *Ireland* that Bond has been given to the Judge of the Court of Probate in *Ireland* in a Sum sufficient in Amount to cover the Property in *England* as well as in *Ireland* in respect of which such Administration is required to be resealed.

Commissioners may be appointed in the Isle of Man, &c.

XXX. It shall be lawful for the Judge of the Court of Probate to appoint, by Commission under Seal of the Court, any Persons practising as Solicitors in the *Isle of Man*, in the *Channel Islands*, or any of them, to administer Oaths, and to take Declarations or Affirmations, and to exercise any other Powers which can be exercised by Commissioners of Her Majesty's Court of Probate; and such Persons shall be entitled from Time to Time to charge and take such Fees as any other Persons performing the same Duties in the Court of Probate may charge and take.

Affidavits, before whom to be sworn when Parties making them reside in Foreign Parts.

XXXI. In Cases where it is necessary to obtain Affidavits, Declarations, or Affirmations to be used in the Court of Probate from Persons residing in Foreign Parts out of Her Majesty's Dominions, the same may be sworn, declared, or affirmed before the Persons empowered to administer Oaths under the Act of the Sixth of *George* the Fourth, Chapter Eighty-seven, or under the Act of the Eighteenth and Nineteenth of *Victoria*, Chapter Forty-two; provided that in Places where there are no such Persons as are mentioned in the said Acts such Affidavits, Declarations, or Affirmations may be made, declared, and affirmed before any Foreign local Magistrate or other Person having Authority to administer an Oath.

XXXII. Affidavits,

Affidavits, before whom to be sworn.

XXXII. Affidavits, Declarations, and Affirmations to be used in the Court of Probate may be sworn and taken in *Scotland*, *Ireland*, the *Isle of Man*, the *Channel Islands*, or any Colony, Island, Plantation, or Place out of *England* under the Dominion of Her Majesty, before any Court, Judge, Notary Public, or Person lawfully authorized to administer Oaths in such Country, Colony, Island, Plantation, or Place respectively, or, so far as relates to the *Isle of Man* and the *Channel Islands*, before any Commissary, Ecclesiastical Judge, or Surrogate, who, at the Time of the passing of the Court of Probate Act, was authorized to administer Oaths in the *Isle of Man* or in the *Channel Islands* respectively, and all Registrars and other Officers of the Court of Probate shall take judicial Notice of the Seal or Signature, as the Case may be, of any such Court, Judge, Notary Public, or Person, which shall be attached, suspended, or subscribed to any such Affidavit, Declaration, or Affirmation, or to any other Document.

Persons forging Seal or Signature guilty of Felony.

XXXIII. If any Person shall forge any such Seal or Signature as last aforesaid, or any Seal or Signature impressed, affixed, or subscribed, under the Provisions of the said Act of the Sixth of *George* the Fourth, or of the said Act of the Eighteenth and Nineteenth *Victoria*, to any Affidavit, Declaration, or Affirmation to be used in the Court of Probate, or shall tender in Evidence any such Document as aforesaid with a false or counterfeit Seal or Signature thereto, knowing the same to be false or counterfeit, he shall be guilty of Felony, and shall upon Conviction be liable to Penal Servitude for the Term of his Life, or for any Term not less than Seven Years, or to be imprisoned, with or without Hard Labour, for any Term not exceeding Three Years nor less than One Year; and whenever any such Document has been admitted in Evidence by virtue of this Act, the Court or the Person who has admitted the same may, at the Request of any Party against whom the same is so admitted in Evidence, direct that the same shall be impounded, and be kept in the Custody of some Officer of the Court or other proper Person, for such Period and subject to such Conditions as to the said Court or Person shall seem meet; and every Person charged with committing any Felony under this Act may be dealt with, indicted, tried, and, if convicted, sentenced, and his Offence may be laid and charged to have been committed, in the County, District, or Place in which he may be apprehended or be in Custody; and every Accessory before or after the Fact to any such Offence may be dealt with, indicted, tried, and, if convicted, sentenced, and his Offence laid and charged to have been committed, in any County, District, or Place in which the principal Offender may be tried.

Persons taking a false Oath before a Surrogate guilty of Perjury.

XXXIV. Any Person who shall wilfully give false Evidence, or who shall wilfully swear, affirm, or declare falsely, in any Affidavit or Deposition before any Surrogate having Authority to administer Oaths under the Court of Probate Act, or before any Person who before the passing of the said Act was a Surrogate authorized to administer Oaths in any of the *Channel Islands*, or before any Person authorized to administer Oaths under this Act, shall be liable to the Penalties and Consequences of wilful and corrupt Perjury.

Provision for the necessary Absence of Officers.

XXXV. In case any Officer appointed or to be appointed by virtue of the Court of Probate Act, 1857, or of this Act, shall, by reason of Ill-health or other Infirmity, become temporarily incapable of performing the Duties of his Office, it shall be lawful for the Judge to appoint some other fit and proper Person to discharge the Duties of such Office for any Period not exceeding Six Calendar Months at any One Time, and the Person so appointed shall, during such Period, have all the Power and Authority of the Officer in whose Place he shall be so appointed, and shall be paid by such Officer such Sum by way of Salary or Allowance as shall be agreed upon between them respectively or be fixed by the Judge, and the Judge may, at his Discretion, give Leave of Absence to any Officer of the Court for any Period not exceeding Two Months in any Year, and shall have the like Power of making Provision for the Discharge of the Duties of the Office during such Absence.

Powers of Judge over Practitioners.

XXXVI. The Judge of the Court of Probate shall have and exercise over Proctors, Solicitors, and Attornies practising in the said Court, the like Authority and control as is now exercised by the Judges of any Court of Equity or Common Law over Persons practising therein as Solicitors or Attornies.

Provision for Expenses of indexing, &c. Documents to be removed under Requisition.

XXXVII. When any Requisition shall issue in pursuance of Section Eighty-nine of "The Court of Probate Act, 1857," it shall be lawful for the Commissioners of Her Majesty's Treasury, out of such Monies as may be provided and appropriated by Parliament for that Purpose, to cause to be paid all such Expenses attending the arranging, Classification, Indexing, Carriage, or otherwise connected with the Removal of the Documents or Books required by such Requisition to be removed, as the Judge shall from Time to Time certify to the said Commissioners to be proper and necessary.

Short Title of Act.

XXXVIII. In citing the Act of the Twentieth and Twenty-first *Victoria*, Chapter Seventy-seven, in any Instrument, Document, or Proceeding, it shall be sufficient to use the Expression "The Court of Probate Act, 1857," and in citing this Act, the Expression "Court of Probate Act, 1858."

SCHEDULE.

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Senior Registrar - - - -	1,600
Second „ - - - - -	1,400
Third „ - - - - -	1,200
Fourth „ - - - - -	1,000

CAP. XCVI.

An Act to amend "The *West Indian* Incumbered Estates Act, 1854." [2d *August* 1858.]

'WHEREAS it is expedient that "The *West Indian* Incumbered Estates Act, 1854," should be 'amended:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title.

I. This Act may for all Purposes be cited as "The *West Indian* Incumbered Estates Act, 1858."

Definition of Principal Act, &c.

II. "The *West Indian* Incumbered Estates Act, 1854," (herein-after called "the Principal Act,") and this Act, shall, so far as is consistent with the Context and Objects of such Acts, be construed as One Act; and this Act and the Principal Act (herein-after referred to as "these Acts") may for all Purposes be cited as "the *West Indian* Incumbered Estates Acts, 1854, 1858."

Clauses of 17 & 18 Vict. c. 117. repealed.

III. The Third, Tenth, Seventeenth, Twenty-fifth, Thirty-second, Thirty-third, Thirty-fourth, Thirty-eighth, Forty-fifth, and Fiftieth Sections of the Principal Act shall be and are hereby repealed.

Construction of Terms, &c.

IV. In the Construction and for the Purposes of these Acts (except when the Context or other Provisions of these Acts require a different Construction) the following Terms shall have the respective Meanings herein-after assigned to them; (that is to say,)

"Land" shall extend to Sugar and other Plantations, Messuages, Tenements, Rents, and Hereditaments, corporeal and incorporeal, of every Tenure or Description, as well as all Fixtures and Machinery annexed thereto, and any undivided Share thereof:

"Estate" shall extend to an Estate in Equity as well as at Law, and to an Equity of Redemption:

"Incumbrance" shall mean any legal or equitable Mortgage in Fee or for any less Estate, and also any Money secured by a Trust, or by Judgment, Decree, or Order of any Court of Law or Equity, and also any Debt, Portion, Legacy, Lien, or other Charge whereby a gross Sum of Money is secured to be paid on an Event or at a Time certain, and also any annual or periodical Charges which by the Instrument creating the same or by any other Instrument is made repurchaseable on Payment of a gross Sum of Money, and also any Arrear remaining unpaid of any annual or periodical Charge for Payment of which Arrear a Sale of any Land charged therewith might be decreed by a Court of Equity, and also any Sum of Money constituting a Charge or Lien on Land or raiseable out of Land:

"Incumbrancer" shall mean any Person entitled to such Incumbrance, or entitled to require the Payment or Discharge thereof:

"Possession" shall include the Receipt of the Rents and Profits:

"Owner" shall include any Person entitled in possession, either at Law or in Equity, to Land, or to the Receipt of the Rents and Profits thereof, or who would be so entitled if there were no Incumbrance on such Land, for a Term of not less than Thirty Years unexpired, or for an Estate or Interest for his own Life, or for an Estate or Interest determinable on the dropping of any Life or Lives, or for any greater Estate or Interest:

"Person and Owner" shall extend to a Body Politic or Corporate as well as to an Individual:

"Commissioners" shall mean the Persons appointed Commissioners for the Sale of Incumbered Estates in the *West Indies*.

Duration of Office, &c. of Commissioners.

V. The Offices of the Commissioners, and all Powers, Rights, and Privileges pertaining thereto, shall continue and be in force only for a Period of Five Years next after the Day of the passing of this Act, and from thenceforth until the End of the then next Session of Parliament.

Commissioners to be a Court of Record, and have Jurisdiction of a Court of Equity.

VI. The Commissioners shall constitute One Court of Record, and shall have all the Powers, Authority, and Jurisdiction of a Court of Equity in *England*, and in any Colony or Colonies within which these Acts may be or come into operation for the Investigation of Title, and for ascertaining and allowing Incumbrances and Charges, and the Amounts due thereon, and for settling the Priority of such Charges and Incumbrances respectively, and the Rights of Owners and others, and generally for ascertaining, declaring, and allowing the Rights of all Persons in any Land in respect of which Applications may be made under these Acts, or in the Money to arise from Sales under these Acts, and for all other the Purposes of these Acts, and shall have the like Authority and Jurisdiction for enforcing, rescinding, or varying any Contract for Sale made under these Acts as are vested in a Court of Equity in relation to a Sale under the Direction of such Court; and all Proceedings, Inquiries, Suits, or Trials, to be taken, made, or had under these Acts, and all Investigations of any Matters or Things arising out of or incidental to any such Proceedings, Inquiries, Suits, or Trials, may, subject to the Provisions herein-after contained, be at any Stage or at any Time transferred from *England* to any Colony, or from any Colony to *England*.

Powers of Commissioners to enforce Orders, &c.

VII. In all Cases within their Jurisdiction the Commissioners shall, with respect to the following Matters, (that is to say,)

The enforcing the Attendance of Persons summoned to give Evidence,

The enforcing the Production of Deeds, Books, Papers, Documents, and Writings,

The punishing Persons refusing to give Evidence or guilty of a Contempt,

The enforcing any Order whatever made by them under any of the Powers or Authorities of these Acts, or otherwise in relation to the Matters to be inquired into and done by them under these Acts,

Have

Have all such Powers, Rights, and Privileges as are by Law vested in the High Court of Chancery in *England* for such or the like Purposes in relation to any Suit or Matter depending in such Court, and shall have also, in any Colony or other Part of Her Majesty's Dominions, all such Powers, Rights, and Privileges as are possessed by the Supreme Court of Judicature in such Colony or other Part of Her Majesty's Dominions, for such or the like Purposes in relation to any Action, Suit, Matter, or Thing depending in such Court; and it shall be lawful for the Commissioners either to carry into effect such Powers, Rights, and Privileges by Officers appointed by themselves, or to request the said High Court of Chancery, or such Court of Judicature as aforesaid, or any Officer thereof, to enforce any Orders made by them, and such Court or Officer shall thereupon enforce the same accordingly.

Restrictions on Sale.

VIII. The Commissioners shall not make an Order for Sale of any Land upon Application by an Incumbrancer thereon, in case it be shown to the Satisfaction of the Commissioners by the Owner of such Land that no Part of such Land is subject to any Receiver, or is in the Possession of any Incumbrancer, or has been out of Cultivation for the Space of Twelve Months preceding such Application, and that the Amount of the yearly Interest on the Incumbrances and other yearly Payments (if any) in respect of Charges payable out of the Income of such Land, and the other Lands (if any) subject to the same Incumbrances, do not exceed One Half of the net yearly Income of such Land and other Lands (if any), such yearly Income to be calculated on the average Profits or Income (if any) derived therefrom, after deducting all the necessary Outgoings (if any) during the preceding Seven Years, or during such other Period as the Commissioners may, having regard to any special Circumstances, think fit, or in case, for any Reason whatever, it shall appear to the Commissioners unjust or inexpedient that a Sale should be made: Provided always, that the Decision of the Commissioners thereupon, so far as the same relates to their Power and Jurisdiction over such Land, shall in all Cases be final and conclusive to all Intents and Purposes whatsoever.

Tenancies to be ascertained.

IX. Where a Sale shall be made under these Acts, the Commissioners shall, when and so far as they may deem necessary for the Purposes of such Sale, ascertain the Tenancies of the occupying Tenants, and of any Lessees, Under-lessees, or other Parties whose Tenancies, Leases, Under-leases, or other Interests affect the Land to be sold, or any Part thereof, and may give such Notices, and make or cause to be made such Inquiries, as they shall think necessary for ascertaining and securing the Rights of such Tenants, Lessees, Under-lessees, or other Parties as aforesaid; and all occupying Tenants, and all Persons being or claiming to be Lessees, Under-lessees, or Parties interested as aforesaid, shall, at such Times and Places as the Commissioners may require, produce all Leases, Under-leases, Agreements in Writing, and other Deeds or Documents under which such Tenants or Persons occupy or claim, if such Leases, Under-leases, Agreements, or other Deeds or Documents, or Counterparts thereof, be in their Possession or Power, and where they occupy or claim under Leases, Under-leases, Agreements in Writing, or other Deeds or Documents not in their Possession or Power, or under parol Agreements or Contracts, they shall deliver, at such Times and Places as aforesaid, Particulars of the Terms and Conditions upon and subject to which they occupy or claim; and the Sale shall be made subject to the Tenancies, Leases, Under-leases, or Interests, ascertained as aforesaid, and subject to which the Owner or Incumbrancer applying for a Sale shall be Owner or Incumbrancer, and such other of the Tenancies, Leases, Under-leases, and Interests, ascertained as aforesaid, as shall appear to the Commissioners to have been granted *bonâ fide* by the Owner or Person in possession or in receipt of the Rents and Profits, and subject to which it shall appear to the Commissioners that the Sale should be made, save such (if any) of such respective Tenancies, Leases, and Under-leases as shall be included in such Sale, and, where the Commissioners think fit, subject to any Leases, Under-leases, Tenancies, or other Interests according to any general Description, or subject to any Condition concerning any Leases, Under-leases, Tenancies, or Interest the Nature of which shall not have been ascertained or shall be disputed; and, when the Commissioners shall think fit, such Sale may be made subject to any annual Charge affecting the Land to be sold or any Part thereof, or to any such apportioned Part of any such annual Charge as the Commissioners may think fit to remain charged thereon; and where such Land or any Part thereof is subject to any Incumbrance under the Terms of which the Incumbrancer cannot be required to accept Payment of the Principal Money before the Expiration of a Term of Years unexpired, such Sale may, if the Commissioners think fit, be made subject to such Incumbrance.

Effect of Conveyance.

X. Every Conveyance executed by the Commissioners in pursuance of these Acts shall be effectual to pass the Fee Simple and Inheritance and absolute Interest of and in the Land thereby expressed to be conveyed, or such lesser Estate or Interest as may in such Conveyance be specified, subject to such Rights and uncommuted Payments, if any, as are referred to in the Thirty-sixth Section of the Principal Act, and to such Tenancies, Leases, Under-leases, Incumbrances, and Interests as shall be expressed or referred to in the said Conveyance as aforesaid, but, save as aforesaid, discharged from all former and other Estates, Rights, Titles, Charges, and Incumbrances whatsoever of Her Majesty, Her Heirs and Successors, and of all other Persons whomsoever; and no Conveyance made by the Commissioners shall be set aside on the Ground of their not having Jurisdiction over the Subject Matter thereof.

Provision for defraying Charges and Incumbrances.

XI. It shall be lawful for the Commissioners, where they think fit, to pay to any Person entitled to any annual or other Charge or Interest, not being an Incumbrance according to the Definition of this Act, who may consent to accept the same, a gross Sum in discharge or by way of Redemption thereof or of a Part thereof; and the Commissioners may, in all Cases where they think fit, invest or provide for the Investment of Money, to meet as far as possible any annual or periodical Charge, or any other Charge, Incumbrance, or Interest, where, by reason of such Charge, Incumbrance, or Interest being contingent or otherwise, it shall appear to the Commissioners proper or expedient so to do, and may otherwise make and give such Orders and Directions for applying the Monies arising from any Sale in such Manner as will secure the convenient Application thereof for the Benefit and according to the Rights of all interested Parties; but nothing in these Acts or either of them contained shall be construed to restrain the Commissioners, if they shall think fit, from selling any Land within their Jurisdiction, absolutely freed and discharged from all Estates, Rights, Titles, Interests, Incumbrances, Claims, and Demands whatsoever, whether at Law or in Equity, and whether annual or periodical, future, vested, contingent, or otherwise, save and except such Rights and Interests as are set forth in the Thirty-sixth Section to the said Principal Act.

Provision for Person under Disability.

XII. Where any Person, who (if not under Disability) might have made any Application, given any Consent, done any Act, or been Party to any Proceeding under these Acts, shall be an Infant, Idiot, Lunatic, or married Woman, the Guardian, Committee of the Estate, and Husband respectively of such Person may make such Application, give such Consents, do such Acts, and be Party to such Proceedings as such Persons respectively if free from Disability might have made, given, done, or been Party to, and shall otherwise represent such Person for the Purposes of these Acts; but a married Woman entitled for her separate Use (with or without Power of Anticipation) shall for the Purpose of these Acts be deemed a Feme Sole: Provided always, that where there shall be no Guardian or Committee of the Estate of any such Person as aforesaid being infant, idiot, or lunatic, or where any Person, the Committee of whose Estate, if he were idiot or lunatic, would be authorized to act for and represent such Person, shall be of unsound Mind, or incapable of managing his Affairs, but shall not have been found idiot or lunatic under an Inquisition, it shall be lawful for the Commissioners to appoint a Guardian of such Person for the Purpose of any Proceedings under these Acts, and from Time to Time to change such Guardian; and, where the Commissioners see fit, they may appoint a Person to act as the next Friend of a married Woman for the Purpose of any Proceedings under these Acts, and from Time to Time to remove or change such next Friend.

Conveyances, &c. free from Stamp Duty.

XIII. Every Conveyance, or Order for Partition, Exchange, or Division, executed or made by the Commissioners in pursuance of these Acts, shall be exempt from Stamp Duty, notwithstanding the same may have been executed or made in *England*.

Provision as to these Acts coming into operation.

XIV. Where Her Majesty by Order in Council has directed or shall direct the Principal Act to come into operation in any of the Colonies mentioned in the Schedule to the Principal Act, or where any of such Colonies has presented or shall present an Address to Her Majesty praying Her Majesty to issue such Order, then and in every such Case such Order and such Address respectively shall apply and be construed to apply as well to this Act as to the Principal Act.

CAP. XCVII.

An Act for vesting in the Privy Council certain Powers for the Protection of the Public Health.

[2d *August* 1858.]

20 & 21 Vict. c. 38.

'WHEREAS under an Act of the last Session of Parliament, Chapter Thirty-eight, the General 'Board of Health stands continued only until the First Day of *September* One thousand eight 'hundred and fifty-eight: And whereas it is expedient to vest in the Privy Council certain Powers now 'vested in the said General Board of Health, and certain other Powers for the Protection of the Public 'Health:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Powers of General Board of Health under 18 & 19 Vict. c. 116. added to those of the Privy Council.

I. In addition to the Powers vested in Her Majesty's Most Honourable Privy Council for the Protection of the Public Health, all Powers now vested in the General Board of Health under the "Diseases Prevention Act, 1855," shall, upon the Discontinuance of the said Board, be vested in the said Privy Council, and the Provisions of the said Act having reference to the General Board of Health and the Regulations and Directions issued by them, except Section Thirteen, shall be construed as referring to such Privy Council and the Regulations and Directions issued by them.

Certain Powers in relation to Public Vaccination vested in Privy Council.

II. The Privy Council may from Time to Time issue such Regulations as they think fit for securing the due Qualification of Persons to be hereafter contracted with by Guardians and Overseers of Unions and Parishes in *England* for the Vaccination of Persons resident in such Unions and Parishes, and for securing the efficient Performance of Vaccination by the Persons already or hereafter to be contracted with as aforesaid; and any Money from Time to Time provided by Parliament for or towards defraying the Expenses of the National Vaccine Establishment, or otherwise providing for the Supply of Vaccine Lymph, shall be applied under the Directions of the Privy Council.

III. The

III. The Privy Council may from Time to Time cause to be made such Inquiries as they see fit in relation to any Matters concerning the Public Health in any Place or Places, and to the Observance of the Regulations and Directions issued by them under this Act. Privy Council may direct Inquiries.

IV. The Powers of appointing and removing a Medical Officer, vested in the General Board of Health under the General Board of Health Continuance Act, 1855, shall, upon the Discontinuance of that Board, be vested in the Privy Council; and the Person who at the Time of the Cesser of the General Board of Health may be their Medical Officer shall become the Medical Officer of the Privy Council, subject to such Power of Removal as aforesaid; and the Privy Council may also from Time to Time employ such other Persons as they deem necessary for the Purposes of this Act; and there shall be paid to the Medical Officer such Salary not exceeding Fifteen hundred Pounds *per Annum*, and to such other Persons such Remuneration and Allowances, as the Commissioners of Her Majesty's Treasury may direct; and such Salary, Remuneration, and Allowances shall be paid out of such Monies as shall be provided by Parliament. Privy Council to appoint Medical Officer, &c.

V. The Medical Officer shall from Time to Time report to the Privy Council in relation to any Matters concerning the Public Health or such Matters as may be referred to him for that Purpose, and shall, in or before the Month of *March* in each Year, report to the Privy Council the Proceedings had and taken under this Act during the preceding Year ending on the Thirty-first Day of *December*. Medical Officer to report annually as to the Execution of this Act.

VI. The Annual Report made by the Medical Officer as aforesaid shall be laid before both Houses of Parliament within Fourteen Days after the making thereof, if Parliament be sitting, and if not, then within Fourteen Days after the next Meeting of Parliament, together with all other Reports made by him under this Act, during the Period to which such Annual Report relates. Reports to be laid before Parliament.

VII. All Powers vested in the Privy Council by this Act may be exercised by any Three or more of the Lords and others of the Privy Council, the Vice President of the Committee of the said Privy Council on Education being One of them, and all Orders, Regulations, Directions, and Acts of the Privy Council under this Act shall be sufficiently made and signified by a written or printed Document, signed by One of the Clerks of the Privy Council, or such Officer as may be appointed by the Privy Council in this Behalf; and all Orders, Regulations, Directions, and Acts made or signified by any written or printed Document purporting to be so signed shall be deemed to have been duly made, issued, and done by the Privy Council, and every such Document shall be received in Evidence in all Courts and before all Justices and others without Proof of the Authority or Signature of such Clerk or other Officer, or other Proof whatsoever, until it be shown that such Document was not duly signed by the Authority of the Privy Council. As to the making and Authentication of Orders, &c.

VIII. Proceedings for Penalties under the Acts for the Time being in force on the Subject of Vaccination may be taken on the Complaint of any Registrar employed for the Registration of Births, Deaths, and Marriages, Public Vaccinator, or Officer authorized by the Board of Guardians or by the Overseers respectively, and the Cost of such Proceedings shall be defrayed out of the Common Fund of the Union, or out of the Poor Rates of any Parish not included in a Union. Proceedings for Penalties under Vaccination Acts.

IX. This Act may be cited as "The Public Health Act, 1858," and shall be in force only until the First Day of *August* One thousand eight hundred and fifty-nine. Short Title and Continuance of Act.

CAP. XCVIII.

An Act to amend the Public Health Act, 1848, and to make further Provision for the Local Government of Towns and populous Districts. [2d *August* 1858.]

'WHEREAS it is expedient to amend the Public Health Act, 1848, and to make further Provisions for the Local Government of Towns and populous Districts in *England*:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; that is to say,

I. This Act may be cited for all Purposes as "The Local Government Act, 1858." Short Title.

II. The Word "Borough," or "Corporate Borough," when used in this Act, or in any Act conferring Powers of a public Nature on the Corporate Bodies of Boroughs by their Council, shall include all Cities, Ports, Cinque Ports, or Corporate Towns mentioned in the Schedules to the Act passed in the Sixth Year of the Reign of King *William* the Fourth, intituled *An Act to provide for the Regulation of Municipal Corporations in* England *and* Wales, and all Boroughs incorporated by Charter granted or to be granted in pursuance of that or any subsequent Act. Interpretation of Terms. 5 & 6 W. 4. c. 76.

III. This Act shall not extend to *Scotland* or *Ireland*, and it shall not be adopted by any Place within the Limits of the Metropolis as defined for the Purposes of the Act of the Session holden in the Eighteenth and Nineteenth Years of Her present Majesty, intituled *An Act for the better Local Management of the Metropolis*. Limits of Act. 18 & 19 Vict. c. 120.

IV. This Act shall be construed together with and be deemed to form Part of the Public Health Act, 1848: Words used in this Act shall be interpreted in the Sense assigned to them in the said Public Health Act: Byelaws framed under this Act shall be subject to Confirmation, enforced, and dealt with in Provisions of this Act and 11 & 12 Vict. c. 63. to be

construed together.

in all other respects as Byelaws under the said Public Health Act; and the Provisions of each of the said Acts shall, so far as may be consistent with the Provisions of this Act, respectively be applicable to all Matters and Things arising under the other Act.

Period at which this Act to take effect.

V. This Act shall take effect from the First Day of *September* One thousand eight hundred and fifty-eight in Places where the Public Health Act, 1848, is already in force, wholly or partially: Provided always, that nothing in this Act shall affect the Qualification and Number of the Members of Local Boards of Health in such Places, or any Power, Right, Privilege, or Liability of any Board of Improvement Commissioners exercising Powers of the Public Health Act, 1848, or of any Town Council or Local Board of Health, under or by virtue of any General or Local Act of Parliament other than the said Public Health Act.

Not to affect Qualification or Powers of Local Boards.

Powers, &c. to be as under 11 & 12 Vict. c. 63., &c.

VI. Local Boards under this Act shall, subject to this Act, have all the Powers, Rights, Duties, and Liabilities of Local Boards of Health constituted under the Public Health Act, 1848, and the Acts incorporated therewith.

Construction of Terms, for Purposes of this Act, &c., in Acts herein-after incorporated.

VII. In the Construction, for the Purposes of this Act, of the Acts herein-after incorporated, the Expression "the Special Act," shall mean the Public Health Act, 1848, as brought into operation within the District, and this Act; the "Limits of the Special Act" shall mean the "Limits of the District;" "the passing of the Special Act" shall mean the Date of the coming in force of this Act, or, in the Case of Districts under the Public Health Act, 1848, the First Day of *September* One thousand eight hundred and fifty-eight; and the Local Board shall, according to the Tenor of the incorporated Act, be deemed to be the Promoters of the Undertaking, "Town Commissioners," Commissioners, or "Undertakers;" and all Penalties incurred under the incorporated Acts shall be recovered in the same Way as Penalties incurred under the Public Health Act, 1848, and be applied in aid of the Purposes of that Act and this Act.

Sanction of General Board of Health to exercise of Powers of Local Boards how far necessary.

VIII. Whenever the Sanction, Consent, Direction, or Approval of the General Board of Health is required by Law to the Exercise of the Powers of Local Boards of Health or Boards of Improvement Commissioners, such Powers may, from the First Day of *September* One thousand eight hundred and fifty-eight, be exercised without such Sanction, Consent, Direction, or Approval, or any Sanction, Consent, Direction, or Approval in lieu thereof, except in so far as is provided by this Act: Provided always, that all Sanctions for the Mortgage of Rates given by the General Board of Health before the passing of this Act shall continue in full Force and Effect until all Monies the borrowing of which is thereby sanctioned have been borrowed.

Contracts, &c. made under any repealed Section of c. 63. of 11 & 12 Vict. may be proceeded with.

IX. All Proceedings, Contracts, Matters, and Things respectively begun or made under any Section of "The Public Health Act, 1848," repealed by this Act, may respectively be proceeded with and enforced as if no such Repeal had taken place, and all Powers exercised or Byelaws made under any such Section shall continue in force until the new Powers and Byelaws authorized by this Act are brought into operation, and no such Repeal shall affect any Decree or Order of the High Court of Chancery, or of any other Court of Justice, that has been obtained previously to the passing of this Act.

When Powers of 11 & 12 Vict. s. 114. c. 63., for Appointment of Receiver, may be exercised.

X. The Powers of the One hundred and fourteenth Section of "The Public Health Act, 1848," for the Appointment of a Receiver, may be exercised in the event of a Failure to elect a Local Board, or of the Lapse of a Local Board from Death, Resignation, Disqualification, or otherwise, of the Persons elected to serve on such Local Board; and in case of such Failure or Lapse any Receiver appointed under that Section may make as well as collect and receive Rates as directed in that Section, or such Rates as are required to satisfy all Liabilities of the Local Board, and may receive and recover all Arrears due to the said Local Board, and apply the same to meet such Liabilities; and any such Receiver shall have the same Powers with respect to other Creditors of the Local Board as he has by the said Section with regard to Mortgagees.

Course of Proceeding in event of Failure to elect a Local Board.

XI. In the Case of any Failure to elect a Local Board, or of any Lapse of a Local Board as aforesaid, it shall be lawful for the Owners and Ratepayers of the District, by Resolution, as herein-after provided, for the Adoption of this Act, to proceed to Election of a new Local Board in the Manner provided by this Act, with the same Qualification of Members from Property or Rating as the lapsed Local Board, and the Result of such Election shall be signified to One of Her Majesty's Principal Secretaries of State by the Person conducting it, in the same Manner as is herein-after directed with regard to the Adoption of this Act; and all the Rights and Liabilities of the former Local Board shall attach to the new Local Board as if there had been no Lapse before the Election thereof, and from the Date of such Election all Powers of any Receiver to make Rates under the preceding Section shall determine.

AS TO ADOPTION OF ACT AND CONSTITUTION OF LOCAL BOARDS.

Act to be adopted by Resolution of Council, Improvement Commissioners,

XII. This Act may be adopted,

(1.) In Corporate Boroughs to which the Public Health Act, 1848, has not been applied, by a Resolution of the Council assembled at a Meeting held for the Purpose: Provided always, that this Act shall not be adopted in Corporate Boroughs until after the Election of Councillors on the First Day of *November* One thousand eight hundred and fifty-eight:

(2.) In

(2.) In other Places under the Jurisdiction of a Board of Improvement Commissioners, where all or Part of the Commissioners are elected by Ratepayers, or by Owners and Ratepayers, by a Resolution of such Improvement Commissioners assembled at a Meeting held for the Purpose : or Owners and Ratepayers.

(3.) In all other Places having a known or defined Boundary, by a Resolution of the Owners and Ratepayers :

But no such Resolution passed by any Council or Board of Improvement Commissioners shall be valid unless a Month's previous Notice of the Meeting, and of the Purpose thereof, has been given in manner in which Notices of Meetings of such Council or Board of Commissioners are usually given, nor unless Two Thirds of the Members present at the Meeting concur in the Resolution for such Adoption ; and it shall be lawful for the Chairman of any such Meeting, with the Consent of a Majority of the Members present, to adjourn the same from Day to Day.

XIII. (1.) Meetings for the Purpose of the preceding Section shall be summoned on the Requisition in Writing of any Twenty Ratepayers or Owners ; As to summoning Meetings for Purpose of preceding Section.

In Corporate Boroughs, by the Mayor ;

In other Places under the Jurisdiction of such Improvement Commissioners as aforesaid, by the Chairman of the said Commissioners ;

In Places having known and defined Boundaries, not being Corporate Boroughs, or Towns under the Jurisdiction of such Improvement Commissioners as are herein-before mentioned, by the Churchwardens or One of them, or if there are no Churchwardens the Overseers or One of them, or if there is none of the Officers respectively above enumerated, or if such Officer in any Case neglects, is unable, or refuses to perform the Duties hereby imposed on him, by any Person appointed by One of Her Majesty's Principal Secretaries of State :

(2.) In such Places as last aforesaid the Summoning Officer shall upon such Requisition fix a Time and Place for holding such Meeting, and shall forthwith give Notice thereof Notice of Meeting.

By Advertisement in some One or more of the Newspapers circulated in the Place ;

By causing such Notice to be affixed to the principal Doors of every Church and Chapel in the Place to which Notices are usually affixed :

(3.) The Meeting, on its assembling together, shall choose One of its Number as Chairman, who may, with the Consent of a Majority of the Persons present, adjourn the same from Day to Day ; Meeting to choose Chairman.

(4.) The Chairman shall propose to the Meeting the Resolution for the Adoption of the Act, and the Meeting shall decide for or against such Adoption : Provided that if any Owner or Ratepayer shall demand that such Question be decided by a Poll of the Owners and Ratepayers, such Poll shall be taken by Voting Papers in the Form A. given in the Schedule to this Act, in the same Way, and with the same Conditions as to Notice of voting, Delivery, filling up, Collection, Examination, Declaration of the Result, Custody of Voting Papers, Penalty for Neglect or Refusal to comply with the Provisions of the Act, Scale of Votes, and in all other respects whatsoever as is provided in the Public Health Act, 1848, in respect of the Election of Local Boards of Health ; and if no Poll is demanded, or if the Demand for a Poll is withdrawn by the Parties making the same, a Declaration by the Chairman shall, in the Absence of Proof to the contrary, be sufficient Evidence of the Decision of such Meeting : Rules as to passing of Resolutions of Owners and Ratepayers.

(5.) If any Person fabricates, in whole or in part, alters, defaces, destroys, abstracts, or purloins any Voting Paper, or personates any Person entitled to vote in pursuance of the Public Health Act, 1848, or this Act, or falsely assumes to act in the Name or on the Behalf of any Person so entitled to vote, or interrupts the Distribution of any Voting Papers, or distributes the same under a false Pretence of being lawfully authorized so to do, he shall for every such Offence be liable, on Conviction before Two Justices, to be imprisoned in the Common Gaol or House of Correction for any Period not exceeding Three Months, with or without Hard Labour. Penalty for forging, &c. of Voting Papers.

XIV. In Cases where any Place hereby authorized to adopt this Act includes within its Limits any less Place which, if it were not so included, would of itself be authorized to adopt this Act, such less Place shall not be entitled to adopt this Act unless the greater Place within the Limits of which it is included has refused to adopt the same, or unless it has been determined by One of Her Majesty's Principal Secretaries of State, in manner herein-after mentioned, that such less Place ought, as respects the Adoption of this Act, to be excluded from the Limits of such greater Place. Provision as to less Place included within the Limits of a greater.

XV. Any Corporation or Body of Commissioners exercising Powers for sanitary Regulations under the Provisions of any Local Act may adopt any Part or Parts of this Act by Resolution of the Council or Commissioners, and such Resolution shall in every Case be passed and forwarded to One of Her Majesty's Principal Secretaries of State, as provided in this Act for the Adoption thereof, and thereupon the Part or Parts of this Act named in such Resolution shall be in force within the District comprised in such Local Act as fully and effectually as if such Part or Parts of this Act had been enacted in such Local Act : Provided always, that when the Parts of this Act thus adopted confer any Power of borrowing Money, such Power shall be exercised subject to the Provisions of this Act with respect to borrowing. Power for partial Adoption of Act.

Adoption

Adoption of Act by Place not having a known or defined Boundary.

Settling Boundaries on Petition.

XVI. (1.) Any Place not having a known or defined Boundary may petition One of Her Majesty's Principal Secretaries of State to settle its Boundary for the Purposes of this Act:

Rules as to Petitions for Settlement of Boundaries.

(2.) The Petition shall state the proposed Boundaries of the Place, shall be signed by One Tenth of the Ratepayers resident within such Boundaries, and shall be supported by such Evidence as the said Secretary of State may require:

(3.) Upon the Receipt of such Petition the Secretary of State may direct Inquiry to be made as to the Genuineness of the Petition, and as to the Propriety of the proposed Boundaries; and

(4.) Fourteen Days Notice of the Time, Place, and Subject of such Inquiry shall be given in the Place to which it refers:

(5.) The said Secretary of State may, upon Consideration of the Matter, either dismiss the Petition altogether, or make Order as to the Boundaries of the Place: He may also make Order as to the Costs of the Proceedings under this Section and the Parties by whom such Costs are to be borne:

Any Place may adopt this Act when Boundary settled.

(6.) Any Place the Boundaries of which have been settled in pursuance of the foregoing Provisions shall thenceforth, for the Purposes of this Act, be deemed to be a Place with a known and defined Boundary, and may adopt this Act accordingly; and for the Purpose of enabling it so to do a Summoning Officer shall be appointed by the Order settling the Boundaries, whose Duty it shall be forthwith to take all such Steps as may be necessary for convening a Meeting of the Ratepayers to decide as to the Adoption of this Act; and if such Officer dies, becomes incapable, neglects or refuses to perform his Duties, the said Secretary of State may, on the Application of any Four Ratepayers, appoint another Officer in his Room.

Appeal against Adoption of Act.

Power to appeal, by Petition, against Resolution to adopt this Act.

XVII. (1.) In Cases where a Resolution adopting this Act has been passed in any Place, if any Number, being not less than One Twentieth of the Owners and Ratepayers of such Place, such Twentieth to be One Twentieth in Number of the Owners and Ratepayers of the Place, taken together, or the Owners and Ratepayers in respect of One Twentieth of the rateable Property in the Place, are desirous that the whole or any Part of such Place should be excluded from the Operation of this Act, they may present a Petition to One of Her Majesty's Principal Secretaries of State, appealing against such Resolution, and praying that such Exclusion may be made:

Such Petition to be presented to Secretary of State.

(2.) Such Petition shall be presented within Twenty-one Days from the Date of the passing of the Resolution appealed against, and shall where the Exclusion of Part of a Place only is prayed for state,

(1.) The Part of the Place proposed to be excluded, accompanied with an explanatory Plan; and

(2.) The Reasons for such Exclusion:

It shall be subscribed by the Owners and Ratepayers presenting the same:

Power to Secretary of State to direct Inquiry.

(3.) Upon the Receipt of any such Petition as aforesaid, the said Secretary of State may direct Inquiry in the proposed District,

As to the Genuineness of the Petition; and

As to the Matters alleged in such Petition:

Notice of Inquiry.

(4.) Fourteen Days Notice of the Time, Place, and Subject of such Inquiry shall be given:

Order to be made by Secretary of State.

(5.) The said Secretary of State shall make Order with respect to the Matter in question on such Appeal, and such Order shall be binding on the Place in respect of which it is made, and there shall be stated in such Order the Time at which this Act is to come into force.

Appeal to Secretary of State in case of alleged Invalidity of Vote for Adoption of this Act.

XVIII. It shall be lawful for any Owner or Ratepayer who disputes the Validity of the Vote for the Adoption of this Act to appeal within Fourteen Days from the Declaration of the Vote to One of Her Majesty's Principal Secretaries of State, setting forth the Grounds on which he disputes the Validity of such Vote, and it shall be lawful for any of Her Majesty's Principal Secretaries of State, on such Appeal, to direct Inquiry by any Officer employed by him in the Execution of this Act into the Circumstances of the Case, and to issue such Order thereon as he may deem requisite to determine the Questions arising on such Appeal, and as to the Validity or Invalidity of such Vote.

General Provisions in relation to Adoption.

Notice as to Adoption of Act to be given to Secretary of State.

XIX. Whenever a Resolution adopting this Act has been passed in any Place, Notice thereof shall be given to One of Her Majesty's Principal Secretaries of State by the following Persons; that is to say,

In Corporate Boroughs, by the Mayor:

In other Places under the Jurisdiction of such Improvement Commissioners as aforesaid, by the Chairman of the Board of Commissioners:

In other Places, by the Summoning Officer:

The

The Notice so sent shall be in Writing under the Hand of the Officer hereby required to give the same; and it shall be the Duty of such last-mentioned Officer to publish a Copy of such Notice in manner following; that is to say,

By Advertisement for Three successive Weeks in some One or more of the Newspapers circulated in the Place:

By causing a Copy of such Notice to be affixed to the principal Doors of every Church and Chapel in such Place to which Notices are usually affixed:

And when such Notice has been so given, and the Time for such Appeal has expired, or such Appeal has been dismissed, a Notice shall be published in the *London Gazette*, by One of Her Majesty's Principal Secretaries of State, that this Act has been adopted within such Place.

Provision as to the Time when this Act shall take effect.

XX. Whenever any Resolution adopting this Act has been passed in any Place this Act shall, at the Expiration of Two Months from the Date of the passing of such Resolution, or in the event of an Appeal, or of a Division of the District into Wards as herein-after provided, then at such Time as may be mentioned in the Order made on such Appeal, or in the Order setting out Wards, have the Force of Law within such Place; and the Expiration of such Period of Two Months, or such Date as may be mentioned in the said Order as the Time for this Act to come into force, shall be called the Date of the Constitution of the District; provided that the Provisions of this Act relating to Purposes already included in any Local Act in force within the District with relation to any of the Purposes of the Public Health Act, 1848, or this Act, and not conferring Powers or Privileges upon Corporations, Companies, Undertakers, or Individuals, for their own pecuniary Benefit, notwithstanding the Adoption of the Act, as herein-before provided, shall not come into operation until an Order has been made and confirmed, as herein-after prescribed, for the future Execution, Repeal, or Alteration of the said Local Act.

As to Objections made to Adoption of this Act.

XXI. No Objection shall be made at any Trial or in any legal Proceeding to the Validity of the Adoption of this Act, or to any Order made in pursuance of this Act, or to any Proceedings upon which such Order was founded, unless the Objector has given Fourteen Days previous Notice to the other Parties interested in such Trial or Proceeding of his Intention to make the same, specifying fully the Nature of the Objection to be made; and no Objection whatever in respect of the Matters mentioned in this Section shall be admissible at any Trial or in any legal Proceeding after the Expiration of Six Calendar Months from the Date of the Constitution of the District.

Proof of Adoption.

XXII. Publication of a Notice by a Secretary of State once in the *London Gazette*, and by the Mayor, Chairman of the Board of Improvement Commissioners, or Summoning Officer, respectively, for Three successive Weeks in any Newspaper published and circulated in the Town or District that this Act has been adopted in any Place, shall be conclusive Evidence of such Adoption.

Provision as to Payment of Costs, &c. incurred in relation to Adoption.

XXIII. In Cases where this Act has been adopted by any Place, all Costs, Charges, and Expenses incurred by any of Her Majesty's Principal Secretaries of State, in relation to any such Adoption, or to any Proceedings connected therewith, or which such Secretary is required to take under this Act, and not hereby otherwise provided for, shall, to such Amount as the Treasury, by Order, think proper to direct, become a Charge upon the General District Rates levied in such District under the Authority of this Act, and be repaid to the Treasury by annual Instalments not exceeding Five, together with Interest after the yearly Rate of Five Pounds in the Hundred, to be computed from the Date of any such last-mentioned Order, upon so much of the Principal Sum due in respect of the said Costs, Charges, and Expenses as may from Time to Time remain unpaid.

Constitution of Local Boards.

Local Boards, how constituted.

XXIV. The Duty of carrying into execution this Act shall be vested in a Local Board; and such Local Board shall be,

(1.) In Corporate Boroughs, the Mayor, Aldermen, and Burgesses acting by the Council:

(2.) In other Places under the Jurisdiction of such a Board of Improvement Commissioners as herein-before mentioned, the Board of Commissioners:

(3.) In other Places, such Number of elective Members as may be determined by a Resolution of the Owners and Ratepayers, passed in manner in which Resolutions for the Adoption of this Act are herein-before directed to be passed, at any Meeting held for the Purpose of adopting this Act, or at any Meeting to be summoned by the Summoning Officer for the Purpose of this Section; but no Person shall be qualified to be a Member of such Local Board unless he is at the Time of his Election, and so long as he shall continue in Office by virtue of such Election, resident within the District for which or for Part of which he is elected, or within Seven Miles thereof, and is seised or possessed of Real or Personal Estate, or both, to the Value of not less than Five hundred Pounds in Districts containing less that Twenty thousand Inhabitants, or to the Value of not less than One thousand Pounds in Districts containing Twenty thousand or more Inhabitants, or rated to the Relief of the Poor of such District, or of some Parish within the same, upon an annual Value of not less than Fifteen Pounds in Districts containing less than Twenty thousand Inhabitants, or on an annual Value of not less than Thirty Pounds in Districts containing Twenty thousand or more Inhabitants; provided that if Two or more Persons be jointly seised or possessed of Real or Personal Estate, or both, of such Value or Amount

Amount as would, if equally divided between them, qualify each to be elected, or if Two or more Persons be jointly rated in respect of any Property which, if equally divided between them, would qualify each to be so elected, each of the Persons so jointly seised, possessed, or rated may be elected, but the Property shall not at the same Time qualify the Owner and the Occupier thereof:

District may be divided into Wards with Sanction of Secretary of State.

(4.) Local Boards of Health in Districts where the Public Health Act, 1848, is applied, may, with the Sanction of One of Her Majesty's Principal Secretaries of State, divide their District into separate Wards, and declare what Proportion of the Members of the Local Board is to be elected by each Ward: In Districts where this Act is adopted, the Owners and Ratepayers may by Resolution direct a Petition to One of Her Majesty's Principal Secretaries of State to divide the District into Wards, for the Purpose of Election of the Local Board, and to declare what Proportion of the Members of the Local Board shall be elected by each Ward, and the said Secretary of State may by his Order make such Division and Declaration after such Inquiry as he shall deem necessary, and Fourteen Days Notice shall be given of the Time, Place, and Object of such Inquiry; and if any Member be elected in more than One Ward, he shall within Three Days Notice thereof choose, or, in default of his choosing, the Local Board at their next Meeting shall decide for which One of the Wards the Member shall serve, and he shall thereupon be held to be elected in that Ward only, and a Vacancy shall be held to exist on account of the other Ward or Wards; no Person entitled to vote shall give in the whole of the Wards a greater Number of Votes than he would have been entitled to give if the District had not been divided into Wards, nor in any One Ward a greater Number of Votes than he is entitled to in respect of Property in that Ward; but subject to these Limitations, any Ratepayer or Owner may, by Notice in Writing delivered to the Clerk of the Local Board, or in case of the First Election to the Person appointed to conduct that Election, elect in what Ward or Wards he will vote for the ensuing Year, and determine the Proportion of Votes which he will give in any One or more of such Wards, and if he do not give such Notice he shall not be entitled to vote for any Ward in which he does not reside:

As to Election of Local Boards.

(5.) The Election of Local Boards shall be conducted in the Manner directed by the Public Health Act, 1848, for the Election of Local Boards of Health; and the Summoning Officer shall conduct the First Election; and the Members of the Local Board shall take such Declaration, continue in Office for the same Time, and be liable to such Disqualifications and Penalties, as the Members of Local Boards of Health under the said Public Health Act as altered by this Act:

Persons nominated may appoint an Agent.

(6.) If any Person nominated, or any Person on his Behalf, give at least One clear Day's Notice in Writing to the Returning Officer, before the Delivery or Collection of the Voting Papers, of an Intention to send some Agent to accompany the Deliverer or Collector of the Papers, the Returning Officer shall make his Arrangements so as to enable the Person appointed by him to be so accompanied; provided that no such Agent shall interfere in any respect in the Delivery or Collection of the Voting Papers:

As to casual Vacancies.

(7.) Any casual Vacancy occurring by Death, Resignation, Disqualification, or otherwise in the Local Board may be filled up within One Month by the Local Board out of qualified Persons, but the Member so chosen shall retain his Office so long only as the vacating Member would have retained the same if no Vacancy had occurred:

As to First Meeting of Local Board.

(8.) In the Case of Districts not consisting of Boroughs or Towns under the Jurisdiction of such Improvement Commissioners as aforesaid, the First Meeting shall be held on such Day, not more than Ten Days after the Election of the Local Board, and at such Place, as the Returning Officer may, by Notice sent by Post or delivered to each Member of such Board, appoint.

Disqualification of Members of Local Boards.

XXV. Notwithstanding anything contained in the Public Health Act, 1848,

(1.) No Member of a Local Board shall vacate his Office by reason of his being interested in any Sale or Lease of any Lands, or any Loan of Money to the Local Board:

(2.) Nor by absenting himself from Meetings of the Board, if he be not absent from the District for more than Six Months at one and the same Time, unless in case of Illness, nor by reason of his being interested in any Contract with the Local Board as a Shareholder in any Company established under the Provisions of the Joint Stock Companies Acts or any of them, with or without a limited Liability, provided no Member of a Local Board, being a Shareholder, shall vote on any Question in which the Company is interested:

(3.) It shall be lawful for One of Her Majesty's Principal Secretaries of State to dispense in any Case with the Prohibition contained in the Nineteenth Section of the Public Health Act, 1848, by which no Member of a Local Board, being a Shareholder in any Company or Concern established for the Supply of Water, or for the carrying on of any other Works of a like public Nature, is entitled to vote upon any Question in which such Company or Concern is interested.

Powers of Local Board to vest in Town Council when

XXVI. So much of the Thirty-third Section of the Public Health Act, 1848, as requires that a Day shall be specified in any Charter of Incorporation by which the District of a Local Board becomes a Corporate Borough, from and after which the Powers, Authorities, Duties, Property, and Liabilities of the

the Local Board shall be vested in the Mayor, Aldermen, and Burgesses of the Borough by their Council, shall be repealed; and all Transfers of Powers, Authorities, Duties, Property, and Liabilities which have been or shall hereafter be made by any Local Board of Health to the Mayor, Aldermen, and Burgesses of any Corporate Borough by their Council, the District of such Board and such Corporate Borough being identical, shall be valid and effectual to all Intents and Purposes, though no Day for such Transfer shall have been named in the Charter incorporating such Borough. a District becomes a Corporate Borough.

XXVII. Adjoining Districts may unite together upon such Terms and subject to such Conditions as the respective Local Boards of such Districts may, with the Sanction of One of Her Majesty's Principal Secretaries of State, determine. Power to adjoining Districts to unite.

XXVIII. Every Local Board may, with the Consent of the Local Board of any adjoining District, or with the Consent of any adjoining Place maintaining its own Poor, do and execute in such adjoining District or Place all or any of such Works and Things as the Local Board may do and execute within their own District, and upon such Terms as to Payment or otherwise as may be agreed upon between such Local Board and the Local Board of the adjoining District, or the Local Authority under the Nuisance Removal Act, 1855, in and for such adjoining Place; and any Sums agreed to be paid by the Local Board of the adjoining District, in pursuance of this Section, shall be payable out of the Rates leviable under the Public Health Act, 1848, and this Act; and any Sums agreed to be paid by such Local Authority shall be payable out of the same Rates as the Expenses of executing the said Nuisance Removal Act; and the Consent of any such Place to any Work or Thing proposed to be done under this Section shall be signified in the same Manner in which the Consent of a Place to the Adoption of this Act is herein-before required to be signified; and where the Expenses of any such Work or Thing would, if the same had been executed in a District under the Powers of this Act, have been recoverable from Owners or Occupiers, such Expenses shall be recoverable by the Local Board or Local Authority of the District or Place respectively from such Owners or Occupiers. Power to Local Board to execute Works in adjoining Places.

As to Powers of Local Boards.

Powers of Local Board as to Sewerage.

XXIX. If it appear to a Local Board that any Premises were sufficiently drained before the Construction of any new Sewer they may lay down, it shall be lawful to deduct from the Amount of Rates otherwise chargeable in respect of such Premises such a Sum and for such Time as the Local Board may under all the Circumstances of the Case deem to be just. Power to make Deduction from Rate in respect of Premises sufficiently drained.

XXX. Local Boards may, Powers for disposing of Sewage.

(1.) Exercise the Powers given by the Forty-sixth Section of the Public Health Act, 1848, also without their District, if necessary for the Purpose of Outfall and Distribution of Sewage, upon making due Compensation, to be settled in the Manner provided in the One hundred and forty-fourth Section of the Public Health Act, 1848;

(2.) Contract with any Company or Person for the Sale of Sewage, or for the Distribution of it over any Land;

(3.) Contract for, purchase, or take on Lease any Lands, Buildings, Engines, Materials, or Apparatus for the Purpose of receiving, storing, disinfecting, or distributing Sewage:

Provided always, that these Things shall be done so as not to create a Nuisance.

XXXI. In case any Watercourse or open Ditch lying near to or forming the Boundary between the District of any Local Board and any adjoining Parish or Place shall be foul and offensive, so as injuriously to affect the District of such Local Board, any Justice of the Peace for the County, City, or Borough in which such adjoining Parish or Place may be situate may, on the Application of such Local Board, summon the Local Authority for the Purposes of the Nuisances Removal Act, 1855, of such adjoining Parish or Place, to appear before the Justices of the same County, City, or Borough, to show Cause why an Order should not be made by the said Justices for cleansing such Watercourse or open Ditch, and for executing such permanent or other structural Works as may appear to such Justices to be necessary; and such Justices, after hearing the Parties, or *ex parte* in case of the Default of any of them to appear, may make such Order with reference to the Execution of the Works, and the Persons by whom the same shall be executed, and by whom and in what Proportions the Costs of such Works shall be paid, and also as to the Amount thereof, and the Time and Mode of Payment, as to such Justices shall seem reasonable; and any Sums ordered to be paid by any Justices in pursuance of this Section shall be a Charge upon and be payable out of the Poor Rates of such adjoining Parish or Place, as if the same were legally incurred in the Relief of the Poor of such Parish or Place, and in default of Payment may be levied upon the Goods and Chattels of such Overseers by Distress and Sale thereof. Provision for obtaining Order for cleansing foul and offensive Watercourses or open Ditches lying near to or forming the Boundaries of Districts.

Powers as to Scavenging and Cleansing.

XXXII. The Fifty-fifth and Fifty-sixth Sections of the Public Health Act, 1848, shall be repealed, excepting so much of the Fifty-sixth Section as relates to the providing Conveniences for the temporary Power to Local Boards to cleanse or

contract for cleansing.

temporary Deposit of Dust, Ashes, and Rubbish, and also fit Buildings and Places for the Deposit of Sewerage and other Matters collected by the Local Board; and in lieu thereof be it enacted,

(1.) That Local Boards may themselves undertake or contract with any Person for

The proper cleansing and watering of Streets;

The Removal of House Refuse from Premises;

The cleansing of Privies, Ashpits, and Cesspools;

either for the whole or any Part of their District; and all Matters thus collected by the Local Board or Contractor may be sold or otherwise disposed of, and any Profits thus made by the Local Board shall be carried to the District Fund Account:

(2.) If any Person, not being the Occupier of a House within the District, removes or obstructs the Local Board or Contractor in removing, any Matters hereby authorized to be removed by the Local Board, he shall for each Offence incur a Penalty not exceeding Five Pounds; and if any Person, being the Occupier of a House within the District, removes, or obstructs the Local Board or Contractor in removing, any such Matters (except in Cases where such Matters are produced on his own Premises, and are removed for Sale, or for his own Use for Manure, and are in the meantime kept so as not to be a Nuisance), he shall for each Offence incur a Penalty not exceeding Forty Shillings:

(3.) In Parts where the Local Board do not themselves undertake or contract with any Person for—

The cleansing of Footways and Pavements adjoining any Premises,—

The Removal of Refuse from any Premises,—

The cleansing of Privies, Ashpits, and Cesspools,—

They may make Byelaws imposing the Duty of such Cleansing or Removal on the Occupier of any such Premises:

Local Board may make Byelaws as to Nuisances.

(4.) The Local Board may make Byelaws for the Prevention of Nuisances arising from Snow, Filth, Dust, Ashes, and Rubbish within their District, or of the keeping of Animals so as to be injurious to the Public Health:

Recovery of Expenses of Removal of Accumulations under 11 & 12 Vict. c. 63.

(5.) Whenever the Local Board have removed any noxious or offensive Accumulation under the Fifty-ninth Section of the Public Health Act, 1848, the Expenses of Removal, so far as the same are not covered by the Sale of the said Accumulation, shall be recoverable in a summary Manner from the Occupier, or, where there is no Occupier, from the Owner of the Premises on which such Accumulation existed, or from the Person causing such Accumulation, or may, by Order of the Board, be declared to be Private Improvement Expenses.

Amendment of Sect. 54. of 11 & 12 Vict. c. 63. for Purposes herein named.

XXXIII. Whenever the Surveyor, in the Course of any Examination made by him in pursuance of the Fifty-fourth Section of the Public Health Act, 1848, finds any such Drain, Watercloset, Privy, Cesspool, or Ashpit, as therein mentioned, to be in bad Order and Condition, or to require Alteration, it shall not be necessary for him to cause the Ground to be closed before the necessary Works are set about for amending such Drain, Watercloset, Privy, Cesspool, or Ashpit; provided that such necessary Works are undertaken forthwith.

Sects. 53. and 72. of 11 & 12 Vict. c. 63., as to new Streets and Houses, repealed, and the Provisions herein named to be instead.

XXXIV. The Fifty-third and Seventy-second Sections of the Public Health Act, 1848, shall be repealed; and in lieu thereof be it enacted as follows:

Every Local Board may make Byelaws with respect to the following Matters; (that is to say,)

(1.) With respect to the Level, Width, and Construction of new Streets, and the Provisions for the Sewerage thereof;

(2.) With respect to the Structure of Walls of new Buildings for securing Stability and the Prevention of Fires;

(3.) With respect to the Sufficiency of the Space about Buildings to secure a free Circulation of Air, and with respect to the Ventilation of Buildings;

(4.) With respect to the Drainage of Buildings, to Waterclosets, Privies, Ashpits, and Cesspools in connexion with Buildings, and to the closing of Buildings or Parts of Buildings unfit for Human Habitation, and to Prohibition of their Use for such Habitation:

And they may further provide for the Observance of the same by enacting therein such Provisions as they think necessary as to the giving of Notices, as to the Deposit of Plans and Sections by Persons intending to lay out Streets or to construct Buildings, as to Inspection by the Local Board, and as to the Power of the Local Board to remove, alter, or pull down any Work begun or done in contravention of such Byelaws: Provided always, that no such Byelaw shall affect any Building erected before the Date of the Constitution of the District:

But for the Purposes of this Act the re-erecting of any Building pulled down to or below the Ground Floor, or of any Frame Building of which only the Frame Work shall be left down to the Ground Floor, or the Conversion into a Dwelling House of any Building not originally constructed for Human Habitations, or the Conversion into more than One Dwelling House of a Building originally constructed as One Dwelling House only, shall be considered the Erection of a new Building.

Powers for Regulation of Buildings.

When Houses taken down, Local Board

XXXV. When any House or Building has been taken down, in order to be rebuilt or altered, the Local Board may prescribe the Line in which any House or Building to be hereafter built shall be erected,

erected, and the same shall be erected in accordance therewith ; and the Local Board shall pay or tender Compensation to the Owner or other Person immediately interested in such House or Building for any Loss or Damage he may sustain in consequence of his House or Building being set back, the Amount of such Compensation, in case of Dispute, to be settled in the same Manner as Compensation for Land to be taken under the Provisions of "The Lands Clauses Consolidation Act, 1845," is directed to be settled ; and all the Provisions of the said last-mentioned Act relating to the Purchase of Lands shall apply to the Payment made for such Loss or Damage as if it were a Purchase under such Act.

may prescribe Line in which same shall be rebuilt.

XXXVI. The Local Board may, with the Sanction of One of Her Majesty's Principal Secretaries of State, purchase any Premises for the Purpose of making new Streets, and shall have with regard to Premises so purchased all the Powers given by the Seventy-third Section of the Public Health Act, 1848.

Local Board may purchase Premises for making new Streets.

Highway Repairs.

XXXVII. 'And whereas Doubts have arisen as to the Rate out of which the Repair of Highways is 'to be provided for in Districts under the Public Health Act, 1848 :' Be it enacted, That in such Districts, or in Districts where this Act is adopted, and where no other Mode of providing for the Repair of Highways is directed by any Local Act,

Cost of Highway Repair to be defrayed out of General District Rate in certain Cases.

(1.) Where the whole of the District is rated to public Works of Paving, Water Supply, and Sewerage, or to Works for such of these Purposes as are provided for in the District, the Cost of Repair of Highways shall be defrayed out of the General District Rate :

(2.) Where Parts of a District are not rated for Works of Paving, Water Supply, and Sewerage, or for such of these Purposes as have been provided for by Rate in the District, the Cost of the Repair of Highways in the same Parts shall be defrayed out of a Highway Rate to be separately assessed and levied in the same Parts by the Local Board as Surveyor of Highways, and the Cost of such Repair in the Residue of the District shall be defrayed out of the General District Rate :

Power to levy Highway Rates in certain Cases.

(3.) Where no public Works of Paving, Water Supply, and Sewerage are established in the District, the Repair of Highways in the District shall be provided for by a Highway Rate, to be levied over the whole District by the Local Board as Surveyors of Highways :

(4.) Where Part of any Township or Place, at the Time of the Application of this Act to any District shall be liable to contribute and pay to the Highway Rates leviable or assessable within such District, although it shall not be included in the Limits of such District, such Part of the said Township or Place shall, for all Purposes connected with the Repairs of Highways, and the Payment of Highway Rates, but for no other Purposes, be considered to be and be treated as if forming Part of such District and comprised within the Limits thereof: Provided always, that no such District Rate shall be leviable within such Part :

Certain Acts not required to be done in case of Highway Rate being made by Local Board.

(5.) Provided, that it shall not be necessary for any Local Board, in the Case of any Highway Rate made by them, to do the following Acts or any of them ; that is to say,

To lay such Rate before any Justices, or obtain their Allowance ;

To annex thereto the Signature of such Local Board ;

To lay the same before the Parishioners assembled in Vestry ;

To verify before any Justices any Accounts kept by them of such Highway Rates ;

And all such Accounts shall be audited in all respects in the same Way as the other Accounts of Local Boards, and all ministerial Acts required by any Act of Parliament to be done by the Surveyor of Highways may be done by the Surveyor of the Local Board, or by such other Person as they may appoint.

Application of Surplus under Sect. 117. of 11 & 12 Vict. c. 63.

(6.) The Surplus of any Monies directed by the One hundred and seventeenth Section of the Public Health Act, 1848, to be paid by Surveyors of Highways to the Treasurer of the Local Board, and to be carried to the District Fund Account, shall, for every District or Part of a District where the Roads are repaired out of Highway Rate, be carried by the same Treasurer to a separate Account to be kept by him, and called the Highway Rate Account. The Act of the Thirteenth *Victoria*, Chapter Thirty-five, "for requiring annual Returns of the Expenditure on Highways in *England* and *Wales* to be trans- "mitted to the Secretary of State, and afterwards laid before Parliament," shall apply to the Clerk to every such Local Board as aforesaid in like Manner as to the Clerk to any such Trustee or Commissioner as in such Act mentioned.

Powers as to Streets and Roads.

Extending Powers of Local Board to provide for sewering, &c. of Parts of Streets not being Highways.

XXXVIII. The Powers given to Local Boards of Health by the Sixty-ninth and Seventieth Sections of the Public Health Act, 1848, to compel the sewering, levelling, paving, flagging, and channelling of Streets that are not Highways repairable at the Public Expense, and after the Completion of such Works to declare such Streets Highways repairable at the Public Expense, shall extend to providing the Means of lighting, metalling, or making good such Streets, and may be exercised in respect of the Carriageway, Footway, or any Part of such Streets ; and the said Powers shall also be deemed to have extended and shall extend and be exercised in respect of any Street or Road of which a Part was at the Time of the Application of the Public Health Act, 1848, or is or may be, a Public Footpath, or repairable at

at the Public Expense, as fully as if the whole of such Street or Road had been or was a Highway not repairable at the Public Expense.

No Incumbent or Minister of any Church, Chapel, &c. liable to Expenses under Sect. 69. of 11 & 12 Vict. c. 63. or this Section.

No Incumbent or Minister of any Church, Chapel, or Place appropriated to Public Religious Worship, which is now by Law exempt from Rates for the Relief of the Poor, shall be liable to any Expenses under the Sixty-ninth Section of the Public Health Act, 1848, or this Section, as the Owner or Occupier of such Church, Chapel, or Place, or of any Churchyard or Burial Ground attached thereto, nor shall any such Expenses be deemed to be a Charge on such Church, Chapel, or other Place, or on such Churchyard or Burial Ground, or to subject the same to Distress, Execution, or other legal Process; and the Local Board may, if they think fit, undertake any Works from the Expenses of which any such Incumbent or Minister is hereby exempted.

Power to Local Boards to agree as to making of new public Roads.

XXXIX. It shall be lawful for any Local Board to agree with any Persons for the making of Roads for the Public Use through the Lands and at the Expense of such Persons, and to agree that such Roads shall become and the same shall accordingly become, on Completion, public Highways maintainable and repairable at the Public Expense; and it shall be lawful for such Board, with the Consent of Two Thirds of their Number, to agree with such Persons to pay, and accordingly to pay, any Portion of the Expenses of making such Roads out of the Funds at the Disposal of such Board for Public Improvements.

Power to Local Boards, by Consent, to construct public Bridges, &c., or adopt as public, and improve, existing Bridges, &c. over or under Canals, Railways, or Tramroads.

XL. It shall be lawful for any Local Board to agree with the Proprietors of any Canals, Railways, or Tramroads, and with any Landowners or other Persons willing to bear the First Expense thereof, for the Construction or Alteration of, and accordingly to cause or permit to be constructed or altered, any Bridges, Viaducts, or Arches over or under any such Canals, Railways, or Tramroads, at the Expense of such Persons, and at the like Expense, by Agreement, to purchase so much of any Slopes, Embankments, or other Parts of such Canals, Railways, or Tramroads, or of any adjoining Lands, as may be required for the Foundation and Supports of such Bridges, Viaducts, or Arches, and the Approaches thereto, and to agree that such Bridges, Viaducts, and Arches respectively, with their Approaches and Accessories, shall become, and the same shall accordingly become, on Completion, Parts of public Streets or Roads maintainable and repairable at the Public Expense; and it shall be lawful for such Board, with the Consent of Two Thirds of their Number, to agree to pay, and accordingly to pay, any Portion of the Expenses of such Construction, Alteration, and Purchase out of the Funds at the Disposal of such Board for Public Improvements; and it shall be lawful for such Board, with the Consent of such Proprietors and other Persons interested, and on such Terms as may be mutually agreed upon, to adopt any existing Bridges, Viaducts, or Arches over or under any such Canals, Railways, or Tramroads, and the Approaches thereto, as public Bridges, Viaducts, or Arches, and Parts of public Streets or Roads maintainable and repairable at the Public Expense.

Powers to Local Boards to enter into Agreements with Turnpike Trustees as to Repair, &c. of Roads.

XLI. It shall be lawful for any Local Board, by Agreement with the Trustees of any Turnpike Road, or with any Corporation or Person liable to repair any Street or Road, or any Part thereof, or with Surveyors of any Bridge repaired by any County, Riding, or Division, to take upon themselves the Maintenance, Repair, Cleansing, or Watering of any such Street or Road or any Part thereof, or of any Road over any County Bridge, and the Approaches thereto, or of any Part of the said Roads within their District, and to remove any Turnpike Gates, Toll Gates, or Bars which may be situate within Two Miles from the Centre of any Town or Place within their District, and to erect other Turnpike Gates, Toll Gates, or Bars in lieu thereof, on such Terms as the Local Board and the Trustees or Corporation or Person or Surveyor aforesaid may agree upon between themselves; provided that in case any Mortgage Debt is charged upon the Tolls of any such Turnpike Road, no Agreement shall be made for the Removal of any of the Toll Gates or Bars thereon, unless with the previous Consent in Writing of a Majority of at least Two Thirds in Value of the Mortgagees; and that when the Terms arranged shall include any annual or other Payments from the Local Board to the Trustees, then such Payments may be secured on the local Rates in the same Manner as other Charges on the Rates are authorized by this Act; provided also, that all Executors, Administrators, Guardians, Trustees, and all Committees of the Estates of Idiots and Lunatics, who as such are for the Time being entitled to any Money charged or secured on the Tolls of any such Turnpike Road, may consent to any such Agreement as aforesaid, as fully as if they respectively were so entitled in their own Right, discharged of all Trusts in respect thereof, and all Executors, Administrators, Guardians, Trustees, and Committees so consenting are hereby severally indemnified for so doing.

Objections under Sect. 70. of 11 & 12 Vict. c. 63. to be made by the sole Proprietor, or, if more than One, by a Majority.

XLII. 'And whereas by the Seventieth Section of the Public Health Act, 1848, it is provided that 'no Street shall become a Highway, under the Provisions of such Section, if within One Month after 'Notice in Writing shall have been first put up as therein mentioned the Proprietor of such Street, or 'the Person representing or entitled to represent such Proprietor, shall, by Notice in Writing to the 'Local Board, object thereto; and Doubts have arisen as to the Effect of such Provision:' Be it enacted, That no such Objection shall be of Force unless made either by the sole Proprietor, or (if more than One) by the Majority in Number of such Proprietors, and in ascertaining such Majority joint Proprietors shall be reckoned and considered One Proprietor.

Certain Roads herein named not to be interfered with,

XLIII. Notwithstanding anything contained in the Public Health Act, 1848, or this Act, it shall not be lawful for any Local Board to open or in any way disturb any of the public Roads or Footpaths under the Charge of the Commissioners of the Metropolis Turnpike Roads North of the *Thames*, or of

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the *New Cross* Turnpike Roads, or of the Trustees acting in execution of the *Surrey* and *Sussex* Roads Act, 1850, except upon the Conditions and subject to the Regulations herein-after contained; that is to say, except upon Conditions, &c. herein named.

(1.) The Local Board shall leave at the Office of the Commissioners or Trustees of such Road Seven Days previous Notice, containing full Particulars of any Works intended to be executed by them, and affecting any of such Roads:

(2.) If the General Surveyor of the said Commissioners or Trustees directs the Works to be on any particular Part of such Roads the Local Board shall be bound to obey such Directions:

(3.) Except by the Permission of the said Commissioners or Trustees, the Traffic of any of the said Roads shall not at One Time be stopped or in any way hindered along more than Half of its Width, nor, if the Half left open is of less than the clear Width of Fourteen Feet, along more than One hundred Yards in Length; and no Alteration shall be made in the Inclination of any of the said Roads of more than One Foot in Sixty Feet:

(4.) All Works shall be done under the Superintendence of the General Surveyor; and all such Precautions as he may direct for the Protection and Convenience of the Public shall be taken by and at the Expense of the Party doing the Works, and in default the said Surveyor shall cause to be done in that Behalf what he may think proper; and the Party doing the Works shall in all Cases of Damage occurring by reason of such Works, and whether such Precautions are or not taken, be answerable to the Person suffering such Damage, the said Commissioners or Trustees being hereby absolved from all Liability in respect of the Consequences of such Works:

(5.) The Party doing the Works shall, as regards every Road opened or disturbed, restore the same to its original State as to Surface and Materials, and, in order to meet the Expenses consequent upon the Subsidence of Materials newly filled in, shall repay to the said Commissioners or Trustees, on Demand, such Sum as they have expended in Restoration of the Road, not exceeding One Shilling for every superficial Square Yard, and, so far as the Works affect the same, shall make good all Drainage, Paving of Water Channels, Curbs of Footpaths, and other Matters and Things connected with the Maintenance of the said Roads; and on default the said Surveyor may cause to be done in that Behalf what he may think fit; and the said Surveyor may recover the Expense so incurred by him in a summary Manner.

Incorporated Powers.

Certain Provisions of 10 & 11 Vict. c. 89. incorporated with this Act.

XLIV. The Provisions of "The Towns Police Clauses Act, 1847,"

(1.) With respect to Obstructions and Nuisances in the Streets,

(2.) With respect to Fires,

(3.) With respect to Places of Public Resort,

(4.) With respect to Hackney Carriages,

(5.) With respect to Bathing,

Shall be incorporated with this Act.

Certain Provisions of 10 & 11 Vict. c. 34. incorporated with this Act.

XLV. The Provisions of "The Towns Improvement Clauses Act, 1847," with respect to the following Matters; that is to say,

(1.) With respect to naming the Streets and numbering the Houses,

(2.) With respect to improving the Line of the Streets and removing Obstructions,

(3.) With respect to ruinous or dangerous Buildings,

(4.) With respect to Precautions during the Construction and Repair of the Sewers, Streets, and Houses,

(5.) With respect to the Supply of Water, except the Proviso thereto,

(6.) With respect to the Prevention of Smoke,

(7.) With respect to Slaughter-houses,

(8.) With respect to Clocks,

Shall be incorporated with this Act, subject to this Qualification, that the above-mentioned Provisions with respect to the Prevention of Smoke shall not extend to compel the Consumption of all Smoke in the Case of all or any of the Processes following; that is to say, to the coking of Coal, the calcining of Ironstone or Limestone, the making or burning of Bricks, Earthenware, Quarries, Tiles, or Pipes, the raising of any Mines or Minerals, the smelting of Iron Ores, the refining, puddling, shingling, and rolling of Iron or other Metals, or to the melting and casting of Iron into Castings, or to the Manufacture of Glass, in any District where the Provisions of the said Act for the Prevention of Smoke are not now in force, in which the Local Board shall resolve that any One or more of such Processes should be exempted from Penalties for not consuming all Smoke for any Time specified in such Resolution, not exceeding Ten Years, which may be annually renewed for a similar or any shorter Period, if the Board shall think fit; and any Justice or Justices before whom any Person shall be summoned may remit the Penalty in any Case within such District in which he or they shall be of opinion that such Person has adopted the best known Means for preventing any Nuisance from Smoke, and has carefully attended to the same, so as to consume, as far as possible, the Smoke arising from any Process so exempted during such Time as any such Resolution shall extend to, unless an Order shall be issued by One of Her Majesty's

Majesty's Principal Secretaries of State directing that such Exemption shall no longer be continued in such District to such Processes or any of them, after a Time specified in such Order.

Watching and Lighting Act (3 & 4 W. 4. c. 90.) to be superseded by this Act.

XLVI. In any District where the Public Health Act, 1848, is in force, or where this Act is adopted, and in which the Act passed in the Third and Fourth Years of the Reign of King *William* the Fourth, intituled *An Act to repeal an Act of the Eleventh Year of His late Majesty King* George *the Fourth, for the lighting and watching of Parishes in* England *and* Wales, *and to make other Provisions in lieu thereof*, has been adopted, the said last-mentioned Act shall be superseded by this Act, and all Lamps, Lamp Posts, Gas Pipes, Fire Engines, Hose, and other Property vested in the Inspectors for the Time being under the said Act, shall, in all existing Districts under the Public Health Act, 1848, and elsewhere upon the Adoption of this Act, vest in the Local Board.

Where Vestries adopt Provisions of 10 & 11 Vict. c. 74., Local Board to be the Commissioners under that Act.

XLVII. In any District where a Vestry adopts the Act passed in the Tenth Year of the Reign of Her present Majesty, Chapter Seventy-four, and intituled *An Act to encourage the Establishment of Public Baths and Wash-houses*, the Local Board may, at the Option of the said Vestry, be the Commissioners for the Execution of the said Act, and shall thereupon have all the Powers, Duties, Rights, and Obligations of Commissioners under the said Act; and all Expenses incurred by the Local Board in carrying into execution the Powers given to them by the said Act shall be defrayed out of General District Rates, and all Receipts by them by reason of the Exercise of such Powers shall be carried to the District Fund Account.

11 & 12 Vict. c. 63. ss. 61, 62. repealed.

XLVIII. The Sixty-first and so much of the Sixty-second Sections of the Public Health Act, 1848, as empowers the Local Board to make Byelaws with respect to all Slaughter-houses, shall be repealed.

Local Board to be Burial Board of District.

XLIX. In any District where a Vestry of any One or more Parish or Place comprised therein having a known or defined Boundary adopts the Act passed in the Twentieth and Twenty-first Year of the Reign of Her present Majesty, Chapter Eighty-one, and intituled *An Act to amend the Burial Acts*, the Local Board may, at the Option of such Vestry, be the Burial Board for the Execution of the said Act within such Parish or Parishes, Place or Places, so adopting the Act as aforesaid, and shall thereupon have all the Powers, Duties, Rights, and Obligations of a Burial Board under the said Act; and all Expenses incurred by the Local Board in carrying into execution the Powers given to them by the said Act shall be defrayed out of Rates to be levied on such Parish or Parishes, Place or Places, so adopting the Act as aforesaid, in the same Manner as General District Rates are to be levied under the Provisions of this Act; and all Receipts by them, by reason of the Exercise of such Powers, shall be carried to the Credit of such Parish or Parishes, Place or Places so adopting the Act as aforesaid: Provided nevertheless, that in case the Parish or Parishes, Place or Places comprised in such District so adopting the Act as aforesaid shall have been declared a Ward or Wards for the Election of Members of the Local Board, and Members shall have been elected by and for such Ward or Wards, the last-mentioned Members shall form the Burial Board for such Parish or Parishes, Place or Places so formed into a Ward or Wards as aforesaid, instead of the Members of the said Local Board, and shall have all the like Powers, Duties, Rights, and Obligations of the Burial Board under said Act of the Twentieth and Twenty-first Years of the Reign of Her present Majesty, Chapter Eighty-one.

Where the Burial Act is applied only to certain Wards, the Members for those Wards to be the Burial Board.

Power of Local Board to establish Markets, with Consent of Owners and Ratepayers.

L. The Local Board shall in Non-Corporate Districts, with the Consent of the Owners and Ratepayers of the District, to be expressed by Resolution in the Manner herein provided with respect to Resolutions for the Adoption of this Act, and in Corporate Districts shall, with the Consent of Two Thirds of the Local Board, have the Power to do the following Things or any of them within their District:

(1.) To provide a Market Place, and construct a Market House and other Conveniences, for the Purpose of holding Markets:

To provide Houses and Places for weighing Carts:

To make convenient Approaches to such Market:

To provide all such Matters and Things as may be necessary for the convenient Use of such Market:

To purchase or take on Lease Land, and public or private Rights in Markets, and Tolls, for any of the foregoing Purposes:

To take Stallages, Rents, and Tolls in respect of the Use by any Person of such Market House:

But no Market or Slaughter-house shall be established in pursuance of this Section so as to interfere with any Rights, Powers, or Privileges enjoyed within the District by any Person, chartered Joint Stock or incorporated Company, without his or their Consent:

Provisions of 10 & 11 Vict. c. 14. as to Markets, &c. incorporated.

(2.) For the Purpose of enabling any Local Board to establish Markets in manner aforesaid, or to regulate Markets already established in any Corporate Borough before the Constitution of a Local Board therein, there shall be incorporated with this Act the Provisions of "The Markets and Fairs Clauses Act, 1847," in so far as the same relate to Markets:

With respect to the holding of the Market or Fair, and the Protection thereof; and

With respect to the weighing Goods and Carts; and

With respect to the Stallages, Rents, and Tolls; and

With respect to Byelaws;

Subject to this Proviso, that all Tolls leviable by the Local Board in pursuance of this Section shall be approved by One of Her Majesty's Principal Secretaries of State.

Water Supply.

LI. The Powers given to Local Boards by the Seventy-sixth Section of the Public Health Act, 1848, shall extend to any House within their District to which a Supply of Water can be provided at an Expense not exceeding the Water Rate authorized by the said Act or any Local Act in force in the District, and Notices under that Section shall be served on Owners of Houses so supplied instead of Occupiers, and Expenses incurred under that Section shall be recoverable from such Owners. Sect. 76. of 11 & 12 Vict. c. 63. extended to this Act.

LII. Where the Local Board supply Water to their District they shall have the same Power for carrying Water Mains within the District as they have for carrying Sewers by the Law in force for the Time being. Power of carrying Water Mains.

LIII. It shall be lawful for any Local Board of Health absolutely to purchase, and for the Directors for the Time being of any Waterworks Company or Market Company, by and with the Authority of Three Fifths of the Shareholders for the Time being in such Company who may be present, either personally or by Proxy, at some General Meeting of the Company specially convened for the Purpose, to sell, convey, and transfer unto any Local Board of Health, upon such Terms as shall be mutually agreed upon between the Company and the Local Board all the Rights, Powers, and Privileges, and all or any of the Lands and Premises, Works, Matters, and Things, which at the Time of such Purchase shall be the Property of the Company, but subject to all Mortgages, Contracts, or Liabilities to which the same shall be then subject. Power to Directors of Waterworks or Market Company to sell Works, &c. to Local Boards.

Expenses and Rates.

LIV. (1.) The Eighty-sixth Section of the Public Health Act, 1848, shall be repealed; and whenever Special District Rate is mentioned in the Public Health Act, 1848, that Act shall be read as if no such Rate were mentioned therein: Provided always, that all Debts incurred and Contracts and Engagements entered into by or to any Local Board previously to the passing of this Act shall be enforced, and all Powers vested in any Local Board of raising Money by Rates, Tolls, or other Means for the Purpose of satisfying all such of the said Debts, Contracts, and Engagements as were incurred or entered into by such Local Board, shall be exercised, in the same Manner as if this Act had not been passed: Sect. 86. of 11 & 12 Vict. c. 63. as to the Power of levying Special District Rate, repealed. Debts incurred and Contracts entered into before passing of this Act enforced.

(2.) No Publication shall be required of any Private Improvement Rate:

(3.) The Costs of the Levy of Arrears of any Rate may be included in the Warrant for such Levy:

(4.) When any Rate is appealed against, or the Validity of any Rate is disputed, the Time during which the Appeal remains undecided, or any legal Proceedings concerning or relating to such Rate shall be pending, shall be excluded in calculating the Period of Six Months within which the Rate may be made retrospectively:

(5.) Notice of Demand of Rates may be served in the same Way as Notice is herein-after directed to be served by a Local Board before putting in force the Powers of Local Boards for the taking of Land otherwise than by Agreement.

LV. The Eighty-eighth and Ninety-fifth Sections of "The Public Health Act, 1848," shall be repealed, and in lieu thereof be it enacted, That the General District Rates shall be made and levied upon the Occupier of all such Kinds of Property as by the Laws in force for the Time being are or may be assessable to any Rate for the Relief of the Poor, and shall be assessed upon the full net annual Value of such Property, ascertained by the Rate (if any) for the Relief of the Poor made next before the making of the Assessments under this Act, subject, however, to the following Exceptions, Regulations, and Conditions; namely, Mode of Assessment of General District Rate, and Provision for compounding for Rates in the Case of small Tenements.

The Owner, instead of the Occupier, may, at the Option of the Local Board, be rated in Cases—

Where the rateable Value of any Premises liable to Assessment under this Act does not exceed the Sum of Ten Pounds; or,

Where any Premises liable to an Assessment are let to weekly or monthly Tenants; or,

Where any Premises so liable as aforesaid are let in separate Apartments, or where the Rents become payable or are collected at any shorter Period than quarterly; subject to this Proviso, that in Cases where the Owner is rated instead of the Occupier he shall be assessed upon such reduced Estimate as the Local Board deems reasonable of the net annual Value, not being less than Two Thirds nor more than Four Fifths of such annual Value:

And where such reduced Estimate is in respect of Tenements, whether occupied or unoccupied, then such Assessment may be made on One Half of the Amount at which such Tenements would be liable to be rated if the same were occupied and the Rate were levied on the Occupiers:

The Owner of any Tithes, or of any Tithe Commutation Rentcharge, or the Occupier of any Land used as Arable, Meadow, or Pasture Ground only, or as Woodlands, Market Gardens, or Nursery Grounds, and the Occupier of any Land covered with Water, or used only as a Canal or Towing-path for the same, or as a Railway constructed under the Powers of any Act of Parliament for public Conveyance, shall be assessed in respect of the same in the Proportion of One Fourth Part only of such net annual Value thereof: Certain Kinds of Property assessable on One Fourth of their net annual Value.

Provided nevertheless, that if within any District or Part of a District any Kind of Property be exempted from rating by any Local Act in respect of all or any of the Purposes for which General District Provision as to Exemptions

from rating under Local Acts.

District Rates may be made under this Act, the same Kind of Property shall, in respect of the same Purposes, and to the same Extent within the Parts to which the Exemption applies, but not further or otherwise, be exempt from Assessment to any General District Rates under this Act, unless a Provisional Order obtained and confirmed by Parliament in manner herein-after provided shall otherwise direct.

Poor Rate Books to be accessible for rating under Public Health Acts.

Power of Valuation as prescribed by 6 & 7 W. 4. c. 96. in case there should be no Assessment.

LVI. For the Purpose of assessing the General District Rate, any Person appointed by the Local Board may inspect, take Copies of or make Extracts from, any Rate for the Relief of the Poor within the District, or any Books relating to the same; and if any Officer having the Custody of such last-mentioned Rate or Book refuses to permit any such Inspection, or the taking of any such Copies or Extract, he shall for each Offence incur a Penalty not exceeding Five Pounds: If there is no such Assessment as aforesaid for the Relief of the Poor by reference to which such net annual Value can be estimated, or if such Assessment is, in the Judgment of the Local Board, an unfit Criterion for making a General District Rate, a Valuation shall be made by a Person appointed by the Local Board for that Purpose, in manner, as near as Circumstances will permit, prescribed by an Act passed in the Seventh Year of the Reign of King *William* the Fourth, intituled *An Act to regulate Parochial Assessments*, or any other Act for the Time being in force for regulating Parochial Assessments; and the net annual Value of the Property shall be ascertained by reference to the said Valuation and Assessment.

Sections 107. 113. and 119. of 11 & 12 Vict. c. 63. repealed, and Power given for raising Money on Credit of Rates.

LVII. The One hundred and seventh, the One hundred and thirteenth, and the One hundred and nineteenth Sections of the Public Health Act, 1848, shall be repealed; and in lieu thereof be it enacted, That the Local Board, or any Board of Improvement Commissioners exercising the borrowing Powers of the Public Health Act, 1848, may, for the Purpose of defraying any Costs, Charges, and Expenses incurred or to be incurred by them in the Execution of this Act or of any Act incorporated herewith or of any Act incorporating the Powers of the Public Health Act, 1848, borrow and take up at Interest on the Credit of the Charges and Rates authorized to be made or collected under the said Acts respectively, any Sums of Money necessary for defraying any such Costs, Charges, and Expenses; and for the Purpose of securing the Repayment of any Sums so borrowed, together with such Interest as aforesaid, the said Local Board may mortgage to the Persons by or on behalf of whom such Sums are advanced the said Charges and Rates or any of them; but the Exercise of the above Power shall be subject to the following Regulations:

(1.) Such Money shall not be borrowed except for permanent Works, nor without the Sanction of One of Her Majesty's Principal Secretaries of State:

(2.) The Money so borrowed shall not, except as herein-after provided, at any Time exceed in the whole the assessable Value for One Year of the Premises assessable within the District in respect of which such Money may be borrowed:

(3.) The Money may be borrowed for such Time, not exceeding Thirty Years, as the Local Board, with the Sanction of One of Her Majesty's Principal Secretaries of State, determine in each Case; and, subject as aforesaid, the Local Board may either pay off the Monies so borrowed by equal annual Instalments, or they may in every Year set apart as a Sinking Fund, and accumulate in the way of Compound Interest by investing the same in the Purchase of Exchequer Bills or other Government Securities, such Sum as will be sufficient to pay off the Monies so borrowed, or a Part thereof, at such Times as the Local Board may determine:

And in Cases where the Local Board borrow any Money for the Purpose of defraying Private Expenses, or Expenses in respect of which they have determined a Part only of the District to be liable, it shall be the Duty of the Local Board, as between the Ratepayers of the District, to make good, so far as they can, the Money so borrowed, as Occasion requires, either out of Private Improvement Rates, or out of a Rate levied in such Part of the District as aforesaid.

Rentcharge may be granted for Advances made to meet First Cost of Private Improvements.

LVIII. Where any Person shall advance Money for any Expenses which by the said Public Health Act, 1848, are, or by the said Local Board shall be, declared to be Private Improvement Expenses, the said Local Board, on being satisfied by the Report of their Surveyor or otherwise that the Money advanced by such Person has been duly expended, may issue a Grant in the Form B. in the Schedule hereunto annexed to such Person of a yearly Rentcharge to be issuable out of the Premises in respect whereof such Advance shall have been made, or out of such Part thereof, to be specified in such Grant, as the said Local Board shall think proper and sufficient, such Rentcharge to be Personal Estate, and to begin to accrue from the Day of Completion of the Works on which such Money shall have been expended as aforesaid, and to be payable by equal half-yearly Payments for and during a Term not exceeding Thirty Years, in such Manner that the whole of the said Sum so to be advanced as aforesaid, with the Costs of preparing the said Grant so to be issued as aforesaid, together with Interest thereon respectively, at a Rate not exceeding Six Pounds *per Centum per Annum* upon the Sum from Time to Time remaining unpaid, shall be repaid at the End of the said Term: Provided always, that the Grantee of such Rentcharge shall for the Recovery of the same have all the Powers, Authorities, Rights, and Remedies of the said Local Board with respect to Private Improvement Rates, and the Provisions of the Ninety-first and Ninety-second Sections of the Public Health Act, 1848, shall also be applicable to such Rentcharge.

LIX. All Rentcharges made in pursuance of this Act, and Transfers thereof, shall be registered in the same Manner respectively as Mortgages and Transfers are required to be registered under the One hundred and eleventh and One hundred and twelfth Sections of the Public Health Act, 1848. Rentcharges to be registered.

Audit of Accounts.

LX. The One hundred and twenty-second Section of the Public Health Act, 1848, shall be repealed, and in lieu thereof be it enacted as follows: Where the Mayor, Aldermen, and Burgesses of a Borough are the Local Board, the Accounts of the Receipts and Expenditure of the Local Board shall be audited and examined by the Auditors of the Borough, and shall be published in like Manner and at the same Time as the Municipal Accounts, and the Auditors shall proceed in the Audit after like Notice and in like Manner, shall have like Powers and Authorities, and perform like Duties, as in the Case of auditing the Municipal Accounts; and each of such Auditors shall in respect of each Audit be paid out of the General District Rates levied under this Act, such reasonable Remuneration, not being less than Two Guineas for every Day in which they are employed in such Audit, as the Local Board from Time to Time appoints; and any Order of the Local Board for the Payment of any Money may be removed by Certiorari, and like Proceedings may be had thereon as under Section Forty-four of the Act of the First Year of Her Majesty, Chapter Seventy-eight, with respect to Orders of the Council of a Borough for Payments out of the Borough Fund: Provisions as to Audit of Accounts.

With respect to Districts not Boroughs, as follows:

(1.) The Accounts of the Receipts and Expenditure of the Local Board shall be audited and examined once in every Year as soon as can be after the Twenty-fifth Day of *March*, by the Auditor of Accounts relating to the Relief of the Poor for the Union in which the District or the greater Part thereof is situate, unless such Auditor is a Member of the Local Board whose Accounts he is appointed to audit, in which Case such Accounts shall be audited by such Auditor of any adjoining Union as may from Time to Time be appointed by the Local Board of Health:

And any Auditor acting in pursuance of this Section shall disallow every Item of Account contrary to Law, and surcharge the same upon the Person making or authorizing the making of the illegal Payment, and shall certify the same to be due from such Person, and upon Application by any Party aggrieved shall state in Writing the Reasons for his Decision in respect of such Disallowance or Surcharge, and also of any Allowance which he may have made; and any Person aggrieved by Disallowance made may apply to the Court of Queen's Bench for a Writ of Certiorari to remove the Disallowance into the said Court, in the same Manner and subject to the same Conditions as are provided in the Case of Disallowances by Auditors under the Laws for the Time being in force with regard to the Relief of the Poor; and the said Court shall have the same Powers with respect to Allowances, Disallowances, and Surcharges under this Act as it has with respect to Disallowances or Allowances by the said Auditors; or in lieu of such Application any Person so aggrieved may appeal to One of Her Majesty's Principal Secretaries of State, who shall have the same Powers in the Case of the Appeal as are possessed by the Poor Law Board in the Case of Appeals against Allowances, Disallowances, and Surcharges by the said Poor Law Auditors: Power of Allowance, Disallowance, and Surcharge. Disallowances may be removed by Certiorari into Court of Queen's Bench. Appeal against Disallowances.

(2.) Every Sum certified to be due from any Person by the Auditor under this Act shall be paid by such Person to the Treasurer of the Local Board within Fourteen Days after the same shall have been so certified, unless there be an Appeal against the Decision; and if such Sum shall not be so paid, and there be no such Appeal, the Auditor shall recover the same from the Person against whom the same shall have been certified to be due by the like Process and with the like Powers as in the Case of Sums certified upon the Audit of the Poor Rate Accounts, and shall be paid by the Local Board all such Costs and Expenses, including a reasonable Compensation for his Loss of Time incurred by him in such Proceedings, as shall not be recovered by him from such Person: As to Recovery of Disallowances.

(3.) For the Purpose of any Audit of Account under this Act, every Auditor may, by Summons in Writing, require the Production before him of all Books, Deeds, Contracts, Accounts, Vouchers, and all other Documents and Papers which he may deem necessary, and may require any Person holding or accountable for any such Books, Deeds, Contracts, Accounts, Vouchers, Documents, or Papers to appear before him at any such Audit or any Adjournment thereof, and to make and sign a Declaration as to the Correctness of the same; and if any such Person neglects or refuses so to do, or to produce any such Books, Deeds, Contracts, Accounts, Vouchers, Documents, or Papers, or to make or sign such Declaration, he shall incur for every Neglect or Refusal a Penalty not exceeding Forty Shillings; and if he falsely or corruptly makes or signs any such Declaration, knowing the same to be untrue in any material Particular, he shall be liable to the Penalties inflicted upon Persons guilty of wilful and corrupt Perjury; and such Auditor shall in respect of each Audit be paid, out of the General District Rates levied Power to Auditor to require Production of Books.

under this Act, such reasonable Remuneration, not being less than Two Guineas for every Day in which he is employed in such Audit, as the Local Board from Time to Time appoints, together with his Expenses of travelling to and from the Place of Audit:

Notice of Audit.

(4.) Before each Audit of Accounts under this Act, the Local Board shall, after receiving from the Auditor the requisite Appointment, give Twenty Days Notice of the Time and Place at which the same will be made, by Advertisement in some One or more of the public Newspapers circulated in the District; and a Copy of the Accounts to be audited, together with all Rate Books, Account Books, Deeds, Contracts, Accounts, Bills, Vouchers, and Receipts mentioned or referred to in such Accounts, shall be deposited in the Office of the Local Board, and be open, during Office Hours thereat, to the Inspection of all Persons interested, for Seven Days before the Audit; and all such Persons shall be at liberty to take Copies of or Extracts from the same, without Fee or Reward; and the Production of the Newspaper containing such Notice shall be deemed to be sufficient Proof of the Notice of Audit on any Proceeding whatsoever:

Report of Auditor.

(5.) Within Fourteen Days after the Completion of the Audit, the Auditor shall report upon the Accounts audited and examined, and shall deliver such Report to the Clerk of the Local Board, who shall cause the same to be deposited in the Office of the Local Board, and shall publish an Abstract of such Accounts in some One or more of the Newspapers circulated in the District.

Legal Proceedings.

Notices by Local Boards to be signed by Clerk.

LXI. Any Summons, Demand, or Notice, or other such Document under the Public Health Act, 1848, or any supplemental Act or this Act, may be in Writing or Print, or partly in Writing and partly in Print, and if the same require Authentication by the Local Board, the Signature thereof by the Clerk to the Local Board shall be sufficient Authentication.

Expenses due from Owners to be a Charge on Premises.

LXII. Where the Local Board have incurred Expenses, for the Repayment whereof the Owner of the Premises for or in respect of which the same are incurred is made liable, either by Application of or Agreement with the Owner, or by the Public Health Act, 1848, or any Act incorporated therewith, or this Act, the same may be recovered from the Person who is Owner of such Premises when the Works are completed for which such Expenses have been incurred, in the Manner provided by the Public Health Act, 1848, and such Expenses shall be a Charge on the Premises in respect of which they were incurred, and shall bear Interest at the Rate of Five Pounds *per Centum per Annum* till Payment thereof. In all summary Proceedings by a Local Board for the Recovery of Expenses incurred by them in Works of Private Improvement, the Time within which such Proceedings may be taken shall be reckoned from the Date of the Service of Notice of Demand.

Apportionment of Expenses payable by Owners to be conclusive after Three Months from Notice given of the Amount, unless disputed.

LXIII. Notwithstanding anything in the Public Health Act contained, in all Cases where by such Act the Local Board shall have incurred Expenses, for the Repayment whereof the Owners of the Premises for or in respect of which the same are incurred is made liable by the Public Health Act, 1848, or any Act incorporated therewith, or by this Act, and such Expenses have been settled and apportioned by the Surveyors as payable by such Owner, such Apportionment shall be binding and conclusive upon such Owner, unless, within the Expiration of Three Months from the Time of Notice being given by the Local Board or their Surveyor of the Amount of the Proportion so settled by the said Surveyor to be due from such Owner, he shall by written Notice dispute the same.

When Amount in dispute is less than 20*l.* it may be decided by Two Justices.

LXIV. All Questions referable to Arbitration under the Public Health Act, 1848, or this Act, or any Act incorporated therewith, may, when the Amount in dispute is less than Twenty Pounds, be determined before Two Justices in a summary Manner, but the Justices may, if they think fit, require that the Work in respect of which the Claim of the Local Board is made, and the Particulars of the Claim, be reported on to them by any competent Surveyor, not being the Surveyor of the Local Board; and the Justices may determine the Amount of Costs incurred on that Behalf, and by whom such Costs or any Part of them shall be paid.

Memorials in respect of Private Improvement Charges.

LXV. Memorials under the One hundred and twentieth Section of the Public Health Act, 1848, from and after the First Day of *September* One thousand eight hundred and fifty-eight, shall be addressed to One of Her Majesty's Principal Secretaries of State, who shall have the same Powers in respect thereof as are vested in the General Board of Health by the said Section.

Penalty on Injury to Works, &c. of Local Board.

LXVI. If any Person wilfully injures any Works or Materials belonging to any Local Board, he shall in Cases where no other Penalty is provided by the Public Health Act, 1848, or any Act incorporated therewith, incur for every such Offence a Penalty not exceeding Five Pounds, to be recovered in a summary Manner.

Penalties to be payable to District Fund Account.

LXVII. All Penalties incurred in any Corporate Borough, and made payable to the Local Board of Health by the Public Health Act, 1848, or any Act incorporated therewith, or this Act, or any Act of which the Powers are to be executed by a Local Board, shall be payable to the District Fund Account, any Act to the contrary notwithstanding.

LXVIII. The

Saving Clauses.

Section 145. of 11 & 12 Vict. c. 63. repealed, and Provisions in lieu thereof.

LXVIII. The One hundred and forty-fifth Section of the Public Health Act shall be repealed, and in lieu thereof be it enacted, That nothing in this Act shall be construed to authorize any Local Board of Health,

Local Board not to interfere with Sluices, Floodgates, &c. or Lands vested in Secretary of State for War.

(1.) To use, injure, or interfere with any Sluices, Floodgates, Sewers, Groynes, or Sea Defences, or other Works, already or hereafter made under the Authority of any Commissioners of Sewers appointed by the Crown, or any Sewers or other Works already or hereafter made and used for the Purpose of draining, preserving, or improving Land under any Local or Private Act of Parliament, or for the Purpose of irrigating Land, or in any Manner to disturb or interfere with any Lands, Hereditaments, Estates, or Property vested in Her Majesty's Principal Secretary of State for the War Department for the Time being, without Consent in Writing first obtained from such Commissioners or Secretary of State, or Persons acquiring Rights under such Local or Private Acts respectively; and nothing herein contained shall prejudice or affect the Rights, Privileges, Powers, or Authorities given or reserved to any Person under such Local or Private Acts;

Nor with Rivers, Canals, Harbours, Docks, &c.

(2.) To interfere with any River, Canal, Dock, Harbour, Lock, Reservoir, or Basin, so as to injuriously affect the Navigation thereon or the Use thereof, or to interfere with any Towing-path so as to interrupt the Traffic thereof, in Cases where any Corporation, Company, Undertakers, Commissioners, Conservators, and Trustees, or Individuals are by virtue of any Act of Parliament entitled to navigate on or use such River, Canal, Dock, Harbour, Lock, Reservoir, or Basin, or in respect of the Navigation on or Use of which River, Canal, Dock, Harbour, Lock, Reservoir, or Basin any Corporation, Company, Undertakers, Commissioners, Conservators, and Trustees, or Individuals are entitled by virtue of any Act of Parliament to the Receipt of any Tolls or other Dues;

Nor with Watercourses supplying any Navigation.

(3.) To interfere with any Watercourse in such Manner as to injuriously affect the Supply of Water to any River, Canal, Dock, Harbour, Reservoir, or Basin, in Cases where any Corporation, Company, Undertakers, Commissioners, Conservators, Trustees, or Individuals (being authorized by virtue of any Act of Parliament to navigate on or use such River, Canal, Dock, Harbour, Reservoir, or Basin, or to demand any Tolls or Dues in respect of the Navigation on or Use of such River, Canal, Dock, Harbour, Reservoir, or Basin,) would, if this Act had not passed, have been entitled by Law to prevent or be relieved against such Interference;

Nor with Bridges over Rivers, Canals, Harbours, &c.

(4.) To interfere with any Bridges crossing any River, Canal, Dock, Harbour, or Basin, in Cases where any Corporation, Company, Undertakers, Commissioners, Conservators, Trustees, or Individuals are authorized by virtue of any Act of Parliament to navigate or use such River, Canal, Dock, Harbour, or Basin, or to demand any Tolls or Dues in respect of the Navigation or Use of such River, Canal, Dock, Harbour, or Basin;

Nor with Wharves, Quays, Docks, &c.

(5.) To execute any Works in, through, or under any Wharves, Quays, Docks, Harbours, or Basins, to the exclusive Use of which any Corporation, Company, Undertakers, Commissioners, Conservators, Trustees, or Individuals are entitled by virtue of any Act of Parliament, or for the Use of which they are entitled by virtue of any Act of Parliament to demand any Tolls or Dues,

Without the Consent in every Case of such Corporation, Company, Undertakers, Commissioners, Conservators, Trustees, or Individuals as are herein-before in that Behalf respectively mentioned, such Consent to be expressed in Writing, in the Case of a Corporation under their Common Seal, and in the Case of a Company, Undertakers, Commissioners, Conservators, Trustees, or Individuals, under the Hand of their Clerk or other duly authorized Officer or Agent: Provided always, that nothing in this Act contained shall be construed to alter or affect the Maintenance of any Rights of Local Boards existing at the Time of the passing of this Act.

Works not within preceding Section, and which interfere with Improvement of Rivers, Canals, &c., to be referred to Arbitration.

LXIX. In Cases where any Matters or Things proposed to be done by any Local Board, and which are not within the Prohibition aforesaid, interfere with the Improvement of any River, Canal, Dock, Harbour, Lock, Reservoir, Basin, or Towing-path which any Corporation, Company, Undertakers, Commissioners, Conservators, Trustees, or Individuals are entitled by virtue of any Act of Parliament to navigate on or use, or in respect of the Navigation whereon or Use whereof to demand any Tolls or Dues, or interfere with any Works belonging to such River, Canal, Dock, Harbour, or Basin, or with any Land necessary for the Enjoyment or Improvement thereof, the Local Board shall give to such Corporation, Company, Undertakers, Commissioners, Conservators, Trustees, or Individuals as last aforesaid a Notice specifying the Particulars of the Matters and Things so intended to be done; and if the Parties on whom such Notice is served do not consent to the Requisitions thereof, the Matter in difference shall be referred to Arbitration; and the following Questions shall be decided by such Arbitration; (that is to say,)

(1.) Whether the Matters or Things so proposed to be done by the Local Board will cause any Injury to such River, Canal, Dock, Harbour, Basin, Towing-path, Works, or Land as are herein-before mentioned in this Section, or to the Enjoyment or Improvement of such River, Canal, Dock, Harbour, or Basin as aforesaid:

(2.) Whether any Injury that may be caused by such Matters or Things or any of them is or not of a Nature to admit of being fully compensated by Money.

Effect of Arbitration.

LXX. The Result of any such Arbitration shall be final, and the Local Board shall do as follows; (that is to say,)

If the Arbitrators are of opinion that no Injury will be caused, the Local Board may forthwith proceed to do the proposed Matters and Things:

If the Arbitrators are of opinion that Injury will be caused, but that such Injury is of a Nature to admit of being fully compensated by Money, they shall proceed to assess such Compensation; and upon Payment of the Amount so assessed, but not before, the Local Board may proceed to do the proposed Matters and Things:

If the Arbitrators are of opinion that Injury will be caused, and that it is not of a Nature to admit of being fully compensated by Money, the Local Board shall not proceed to do any Matter or Thing in respect of which such Opinion may be given.

Rights, &c. of Navigation Companies, &c. under Acts of Parliament not to be affected.

LXXI. No Transfer of Powers and Privileges under this Act shall deprive any Corporation, Company, Undertakers, Commissioners, Conservators, Trustees, or Individuals authorized by virtue of any Act of Parliament to navigate on any River or Canal, or to demand for their own Benefit in respect of such Navigation any Tolls or Dues, of such Powers and Privileges as are vested in them by any Act of Parliament in relation to such River or Canal.

Power for Navigation Companies, &c. to alter Sewers made by Local Boards.

LXXII. Any Corporation, Company, Undertakers, Commissioners, Conservators, Trustees, or Individuals authorized by virtue of any Act of Parliament to navigate on or use any River, Canal, Dock, Harbour, or Basin, or to demand any Tolls or Dues in respect of the Navigation on such River or Canal or the Use of such Dock, Harbour, or Basin, may, at their own Expense, and on substituting other Sewers, Drains, Culverts, and Pipes equally effectual, and certified as such by the Surveyor to the Local Board, take up, divert, or alter the Level of any Sewers, Drains, Culverts, or Pipes constructed by any Local Board, and passing under or interfering with such Rivers, Canals, Docks, Harbours, or Basins, or the Towing-paths of such Rivers, Canals, Docks, Harbours, or Basins, and do all such Matters and Things as may be necessary for carrying into effect such taking up, Diversion, or Alteration.

Preserving Water Rights of Companies or Individuals.

LXXIII. Nothing in this Act or any Act incorporated therewith shall be construed to authorize any Local Board to injuriously affect any Reservoir, River, or Stream, or the Feeders of any Reservoir, River, or Stream, or the Supply, Quality, or Fall, of Water contained in any Reservoir, River, Stream, or Feeders of any Reservoir, River, or Stream, in Cases where any Company or Individuals would, if this Act had not passed, have been entitled by Law to prevent or be relieved against the injuriously affecting such Reservoir, River, Stream, Feeders, Supply, Quality, or Fall of Water, unless such Board shall have first obtained the Consent in Writing of such Company or Individuals so entitled as aforesaid.

Arbitration Questions under preceding Sections.

LXXIV. Any Difference of Opinion that may arise between a Local Board and any such Corporation, Company, Commissioners, Conservators, Trustees, or Individuals as aforesaid, whether any Sewers, Drains, Culverts, or Pipes substituted under the Powers of this Act for Sewers, Drains, Culverts, or Pipes constructed or laid down by any Local Board are equally effectual with those for which they are substituted, or whether the Supply, Quality, or Fall of Water in any such Reservoir, River, or Stream as last aforesaid is injuriously affected by the Exercise of Powers under this Act, may, at the Option of the Party complaining, be determined by Arbitration in the Manner herein-before provided; and in the latter Case the Arbitrators shall decide the same Questions as to the alleged Injury; and the Local Board shall proceed in the same Way as is herein-before provided with regard to Arbitrations in Cases of alleged Injury to Rivers, Canals, Docks, Harbours, and Basins.

Purchase of Land.

Regulation as to the Purchase of Land.

LXXV. So much of the Eighty-fourth Section of the Public Health Act, 1848, as relates to the Incorporation of the Lands Clauses Consolidation Act, 1845, shall be repealed, and the following Regulations shall be observed with respect to the Purchase of Land by Local Boards for the Purposes of this Act; (that is to say,)

(1.) The Lands Clauses Consolidation Act, 1845, shall be incorporated with this Act, except the Provisions relating to Access to the Special Act:

(2.) The Local Board, before putting in force any of the Powers of the said Lands Clauses Consolidation Act with respect to the Purchase and taking of Land otherwise than by Agreement, shall

Publication of Notices.

Publish once at the least in each of Three consecutive Weeks in the Month of *November* in some Newspaper circulated in the District or some Part of the District within which such Local Board has Jurisdiction is situate, an Advertisement describing shortly the Nature of the Undertaking in respect of which the Land is proposed to be taken, naming a Place where a Plan of the proposed Undertaking may be seen at all reasonable Hours, and stating the Quantity of Land that they require; and shall further in the Month of *December*

Serve a Notice in manner herein-after mentioned on every Owner or reputed Owner, Lessee or reputed Lessee and Occupier of such Land, defining in each Case the particular Land intended to be taken, and requiring an Answer, stating whether the Person so served assents, dissents, or is neuter in respect of taking such Land; such Notice to be served

By Delivery of the same personally on the Party required to be served, or, if such Party is absent abroad, to his Agent; or

By leaving the same at the usual or last known Place of Abode of such Party as aforesaid; or

By forwarding the same by Post in a registered Letter addressed to the usual or last known Place of Abode of such Party: Service of Notices.

(3.) Upon compliance with the Provisions herein-before contained with respect to Advertisements and Notices, the Local Board may, if they shall think fit, present a Petition under their Seal to One of Her Majesty's Principal Secretaries of State: The Petition shall state the Land intended to be taken, and the Purposes for which it is required, and the Names of the Owners, Lessees, and Occupiers of Land who have assented, dissented, or are neuter in respect of the taking such Land, or who have returned no Answer to the Notice: It shall pray that the Local Board may, with reference to such Land, be allowed to put in force the Powers of the said Lands Clauses Consolidation Act with respect to the Purchase and taking of Land otherwise than by Agreement, and such Prayer shall be supported by such Evidence as the Secretary of State requires: Power to Local Board to petition Secretary of State upon Matters herein stated.

(4.) Upon the Receipt of such Petition, and upon due Proof of the proper Advertisements having been published and Notices served, the Secretary of State shall take such Petition into consideration, and may either dismiss the same, or direct an Inquiry in the District in which the Land is situate, or otherwise inquire as to the Propriety of assenting to the Prayer of such Petition; but until such Inquiry has been made in the District, after such Notice as may be directed by the Secretary of State, no Provisional Order shall be made affecting any Land, without the Consent of the Owners, Lessees, and Occupiers thereof: Secretary of State may direct Inquiry;

(5.) After the Completion of the Inquiry as last aforesaid, the Secretary of State may, by Provisional Order, empower the Local Board to put in force with reference to the Land referred to in such Order the Powers of the said Lands Clauses Consolidation Act with respect to the Purchase and taking of Land otherwise than by Agreement, or any of them, and either absolutely or with such Conditions and Modifications as he may think fit, and it shall be the Duty of the Local Board to serve a Copy of any Order so made in the Manner and upon the Person in which and upon whom Notices in respect of such Land are herein-before required to be served: and may make Provisional Order.

(6.) No Provisional Order so made shall be of any Validity unless the same has been confirmed by Act of Parliament, and it shall be lawful for the Secretary of State as soon as conveniently may be to obtain such Confirmation, and the Act confirming such Order shall be deemed to be a Public General Act of Parliament: No Provisional Order valid until confirmed by Parliament.

(7.) All Costs, Charges and Expenses incurred by the said Secretary of State in relation to any such Provisional Order as last aforesaid shall, to such Amount as the Commissioners of Her Majesty's Treasury think proper to direct, become a Charge upon the General District Rates levied in the District to which such Order relates, and be repaid to the said Commissioners of Her Majesty's Treasury by annual Instalments not exceeding Five, together with Interest after the yearly Rate of Five Pounds in the Hundred, to be computed from the Date of any such last-mentioned Order, upon so much of the Principal Sum due in respect of the said Costs, Charges, and Expenses as may from Time to Time remain unpaid. Costs how to be defrayed.

Local Board to report.

LXXVI. Every Local Board shall make an annual Report, in such Form and at such Time as the Secretary of State may from Time to Time direct, of all Works executed by them during the preceding Year, and of all Sums received and Disbursements made, under and for the Purposes of this Act, and publish the same in some Newspaper circulating in the District, and shall send a Copy to the Secretary of State. Local Board to report.

Provisional Orders and Powers of Secretary of State.

LXXVII. The One hundred and forty-first Section of the Public Health Act, 1848, shall be repealed, and in lieu thereof be it enacted as follows: Whenever it appears desirable to the Local Board of any District, or to the Majority of the Owners and Ratepayers in any Parish, Township, Hamlet, or Place maintaining its own Roads or its own Poor, adjoining any District, or to the Majority of Owners and Ratepayers in any Part of a District, such Majorities to be ascertained in the Way herein provided for voting with respect to the Adoption of this Act, Petition for Incorporation with or Separation from District, or for Repeal, &c. of Local Acts.

That

That any Portion of such Parish, Township, Hamlet, or Place should be incorporated with the District, or that such Part of the District should be separated therefrom;

Or whenever it appears to the Local Board of any District desirable,

That Provision should be made for the future Execution of any Local Acts in force within such District, having relation to the Purposes of this Act, and not conferring Powers or Privileges upon Corporations, Companies, Undertakers, or Individuals, for their own pecuniary Benefit; or that any such Acts, or any Exemptions from rating derived therefrom, or any Provisional Order or Order in Council applying the Public Health Act, 1848, or Act confirming such Provisional Orders, should be wholly or partially repealed or altered,

(1.) They may present a Petition to One of Her Majesty's Principal Secretaries of State, praying for such Incorporation, Separation, Provision, Repeal, and Alteration as aforesaid, or for any of such Things, and such Petition shall be supported by such Evidence as the said Secretary requires:

Power of Secretary of State on Receipt of Petition; to issue Order, and obtain Consent of District.

(2.) Upon the Receipt of any such Petition Inquiry may be directed in the District in respect of the several Matters mentioned in the Petition, after giving Fourteen Days Notice of the Time, Place, and Subject of the Inquiry:

(3.) It shall be lawful for any of Her Majesty's Principal Secretaries of State to issue a Provisional Order in relation to the several Things mentioned in the Petition, and either in accordance with the Prayer thereof, or with such Modifications as may be requisite; and when the Order provides for the Incorporation of a Portion of any such Parish, Township, Hamlet, or Place with the District, or the Separation of any Part from the District, an Inspector shall proceed to the District for the Purpose of obtaining the Consent to such Order of the Place of which it is proposed that a Portion should be incorporated, or of the Part to be separated, and also, if such Order provide for any such Incorporation, the Consent of the petitioning District:

Consents how testified.

(4.) The Consent of the petitioning District to such Order shall be testified by a Resolution of the Local Board of such District, and the Consent of any Place or Part by a Resolution passed by a Majority of the Ratepayers resident in any such Place or Part assembled at a Meeting convened for the Purpose; and the Inspector shall, for the Purpose of obtaining such Consents, have Power to convene Meetings of the Local Board of any District, or Meetings of the Ratepayers of any Place or Part, with Fourteen Days Notice of the Time, Place, and Subject of such Meetings, and to do all such Matters and Things as may be expedient for that Purpose:

Provision as to Meetings of Part or Place.

(5.) In the Case of a Meeting of the Ratepayers of any Place or Part, the Ratepayers present shall elect a Chairman; and a Declaration by the Chairman that the Opinion of the Meeting is in favour or against any Resolution, as the Case may be, shall, in the Absence of Proof to the contrary, be sufficient Evidence that the Resolution is passed: The Inspector shall have Power to attend any such Meeting:

Secretary of State to obtain Confirmation of Order.

(6.) Whenever such Consents as aforesaid have been given in the Cases in which they are hereinbefore required, the said Secretary of State shall, as soon as conveniently may be, take all necessary Steps for the Confirmation of such Order by Act of Parliament; but previously to such Confirmation it shall not be of any Validity whatever, and every Act of Parliament confirming such Order shall be deemed a Public General Act. In case any Petition shall be presented to either House of Parliament against any Provisional Order framed in pursuance of this Act, in the Progress through Parliament of the Bill confirming the same, the Bill, so far as it relates to the Order so petitioned against, may be referred to a Select Committee, and the Petitioner shall be allowed to appear and oppose as in the Case of Private Bills.

Extension of borrowing Powers in certain Cases.

LXXVIII. Where a Local Board, or any Board of Improvement Commissioners exercising the borrowing Powers of the Public Health Act, 1848, or this Act, or of any Local Act, has contributed to, purchased, or executed Works of Sewerage and Water Supply, or proposes to contribute to, purchase, or execute such Works, and where the Cost of such Works exceeds or is estimated to exceed One Year's assessable Value of the Premises assessable within the District in respect of which such Money may be borrowed, it shall be lawful for such Board to present a Petition to One of Her Majesty's Principal Secretaries of State praying for Powers to borrow or reborrow for such Works, on Mortgage of the Rates leviable by them under the Public Health Act, 1848, and this Act, and any Local Act, an Amount not exceeding Two Years assessable Value of the Premises assessable within the District in respect of which such Money may be borrowed or reborrowed, such Amount to be repaid within such Period not exceeding Fifty Years as such Board, with the Sanction of One of Her Majesty's Principal Secretaries of State, shall in each Case determine; and it shall be lawful for any of Her Majesty's Principal Secretaries of State to direct Inquiry on such Petition, and to issue a Provisional Order thereupon, and to take Steps for the Confirmation of any such Provisional Order by Act of Parliament in the Manner sanctioned in the preceding Section.

Secretary of State to provide for Execution of Act, and to report annually to Parliament.

LXXIX. It shall be lawful for the Secretary of State to report annually to Parliament on the Execution of this Act, to make or direct such Inquiries as are directed by this Act, and to appoint from Time to Time such Officers, Clerks, and Servants as he may require for the Purposes of this Act, and at his Pleasure to remove any such Officers, Clerks, or Servants; and the Commissioners of Her Majesty's Treasury shall fix the Salaries and Allowances of such Officers, Clerks, and Servants.

LXXX. Any

Local Government.

Powers for Inquiry directed by Secretary of State.

LXXX. Any Officer directed by One of Her Majesty's Principal Secretaries of State to inquire into any Matter into which such Secretary is empowered to direct Inquiry under this Act shall, for the Purposes of such Inquiry, have all the Powers vested in superintending Inspectors by the One hundred and twenty-first Section of the Public Health Act, 1848.

Orders of Secretary of State to be binding.

LXXXI. All Orders made by One of Her Majesty's Principal Secretaries of State in pursuance of this Act shall be binding and conclusive in respect of the Matters to which they refer; and any such Secretary may make Orders as to the Costs of any Appeal to him under this Act, and the Parties by whom such Costs are to be borne; and every such Order may be made a Rule of One of the Superior Courts of Law, on the Application of any Party named therein.

Oxford and Cambridge.

Provisions for execution of Act in Universities of Oxford and Cambridge.

LXXXII. Notwithstanding anything contained in this Act, the *Oxford* and *Cambridge* Commissioners, described in the Thirty-first Section of the Public Health Act, 1848, shall be the Bodies authorized to adopt this Act for the Districts respectively within their Jurisdiction; and in the event of the Adoption of this Act by the said *Cambridge* Commissioners, the said Commissioners shall be the Local Board for the District of *Cambridge;* and in the event of such Adoption by the said *Oxford* Commissioners, the Local Board of the *Oxford* District shall consist of the Vice-Chancellor of the University of *Oxford* and the Mayor of *Oxford* for the Time being, and of Forty-five other Commissioners, Fifteen to be elected by the University of *Oxford*, Sixteen by the Town Council of *Oxford*, and Fourteen by the Ratepayers of the Parishes situate within the Jurisdiction of the *Oxford* Commissioners; and the Election of such Commissioners by the Town Council and by the Ratepayers of the Parishes respectively shall be conducted at the same Time, in the same Way, and subject to the same Regulations in and subject to which Members constituting the Body of *Oxford* Commissioners are now respectively chosen by such Town Council and Parishes; and the Fifteen Commissioners to be elected by the University shall be elected as follows; namely, Four Commissioners shall be elected by the University in Convocation, and Eleven Commissioners shall be elected by the Heads and Senior Bursars of the several Colleges, and by the Heads of the several Halls; and the Elections shall be conducted by the said University, and by the Colleges and Halls respectively, at the same Time and in the same Way, and subject to the same Regulations, in and subject to which Guardians of the Poor for the University and for the Colleges and Halls are now chosen by them respectively, save that in the Election of Commissioners the Heads and Bursars of all the Colleges and the Heads of all the Halls shall be summoned by the Vice-Chancellor for that Purpose, and shall be entitled to vote; and Differences between either of the Universities of *Oxford* and *Cambridge* and the Local Boards of *Oxford* and *Cambridge* respectively within the Meaning of the One hundred and fifth Section of the Public Health Act, 1848, shall be settled by Arbitration in the Manner provided by that Act.

SCHEDULE.

FORM A.

Voting Paper.

At a Meeting held on the Day of at the of , in the County of , it was agreed that the following Resolution should be proposed to the Owners and Ratepayers:—

"That the Local Government Act, 1858, be adopted in the of

	In favour of.	Against.	Number of Votes.	
			As Owner.	As Ratepayers.
Do you vote in favour of or against the Adoption of this Resolution?	*J. S.*			

John Smith,
of 19, Fore Street.

N.B.—The Ratepayer will put his Initials under the Heading "in favour" or "against," according as he votes for or against the Resolution. He is also required to subscribe his Name and Address at full Length. If a Voter cannot write, he must make his Mark instead of Initials, but such Mark must be attested by a Witness, and such Witness must write the Initials of the Voter against his Mark. If a Proxy

Proxy vote, he must add after his Signature the Words, "as Proxy for," with the Name of Corporation or Company for which he is Proxy. This Paper will be collected on the of between the Hours of and .

TAKE NOTICE.—"If any Person wilfully commits any of the Acts following, that is to say, fabricates in whole or in part, alters, defaces, destroys, abstracts, or purloins any Voting Paper, or personates any Person entitled to vote in pursuance of the Public Health Act, 1848, or this Act, or falsely assumes to act in the Name or on the Behalf of any Person so entitled to vote, or interrupts the Distribution of any Voting Papers, or distributes the same under a false Pretence of being lawfully authorized so to do, he shall for every such Offence be liable, on Conviction before Two Justices, to be imprisoned in the Common Gaol or House of Correction for any Period not exceeding Three Months, with or without Hard Labour." (*Local Government Act*, 1858.)

(Signed by the Summoning Officer.)

FORM B.

BY virtue of the Public Health Act, 1848, the Local Board of Health for the District of do hereby declare and absolutely order that the Inheritance of the [Dwelling House, Shop, Lands, and Premises, *as the Case may be*], situate in Street, in the Parish of within the said District, and now in the Occupation of shall be absolutely charged with the Sum of Pounds, paid by of for the Improvement by Drainage and Water Supply [*as the Case may be*] of the same Dwelling House, Shop, Lands, and Premises [*as the Case may be*], together with Interest for the same from the Date hereof at Pounds per Centum per Annum, until full Payment thereof; and also all Costs incurred by the said his Executors, Administrators, or Assigns, under this Security, shall be fully paid and satisfied: And we hereby further declare that the said Principal and Interest Monies shall be paid and payable by the Owner or Occupier of the said Premises to the said his Executors, Administrators, and Assigns, in manner following; (that is to say,) the Interest on such Principal Sum of Pounds, or on so much thereof as shall from Time to Time remain due and payable under this Order, shall be paid and payable by equal half-yearly Payments whilst payable on the Day of and the Day of in every Year, the First Payment thereof to be made on the Day of next, and such Principal Sum of Pounds shall be paid and payable by equal annual Instalments on the Day of in each of the next succeeding . Years, towards the Discharge of the same Principal Sum, until the whole shall be fully satisfied and discharged.

CAP. XCIX.

An Act to provide for the Government of *British Columbia*. [2d *August* 1858.]

'WHEREAS divers of Her Majesty's Subjects and others have, by the Licence and Consent of 'Her Majesty, resorted to and settled on certain wild and unoccupied Territories on the North-'west Coast of *North America*, commonly known by the Designation of *New Caledonia*, and from and 'after the passing of this Act to be named *British Columbia*, and the Islands adjacent, for Mining and 'other Purposes; and it is desirable to make some temporary Provision for the Civil Government of 'such Territories, until permanent Settlements shall be thereupon established, and the Number of 'Colonists increased:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Boundaries of British Columbia.

I. *British Columbia* shall, for the Purposes of this Act, be held to comprise all such Territories within the Dominions of Her Majesty as are bounded to the South by the Frontier of the United States of *America*, to the East by the main Chain of the *Rocky Mountains*, to the North by *Simpson's River* and the *Finlay* Branch of the *Peace River*, and to the West by the *Pacific Ocean*, and shall include *Queen Charlotte's Island*, and all other Islands adjacent to the said Territories, except as herein-after excepted.

Her Majesty by Order in Council may make or provide for the making of Laws for the Government of Her Majesty's Subjects and others in British Columbia.

II. It shall be lawful for Her Majesty, by any Order or Orders to be by Her from Time to Time made, with the Advice of Her Privy Council, to make, ordain, and establish, and (subject to such Conditions or Restrictions as to Her shall seem meet) to authorize and empower such Officer as She may from Time to Time appoint as Governor of *British Columbia*, to make Provision for the Administration of Justice therein, and generally to make, ordain, and establish all such Laws, Institutions, and Ordinances as may be necessary for the Peace, Order, and good Government of Her Majesty's Subjects and others therein; provided that all such Orders in Council, and all Laws and Ordinances so to be made as aforesaid, shall be laid before both Houses of Parliament as soon as conveniently may be after the making and Enactment thereof respectively.

III. Provided

Government of British Columbia.

Her Majesty may establish a local Legislature in British Columbia.

III. Provided always, That it shall be lawful for Her Majesty, so soon as She may deem it convenient, by any such Order in Council as aforesaid, to constitute or to authorize and empower such Officer to constitute a Legislature to make Laws for the Peace, Order, and good Government of *British Columbia*, such Legislature to consist of the Governor and a Council, or Council and Assembly, to be composed of such and so many Persons, and to be appointed or elected in such Manner and for such Periods, and subject to such Regulations, as to Her Majesty may seem expedient.

Certain Provisions of 43 G. 3. c. 138. and 1 & 2 G. 4. c. 66. as regards British Columbia repealed.

IV. 'And whereas an Act was passed in the Forty-third Year of King *George* the Third, intituled '*An Act for extending the Jurisdiction of the Courts of Justice in the Provinces of* Lower *and* Upper 'Canada *to the Trial and Punishment of Persons guilty of Crimes and Offences within certain Parts of* 'North America *adjoining to the said Provinces:* And whereas by an Act passed in the Second Year of 'King *George* the Fourth, intituled *An Act for regulating the Fur Trade, and establishing a Criminal* '*and Civil Jurisdiction within certain Parts of* North America, it was enacted, that from and after the 'passing of that Act the Courts of Judicature then existing or which might be thereafter established in 'the Province of *Upper Canada* should have the same Civil Jurisdiction, Power, and Authority, within 'the *Indian* Territories and other Parts of *America* not within the Limits of either of the Provinces of '*Lower* or *Upper Canada* or of any Civil Government of the *United States*, as the said Courts had or 'were invested with within the Limits of the said Provinces of *Lower* or *Upper Canada* respectively, 'and that every Contract, Agreement, Debt, Liability, and Demand made, entered into, incurred, or 'arising within the said *Indian* Territories and other Parts of *America*, and every Wrong and Injury to 'the Person or to Property committed or done within the same, should be and be deemed to be of the 'same Nature, and be cognizable and be tried in the same Manner, and subject to the same Consequences 'in all respects, as if the same had been made, entered into, incurred, arisen, committed, or done within 'the said Province of *Upper Canada;* and in the same Act are contained Provisions for giving Force, 'Authority, and Effect within the said *Indian* Territories and other Parts of *America* to the Process 'and Acts of the said Courts of *Upper Canada;* and it was thereby also enacted, that it should be lawful 'for His Majesty, if He should deem it convenient so to do, to issue a Commission or Commissions to 'any Person or Persons to be and act as Justices of the Peace within such Parts of *America* as afore-'said, as well within any Territories theretofore granted to the Company of Adventurers of *England* 'trading to *Hudson's Bay* as within the *Indian* Territories of such other Parts of *America* as aforesaid; 'and it was further enacted, that it should be lawful for His Majesty from Time to Time by any Com-'mission under the Great Seal to authorize and empower any such Persons so appointed Justices of the 'Peace as aforesaid to sit and hold Courts of Record for the Trial of Criminal Offences and Misdemeanors, 'and also of Civil Causes, and it should be lawful for His Majesty to order, direct, and authorize the 'Appointment of proper Officers to act in aid of such Courts and Justices within the Jurisdiction assigned 'to such Courts and Justices in any such Commission, provided that such Courts should not try any 'Offender upon any Charge or Indictment for any Felony made the Subject of Capital Punishment, or 'for any Offence or passing Sentence affecting the Life of any Offender, or adjudge or cause any Offender 'to suffer Capital Punishment or Transportation, or take cognizance of or try any Civil Action or Suit in 'which the Cause of such Suit or Action should exceed in Value the Amount or Sum of Two hundred 'Pounds, and in every Case of any Offence subjecting the Person committing the same to Capital 'Punishment or Transportation, the Court, or any Judge of any such Court, or any Justice or Justices 'of the Peace before whom any such Offender should be brought, should commit such Offender to safe 'Custody, and cause such Offender to be sent in such Custody for Trial in the Court of the Province of '*Upper Canada:*'

From and after the Proclamation of this Act in *British Columbia* the said Act of the Forty-third Year of King *George* the Third, and the said recited Provisions of the said Act of the Second Year of King *George* the Fourth, and the Provisions contained in such Act for giving Force, Authority, and Effect within the *Indian* Territories and other Parts of *America* to the Process and Acts of the said Courts of *Upper Canada*, shall cease to have Force in and to be applicable to *British Columbia*.

Appeal from Judgments in Civil Suits to the Privy Council.

V. Provided always, That all Judgments given in any Civil Suit in *British Columbia* shall be subject to Appeal to Her Majesty in Council, in the Manner and subject to the Regulations in and subject to which Appeals are now brought from the Civil Courts of *Canada*, and to such further or other Regulations as Her Majesty, with the Advice of Her Privy Council, shall from Time to Time appoint.

Vancouver's Island, as at present established, not to be included in British Columbia.

VI. No Part of the Colony of *Vancouver's Island*, as at present established, shall be comprised within *British Columbia* for the Purpose of this Act; but it shall be lawful for Her Majesty, Her Heirs and Successors, on receiving at any Time during the Continuance of this Act a joint Address from the Two Houses of the Legislature of *Vancouver's Island*, praying for the Incorporation of that Island with *British Columbia*, by Order to be made as aforesaid, with the Advice of Her Privy Council, to annex the said Island to *British Columbia*, subject to such Conditions and Regulations as to Her Majesty shall seem expedient; and thereupon and from the Date of the Publication of such Order in the said Island, or such other Date as may be fixed in such Order, the Provisions of this Act shall be held to apply to *Vancouver's Island*.

"Governor."

VII. In the Construction of this Act the Term "Governor" shall mean the Person for the Time being lawfully administering the Government of *British Columbia*.

Act to continue in force until Dec. 31, 1862.

VIII. This Act shall continue in force until the Thirty-first Day of *December* One thousand eight hundred and sixty-two, and thenceforth to the End of the then next Session of Parliament: Provided always, that the Expiration of this Act shall not affect the Boundaries hereby defined, or the Right of Appeal hereby given, or any Act done or Right or Title acquired under or by virtue of this Act, nor shall the Expiration of this Act revive the Acts or Parts of Acts hereby repealed.

Expiration of Act not to affect Boundaries, &c.

CAP. C.

An Act to regulate the Office of Clerk of Petty Sessions in *Ireland*. [2d *August* 1858.]

'WHEREAS it is expedient further to regulate the Office of Clerk of Petty Sessions in *Ireland*: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title.

I. This Act may be cited for all Purposes as "The Petty Sessions Clerk (*Ireland*) Act, 1858."

14 & 15 Vict. c. 93. incorporated.

II. "The Petty Sessions (*Ireland*) Act, 1851," except so far as the same is hereby repealed, shall be incorporated with this Act.

Interpretation of Terms.

III. In the Interpretation of this Act, except when repugnant to the Context or Subject Matter, the several Words and Expressions herein-after mentioned shall have the several Meanings appropriated to them hereby; (that is to say,) the Term "Oath" or "Affidavit" shall include Affirmation or Declaration; the Word "District" shall mean Petty Sessions District; the Word "Clerk" shall mean Petty Sessions Clerk, and shall include the Clerk of the Justices of any Borough save *Dublin*; "Lord Lieutenant" shall include the Lords Justices or other Chief Governor or Governors of *Ireland*; "Chief or Under Secretary" shall mean the Chief or Under Secretary of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*; "Registrar" shall mean the Clerk of Fines and Penalties in the Castle of *Dublin*, or such other Person as the Lord Lieutenant may appoint to discharge the Duties prescribed by this Act for the Registrar to perform; "County in which the Petty Sessions District is situate," and "Division in which the Petty Sessions District is situate," shall, in the Case of Districts locally situate in more Counties or more Divisions than One, respectively mean the County or Quarter Sessions Division, as the Case may be, in which the District Petty Sessions are held; "Stamped Forms" or "Forms" shall extend and apply to any Paper, Book, or Document upon which an adhesive Stamp shall have been affixed under the Provisions of this Act.

Certain Sections of 14 & 15 Vict. c. 93. repealed.

IV. From and after the First Day of *January* One thousand eight hundred and fifty-nine, the Second, Third, and Fourth Sections of "The Petty Sessions (*Ireland*) Act, 1851," shall be and are hereby repealed, but such Repeal shall not prejudice or affect any Proceedings instituted before the Time of such Repeal, nor shall it be construed to lessen or affect any Right to which any Person may at the Time of such Repeal be entitled under such repealed Enactments, or any Liabilities then existing and incurred thereunder.

Persons in Office shall continue.

V. Every Person who on the passing of this Act shall hold the Office of Petty Sessions Clerk in *Ireland* shall continue to hold such Office, subject to the Provisions of this Act, until he shall die, resign, or be removed.

One Clerk may be appointed to several Districts.

VI. It shall be lawful for the Lord Lieutenant at any Time hereafter to order and declare that from a certain Time therein to be named Two or more Districts shall be served by One and the same Person as Clerk, and such Order and Declaration shall be published in the *Dublin Gazette*, and shall be notified by the Chief or Under Secretary to the Clerk of the Peace of the County in which the said Districts are situate; and the Justices assembled at the then next Quarter Sessions for the Division of the County in which such Districts shall be situate, or if the said Districts shall be in more than One Division, then at the Quarter Sessions for such Division as the Lord Lieutenant shall appoint, shall proceed to nominate and appoint some one of the Persons who have filled the Office of Petty Sessions Clerk in One of the said Districts immediately before the pronouncing of the said Order, or in case of the Unfitness of all such Persons, then some other proper and fit Person, to be the Clerk of such Districts, and such Appointment shall forthwith be notified by the Clerk of the Peace to the Registrar; and it shall be lawful for such Justices to recommend to the Lord Lieutenant the Amount of annual Salary which in their Opinion should be paid to the Clerk so appointed for such Districts, Regard being had to the Extent of the Duties he will be called upon to perform; and every such Recommendation shall be transmitted to the Lord Lieutenant by such Clerk of the Peace, and the Lord Lieutenant, after due Consideration of any Recommendation which may be so transmitted to him, shall determine the Class in which such Clerk shall be included, and shall fix the Salary to be paid to such Clerk, not exceeding the Amount specified in respect of such Class in Schedule (A.) to this Act annexed.

Appointment of Clerks.

VII. As often as any Vacancy shall arise in the Office of Petty Sessions Clerk serving One District only, the Justices of such Petty Sessions shall nominate and appoint some proper Person to fill the said Office; and in any Borough in which, within the Meaning of the Act of the Third and Fourth Years of Her Majesty, Chapter One hundred and eight, a Commission of the Peace has been or shall be granted, and in and for which Borough Petty Sessions are and shall be holden, the Clerk shall, when and so often as a Vacancy shall arise, be nominated and appointed by the Justices of such Borough; and as often

often as a Vacancy shall arise in the Office of Petty Sessions Clerk serving Two or more Districts, the Justices of such Districts shall appoint some proper Person to fill such Office: Provided always, that Notice shall be given by the Clerk of the Peace for the County or Division in which such Districts, or the greater Part thereof, are situate, of the Time and Place at which the Justices of such Districts are to meet to consider such Matter; and such Notice shall be published in some Newspaper circulated in such County or Division, and shall be served upon each such Justice Seven Days at the least previous to such Meeting, either by delivering the same personally to such Justice, or by leaving the same at or transmitting it by Post to his usual Place of Abode; and every such Appointment, when made, shall be forthwith notified by the Clerk to the Registrar.

Duties of Petty Sessions Clerks.

VIII. Every Petty Sessions Clerk in *Ireland* shall, on and after the First Day of *January* One thousand eight hundred and fifty-nine, hold his Office subject to the following Provisions:

1. He shall hold such Office during the Pleasure of the Justices of the District or Districts of which he shall be Clerk, and of the Lord Lieutenant:
2. He shall not practise as a Barrister, or Attorney or Solicitor, in any Case, nor shall he act as the Clerk of an Attorney or Solicitor, or as the Clerk of a Poor Law Union, or as a Collector of any Public Tax, or be concerned in the keeping of any Hotel, Tavern, Eating House, or House licensed for the Sale of Liquor to be consumed on the Premises, nor shall he engage in any Business or Occupation which the Lord Lieutenant by any General or Special Order shall have prohibited: But this Enactment shall not apply to Clerks who may be engaged in any Business, Profession, or Occupation, or who shall hold any Appointment, other than that of Petty Sessions Clerk, at the Time of the passing of this Act:
3. In addition to the Duties which he shall be bound to discharge under the Provisions of the Fifth Section of "The Petty Sessions (*Ireland*) Act, 1851," he shall perform the several Duties expressly or impliedly imposed on him by this Act with reference to the keeping of and accounting for all Sums of Money received by him in his official Capacity, and shall also observe and perform all the other Regulations of this Act in reference to his Office and the Duties thereof; and every Justice who shall take any Information out of Petty Sessions is hereby required forthwith to transmit the same to the Clerk of the District to which the same shall properly belong:
4. He shall perform the Duties of his Office in Person, and not by Deputy, except in Cases of Sickness, unavoidable Absence, or other Emergency, when the Justices at Petty Sessions may appoint some other Person to act as Clerk at such Petty Sessions for the Time being; and such Substitute shall, if required by the Justices, enter into Security for the due Discharge of his Duties in such Manner as the Justices shall think fit:
5. In case no Justice shall be in attendance for One Hour after the Time appointed for the holding of any Petty Sessions, it shall be lawful for the Clerk to adjourn the holding of such Petty Sessions, and the hearing of all Proceedings thereat, to the next Petty Sessions Day; and upon such Adjournment being made he shall make an Entry thereof in the Minute Book, and post a Notice thereof on the Door of the Petty Sessions Court-house: All Persons summoned or under Recognizance to attend at such adjourned Sessions shall, without fresh Summons or Recognizance, be bound to attend on the Day to which such Adjournment shall have been made:
6. In every Case of an Appeal from a Summary Conviction for any Offence, and when the Appellant shall have entered into a Recognizance to prosecute such Appeal, the Clerk shall forthwith cause a Notice of such Appeal having been entered into to be duly served upon the Complainant, who shall be the Respondent in such Appeal, and the said Service shall be effected in like Manner as Summonses are now by Law required to be served; and by the said Notice the Respondent shall be required to attend with the necessary Witnesses on the Hearing of such Appeal: The Stamp Duty on such Notice and the Expenses of Service thereof shall be borne and paid by the Appellant as Part of the Costs of the Appeal: In case any Respondent shall upon being served with such Notice fail to comply with the Exigency thereof, he shall be liable to a Fine not exceeding Five Pounds, or such greater Sum as the Appellant may have been adjudged to pay upon such Conviction, to be recovered and levied upon a Prosecution by the Constabulary as in other Cases mentioned in the Petty Sessions (*Ireland*) Act, 1851: Provided always, that it shall be lawful for the Justices upon the Hearing of such Matter to remit the whole or any Part of such Penalty, if they shall be of opinion that the Respondent in such Appeal had any sufficient Excuse for such his Non-compliance.

Lord Lieutenant to fix Salary of Petty Sessions Clerk, upon Recommendation of Justices.

IX. It shall be lawful for the Justices of every Petty Sessions to recommend to the Lord Lieutenant the Amount of annual Salary which, in their Opinion, should be paid to the Clerk of such Petty Sessions, Regard being had to the Extent of the Duties of his Office; and every such Recommendation shall be transmitted to the Lord Lieutenant by such Clerk, and the Lord Lieutenant, after due Consideration of any such Recommendation which may be so transmitted to him, shall determine the Class in which such Petty Sessions Clerk shall be included, and shall fix the Amount of Salary to be paid to such Clerk, not exceeding the Amount specified in respect of such Class in Schedule (A.) to this Act annexed, and the same when so fixed shall be paid half-yearly in the Manner herein-after set forth; and the better to enable the Lord Lieutenant to ascertain and fix, or, as Occasion may require, to alter such

Salary, the Justices of each Petty Sessions District shall, when required so to do by the Chief or Under Secretary, cause due and faithful Returns to be made of the Amount of Business done, and of all Fees and Fines received in such Petty Sessions District, for the Period required, not exceeding Seven Years next previous to such Requisition; and the Amount of Salary when so fixed shall be duly notified by the Chief or Under Secretary to the Registrar, and also to the Justices of the Petty Sessions District, and such Salary shall be paid in the Manner herein-after mentioned.

Allowance for Contingencies.

X. It shall be lawful for the Lord Lieutenant to direct that such annual or other Allowance as he shall think right shall be made to each Petty Sessions District for the Payment of Postage, and for the Purchase of Books, Stationery, Court Requisites, Expenses of Court-house, and other Matters; it shall also be lawful for the Lord Lieutenant from Time to Time to make such Allowance as he shall consider fit and reasonable to the Clerks of the Justices in the Borough of *Cork* and the Town of *Belfast*, to enable them to provide such competent Assistants as the Nature and Extent of their Duties or the Exigencies of the Case may require.

Petty Sessions Clerk shall give Security.

XI. Every Person who shall be appointed or shall act as Clerk of Petty Sessions under the Provisions of this Act, shall, before entering on such his Office, give Security for the due Discharge of his Duties as such Clerk; and such Security shall be given by a Recognizance, with Two Sureties, to be approved of by any Two of the Justices of his District or Districts, in double the Amount of the annual Salary of such Petty Sessions Clerk; and every such Recognizance may be in the Form (B.) in the Schedule to this Act, or to the like Effect, and the same shall, when perfected, be deposited by the Justices with the Registrar at his Office in *Dublin:* Provided always, that, notwithstanding anything herein-before contained, it shall be lawful for the Lord Lieutenant to direct that the Security of any Guarantee Society established by Charter or Act of Parliament in *Great Britain* or *Ireland* may be accepted in lieu of such Security by Recognizance as aforesaid; provided also, that it shall be lawful for the Lord Lieutenant, when and so often as, from the Death or Insolvency of Sureties or other Circumstances, he shall think right so to do, to direct that new Security shall be given and entered into, by Recognizance or otherwise, as he shall direct, and the same shall be given and entered into accordingly.

Gratuity or Pension may be given to retiring Clerks.

XII. Whenever, under the Provisions of this Act, any Person shall cease to hold the Office of Clerk of Petty Sessions, by reason of Inability to perform its Duties, or by reason of the Consolidation of Petty Sessions Districts, or the Consolidation of the Office of Clerk, it shall be lawful for the Lord Lieutenant, if he shall so think fit, upon the Recommendation of the Justices of the District of which such Person had been the Petty Sessions Clerk, and by an Order under the Hand of the Chief or Under Secretary, to direct that out of the Fund at his Disposal herein-after mentioned such Person shall be paid such gross Sum by way of Gratuity, or such annual Sum by way of Pension, as to the Lord Lieutenant shall under all the Circumstances appear to be just, such Gratuity not in any Case to exceed the Amount of Three Years Fees, and such Pension not in any Case to exceed Two Thirds of the Salary which such Person had received as Clerk of Petty Sessions previous to his vacating Office, and such Pension shall in every Case cease to be paid when such Person shall have been appointed to the Office of Petty Sessions Clerk of any District or Districts, or to any other Public Office or Situation which shall appear to the Lord Lieutenant to be of equal Value with the Office of Petty Sessions Clerk which such Person shall have ceased to hold.

All Salaries &c. to be paid half-yearly.

XIII. Every Salary payable to any Clerk of Petty Sessions, and every annual Sum payable by way of Compensation or Superannuation Allowance, under the Provisions of this Act, as aforesaid, shall be made payable by virtue of an Order of the Lord Lieutenant, under the Hand of the Chief or Under Secretary; and every such Order shall direct the Salary or Salaries, or other Sum or Sums mentioned therein, to be paid to the Person or Persons mentioned therein by Two half-yearly Payments in each Year, that is to say, on the First Day of *January* and the First Day of *July*.

Stamps in lieu of Fees.

XIV. Every Document enumerated in the Schedule (C.) to this Act annexed shall after the First Day of *January* One thousand eight hundred and fifty-nine be printed or written upon Paper bearing a Stamp denoting the Amount or Value set opposite to such Document in that Schedule; and where any such Document shall consist of more than One Sheet, the First Sheet only shall be impressed with the Stamp; and no Fees, other than those contained in Schedule (C.), nor any Stamp Duties, shall be payable in respect of any of the Documents therein enumerated.

Commissioners of Inland Revenue to provide Dies for denoting Fees.

XV. The Commissioners of Inland Revenue shall provide all necessary Dies for denoting such Fees, either by impressed or adhesive Stamps; and the Registrar shall, under the Direction and Supervision of the Chief or Under Secretary, cause a sufficient Supply of the said Forms in Schedule (C.) to be printed; and the said Commissioners shall cause any of such Forms to be stamped according to this Act with proper Stamps denoting the Fees thereon; and the Registrar shall cause the same, when so stamped, and also any adhesive Stamps that may be necessary, to be from Time to Time furnished to the several Petty Sessions Clerks in *Ireland*, and also to such of the Distributors and Sub-Distributors of Stamps in *Ireland* as may apply for and be willing to sell the same by Retail at the Price or Sum impressed or denoted thereon, and he shall also cause any stamped Forms of Summonses, Informations, and Warrants, and also any adhesive Stamps that may be necessary, to be furnished to the several Sub-Inspectors or other Officers of Constabulary for the Use of the Constabulary Force under their Control; and for the Purposes aforesaid the said Commissioners shall supply the Registrar with such stamped Forms and adhesive

adhesive Stamps for denoting any of such Fees, under such Rules and Regulations as the Chief or Under Secretary shall from Time to Time make or direct; and all the Costs and Expenses incurred by the Commissioners under this Act shall be paid by the Registrar out of the Monies which shall come to his Hands in respect of such Fees.

Power to Justices to enforce Payment of Fees in certain Cases.

XVI. In case the Person who shall be liable, under the Provisions of this Act or any other Act or Acts, to pay any of the Fees denoted by Stamps upon any of the Forms or Proceedings set forth in Schedule (C.) to this Act annexed shall fail to make such Payment, it shall be lawful for the Justice or Justices at Petty Sessions to make a summary Order, on the Complaint of the Clerk of such Petty Sessions, to require the Payment of such Fees; and such Order shall be enforced in like Manner as any Order of a Justice or Justices may now be enforced under the Provisions of "The Petty Sessions (*Ireland*) Act, 1851."

Accounts and Allowances.

XVII. Upon every such Supply being made to any Petty Sessions Clerk as aforesaid, his Receipt for the Amount so supplied to him shall be taken by the Registrar, and the stamped Forms and adhesive Stamps so supplied shall be accounted for in manner herein-after mentioned; and the stamped Forms and adhesive Stamps to be supplied to the Sub-Inspectors or other Officers of Constabulary shall be sold and supplied upon Payment of the Amount impressed upon or denoted by the Stamp; and upon the Sale and Supply of Stamps as aforesaid to Distributors and Sub-Distributors of Stamps an Allowance or Discount from the Amount of the Stamps shall be made at and after the Rate of One Shilling in the Pound.

The Provisions of the Stamp Acts, as far as applicable, to be extended to this Act.

XVIII. The Provisions contained in the several Acts for the Time being in force relating to Stamps under the Care and Management of the Commissioners of Inland Revenue shall (so far as the same are applicable and consistent with the Provisions of this Act) in all Cases not hereby provided for be in full Force and Effect with respect to the Stamps to be provided under the Provisions of this Act, and shall be applied and put in execution for preventing, detecting, and punishing all Frauds, Forgeries, and other Offences relating thereto, as fully and effectually, to all Intents and Purposes, as if such Provision had been adapted to and specially enacted by this Act in reference to the Stamps hereby provided.

Justices may remit Fees.

XIX. It shall be lawful for the Justices at Petty Sessions, in any Case where they shall be satisfied of the Inability of the Party liable thereto to pay such Fees, to remit, in whole or in part, the Fees payable in respect of the stamped Forms to be used therein; and on the Occasion of every such Remission some One of the Justices shall, by Endorsement on the Forms or by a separate Certificate, notify such Remission accordingly, and the Cause thereof.

Allowance for Stamps spoiled, &c.

XX. The Lord Lieutenant may from Time to Time make Regulations for the Allowance of such of the Stamps issued under the Provisions of this Act as may have been spoiled or rendered useless or unfit for the Purpose intended, or for which the Owner may have no Use, or which, through Mistake or Inadvertence, may have been improperly or unnecessarily used, or where the Fee has been remitted; and Allowance shall be made either by giving other Stamps in lieu of the Stamps so allowed for, or by repaying the Amount or Value to the Owner or Holder thereof, after deducting the Discount or Poundage (if any) that may have been allowed for the Sale or Distribution of such Stamps.

Stamps issued to Constabulary, how to be disposed of.

XXI. When any of such Forms or Stamps shall be issued by the Registrar to any Sub-Inspector or other Officer of Constabulary, he shall distribute the same as he shall think fit amongst the several Constabulary Stations or Sub-Stations within the Districts to which his Duties shall extend, to be used and employed only in the Cases of Prosecutions by the Constabulary.

Petty Sessions Clerk shall fill up Forms when required.

XXII. Every Petty Sessions Clerk shall, when required so to do, and as a Part of his Duty, and without Charge, properly fill up all stamped Forms that may be purchased of him, or brought to him for that Purpose.

Petty Sessions Clerk to account with the Registrar half-yearly.

XXIII. Every Petty Sessions Clerk shall account with the Registrar twice in each Year for all Stamps issued to him since his Appointment, or since the Period to which his last previous Account may have been carried down; and such Account shall be made and passed in such Form, and at such Times, and in such Manner as the Lord Lieutenant shall for that Purpose direct; and when such Account shall be so taken, the Amount of Salary of such Petty Sessions Clerk due up to and for the last previous Day of Payment, or the Balance that may be due thereof after debiting him with the Amount due for Stamps so sold as aforesaid, and after all just Credits and Allowances, shall be paid to such Petty Sessions Clerk by the Registrar, or in case a Balance shall, upon such accounting, be found to be due by such Petty Sessions Clerk, the same shall be forthwith paid by him to the said Registrar.

Accounts to be verified.

XXIV. Every such Account shall be verified by the Affidavit or Affirmation of the Petty Sessions Clerk, to be made before the Registrar or One of the Justices of the District or One of the Districts to which the said Clerk shall belong.

Allowances in case of Constabulary or other Public Prosecution.

XXV. Whenever any Case at Petty Sessions shall be prosecuted by the Constabulary or any Public Officer on behalf of the Crown, some One of the Justices at Petty Sessions shall, when required so to do, endorse upon each of the stamped Forms used in and for the Purpose of such Prosecution the Words "Constabulary Prosecution," or "Public Prosecution," as the Case may be, and sign his Name thereto; and the Sub-Inspector or other Officer to whom the Forms so used and endorsed as aforesaid may have been supplied shall, upon Production thereof to the Registrar, and upon his making a solemn Declaration that no Part thereof has been recovered as Costs of Prosecution or is likely to be so recovered, be entitled

entitled to receive and shall receive other stamped Forms to the nominal Amount or Value of those so produced as aforesaid.

Salary to Registrar.

XXVI. It shall be lawful for the Lord Lieutenant, by any Writing under his Hand, to direct that the Registrar shall have and be allowed to retain such annual Sum as the Lord Lieutenant may think fit by way of Remuneration for his Trouble in performing the Duties imposed on him by this Act.

Accounts of Registrar.

XXVII. The Registrar shall make out and prepare an annual Statement of his Accounts under this Act at such Time and in such Form as the Lord Lieutenant shall direct, and the same shall be audited by the Chief or Under Secretary; and such Account, when so made out, prepared, and passed, shall be laid before Parliament within Twenty Days after the Commencement of the then next Session thereof.

The Fund from Fines, &c. to be at Lord Lieutenant's Disposal.

XXVIII. In addition to the Fees by this Act provided, the Fund arising from the Collection of Fines, Amerciaments, and forfeited Recognizances imposed or levied at Petty Sessions in *Ireland* shall be at the Disposal of the Lord Lieutenant for the several Purposes of this Act, except as regards all Fines, Penalties, and Forfeitures under an Act of the Eleventh and Twelfth Years of the Reign of Her Majesty, Chapter Ninety-two, intituled *An Act for the Protection and Improvement of the Salmon, Trout, and other Inland Fisheries of* Ireland, which shall be recovered and applied as is in the said Act provided, anything to the contrary in any Act of Parliament contained notwithstanding: Provided always, that it shall not be lawful to award to the Informer more than One Third of any such Fine or Penalty.

Lord Lieutenant to make General Rules.

XXIX. It shall be lawful for the Lord Lieutenant to make such General Rules as shall seem to him expedient for the Purpose of carrying into effect the Provisions of this Act, and from Time to Time to amend and vary such Rules as Occasion shall require.

Limits of Act.

XXX. This Act shall extend to *Ireland* only, but nothing herein contained shall apply to the Borough of *Dublin* or to the *Dublin* Metropolitan Police District.

SCHEDULES.

SCHEDULE (A.)

Scale of Salaries of Petty Sessions Clerks.

	£	
Class 1, shall be - - - -	300	per Annum.
„ 2, „ - - - -	250	„
„ 3, „ - - - -	200	„
„ 4, „ - - - -	100	„
„ 5, „ - - - -	50	„
„ 6, „ - - - -	35	„
„ 7, „ - - - -	25	„

SCHEDULE (B.)

Form of Recognizances on Appointment of Petty Sessions Clerk.

County of *W.* to wit. } Be it remembered, That on the Day of 185 , *A.B.* of , &c., *C.D.* of , &c., and *E.F.* of , &c., personally came before me, and acknowledged themselves to owe to our Lady the Queen the Sum of Pounds each, to be levied off their Goods and Lands, to the Use of Her said Majesty, if the said *A.B.* shall fail in the Conditions under written.

G.H., One of the Justices of the Peace for the County of .

Whereas the said *A.B.* hath been lately appointed to the Office of Petty Sessions Clerk for the District [*or* Districts] of , &c.: Now the Condition of the above-written Recognizance is such, that if the said *A.B.* shall well and faithfully account for all Moneys which shall come to his Hands or Power by virtue of such his Office, and shall carefully preserve all Books and other Property that may be intrusted to his Charge, and deliver up the same when he shall be required so to do by the Lord Lieutenant, or the Justices of the District to which such Books or other Property shall belong, and shall well and faithfully perform all and singular the Duties by Law imposed or to be imposed upon him as such Petty Sessions Clerk as aforesaid, then the said Recognizance to be void, or else to remain in full Force.

SCHEDULE (C.)

Forms.

	s.	d.
On every Summons and Copy - - - - - - - - -	0	6
On every Information or Deposition - - - - - - - -	1	0
(The Recognizance to bind the Deponent to prosecute or give Evidence may be added at Foot, without any further Stamp Duty.)		
On every solemn Declaration (not being a Declaration as to Loss of Pawnbrokers Duplicates or as to the Admission of Paupers into Workhouses) - - - -	1	0
On every Copy of any written Information or Complaint in summary Proceedings - -	0	6

On

	s.	d.
On every Warrant	0	6
On every Recognizance, when not at Foot of an Information or Deposition	1	0
On the Entry of each Order	0	6
On every Certificate of Order	1	0
On every Appeal, including the Recognizance to prosecute	2	0
On every Notice of Appeal to be served on the Respondent	1	0
On every other Notice in Proceedings by or before Justices when such Notice is drawn by the Petty Sessions Clerk	0	6
On every Form other than the aforesaid, upon which any Fee is now payable by Law to the Clerks of Petty Sessions, any Sum not exceeding	2	6

CAP. CI.

An Act to amend the Act of the Eighteenth and Nineteenth Years of Her present Majesty, Chapter Sixty-three, relating to Friendly Societies. [2d *August* 1858.]

'WHEREAS it is expedient to amend an Act passed in the Session holden in the Eighteenth and Nineteenth Years of Her Majesty, Chapter Sixty-three, intituled *An Act to consolidate and amend the Law relating to Friendly Societies*, and to provide additional Facilities for carrying the same into effect:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same: 18 & 19 Vict. c. 63.

Jurisdiction of County Court given to Sheriff's Court in London, Assistant Barrister, &c. in Ireland, and Section 24. extended to Ireland.

I. In the City of *London* the Judge of the Sheriff's Court, and in *Ireland* the Assistant Barrister within his District, and in the Cities of *Dublin* and *Cork* the Recorder thereof, shall respectively have the same Jurisdiction as by the said Act, as amended by this Act, is given to the Judge of a County Court in any Matter arising under the said Act, and in *Ireland* a Justice of the Peace or Two Justices of the Peace, as the Case may be, shall have the same Jurisdiction as by Section Twenty-four of the said Act is given to a Justice of the Peace or Two Justices of the Peace in *England* in any Matter arising under the said Section, but the Complaint shall be heard and determined in manner directed by the Act passed in the Fourteenth and Fifteenth Years of Her Majesty, Chapter Ninety-three.

No Money to be paid on the Death of a Child without a Certificate signed by a Medical Practitioner.

II. The Tenth Section of the said Act shall be repealed, and instead thereof be it enacted:

In any Society in which a Sum of Money may be insured, payable on the Death of a Child under the Age of Ten Years, for the Funeral Expenses of such Child, it shall not be lawful to pay any Sum so insured unless the Person who shall apply for such Payment shall produce a Certificate, signed by a qualified Medical Practitioner, stating the probable Cause of Death of such Child; and if any Trustee or Officer of such Society, upon an Insurance of a Sum payable on the Death of any Child under the Age of Ten Years, shall knowingly pay a Sum which shall raise the whole Amount receivable from One or more than One Society for the Funeral Expenses of a Child under the Age of Five Years to a Sum exceeding Six Pounds, or of a Child between the Ages of Five and Ten Years to a Sum exceeding Ten Pounds, or shall pay any Sum without endorsing the Amount thereof on the Back or at the Foot of the Medical Certificate aforesaid, or if any Parent or other Person, who shall apply for such Payment to more than One Society, shall produce to the Trustees or Officers of one Society any other or different Certificate than that which he shall have produced to the Trustees or Officers of any other Society, such Trustee, Officer, Parent, or other Person shall be liable to a Penalty not exceeding Five Pounds for every such Act upon Conviction before Two Justices of the County or Borough in which such Child shall have died: Provided, that if the said Child shall have been attended immediately before its Death by the Medical Officer of any Union on account of such Union, he shall deliver to the Parents or Friends of the deceased Child, upon their Application, a Certificate stating the probable Cause of Death of such Child, and shall not be entitled to receive any Fee for the same; and if such Child shall not have been attended by such Medical Officer as aforesaid, nor by any qualified Medical Practitioner, the Medical Officer of the Union or Parish in which such Child shall have been resident shall deliver to the Parents or Friends of the deceased Child, upon their Application, a Certificate stating the probable Cause of Death of such Child, and shall be entitled to receive from the Parties applying for the same a Fee of One Shilling.

Extension of recited Act.

III. Sections Sixteen and Twenty-four of the said Act shall extend and be applicable to all Institutions and Societies entitled to the Benefit of Section Eleven of the said Act.

Power to Society to change its Name.

IV. Any Friendly Society may, with the Approval in Writing of the Registrar, change its Name; but no such Change shall affect any Rights or Obligations of the Society or any Member thereof, and any legal Proceedings may be continued or commenced by or against the Trustees of the Society, or any Officer or the Committee thereof, by and notwithstanding its new Name.

Disputes to be settled by Justices, if Rules so direct.

V. The Proviso contained in Section Forty of the said Act shall be repealed, and in lieu thereof be it enacted, That where the Rules of any Society established under the said Act, or any of the Acts thereby repealed, shall direct Disputes to be referred to Justices, then any Justice of the Peace acting in the County or Borough in which the Place of Business of such Society shall be situated, upon Complaint made by any Member, his Executors, Administrators, Nominee, or Assigns, or by any Person claiming

claiming under the Rules of the Society, of any Matter in dispute between him or them and the Society, to summon the Person against whom such Complaint is made to appear at a Time and Place to be named in such Summons, and any Two Justices present at the Time and Place mentioned in such Summons shall proceed to hear and determine the said Complaint, which Complaint shall be heard and determined in *England* in manner directed by the Act passed in the Eleventh and Twelfth Years of Her Majesty, Chapter Forty-three, and in *Ireland* in manner directed by the Act passed in the Fourteenth and Fifteenth of Her Majesty, Chapter Ninety-three; and such Justices may make such Order thereupon, either for the Payment of Money or otherwise, together with Costs, not exceeding Ten Shillings, as they shall think fit; and where the Order made shall be for the doing of some Act other than the Payment of Money, the said Justices may order the Payment of a Sum of Money in default of the doing of such Act; and any Monies which shall be paid by any Officer of the Society so levied on his Property under any Order or Warrant the Justices shall be repaid, with all Damages accruing to him, by the Society: Provided always, that in *Scotland* the Sheriff within his County shall have the same Jurisdiction as is hereby given to a Justice or Justices of the Peace.

Justices may make Order.

Jurisdiction of Sheriff in Scotland.

Sects. 40. and 44. of said Act extended.

VI. Sections Forty and Forty-four of the said Act shall extend and be applicable to Disputes between the Executors, Administrators, Nominee, or Assigns of a Member, and the Trustees, Treasurer, or other Officer, or the Committee of a Society.

An Officer to be proceeded against on behalf of a Society.

VII. In any Proceeding under the said recited Act or this Act against a Society it shall be sufficient to make the Secretary or other Officer of the Society, at the Time of the Plaint or Complaint being entered or made, the Defendant in such Proceeding, by his Name and the Title of the Office he holds in the Society; and the Proceedings on such Plaint or Complaint shall be commenced and carried on against such Officer on behalf of the Society, and shall not be abated or prejudiced by the Death, Resignation, or Removal, or by any Act of such Officer after the Commencement thereof; and the Summons to be issued to such Officer may be served by leaving the same at the usual Place of Business of the Society.

In case of Dissolution Registrar or Actuary may divide Funds.

VIII. Instead of its being necessary to state in the Agreement for the Dissolution of a Friendly Society pursuant to the said recited Act the intended Appropriation or Division of the Funds or Property thereof, such Appropriation or Division may by such Agreement be referred to the Award of the Registrar of Friendly Societies, or to the Actuary to the Commissioners for the Reduction of the National Debt, or to an Actuary of some Life Assurance Company established in *London*, *Edinburgh*, or *Dublin*, who shall have exercised the Profession of Actuary for at least Five Years, to be named in the said Agreement; and also, that on the Application in Writing of not less than One Fourth Part of the Members of any Friendly Society made to the Registrar or Actuary aforesaid, stating that the Funds of the said Society are insufficient to meet the Claims thereon, with the Grounds thereof, it shall be lawful for the Registrar or Actuary aforesaid to investigate the same, and to determine whether the said Society should continue or be dissolved, and the Funds and Property divided; and if in his Opinion the said Society should be dissolved, then to make an Award to that Effect, and to award, without the Requirement of Section Thirteen of the said Act being complied with, in what Way the Funds and Property should be appropriated and divided; and that the Award of the said Registrar or Actuary in either of the said Cases shall be final and conclusive on all the Members and other Persons interested in or having any Claim on the Funds of the said Society, without Appeal, and shall be enforced in the same Manner as by Section Forty-one of the said Act is provided for enforcing the Decision of Arbitrators; and that the Expenses incurred by the said Registrar, or the Charges of the said Actuary, shall be paid out of the Funds and Property of the said Society before any Appropriation or Division thereof shall be made.

Application may be made to Registrar or Actuary in case of Insolvency of Society.

Acts to be considered as One Act.

IX. This Act and the said recited Act shall be construed as One Act, and may be cited together for all Purposes as the "Friendly Societies Acts, 1855 and 1858."

CAP. CII.

An Act to indemnify certain Persons who have formed a voluntary Association for the Disposal of Works of Utility and Ornament by Chance or otherwise as Prizes. [2d *August* 1858.]

7 & 8 Vict. c. 109.

8 & 9 Vict. c. 57.

9 & 10 Vict. c. 48.

'WHEREAS an Act was passed in the Eighth Year of Her present Majesty's Reign, intituled *An Act to indemnify Persons connected with Art Unions and others against certain Penalties*, which Act was continued by another Act passed in the Ninth Year of Her present Majesty's Reign: And whereas another Act was passed in the Tenth Year of Her present Majesty's Reign, intituled *An Act for legalizing Art Unions:* And whereas certain Parties have formed themselves into a voluntary Association for the Purpose of encouraging the Application of High Art to the Production of Works of Utility and Ornament, with reference to the said last-recited Act, by means of the Purchase of Works of *British* and Foreign Manufacture, to be afterwards allotted and distributed by Chance or otherwise as Prizes among the several Members, Subscribers, or Contributors forming Part of such said Association: And whereas Doubts have been entertained whether the said Association is a lawful Association within the Sense and Meaning of the said last-recited Act: And whereas it is expedient that all Members of and Subscribers and Contributors to the voluntary Association, and all Persons

acting

'acting under the Authority or on the Behalf of the same, shall be discharged and protected from any 'Pains and Penalties to which they may have rendered themselves liable or may render themselves 'liable by reason of any such their Proceedings as aforesaid:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

The said Association, and the Members, Subscribers, and Contributors thereof, discharged from Suits and Penalties.

I. The said Association now constituted, and the Members of and Subscribers and Contributors to the said Association, and all Persons who may have acted or may hereafter act under the Authority or on the Behalf of the same, shall be freed and discharged from all Pains and Penalties, Suits, Prosecutions, and Liabilities to which by Law they are or may be liable as having been concerned in illegal Lotteries, Little Goes, or unlawful Games, by reason of anything done or which may have been or may be done by them or any of them herebefore or before the Thirty-first Day of *August* in the Year next ensuing the passing of this Act, in furtherance of the Allotment or Distribution by Chance, Scheme, or otherwise of Articles of the Description herein-before set forth, selected, allotted, and distributed as aforesaid.

CAP. CIII.

An Act to promote and regulate Reformatory Schools for juvenile Offenders in *Ireland*.

[2d *August* 1858.]

'WHEREAS it is expedient to provide for the Establishment and Regulation of Reformatory Schools 'for the better training of juvenile Offenders in *Ireland*:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Power to Chief Secretary, on Application from Managers of Institution, to direct an Inspector of Prisons to report.

I. It shall and may be lawful for the Chief Secretary of the Lord Lieutenant of *Ireland*, upon Application made to him by the Directors or Managers of any such Institution, to direct One of Her Majesty's Inspectors General of Prisons in *Ireland*, or such Special Inspector of Reformatories as may be hereafter appointed by the Lord Lieutenant of *Ireland*, who is hereby authorized and empowered to appoint a fit and proper Person to be Inspector of Reformatory Schools in *Ireland*, if he shall think fit, to examine and report to him upon its Condition and Regulations; and any such Institution as shall appear to the Satisfaction of the said Chief Secretary, and shall be certified under his Hand and Seal, to be useful and efficient for its Purpose, shall be held to be a Reformatory School under the Provisions of this Act: Provided always, that it shall be lawful for any of Her Majesty's Inspectors General of Prisons, or such other Special Inspector of Reformatories as aforesaid, to visit from Time to Time any Reformatory School which shall have been so certified as aforesaid; and if upon the Report of any such Inspector the said Chief Secretary for the Time being shall think proper to withdraw his said Certificate, and shall notify such Withdrawal under his Hand to the Directors or Managers of the said Institution, the same shall forthwith cease to be a Reformatory School within the Meaning of this Act; and annual Reports of such Inspectors as touching the Reformatory Schools under this Act shall be annually laid before both Houses of Parliament, accompanied by Accounts showing the Receipts and Expenditure of each such School, and the Certificates granted and withdrawn.

When Reformatory School is certified by Lord Lieutenant, Notice to be published in the Dublin Gazette.

II. Whenever the Chief Secretary shall at any Time grant a Certificate under this Act to any Reformatory School, he shall within One Calendar Month cause a Notice thereof to be published in the *Dublin Gazette*, and such Publication shall be a sufficient Evidence of the Fact of such Reformatory School having been certified to justify the Judge or the Justices before whom any such juvenile Offender shall have been convicted to commit such juvenile Offender thereto, subject to the Provisions of this Act; and whenever the Chief Secretary shall withdraw the Certificate granted to any Reformatory School, he shall within One Calendar Month give Notice of such Withdrawal in the said Gazette.

Power to Grand Jury of a County or Council of certain Boroughs to grant Money in aid of Maintenance of Offenders.

III. It shall be lawful for the Grand Jury of any County, County of a City or County of a Town, if they shall think fit, at any Assizes, and for the Town Councils of the Boroughs of *Dublin*, *Cork*, and *Limerick*, upon the Application of the Directors or Managers of any Reformatory School for youthful Offenders which has been or which may hereafter be certified under this Act, supported in whole or in part by voluntary Contributions in such County or Borough respectively, to present a Sum of Money in aid of the Maintenance of such Offenders from such County or Borough respectively, sentenced to or detained in such Reformatory School, to be raised off the said County or Borough, subject to such Conditions as may be agreed upon between such Grand Jury or Council and such Directors, Managers, or Promoters.

No Money to be granted to Schools not certified by Chief Secretary.

IV. Provided, That no Money shall be presented or ordered to be raised as aforesaid under this Act in aid of any Reformatory School unless the Institution has been certified by the Chief Secretary as aforesaid, nor shall any Money be paid under any such Presentment or Order in aid of any School which shall have been so certified in case such Certificate shall have been withdrawn.

Grand Jury or Council may contract with the Managers for the

V. It shall be lawful for the Grand Jury of any County, County of a City or County of a Town, and for the Council of such Borough as aforesaid, at a Special Meeting of such Council called for the Purpose, to appoint and empower a Committee of such Grand Jury or Council to enter into an Agreement with the Directors or Managers of any Reformatory School certified as aforesaid, for the Reception and

Reception of Offenders from their County or Borough.

and keeping in such School from Time to Time of Offenders from such County or Borough sentenced to be detained in a Reformatory School, in consideration of such periodical Payments as may be agreed upon with such Managers or Directors; and such Grand Jury or Council shall present the Payments of the Money which may from Time to Time become payable under such Agreement, without any previous Application to a Presentment Sessions.

Monies granted under this Act, how to be raised.

VI. All Monies presented to be raised and paid for the Reception and keeping of such Offenders in such School shall be presented and raised in the same Manner in all respects and subject to the same Conditions as Money to be presented and raised by the Grand Jury of any such County or by the Council of such Borough as aforesaid respectively for defraying the ordinary current Expenditure of their several Gaols.

Juvenile Offenders, how to be dealt with.

VII. Whenever after the passing of this Act any Person shall be convicted of any Offence punishable by Law (except the Offence of Vagrancy) before any Judge of Assize or Judges sitting under a Commission of Oyer and Terminer, or before any Court of Quarter Sessions, or before the Divisional Justices of the *Dublin* Metropolitan Police District, or before any Justice or Justices of the Peace at Petty Sessions, under the Provisions of the Sixth Section of "The Summary Jurisdiction (*Ireland*) Act, 1851," whose Age shall not, in the Opinion of such Judge or Court, exceed the Age of Sixteen Years, then and in every such Case it shall be lawful for the Judge or Court, or the Divisional Justices, or the Justices at Petty Sessions as aforesaid, before or by whom such Offender shall be so convicted, in addition to the Sentence then and there passed as a Punishment for his or her Offence, to direct such Offender to be sent, at the Expiration of such Sentence, to some One of the aforesaid Reformatory Schools the Directors or Managers of which shall be willing to receive such Offender, and to be there detained for a Period not less than One Year and not exceeding Five Years; and such Offender shall be liable to be detained pursuant to such Direction: Provided always, that no Offender shall be directed to be so sent and detained as aforesaid unless the Sentence passed as a Punishment for his Offence at the Expiration of which he is directed to be so sent and detained shall be one of Imprisonment for Fourteen Days at the least; and provided also, that no such Offender shall be liable or directed to be sent to any such Reformatory, except to some one Reformatory under the exclusive Management of Persons of the same Religious Persuasion as that professed by the Parents or Guardians of such juvenile Offender; and in all Cases in which the Religion of the Parents or Guardians of such juvenile Offender is unknown, the said juvenile Offender shall be considered as belonging to that Religious Persuasion in which he or she shall appear to have been baptized, or of which he or she shall profess to be a Follower: Provided also, that in case the Court which shall order such Offender to be so sent and detained as aforesaid shall think it right to sentence such Offender to a previous Term of Imprisonment to which such Offender shall have been sentenced as a Punishment for his or her Offence, such Term of Imprisonment shall be directed to be carried out and spent, as far as is practicable, in strict Separation: Provided also, that the Chief Secretary may at any Time order any such Offender to be discharged from any such School: Provided also, that whenever any Order shall be made under this Act by any Divisional Justice, or by any Justices of Petty Sessions, for sending any juvenile Offender to any Reformatory School, it shall and may be lawful for such juvenile Offender, or any Parent or Guardian of him or her, to appeal against any such Order, in case same be made by any Divisional Justice to the Recorder of the City of *Dublin* at his next Sessions, and in case such Order be made by any Justices at Petty Sessions, to the next Quarter Sessions of the Division within which the Petty Sessions at which such Order shall be made shall be situate, but in case there shall not be Fifteen clear Days between the making of the Order and the next Sessions of the said Recorder or the next Quarter Sessions of such Division as aforesaid, then to the next following Sessions of the said Recorder, or the next following Quarter Sessions of such Division as aforesaid; and every such Appellant shall give or cause to be given to the Divisional Justice whose Order is appealed from, or to the Clerk of the Petty Sessions at which the Order appealed from has been made, Notice in Writing of his Intention to appeal, at least Seven Days before the Commencement of the Sessions or Quarter Sessions to which such Appeal shall be made; and whenever any such Appeal shall have been so made, and such last-mentioned Notice shall have been duly given, it shall be lawful for the Recorder, or for the said Court of Quarter Sessions, as the Case may be, to entertain the same, and to confirm, reverse, or vary the Order complained of, or to order that such juvenile Offender shall be sent to some other Reformatory School established under this Act, and such Appeal shall not be dismissed upon any Point of Form.

Juvenile Offenders to be sent only to Schools managed by Persons of same Religious Belief as Parents of such Juveniles.

Right of Appeal.

School to which Offender committed need not be named in the Sentence.

VIII. It shall not be necessary, at the Time of passing Sentence, for any such Judge or Court to name the particular School to which such Offender is to be sent, but it shall be sufficient for such Judge or Court to direct that such Offender be sent to such School (being a School duly certified under the Act, and the Directors or Managers of which may be willing to receive him,) as may thereafter, and before the Expiration of the Term of Imprisonment (if any) to which such Offender has been sentenced, be directed by One of the Judges or by the Justices of the Court before whom such Offender shall be so convicted.

Supplemental Orders may be made.

IX. Any such Court, having made an Order under the Authority of this Act for sending any Offender to any Reformatory, may make a supplemental Order, if the Court shall so think fit, at any Time thereafter, and before the Expiration of the Term of Imprisonment (if any) to which such Offender has been sentenced, exchanging the Name of such Reformatory for the Name of any other Reformatory to which such

such Offender might in the first instance legally have been sent, provided the Directors or Managers of such Reformatory be willing to receive such Offender, and such Offender shall be sent to such last-mentioned School accordingly.

Expenses of Conveyance, how to be paid.

X. The Expense of conveying any juvenile Offender sentenced under this Act to the Reformatory School to which he has been committed under an original or supplemental Order shall be charged and chargeable upon the County, County of a City, or County of a Town from which he shall have been first removed, and such Expenses shall in the first instance be paid as follows; that is to say, by the Governor of the Prison of such County, County of a City, or County of a Town, when such Expenses shall have been incurred by the Governor or any Officer of any Prison therein respectively having the Custody under Sentence of such Offender, other than a Bridewell, and by the local Inspector of Constabulary when such Expenses shall have been incurred by the Keeper or other Officer of any Bridewell therein respectively having the Custody under Sentence of such Offender; and such Governor and local Inspector respectively shall from Time to Time lay before the Board of Superintendence of the said Prison Accounts duly vouched of the Expenses so incurred; and the said Board shall examine such Accounts, and upon being satisfied of their Reasonableness and Accuracy shall pay the same out of any Funds under their Control, in like Manner as if such Expenses had been incurred for the Removal of Prisoners under the Provisions of an Act passed in the Fourteenth and Fifteenth Years of the Reign of Her Majesty, Chapter Eighty-five, and the said Act shall extend to and include such Expenses.

Governor of Prison, &c. to send Duplicate or Copy of Warrant of Commitment with Offender to Reformatory.

XI. It shall be the Duty of the Governor of any Prison, or the Keeper or other Officer of any Bridewell, having the Custody under Sentence of any juvenile Offender who is ordered to be sent to any Reformatory, to forward, with such Offender, to such Reformatory, an original Duplicate, if any such Duplicate exists, of the Warrant of Commitment under which such Offender has been imprisoned, and if no such Duplicate exists, to forward with such Offender a Copy of such Warrant, and at the Foot of such Duplicate or Copy to make a Memorandum stating that the juvenile Offender named therein and sent therewith, is identical with the Person delivered with the Warrant of which the Instrument is a Duplicate or a Copy to such Prison or Bridewell, and such Memorandum shall be signed by such Governor or Keeper or other Officer aforesaid, and the Possession of such Warrant or Copy of a Warrant, with such Memorandum so signed, shall be a sufficient Authority for the Detention of such juvenile Offender in such Reformatory.

What shall be deemed sufficient Evidence as to Identity of juvenile Offenders.

XII. The Production of an original Duplicate of the Warrant of Commitment or a Copy of the Warrant of Commitment of such young Person, with a Memorandum as aforesaid, signed or purporting to be signed by the Governor or Keeper of the Gaol or Bridewell from which such young Person was sent as herein-before provided, accompanied by a Statement signed or purporting to be signed by the Manager or Superintendent of any Reformatory School, that the young Person named in such Warrant or Copy was duly received into and is at the signing thereof detained in such School, or has been otherwise disposed of according to Law, shall in all Proceedings whatsoever be sufficient Evidence of the due Conviction and Imprisonment and subsequent Detention and Identity of the young Person named in such Warrant.

Treasury may defray Cost of Maintenance at Reformatory School.

XIII. It shall be lawful for the Commissioners of Her Majesty's Treasury, upon the Representation of the Chief Secretary of the Lord Lieutenant of *Ireland*, to defray, out of any Funds which shall be provided by Parliament for that Purpose, either the whole Cost of the Care and Maintenance of any juvenile Offender so detained in any Reformatory School as aforesaid, at such Rate *per* Head as shall be determined by them, or such Portion of such Cost as shall be recommended by the said Chief Secretary.

Absconding or refractory Conduct at Reformatory School, how to be punished.

XIV. 'And whereas it is expedient that some Provisions should be made for the Punishment of any 'juvenile Offender so directed to be detained as aforesaid in any such Reformatory School who shall 'abscond thereform, or wilfully neglect or refuse to abide by and conform to the Rules thereof:' Be it enacted, That it shall and may be lawful to and for any Justice of the Peace or Magistrate in Petty Sessions, or Police Magistrate, acting in and for the County, City, Borough, Riding, or Division wherein the said Offender shall actually be at the Time he or she shall so abscond, or neglect or refuse as aforesaid, upon the Proof thereof made before him upon the Oath of One credible Witness, by Warrant under his Hand and Seal to commit the Party so offending for every such Offence to any Goal or House of Correction for the said County, City, Borough, Riding or Division, with or without Hard Labour, for any Period not exceeding Six Calendar Months, such Period of Imprisonment to be passed, as far as is practicable, in strict Separation; and such Offender shall at the Termination of such Imprisonment be transmitted to the same Reformatory to which he or she was originally sentenced, if the Directors or Managers shall be then willing to receive such Offender, there to complete the full Term of his or her original Sentence.

Contribution by Parents to the Maintenance of Offenders in a Reformatory School, how to be enforced.

XV. In every Case in which any juvenile Offender shall be sentenced to be detained in a Reformatory School under this Act, the Court by which he or she shall be so sentenced shall direct the proper Officer of the Court to issue his Certificate of the said Sentence, which shall be conclusive Evidence thereof; and in every Case of such Sentence as aforesaid the Parent of such Offender shall, if of sufficient Ability, be liable to contribute to his or her Support and Maintenance a Sum not exceeding Five Shillings a Week; and it shall be lawful for any Justice or Justices of the Peace sitting at Petty Sessions for the District

District in which such Parent shall reside, or for any Divisional Police Magistrate in any City or Borough in which such Parent shall reside, upon the Complaint of any Person authorized by the Chief or Under Secretary of the Lord Lieutenant for *Ireland* to take Proceedings in that Behalf, to summon the Parent, as the Case may be, and on the Hearing of such Summons, whether the Party summoned shall appear or not, to examine into his or her Ability to contribute to such Offender's Support or Maintenance, and to make an Order upon him or her for such weekly Payment, not exceeding Five Shillings *per* Week, as shall seem reasonable, during the whole or any Part of the Detention of such juvenile Offender in such Reformatory School, such Payment to be made, at such Times as by such Order may be directed, to the Person so authorized to take Proceedings as aforesaid, or to such Person as such Chief or Under Secretary may from Time to Time appoint to receive the same, and by him to be accounted for and paid as the said Chief or Under Secretary may direct.

Power to remit, reduce, or increase the weekly Payments.

Payment not to exceed Five Shillings weekly.

XVI. The Parent or the Person authorized by the Chief or Under Secretary of the Lord Lieutenant of *Ireland* to take Proceedings as aforesaid may respectively at any Time apply to any Justice or Justices of the Peace sitting at Petty Sessions for the District in which such Parent or Step-parent resides, or before any Divisional Police Magistrate for any City or Borough in which such Parent resides or in which such Reformatory is situate, for an Order to diminish the weekly Sum payable by said Parent under such Order as aforesaid, or to increase it to an Amount not exceeding Five Shillings *per* Week; and the Justices or Stipendiary or Divisional Police Magistrate as aforesaid, on Proof that the said Parent or the said Person so authorized to take Proceedings as aforesaid have given to each other, as the Case may be, not less than One Week's Notice in Writing of the intended Application, and of the Time and Place of hearing the same, shall make full Inquiry into the Matter, and into the then Circumstances and Ability of such Parent, and may diminish or increase the Amount of the weekly Sum payable by such Parent as they think fit, or may release him from such Payment altogether, such Order to be without Prejudice to any future Order which on any further Inquiry into the Circumstances and Ability of the said Parent may appear to be just and reasonable.

Provisions in case of Default in Payment by Parents.

XVII. In case Default be made for the Space of Fourteen Days in Payment of any Sum of Money which may have become payable by such Parent under any such Order, such Sum of Money shall in every such Case be levied upon the Goods and Chattels of the Defendant by Distress and Sale thereof; and if it shall appear to the said Justices, on Confession of the Defendant or otherwise, or if it shall be returned to the Warrant of Distress in any such Case, that no sufficient Goods of the Party against whom such Warrant shall have been issued can be found, it shall be lawful to the Justices or Magistrate to whom such Return is made, or for any other Justice of the Peace for the same County, Riding, Division, Liberty, City, Borough, or Place, by his Warrant as aforesaid, to commit the Defendant to the House of Correction or Common Gaol for any Term not exceeding Ten Days, unless the Sum to be paid, and all Costs and Charges of the Distress, and of the Commitment and conveying of the Defendant to Prison, (the Amount thereof being ascertained and stated in such Commitment,) shall be sooner paid.

Provision for Care of Offenders when discharged from Reformatory Schools.

XVIII. 'Whereas it is expedient to make further Provision for the due Care and Protection of juvenile 'Offenders discharged from Reformatory Schools:' It shall be lawful for the Managers of any Reformatory School, previous to making Application for the Discharge of any juvenile Offender committed to such School, to place such Offender on Trial with some Person to be named in the Licence herein-after mentioned, who shall be willing to receive and take charge of and qualified to provide for and take care of such Offender, and to grant to such Offender a Licence under their Hands, or the Hand of any One of them appointed for that Purpose, to reside with such Person for any Term not exceeding Twelve Months, unless sooner called upon by the said Managers to return to the said School, and to require such Offender to return to the said School at any Time during the same; and such Managers shall bring back such Offender to the said School at the Expiration of the said Term, provided that such Offender shall not have been previously discharged from the School by Order of the Chief Secretary of the Lord Lieutenant of *Ireland* as aforesaid; and any Offender who shall abscond from such Person during such Term, or shall refuse to return to the Reformatory School at the End of such Term or before the End of the Time, when so required, shall be held to have absconded from the School, and shall be liable to the Penalties in that Case made and provided: Provided always, that no such Offender shall be so placed out before the Expiration of One Half of the Term of Detention to which he was originally sentenced.

Penalty for harbouring any young Person absconding from a Reformatory School.

XIX. Any Person who shall directly or indirectly wilfully withdraw any young Person from any such Reformatory School or Institution as aforesaid to which he or she has been so sent, or induce him or her to abscond therefrom, or who, knowing any young Person to have been withdrawn or to have absconded from any such School or Institution as aforesaid, shall harbour or conceal or assist in concealing such young Person, or prevent him or her from returning to such School or Institution, shall be liable for any such Offence to a Penalty not exceeding Five Pounds, to be recovered and enforced by summary Conviction in the same Manner, and subject to the same Provisions and Orders, and under the same Powers, as any penal or other Sum may be enforced by summary Conviction under the Petty Sessions, *Ireland*, Act, 1851.

Offenders may be removed from one

XX. It shall and may be lawful for the Chief Secretary of the Lord Lieutenant of *Ireland*, if he shall think fit to do so, to remove any such youthful Offender from one Reformatory School to another: Provided

vided always, that such Removal shall not increase the Period for which such Offender was sentenced to remain in a Reformatory School, and that the same shall only be to some Reformatory under the Management of Persons of the same Religious Profession as that to which he or she might have been originally committed. School to another.

XXI. This Act shall not extend to *England* or *Scotland*. Extent of Act.

CAP. CIV.

An Act to alter and amend the Metropolis Local Management Act (1855), and to extend the Powers of the Metropolitan Board of Works for the Purification of the *Thames* and the Main Drainage of the Metropolis. [2d *August* 1858.]

'WHEREAS it is necessary, with a view to the Health of the Metropolis, that Works should be speedily undertaken and completed for the Purification of the *Thames* and for the Improvement of the Drainage of the Metropolis, and for this Purpose it is expedient that the Act of the Session holden in the Eighteenth and Nineteenth Years of Her Majesty, "for the better Local Management of the Metropolis," should be amended:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: 18 & 19 Vict. c. 120.

I. The Metropolitan Board shall cause to be commenced as soon as may be after the passing of this Act, and to be carried on and completed with all convenient Speed according to such Plan as to them may seem proper, the necessary Sewers and Works for the Improvement of the Main Drainage of the Metropolis, and for preventing, as far as may be practicable, the Sewage of the Metropolis from passing into the River *Thames* within the Metropolis. Metropolitan Board to commence Sewerage Works as soon as may be.

II. The Metropolitan Board of Works, for the Purposes of this Act, may construct any Work through, along, over, or under the Bed and Soil and Banks and Shores of the River *Thames*, making Compensation to all Persons having any Interest in any Wharfs, Jetties, or other Property damaged by such Works, as provided by the said Act of the Eighteenth and Nineteenth Years of Her Majesty in respect of Property injured under the Powers of such Act. Board may construct Works on the Shores, &c. of the Thames.

III. The Powers of taking Land given by the said Act of the Eighteenth and Nineteenth Years of Her Majesty, and all other Powers in such Act and this Act in relation to Sewerage Works, shall extend and be applicable as well to Works for deodorizing Sewage as to all other Works under this Act, either within or beyond the Limits of the Metropolis, and all such Works shall be deemed Works for the Purpose of the Sewerage or Drainage of the Metropolis. Powers of taking Land to apply for the Purpose of deodorizing Works.

IV. The Metropolitan Board of Works may, with the Consent of the Commissioners of Her Majesty's Treasury, from Time to Time after the passing of this Act, but not later than the Thirty-first Day of *December* One thousand eight hundred and sixty-four, borrow on such Bonds, Debentures, or other Securities, and at such Rate of Interest, and upon such Terms as to the Time of Repayment and otherwise, as such Commissioners may approve, any Sum or Sums of Money not exceeding in the whole the Sum of Three million Pounds for the Purposes of this Act. Metropolitan Board may (before 1865) raise the Sum of Three Millions by Bonds, &c.

V. Upon or for the Repayment of the Principal Money secured under the Authority of this Act, or any Part of such Money, the said Metropolitan Board may, with such Consent as aforesaid, at any Time borrow on such Bonds, Debentures, or other Securities as aforesaid all or any Part of the Amount of Principal Money repaid or to be repaid, and so from Time to Time as all or any Part of any Principal Money for the Time being secured under this Act may require to be repaid; but the Amount to be secured by new Securities shall not in any Case exceed the Principal Money required to be repaid. Power to raise Money for Repayment of Principal Moneys.

VI. It shall be lawful for the Commissioners of Her Majesty's Treasury to guarantee the Payment of the Principal and Interest of any Money borrowed under this Act, and all Bonds, Debentures, and Securities issued under this Act, the Payment of the Principal and Interest secured whereby is intended to be so guaranteed, shall be signed by such Officer as the Commissioners of Her Majesty's Treasury may in this Behalf from Time to Time appoint. The Treasury may guarantee Payment of Moneys borrowed.

VII. All Bonds, Debentures, and Securities issued under the Authority of this Act, and all Right to and in respect of the Principal Moneys secured thereby, and all Interest due and accruing thereon, shall be transferable by the Delivery of such Bonds, Debentures, and Securities respectively. Securities transferable by Delivery.

VIII. The Metropolitan Board of Works shall cause a separate Account to be kept of the Money borrowed by such Board under this Act, and all such Money, except Money borrowed for Repayments as herein-before provided, shall be applied in Payment of the Expenses of and incidental to the Works to be executed under this Act, and to no other Purpose; and the Auditor appointed by the Secretary of State shall, upon his Audit of the Accounts of the said Board in every Year, cause a separate Abstract and Statement to be prepared of the Receipt and Expenditure of the said Board under this Act, which shall be laid before Parliament as directed concerning his other Abstracts and Statements. Money borrowed under this Act to be applied only to Works under this Act.

IX. It shall be lawful for the Commissioners of Her Majesty's Treasury from Time to Time to appoint an Engineer or Engineers to inspect the Works to be constructed under this Act, and to report to such Commissioners in relation to the Expenditure thereon; and such Engineer or Engineers shall have full Power and Authority at all reasonable Times to enter upon such Works, and survey and inspect the same, Appointment of Inspecting Engineers.

same, and to inspect the Accounts of the said Metropolitan Board in relation thereto, for the Purpose of reporting as aforesaid.

Metropolitan Board of Works to levy a Rate of Threepence in the Pound on the Property in the Metropolis.

X. The Metropolitan Board of Works shall during Forty Years from the Time of the passing of this Act assess and cause to be raised in each Year, upon the City of *London* and the other Parts of the Metropolis, for the Purposes of this Act, such Sums as, in their Judgment, will be equivalent to a Rate of Threepence in the Pound upon the annual Value of the Property in the said City and other Parts respectively, estimated according to the Estimate or Basis on which the County Rate is assessed, or according to a like Estimate; and the Sums to be so assessed in each Year may be assessed at One Time or at several Times, as the said Board may think fit.

Such Rate to be called "the Metropolis Main Drainage Rate."

XI. In the Assessments of the said Metropolitan Board under this Act, and in their Precepts, and in the Orders of Vestries and District Boards to be made in respect of such Assessments, such Sums shall be distinguished as being assessed for "the Metropolis Main Drainage Rate," and all such Sums assessed upon the City of *London* shall be reimbursed to the Chamberlain of the said City by means of a separate Rate to be called "the Metropolis Main Drainage Rate," to be levied under the Direction of the Commissioners of Sewers of the said City, in like Manner and subject to the like Provisions as any Rate which such Commissioners are authorized to direct to be made under any Act relating to the Sewerage of the said City, and all such Sums assessed on other Parts of the Metropolis shall be levied by means of a separate Rate to be called "the Metropolis Main Drainage Rate," in like Manner and subject to the like Provisions as the Sewers Rate to be made under the said Act of the Eighteenth and Nineteenth Years of Her Majesty; and the Assessments of the said Metropolitan Board under this Act shall include the Places mentioned in Schedule (C.) to the said Act of the Eighteenth and Nineteenth Years of Her Majesty, and the Sums to be assessed thereon shall be raised by means of Rates to be made and levied as therein provided in respect of the raising of Moneys assessed by the said Board.

Metropolis equally benefited.

XII. For the Purposes of the Assessments under this Act, all the Parts of the Metropolis shall be deemed to be equally benefited by the Expenditure under this Act.

Form of Assessments and Precepts.

XIII. The Assessments to be made by the Metropolitan Board of Works, and the Precepts for obtaining Payment of any Monies assessed thereby, may be according to the Forms contained in the Schedule to this Act or to the like Effect.

Provisions applicable to other Assessments of the Metropolitan Board to be extended to Assessments under this Act.

XIV. All the Provisions of the said Act concerning the Estimate on which Assessments by the said Metropolitan Board shall be made, and for and in relation to the assessing, raising, and enforcing Payment of the Sums assessed by the said Board, shall, subject to the Provisions of this Act, extend and apply to and in the Case of all Sums to be assessed by the said Board under this Act; provided that the Metropolis Main Drainage Rate, and the Sums assessed or raised for or in respect thereof, shall not be subject to any Mortgage or Security made or to be made by the Metropolitan Board of Works, other than Securities under this Act; but, save as aforesaid, the Powers of borrowing and of assessing and rating vested in the said Board before the passing of this Act shall not be prejudiced or affected by this Act.

Rates to be made by Metropolitan Board on default of Vestries, &c. to pay the Amounts required.

Mode of levying Rates.

XV. The said Metropolitan Board may, in case of any Default or Neglect of any Vestry, District Board, or other Body or Person to pay the Amount required by any Precept of the said Board, or any Part of such Amount, within such Time and in such Manner as may be mentioned in such Precept in that Behalf, raise and levy the Money required by the said Board for the Purposes of this Act in any Parish, District, or Part, and for that Purpose may make and levy a Rate of such Amount in the Pound on the annual Value of the Property rateable as will, in their Judgment, having regard to all Circumstances, be sufficient to raise the Money so required as aforesaid; and such Rate shall be levied on the Persons and in respect of the Property by Law rateable to the Relief of the Poor in such Parish, District, or Part, subject to the Provisions in the said Act of the Eighteenth and Nineteenth Years of Her Majesty contained concerning the levying of Monies by Overseers in pursuance of Orders made upon them by Vestries under the said Act, and shall be assessed upon the net annual Value of such Property ascertained by the Rate for the Time being for the Relief of the Poor; and the said Board may appoint One or more Collectors for levying any such Rate, and pay him or them any Salary, Poundage, or Allowance in respect of their Employment under this Enactment which such Board may deem just and reasonable, and shall take such Security from every such Collector for the due Execution of his Duty as they shall think reasonable and proper; and the said Board, and the Collector or Collectors to be appointed by them, shall have the same Powers, Remedies, and Privileges as for levying Money for the Relief of the Poor; and all such Rates shall be allowed in the same Manner, and be subject to the same Provisions in relation to Appeal and to excusing Persons from Payment on account of Poverty and otherwise, as the Rate for the Relief of the Poor; and all the Expenses of and incidental to the preparing, making, collecting, and levying any such Rate shall be raised and levied by the said Metropolitan Board in addition to but as Part of the said Rate; and after Deduction by the said Board of the Expenses, all Monies levied or received under or in respect of the said Rate shall be paid by the said Board into the Bank of *England* to the same Account and for the same Purposes as herein-after mentioned concerning Monies payable under the Precepts of the said Board in respect of the Metropolis Main Drainage Rate; provided also, that the Provisions of Sections One hundred and sixty-three, One hundred and sixty-four, and

and One hundred and sixty-nine of the said Act of the Eighteenth and Nineteenth Years of Her present Majesty shall be applicable to every Rate under this Act.

Extension of Provisions as to Inspection, &c. of County Rates to other Rates and Taxes.

XVI. The Provisions of Section One hundred and seventy-one of the said Act of the Eighteenth and Nineteenth Years of Her Majesty, for enabling the Clerk or other Person or Persons authorized by the Metropolitan Board of Works to inspect or take Copies of or Extracts from County Rates, Bases, Returns, and other Documents, and the Penalties by the said Enactment prescribed in the Case of Neglect or Refusal to permit any such Clerk or Person to inspect or to take Copies or Extracts, are hereby extended and made applicable to all other Rates and Assessments, whether parochial or otherwise, within the several Parts of the Metropolis, and the Books in which the same are contained, and the Valuations and Returns relating thereto, and the Person or Persons having the Custody or Control thereof.

Metropolitan Board may require to be furnished with Copies of Poor Rates.

XVII. It shall be lawful for the said Board, by Order in Writing, to require the Vestry Clerk, Overseer, Collector, or other Person having the Custody or Control of any Rate for the Relief of the Poor in any Parish or Place, to furnish within such Period, not being less than Seven Days, as shall be limited in such Order, or of such Part or Parts of the said Rate as shall be specified in such Order, on Payment or Tender for such Copy at the Rate of Sixpence for every Twenty-four Names (inclusive of all the Particulars in the several Columns of the Rate, so far as such Particulars have reference to such Names respectively); and the said Copy shall be examined by and signed by such Vestry Clerk, Overseer, Collector, or other Person, and shall be verified by his solemn Declaration, if the said Board shall require the same, which solemn Declaration any Justice of the Peace, or Commissioner duly authorized, is hereby authorized to administer; and any Person having the Custody or Control of such Rate who shall refuse or neglect to make and deliver to the said Board, or any Person by them authorized to receive the same, such Copy or Extract, or to make such solemn Declaration as aforesaid, shall be liable to a Penalty not exceeding Ten Pounds for every such Offence, and to a further continuing Penalty of Ten Pounds for each and every Day during which the said Offence shall be continued.

Moneys arising from the Rate to be paid into a separate Account in the Bank of England.

XVIII. An Account shall be opened in the Books of the Governor and Company of the Bank of *England* for the Purposes of this Act, in the Names of such Officers or Persons as the Commissioners of Her Majesty's Treasury may direct, and such Account shall be deemed a Public Account, and all the Moneys payable under the Precepts of the Metropolitan Board of Works in respect of the Metropolis Main Drainage Rate shall be paid into the Bank of *England* to such Account, and the Dividends and Income arising from the Investments of any such Moneys under this Act, and the Produce of the Sale from Time to Time of such Investments, and all Moneys borrowed for Repayment, until applied for that Purpose, shall be paid into the Bank of *England* to the said Account.

Application of Moneys paid into the Bank of England.

XIX. All Moneys paid to the Credit of the said Account shall be from Time to Time applied in Payment of the Interest of the Moneys borrowed under this Act, and subject thereto in or towards Payment of any Moneys so borrowed which for the Time being may be payable, or the Purchase of Bonds, Debentures, or Securities whereby any such Moneys are secured, for the Purpose of the Extinction thereof; and any Surplus, after answering the Purposes aforesaid, shall be invested in Government Securities in such Manner as the Commissioners of the Treasury may think fit and direct, and such Investments shall be sold when and as the said Commissioners of the Treasury may direct.

Moneys arising from Rates may be applied in lieu of Money to be raised by Loan.

XX. Provided always, That the Commissioners of Her Majesty's Treasury may authorize any Money standing to the Credit of the said Account in the Bank of *England*, not exceeding in the whole the Amount remaining to be raised of the said Sum of Three million Pounds, to be paid to the Metropolitan Board of Works, to be applied as any Money to be raised by Loan under this Act is applicable: In such Case the Amount which would otherwise have remained raisable under this Act shall be reduced by the Sum or Sums so authorized to be paid to the Metropolitan Board of Works as aforesaid.

Payment in pursuance of Guarantee.

XXI. For the Purpose of giving effect to such Guarantee as herein provided, it shall be lawful for the Commissioners of Her Majesty's Treasury to cause to be issued out of the Consolidated Fund of the United Kingdom, or the growing Produce thereof, such Sums as may be necessary for Payment of such Principal and Interest as may from Time to Time be payable in aid of any other Moneys applicable for that Purpose under this Act; and in case any Principal or Interest payable under this Act shall be paid out of the said Consolidated Fund, such Commissioners shall cause any Money so paid to be repaid to the said Consolidated Fund out of any Moneys which may have arisen or may arise from the Rates levied under this Act or the Investment thereof.

The Rate under this Act may be determined when the Money borrowed is repaid.

XXII. If the whole Amount raisable under this Act shall have been raised and paid off by means of the Rates levied under this Act before the Expiration of the said Period of Forty Years, the Metropolitan Board of Works, with the Consent of the Commissioners of Her Majesty's Treasury, shall discontinue the Assessment for "The Metropolis Main Drainage Rate;" and any Surplus of the Moneys arising from the Rates levied under this Act which may remain after such Payment shall be applicable towards defraying the Expenses of the said Board.

Metropolitan Board to deodorize Sewage and defray Expenses as under

XXIII. The Metropolitan Board of Works, in the meantime and until the Works required by this Act for the Purification of the River *Thames* are completed, may do all such Works and apply all such Means as they may deem proper for deodorizing such Sewage or otherwise protecting the Public Health from any injurious Consequences therefrom, and may defray the Expenses incurred for this Purpose as

18 & 19 Vict. c. 120.

the Expenses incurred by the said Board under the said Act of the Eighteenth and Nineteenth Years of Her Majesty are therein directed to be defrayed.

Board not to create a Nuisance.

XXIV. The said Metropolitan Board shall cause all Works to be executed under this Act to be constructed and kept so as not to be a Nuisance, and shall, in deodorizing any Sewage, and in disposing of any Sewage or Refuse from Sewers, act in such Manner as not to create a Nuisance.

Enactments requiring the Approbation of the Commissioners of Works, &c. repealed.

XXV. Section One hundred and thirty-six of the said Act, and so much of Section One hundred and forty-four of the said Act as provides "that before the Metropolitan Board of Works commence any "such Works the estimated Expense whereof shall exceed Fifty thousand Pounds, the Plan of such "Works, together with an Estimate of the Cost of carrying the same into execution, shall be submitted "by such Board to the Commissioners of Her Majesty's Works and Public Buildings, and no such Plan "shall be carried into effect until the same has been approved by such Commissioners, and no such "Works shall be commenced in Cases where the estimated Expense thereof shall exceed the Sum of "One hundred thousand Pounds, without the previous Sanction of Parliament," shall be repealed.

Time for Completion of Works extended to End of 1863.

XXVI. The Time limited by Section One hundred and thirty-five of the said Act of the Eighteenth and Nineteenth Years of Her Majesty, for the Completion of the Sewers and Works necessary for preventing the Sewage of the Metropolis from passing into the River *Thames* in or near the Metropolis, shall be extended to the Thirty-first Day of *December* One thousand eight hundred and sixty-three.

Works, &c. to be approved of by the Admiralty.

XXVII. No Works upon the Bed or Shores of the said River *Thames* below High-water Mark which may interfere with the Navigation of that River shall at any Time be commenced or executed under the Provisions of this Act without the same having been previously approved of by the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, such Approval to be from Time to Time specified in Writing under the Hand of the Secretary to the Admiralty.

Works upon Shore of the River Thames to be approved by the Conservators of the River Thames.

XXVIII. In order to preserve the Navigation of the River *Thames*, the Plans of any Work to be constructed under the Authority of this Act upon the Banks, Bed, or Shore of the River *Thames*, which may interfere with the free Navigation of the said River, shall be approved by the Conservators of the River *Thames*, in Writing signed by their Secretary, before such Works are commenced, certifying that the Works according to such Plans will not interfere with the Navigation of the River *Thames*.

Saving Rights of the Conservators of the River Thames.

XXIX. Nothing in this Act contained shall extend or be construed to extend to prejudice or derogate from the Rights of the Conservators of the River *Thames*, or to prohibit, defeat, alter, or diminish any Power, Authority, or Jurisdiction which at the Time of the passing of this Act the said Conservators did or might lawfully claim, use, or exercise, so far as such Rights, Power, Authority, or Jurisdiction may be exercised for preserving the free Navigation of the River *Thames*.

Regulation of Works under or over the River Lea.

XXX. No Works under or over the main navigable Channel of the River *Lea* shall at any Time be commenced or executed under the Provisions of this Act without leaving the Top of any Work under the Navigation not less than Twelve Feet below High Water, *Trinity* Standard, and for any Work over any Part of the Navigation without leaving the Soffit of such Work not less than Eight Feet Six Inches above High Water, *Trinity* Standard, with a clear Span over the said River, inclusive of the Towing-path thereof, of not less than Fifty-four Feet; provided that it shall be lawful for the Trustees of the River *Lea*, by Writing under their Common Seal, on the Application of the Metropolitan Board of Works, to consent to an Alteration or Variation of the said Dimensions or either of them.

On Complaint of Nuisance, Secretary of State may order Prosecution.

XXXI. It shall be lawful for One of Her Majesty's Principal Secretaries of State, at his Discretion, on Representation or Complaint made to him of any Nuisance committed in execution of any Works, or in deodorizing any Sewage, or in disposing of any Sewage or Refuse from Sewers, or in any other Manner under this Act, to cause Inquiry to be made into the Matter represented or complained of to him, and to direct such Prosecution or Prosecutions, or to take such other Proceedings as he may think fit, in order to ensure the Prevention or Abatement of such Nuisance as aforesaid.

Interpretation of Terms.

XXXII. In the Construction of this Act the Expression "deodorize" shall be deemed to include any Process whereby the solid suspended Matters in Sewage may be precipitated or separated from the Liquid before the Discharge thereof, or whereby the noxious or offensive Properties of Sewage may be neutralized; and the Expression "Sewage" shall mean and include the Contents of the Sewers before the Employment of such Process.

Recited Act and this Act to be as One.

XXXIII. The said Act of the Eighteenth and Nineteenth Years of Her Majesty and this Act shall be read together as One Act.

SCHEDULES.

SCHEDULE A.

Form of Assessment by Metropolitan Board of Works.

An Assessment by the Metropolitan Board of Works in exercise of the Powers vested in such Board by the Act of the Nineteenth Year of Queen Victoria, for the better Local Management of the Metropolis, and by the other Acts for amending the same, upon the City of London and the other Parts of the Metropolis, for the "Metropolis Main Drainage Rate," of the Sums herein-after specified, such Sums being

being in the Judgment of the said Board equivalent to a Rate of Threepence in the Pound upon the annual Value of the Property in the said City and other Parts respectively, estimated according to the Estimate or Basis on which the County Rate is assessed, or according to a like Estimate :—

Parish, District, or Part.	Sums assessed.
City of London - - - - - - - -	£
Parish of St. Marylebone - - - - - -	

SCHEDULE B.

Form of Precept by Metropolitan Board of Works.

To the Vestry of the Parish of

By virtue of an Act passed in the Nineteenth Year of Queen Victoria, for the better Local Management of the Metropolis, and the several Acts amending the same, the Metropolitan Board of Works do issue this their Precept, under their Common Seal, to you the said Vestry, and do hereby require you to pay, on or before the Day of into the Bank of England, to the Credit of the Account standing in the Books of the Governor and Company of the said Bank in the Names of the same being Persons duly appointed by the Commissioners of Her Majesty's Treasury in this Behalf, the Sum of assessed by the said Board upon the said Parish for the "Metropolis Main Drainage Rate."

Dated this Day of

(L.S.)

CAP. CV.

An Act to amend an Act of the Thirteenth and Fourteenth Years of Her present Majesty, to amend the Laws concerning Judgments in *Ireland*. [2d *August* 1858.]

'WHEREAS by an Act passed in the Session of the Thirteenth and Fourteenth Years of the Reign of Her present Majesty, intituled *An Act to amend the Laws concerning Judgments in* Ireland, it was enacted, that the Provisions therein-before recited of the Acts of the Sixth Year of King *William* the Fourth and the Fourth Year of Her Majesty should not in anywise extend or be applicable to any Judgment entered up in any of Her Majesty's Superior Courts at *Dublin*, or obtained in any Inferior Court of Record, after the passing of the said Act, nor to any Decree, Order, or Rule made after the passing of the said Act, and no Writ of Elegit or Writ of Execution (save as thereinafter mentioned) should issue or be sued upon any such Judgment, Decree, Order, or Rule, against any Lands, Tenements, or Hereditaments, or any Estate or Interest therein, nor should any Lands, Tenements, or Hereditaments, or any Estate or Interest, be charged or affected by any such Judgment, Decree, Order, or Rule, save as provided by the said Act: And whereas it was thereby further enacted, that where any Judgment should be entered up after the passing of the said Act in any of Her Majesty's Superior Courts at *Dublin*, or any Decree or Order in any Court of Equity, Rule in any Court of Common Law, or Order in Bankruptcy or Lunacy, to which the Effect of a Judgment in One of the Superior Courts of Common Law is given by the said Act of the Fourth Year of Her Majesty, should be made, after the passing of the said Act, or any Judgment, Rule, or Order should be obtained or made in or by any Inferior Court of Record, after the passing of the said Act, and should, under the Provisions of the Act of the Fourth Year of Her Majesty, therein recited, be removed into One of Her Majesty's Superior Courts of Record at *Dublin*, and the Creditor under any such Judgment, Decree, Order, or Rule should know or believe that the Person against whom such Judgment, Decree, Order, or Rule to be entered up, obtained, or made is seised or possessed, at Law or in Equity, of any Lands, Tenements, or Hereditaments of any Nature or Tenure, or has any disposing Power over any such Lands, Tenements, or Hereditaments which he might without the Assent of any other Person exercise for his own Benefit, and that where any Judgment had been entered up before the passing of the Act hereby recited in any of Her Majesty's Superior Courts of *Dublin*, or any Decree or Order in any Court of Equity, Rule in any Court of Common Law, or Order in Bankruptcy or Lunacy, to which the Effect of a Judgment in One of the Superior Courts of Common Law is given by the said Act of the Fourth Year of Her Majesty, had been made before the passing of the now recited Act, or any Judgment, Rule, or Order had been obtained or made in or by any Inferior Court of Record before the passing of the now recited Act, and had been or should be, under the Provisions of the said Act of the Fourth Year of Her Majesty, removed into One of Her Majesty's Superior Courts at *Dublin*, and the Creditor, under any such Judgment, Decree, Order, or Rule, should know or believe that the Person against whom such Judgment, Decree, Order, or Rule might have been entered up, obtained, or made is seised or possessed as aforesaid over any Lands, Tenements, or Hereditaments which by virtue of the now recited Act are

13 & 14 Vict. c. 2.

'exempted from being taken in Execution under any Writ of Execution to be issued upon such Judgment, Decree, Order, or Rule, it should be lawful for such Creditor, at any Time, and from Time to Time, after the entering up or Removal of such Judgment in or into such Superior Court, or the making of such Decree, Order, or Rule, or the passing of the now recited Act, whichever should last happen, to make and file in the Superior Court in, by, or into which such Judgment, Rule, or Order might have been entered up, made, or removed, or in the Court of Equity by which such Decree or Order might have been made, or in case of such Order in Bankruptcy or Lunacy as aforesaid in the Court of Chancery in *Ireland*, an Affidavit stating the Name or Title of the Cause or Matter, and the Court in which such Judgment, Decree, Order, or Rule might have been entered up, obtained, or made, and the Date of such Judgment, Decree, Order, or Rule, and the Names, and the usual or last known Place of Abode, and the Title, Trade, or Profession of the Plaintiff (if there be such), and of the Defendant or Person whose Estate is intended to be affected by the Registration, as therein-after mentioned, of such Affidavit, and the Amount of the Debt, Damages, Costs, or Monies recovered or ordered to be paid by such Judgment, Decree, Order, or Rule, and stating that to the best of the Knowledge and Belief of the Deponent the Person against whom such Judgment, Decree, Order, or Rule might have been entered up, obtained, or made is at the Time of the swearing of such Affidavit so seised or possessed or has such disposing Power as aforesaid of or over such Lands, Tenements, or Hereditaments, and that such Affidavit should specify the County and Barony, or the Town or County of a City and Parish, or the Town and Parish, in which the Lands to which the Affidavit relates are situate, and where such Lands lie in Two or more Counties or Baronies, or Parishes or Streets, or partly in one Barony, Parish, or Street, and partly in another, the same should be distinctly stated in such Affidavit; and that it should be lawful for the Creditor making such Affidavit to register the same in the Office for registering Deeds, Conveyances, and Wills in *Ireland*, by depositing in such Office an Office Copy of such Affidavit, and that such Copy should be numbered and transcribed, and be entered in the Book and Indexes kept in the said Office, in like Manner as if the same were a Memorial of a Deed; and for the Purpose of such Entries the Creditors under such Judgment, Decree, Order, or Rule should be deemed the Grantee, and the Debtor thereunder should be deemed the Grantor, and the Amount of the Debt, Damages, Costs, or Monies recovered or ordered to be paid thereby should be deemed the Consideration; and the like Fees should be paid on such Registration as in the Case of registering a Memorial of a Deed: And whereas it was thereby further enacted, that the Registration as aforesaid of such Affidavit should operate to transfer to and vest in the Creditor registering such Affidavit all the Lands, Tenements, and Hereditaments mentioned therein, for all the Estate and Interest of which the Debtor mentioned in such Affidavit should at the Time of such Registration be seised or possessed, at Law or in Equity, or might at such Time create, by virtue of any disposing Power which he might then without the Assent of any other Person exercise for his own Benefit, but subject to Redemption on Payment of the Money owing on the Judgment, Decree, Order, or Rule mentioned in such Affidavit; and that such Creditor, and all Persons claiming through or under him, should, in respect of such Lands, Tenements, and Hereditaments, or such Estate or Interest therein as aforesaid, have all such Rights, Powers, and Remedies whatsoever as if an effectual Conveyance, Assignment, Appointment, or other Assurance to such Creditor of all such Estate or Interest, but subject to Redemption as aforesaid, had been made, executed, and registered at the Time of registering such Affidavit: And whereas for the Purposes of Registration under the said recited Act a Form of Affidavit has been generally adopted which purports to verify on Oath the Seisin or Possession and the Description of the Lands to be affected by such Registration, in manner directed by the said recited Act, but in which the Name or Title of the Cause or Matter, and the Court in which such Judgment, Decree, Order, or Rule has been entered up, obtained, or made, and the Date of such Judgment, Decree, Order, or Rule, and the Names, and the usual or last known Place of Abode, and the Title, Trade, or Profession of the Plaintiff (if there be such), and of the Defendant or Person whose Estate is intended to be affected by the Registration of such Affidavit, and the Amount of the Debt, Damages, Costs, or Monies recovered or ordered to be paid by such Judgment, Decree, Order, or Rule, or some One or more of such Facts, appear or have been stated, recited, or referred to on the Face of such Affidavit, without being covered by a Verification on Oath: And whereas the Validity of Registration upon Affidavits in such Form has been questioned: And whereas the Omission to verify such Facts upon Oath has been general, and, unless some legislative Remedy be applied to such Cases, might lead to Confusion and Injustice if such Objections should be ultimately decided as valid: And whereas all Persons who have searched the said Registry must have had full Notice of such Facts, so far as same have been truly stated:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Power to Creditor to file supplemental Affidavit as to certain Matters.

I. That wherever it shall appear that any of such Facts appear or have been so stated, recited, or referred to on the Document so registered as an Affidavit under the said recited Act before the passing of this Act, but are not included in or under the Verification on Oath therein contained, it shall and may be lawful for the Creditor under any such Judgment, Decree, Order, or Rule, or for any Person entitled,

entitled, whether legally or equitably, to the Sum payable in respect of the same, or any Part thereof, or for any Person who would then be entitled to register an Affidavit of such Judgment, Decree, Order, or Rule so theretofore sought to be registered as aforesaid, on or before the First Day of *July* One thousand eight hundred and fifty-nine, to make and file, in addition to the original Affidavit in the Court in which such original Affidavit shall have been filed, a supplemental Affidavit verifying any such Fact or Facts so theretofore stated, recited, or referred to as aforesaid: Provided, that in every supplemental Affidavit the Description and Residence or last known Place of Abode of the Defendant or Defendants as then known or existing shall be stated, and such Statement shall be deemed and taken as if the Description and Abode of the Defendant or Defendants had been verified in the original Affidavit to which such new Affidavit shall be supplemental, and to cause an Office Copy of such supplemental Affidavit to be attached to the Copy of the original Affidavit so previously deposited in reference to the same Judgment, Decree, Order, or Rule, which the Officer of the said Registry is hereby authorized and directed to do, on being paid the like Fees or Stamp Duty as are payable on the Registration of an Affidavit under the said recited Act; and such supplemental Affidavit, when so registered, shall have the like Operation and Effect as if the Facts so verified by same had been verified on Oath in such original Affidavit filed in respect of the same Judgment, Decree, Order, or Rule: Provided always, that nothing in this Act contained shall prejudice the Right or Title of any Person who shall previously to the passing thereof have obtained the Decision of any of Her Majesty's Superior Courts of Law at *Dublin* as to the Sufficiency or Validity of the Registration or the Priority of any Judgment, Decree, Order, or Rule already registered; but every such Judgment already registered shall entitle the Person by whom such Decision has been obtained, his Executors, Administrators, and Assigns, to the same Rights and Benefits to which he would have been entitled if this Act had not passed; so, nevertheless, that no Person claiming the Benefit of this Proviso shall be entitled to avail himself of this Act or the Powers hereby given for the Purpose of supplying any Defect in the Registration of such Judgment.

Effect of supplemental Affidavit.

II. No Title to Lands purchased under a Judicial Sale thereof heretofore made, in any Cause or Matter at the Suit of any Person or Persons, in respect of a Judgment, Decree, Order, or Rule, shall be impeached or affected by reason of such Defect as aforesaid in the Form of Affidavit founded on such Judgment, Decree, Order, or Rule, and registered in manner aforesaid, and no supplemental Affidavit shall be necessary to render the Registration thereof valid; provided, that nothing herein contained shall operate to give Validity to any Registration under the said recited Act, where the original Affidavit filed for such Purpose shall have omitted to verify the Fact of the Seisin or Possession, or the Description of the Lands against which the Registration was intended to operate, in the Manner directed by the said recited Act; and provided also, that nothing herein contained shall affect the Validity of any Payment in full or part Discharge of any such Judgment, Decree, Order, or Rule heretofore made.

Defect in Affidavit not to invalidate Titles under Judicial Sales.

Supplemental Affidavit not to supply or cure Omissions.

Payments not invalid, &c.

III. In the Construction of the said recited Act and this Act, the Word "Creditor" shall mean and include any Number of Persons jointly interested as Creditors in relation to such Judgment, Decree, Rule, or Order, and shall also mean and include all Joint Stock Banking and other Companies and Corporate Bodies; and every Affidavit or Oath necessary to be made by any Creditor may be made by any One or more of such Persons so jointly interested, the Public Officer authorized to sue or be sued or to make Oaths on behalf of such Joint Stock Company, or by the Secretary, Deputy Secretary, or Law Agent of any Corporate Body; and in any Affidavit made or to be made by any such Public Officer, Secretary, Deputy Secretary, or Law Agent, a Description of the Town or Place where the Business or principal Office of such Joint Stock Company or Corporate Body is carried on or situated shall be deemed to be a sufficient Description of the usual Place of Abode of the Deponent, within the Meaning of the said recited Act; and where by the said recited Act or this Act any Creditor by Judgment, Decree, or Order is authorized to file an Affidavit or supplemental Affidavit as aforesaid, and where, from the Absence of such Creditor or other reasonable Cause, such Affidavit cannot be made by such Creditor, it may be made by such Person as the Court shall direct.

Construction of Act.

IV. No Registration of any Judgment shall be deemed invalid by reason of the Affidavit directed by the said first-recited Act or this Act being or having been made by One only of several Conusees.

Registration by One Conusee.

V. 'And whereas by the Ninth Section of the said recited Act of the Thirteenth and Fourteenth 'Years of the Reign of Her present Majesty it was enacted, that, upon the Lodgment in the Office for 'registering Deeds, Conveyances, and Wills therein mentioned of the Certificate of the Entry of Satis- 'faction upon the Roll of any Judgment, or the Certificate of any Decree, Rule, or Order having been 'performed, complied with, or satisfied, the Registrar of the said Office should, where an Affidavit had 'been registered under the said Act in respect of such Judgment, Decree, Rule, or Order, cause a 'Memorandum of Satisfaction thereof to be subscribed to the Entry of such Affidavit in the Books kept 'at the said Office, but no Provision was therein made for re-vesting the legal Estate in the Lands, 'Tenements, and Hereditaments in the said Affidavit mentioned, in the Debtor in the said Act men- 'tioned, and consequently such legal Estate remains still outstanding in the Creditor in the said Act 'mentioned, although the Debt due to him shall have been fully paid off:' Be it enacted, That when and so soon as such Subscription of a Memorandum of Satisfaction of any Judgment shall be so made to the Entry of any Affidavit which shall have been registered in manner authorized by said Ninth Section

Subscription by Registrar of Memorandum of Satisfaction of Judgment to operate as a Retransfer to the Debtor.

of said recited Act, such Registration shall thereupon be deemed and taken as null and void and otherwise as if no such Registration had been effected; and the legal or other Estate in the Lands affected by such Registration shall without any further Deed, Conveyance, or Assurance be and thereby become vested in the Person or Persons in whom such legal or other Estate would have been then vested if no such Registration had been theretofore effected.

CAP. CVI.

An Act for the better Government of *India*. [2d *August* 1858.]

16 & 17 Vict. c. 95.

'WHEREAS by an Act of the Session holden in the Sixteenth and Seventeenth Years of Her Majesty, Chapter Ninety-five, "to provide for the Government of *India*," the Territories in the Possession and under the Government of the *East India* Company were continued under such Government, in trust for Her Majesty, until Parliament should otherwise provide, subject to the Provisions of that Act and of other Acts of Parliament, and the Property and Rights in the said Act referred to are held by the said Company in trust for Her Majesty for the Purposes of the said Government: And whereas it is expedient that the said Territories should be governed by and in the Name of Her Majesty:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; that is to say,

Transfer of the Government of India to Her Majesty.

Territories under Government of East India Company to be vested in Her Majesty, and Powers to be exercised in Her Name.

I. The Government of the Territories now in the Possession or under the Government of the *East India* Company, and all Powers in relation to Government vested in or exercised by the said Company in trust for Her Majesty, shall cease to be vested in or exercised by the said Company, and all Territories in the Possession or under the Government of the said Company, and all Rights vested in or which if this Act had not been passed might have been exercised by the said Company in relation to any Territories, shall become vested in Her Majesty, and be exercised in Her Name; and for the Purposes of this Act *India* shall mean the Territories vested in Her Majesty as aforesaid, and all Territories which may become vested in Her Majesty by virtue of any such Rights as aforesaid.

India to be governed by and in the Name of Her Majesty.

II. India shall be governed by and in the Name of Her Majesty, and all Rights in relation to any Territories which might have been exercised by the said Company if this Act had not been passed shall and may be exercised by and in the Name of Her Majesty as Rights incidental to the Government of *India;* and all the Territorial and other Revenues of or arising in *India*, and all Tributes and other Payments in respect of any Territories which would have been receivable by or in the Name of the said Company if this Act had not been passed, shall be received for and in the Name of Her Majesty, and shall be applied and disposed of for the Purposes of the Government of *India* alone, subject to the Provisions of this Act.

Secretary of State to exercise Powers now exercised by the Company or Board of Control.

III. Save as herein otherwise provided, One of Her Majesty's Principal Secretaries of State shall have and perform all such or the like Powers and Duties in anywise relating to the Government or Revenues of *India*, and all such or the like Powers over all Officers appointed or continued under this Act, as might or should have been exercised or performed by the *East India* Company, or by the Court of Directors or Court of Proprietors of the said Company, either alone or by the Direction or with the Sanction or Approbation of the Commissioners for the Affairs of *India* in relation to such Government or Revenues, and the Officers and Servants of the said Company respectively, and also all such Powers as might have been exercised by the said Commissioners alone; and any Warrant or Writing under Her Majesty's Royal Sign Manual, which by the Act of the Session holden in the Seventeenth and Eighteenth Years of Her Majesty, Chapter Seventy-seven, or otherwise, is required to be countersigned by the President of the Commissioners for the Affairs of *India*, shall in lieu of being so countersigned be countersigned by One of Her Majesty's Principal Secretaries of State.

As to Warrants, &c. under 17 & 18 Vict. c. 77.

Four Principal and Four Under Secretaries of State may sit in House of Commons.

IV. After the Commencement of this Act any Four of Her Majesty's Principal Secretaries of State for the Time being, and any Four of the Under Secretaries for the Time being to Her Majesty's Principal Secretaries of State, may sit and vote as Members of the House of Commons, but not more than Four such Principal Secretaries and not more than Four such Under Secretaries shall sit as Members of the House of Commons at the same Time.

If President of Board of Control is appointed Sec. of State, his Seat in H.C. not vacated.

V. In case the Person who immediately before the Commencement of this Act is the President of the Commissioners for the Affairs of *India* be appointed, upon or within One Month after the Commencement of this Act, One of Her Majesty's Principal Secretaries of State, and be at the Time of such Appointment a Member of the House of Commons, he shall not by reason of such Appointment vacate his Seat in Parliament.

As to Salaries of One Secretary of State and his Under Secretaries.

VI. In case Her Majesty be pleased to appoint a Fifth Principal Secretary of State, there shall be paid out of the Revenues of *India* to such Principal Secretary of State and to his Under Secretaries respectively the like yearly Salaries as may for the Time being be paid to any other of such Secretaries of State and his Under Secretaries respectively.

Council

Government of India.

Council of India.

VII. For the Purposes of this Act a Council shall be established, to consist of Fifteen Members, and to be styled the Council of *India*; and henceforth the Council in *India* now bearing that Name shall be styled the Council of the Governor General of *India*. Council of India established.

VIII. Within Fourteen Days after the passing of this Act the Court of Directors of the *East India* Company shall, from among the Persons then being Directors of the said Company or having been theretofore such Directors, elect Seven Persons to be with the Persons to be appointed by Her Majesty as herein-after mentioned the First Members of the Council under this Act, and the Names of the Persons so elected by the Court of Directors shall be forthwith, after such Election, certified to the Board of Commissioners for the Affairs of *India*, under the Seal of the said Company, and it shall be lawful for Her Majesty, by Warrant under Her Royal Sign Manual, within Thirty Days after the passing of this Act, to appoint to be Members of such Council Eight Persons: Provided always, that if the Court of Directors of the *East India* Company shall refuse or shall for such Fourteen Days neglect to make such Election of such Seven Persons, and to certify the Names of such Persons as aforesaid, it shall be lawful for Her Majesty, by Warrant under Her Royal Sign Manual, within Thirty Days after the Expiration of such Fourteen Days, to appoint from among the said Directors Seven Persons to make up the full Number of the said Council: Provided also, that if any Person being or having been such Director, and elected or appointed as aforesaid, shall refuse to accept the Office, it shall be lawful for Her Majesty, by Warrant under Her Royal Sign Manual, to appoint in the Place of every Person so refusing some other Person to be a Member of the Council, but so that Nine Members of the Council at the least shall be Persons qualified as herein-after mentioned. First Members of the Council.

IX. Every Vacancy happening from Time to Time among the Members of the Council appointed by Her Majesty, not being Members so appointed by reason of the Refusal or Neglect of the Court of Directors or the Refusal to accept Office herein-before mentioned, shall be filled up by Her Majesty, by Warrant under Her Royal Sign Manual, and every other Vacancy shall be filled up by the Council by Election made at a Meeting to be held for that Purpose. Vacancies in the Council how to be filled up.

X. The major Part of the Persons to be elected by the Court of Directors, and the major Part of the Persons to be first appointed by Her Majesty after the passing of this Act to be Members of the Council, shall be Persons who shall have served or resided in *India* for Ten Years at the least, and (excepting in the Case of late and present Directors and Officers on the Home Establishment of the *East India* Company who shall have so served or resided) shall not have last left *India* more than Ten Years next preceding the Date of their Appointment; and no Person other than a Person so qualified shall be appointed or elected to fill any Vacancy in the Council unless at the Time of the Appointment or Election Nine at the least of the continuing Members of the Council be Persons qualified as aforesaid. Major Part of Council, with certain Exceptions, to be Persons who shall have served or resided Ten Years in India.

XI. Every Member of the Council appointed or elected under this Act shall hold his Office during good Behaviour; provided that it shall be lawful for Her Majesty to remove any such Member from his Office upon an Address of both Houses of Parliament. Tenure of Office of Members of Council.

XII. No Member of the Council appointed or elected under this Act shall be capable of sitting or voting in Parliament. Members of Council not to sit in Parliament.

XIII. There shall be paid to each Member of the Council the yearly Salary of One thousand two hundred Pounds, out of the Revenues of *India*. Salaries of Members of Council.

XIV. Any Member of the Council may, by Writing under his Hand, which shall be recorded in the Minutes of the Council, resign his Office, and it shall be lawful for Her Majesty, by Warrant under Her Royal Sign Manual, countersigned by the Chancellor of the Exchequer, to grant to any Person who, having held the Office of Member of the Council for the Period of Ten Years or upwards, shall so resign by reason of Infirmity disabling him from a due Execution of the Duties of the Office, a Retiring Pension during Life of Five hundred Pounds: Provided, that if at any Time hereafter it should appear to Parliament expedient to reduce the Number or otherwise deal with the Constitution of the said Council, no Member of Council who has not served in his Office for a Period of Ten Years shall be entitled to claim any Compensation for the Loss of his Office, or for any Alteration in the Terms and Conditions under which the same is held. As to Retiring Pensions, &c.

XV. The Secretaries and other Officers and Servants on the Home Establishment of the said Company, and on the Establishment of the Commissioners for the Affairs of *India*, immediately before the Commencement of this Act, shall on such Commencement be and form the Establishment of the Secretary of State in Council; and the Secretary of State shall with all convenient Speed make such Arrangement of the said Establishments, and such Reductions therein, as may seem to him consistent with the due Conduct of the Public Business, and shall within Six Months after the Commencement of this Act submit a Scheme for the permanent Establishment to Her Majesty in Council; and it shall be lawful for Her Majesty, by the Advice of Her Privy Council, upon Consideration of such Scheme, to fix and declare what shall constitute and be the Establishment of the Secretary of State in Council, and what Salaries shall be paid to the Persons on the Establishment, and the Order of Her Majesty in Council shall be laid before both Houses of Parliament within Fourteen Days after the making thereof, provided Secretaries, &c. on Home Establishment of Company to form Establishment of Secretary of State in Council. Secretary of State to submit a Scheme for a permanent Establishment.

provided Parliament be then sitting, or otherwise within Fourteen Days after the next Meeting thereof; and after such Establishment has been formed by such Order in Council no Addition of Persons shall be made to such Establishment, nor any Addition made to the Salaries authorized by such Order, except by a similar Order in Council, to be laid in like Manner before both Houses of Parliament.

As to Removal of Officers and Supply of Vacancies after First Formation of Establishment.

XVI. After the First Formation of the Establishment, it shall be lawful for the Secretary of State in Council to remove any Officer or Servant belonging thereto, and also to make all Appointments and Promotions to and in such Establishment; provided, that the Order of Her Majesty in Council of the Twenty-first Day of *May* One thousand eight hundred and fifty-five, or such other Regulations as may be from Time to Time established by Her Majesty for Examinations, Certificates, Probation, or other Tests of Fitness, in relation to Appointments to junior Situations in the Civil Service, shall apply to such Appointments on the said Establishment.

Compensations to Officers not retained on new Establishment.

XVII. It shall be lawful for Her Majesty, by Warrant under Her Royal Sign Manual, countersigned by the Chancellor of the Exchequer, to grant to any Secretary, Officer, or Servant on the Home Establishment of the said Company, or on the Establishment of the said Commissioners, who in consequence of such Reduction as aforesaid by the Secretary of State or under such Order in Council is not retained on the Establishment of the Secretary of State in Council, any Compensation, either by way of a gross or annual Payment, as, having regard to the Circumstances, may seem just.

As to Superannuation to Officers.

XVIII. It shall be lawful for Her Majesty, by Warrant countersigned as aforesaid, to grant to any such Secretary, Officer, or Servant as aforesaid, retained on such last-mentioned Establishment, such Compensation, Superannuation, or Retiring Allowance on his ceasing to hold Office as might have been granted to him if this Act had not been passed, and the Transfer of any Person to the Service of the Secretary of State in Council shall be deemed to be a Continuance of his previous Appointment or Employment, and shall not prejudice any Claims which he might have had in respect of Length of Service if his Service under the said Company or Commissioners had continued; and it shall be lawful for Her Majesty, by Warrant countersigned as aforesaid, to grant to any Secretary, Officer, or Servant appointed on the said Establishment after the First Formation thereof such Compensation, Superannuation, or Retiring Allowance as, under the Act of the Session holden in the Fourth and Fifth Years of King *William* the Fourth, Chapter Twenty-four, or any other Act for the Time being in force concerning Superannuations and other Allowances to Persons having held Civil Offices in the Public Service, may be granted to Persons appointed on the Establishment of One of Her Majesty's Principal Secretaries of State.

Duties and Procedure of the Council.

Duties of the Council.

XIX. The Council shall, under the Direction of the Secretary of State, and subject to the Provisions of this Act, conduct the Business transacted in the United Kingdom in relation to the Government of *India* and the Correspondence with *India*, but every Order or Communication sent to *India* shall be signed by One of the Principal Secretaries of State; and, save as expressly provided by this Act, every Order in the United Kingdom in relation to the Government of *India* under this Act shall be signed by such Secretary of State; and all Despatches from Governments and Presidencies in *India*, and other Despatches from *India*, which if this Act had not been passed should have been addressed to the Court of Directors or to their Secret Committee, shall be addressed to such Secretary of State.

Secretary of State to divide the Council into Committees, &c.

XX. It shall be lawful for the Secretary of State to divide the Council into Committees for the more convenient Transaction of Business, and from Time to Time to re-arrange such Committees, and to direct what Departments of the Business in relation to the Government of *India* under this Act shall be under such Committees respectively, and generally to direct the Manner in which all such Business shall be transacted.

President and Vice-President.

XXI. The Secretary of State shall be the President of the Council, with Power to vote, and it shall be lawful for such Secretary of State in Council to appoint from Time to Time any Member of such Council to be Vice-President thereof, and any such Vice-President may at any Time be removed by the Secretary of State.

Meetings of the Council.

XXII. All Powers by this Act required to be exercised by the Secretary of State in Council, and all Powers of the Council, shall and may be exercised at Meetings of such Council, at which not less than Five Members shall be present, and at every Meeting the Secretary of State, or in his Absence the Vice-President, if present, shall preside, and in the Absence of the Secretary of State and Vice-President, One of the Members of the Council present shall be chosen by the Members present to preside at the Meeting; and such Council may act notwithstanding any Vacancy therein: Meetings of the Council shall be convened and held when and as the Secretary of State shall from Time to Time direct; provided that One such Meeting at least be held in every Week.

Procedure at Meetings.

XXIII. At any Meeting of the Council at which the Secretary of State is present, if there be a Difference of Opinion on any Question other than the Question of the Election of a Member of Council, or other than any Question with regard to which a Majority of the Votes at a Meeting is herein-after declared to be necessary, the Determination of the Secretary of State shall be final; and in case of an Equality of Votes at any Meeting of the Council, the Secretary of State, if present, and in his Absence the Vice-President, or presiding Member, shall have a Casting Vote; and all Acts done at any Meeting of

of the Council in the Absence of the Secretary of State, except the Election of a Member of the Council, shall require the Sanction or Approval in Writing of the Secretary of State; and in case of Difference of Opinion on any Question decided at any Meeting, the Secretary of State may require that his Opinion, and the Reasons for the same, be entered in the Minutes of the Proceedings, and any Member of the Council who may have been present at the Meeting may require that his Opinion, and any Reasons for the same that he may have stated at the Meeting, be entered in like Manner.

Orders, &c. to be open to the Perusal of Members of Council, who may record their Opinions.

XXIV. Every Order or Communication proposed to be sent to *India*, and every Order proposed to be made in the United Kingdom by the Secretary of State, under this Act, shall, unless the same has been submitted to a Meeting of the Council, be placed in the Council Room for the Perusal of all Members of the Council during Seven Days before the sending or making thereof, except in the Cases herein-after provided; and it shall be lawful for any Member of the Council to record in a Minute Book, to be kept for that Purpose, his Opinion with respect to each such Order or Communication, and a Copy of every Opinion so recorded shall be sent forthwith to the Secretary of State.

Secretary of State to record his Reasons, &c.

XXV. If a Majority of the Council record as aforesaid their Opinions against any Act proposed to be done, the Secretary of State shall, if he do not defer to the Opinions of the Majority, record his Reasons for acting in opposition thereto.

Provision for Cases of Urgency.

XXVI. Provided, That where it appears to the Secretary of State that the Despatch of any Communication, or the making of any Order, not being an Order for which a Majority of the Votes at a Meeting is hereby made necessary, is urgently required, the Communication may be sent or Order given notwithstanding the same may not have been submitted to a Meeting of the Council or deposited for Seven Days as aforesaid, the urgent Reasons for sending or making the same being recorded by the Secretary of State, and Notice thereof being given to every Member of the Council, except in the Cases herein-after mentioned.

Orders now sent through Secret Committee may be sent by Secretary of State without Communication with Council.

XXVII. Provided also, That any Order, not being an Order for which a Majority of Votes at a Meeting is hereby made necessary, which might, if this Act had not been passed, have been sent by the Commissioners for the Affairs of *India* through the Secret Committee of the Court of Directors to Governments or Presidencies in *India*, or to the Officers or Servants of the said Company, may, after the Commencement of this Act, be sent to such Governments or Presidencies, or to any Officer or Servant in *India*, by the Secretary of State, without having been submitted to a Meeting or deposited for the Perusal of the Members of the Council, and without the Reasons being recorded or Notice thereof given as aforesaid.

As to Communication of Secret Despatches from India.

XXVIII. Any Despatches to *Great Britain* which might if this Act had not been passed have been addressed to the Secret Committee of the Court of Directors, may be marked "Secret" by the Authorities sending the same, and such Despatches shall not be communicated to the Members of the Council, unless the Secretary of State shall so think fit and direct.

Appointments and Patronage.

Appointments to be made by or with the Approbation of Her Majesty.

XXIX. The Appointments of Governor General of *India*, Fourth Ordinary Member of the Council of the Governor General of *India*, and Governors of Presidencies in *India*, now made by the Court of Directors with the Approbation of Her Majesty, and the Appointments of Advocate General for the several Presidencies now made with the Approbation of the Commissioners for the Affairs of *India*, shall be made by Her Majesty by Warrant under Her Royal Sign Manual; the Appointments of the Ordinary Members of the Council of the Governor General of *India*, except the Fourth Ordinary Member, and the Appointments of the Members of Council of the several Presidencies, shall be made by the Secretary of State in Council, with the Concurrence of a Majority of Members present at a Meeting; the Appointments of the Lieutenant Governors of Provinces or Territories shall be made by the Governor General of *India*, subject to the Approbation of Her Majesty; and all such Appointments shall be subject to the Qualifications now by Law affecting such Offices respectively.

Appointments now made in India to continue to be made there.

XXX. All Appointments to Offices, Commands, and Employments in *India*, and all Promotions, which by Law or under any Regulations, Usage, or Custom, are now made by any Authority in *India*, shall continue to be made in *India* by the like Authority, and subject to the Qualifications, Conditions, and Restrictions now affecting such Appointments respectively; but the Secretary of State in Council, with the Concurrence of a Majority of Members present at a Meeting, shall have the like Power to make Regulations for the Division and Distribution of Patronage and Power of Nomination among the several Authorities in *India*, and the like Power of restoring to their Stations, Offices, or Employments, Officers and Servants suspended or removed by any Authority in *India* as might have been exercised by the said Court of Directors, with the Approbation of the Commissioners for the Affairs of *India*, if this Act had not been passed.

16 & 17 Vict. c. 95. ss. 37, 38, 39, 40, 41, 42. repealed.

XXXI. Sections Thirty-seven, Thirty-eight, Thirty-nine, Forty, Forty-one, and Forty-two of the Act of the Sixteenth and Seventeenth *Victoria*, Chapter Ninety-five, are hereby repealed, so far as the same apply to or provide for the Admission or Appointment of Persons to the Civil Service of the *East India* Company.

Secretary of State in Council to make Regulations for the

XXXII. With all convenient Speed after the passing of this Act, Regulations shall be made by the Secretary of State in Council, with the Advice and Assistance of the Commissioners for the Time being acting in execution of Her Majesty's Order in Council of Twenty-first *May* One thousand eight hundred and

Admission of Candidates to the Civil Service of India.

and fifty-five, "for regulating the Admission of Persons to the Civil Service of the Crown," for admitting all Persons being natural-born Subjects of Her Majesty (and of such Age and Qualification as may be prescribed in this Behalf) who may be desirous of becoming Candidates for Appointment to the Civil Service of *India* to be examined as Candidates accordingly, and for prescribing the Branches of Knowledge in which such Candidates shall be examined, and generally for regulating and conducting such Examinations under the Superintendence of the said last-mentioned Commissioners, or of the Persons for the Time being intrusted with the carrying out of such Regulations as may be from Time to Time established by Her Majesty for Examination, Certificate, or other Test of Fitness in relation to Appointments to junior Situations in the Civil Service of the Crown, and the Candidates who may be certified by the said Commissioners or other Persons as aforesaid to be entitled under such Regulations shall be recommended for Appointment according to the Order of their Proficiency as shown by such Examinations, and such Persons only as shall have been so certified as aforesaid shall be appointed or admitted to the Civil Service of *India* by the Secretary of State in Council: Provided always, that all Regulations to be made by the said Secretary of State in Council under this Act shall be laid before Parliament within Fourteen Days after the making thereof, if Parliament be sitting, and, if Parliament be not sitting, then within Fourteen Days after the next Meeting thereof.

Regulations made by Secretary of State to be laid before Parliament.

Other Appointments and Admissions to Service vested in Her Majesty.

XXXIII. All Appointments to Cadetships, Naval and Military, and all Admissions to Service not herein otherwise expressly provided for, shall be vested in Her Majesty; and the Names of Persons to be from Time to Time recommended for such Cadetships and Service shall be submitted to Her Majesty by the Secretary of State.

Regulations to be made for admitting Persons to be examined for Cadetships in Engineers and Artillery.

XXXIV. With all convenient Speed after the Commencement of this Act, Regulations shall be made for admitting any Persons being natural-born Subjects of Her Majesty (and of such Age and Qualifications as may be prescribed in this Behalf) who may be desirous of becoming Candidates for Cadetships in the Engineers and in the Artillery, to be examined as Candidates accordingly, and for prescribing the Branches of Knowledge in which such Candidates shall be examined, and generally for regulating and conducting such Examinations.

Not less than One Tenth of Persons recommended as Military Cadets to be Sons of Persons who have served in India.

XXXV. Not less than One Tenth of the whole Number of Persons to be recommended in any Year for Military Cadetships (other than Cadetships in the Engineers and Artillery) shall be selected, according to such Regulations as the Secretary of State in Council may from Time to Time make in this Behalf, from among the Sons of Persons who have served in *India* in the Military or Civil Services of Her Majesty or of the *East India* Company.

Cadets to be nominated by Secretary of State and Members of Council.

XXXVI. Except as aforesaid, all Persons to be recommended for Military Cadetships shall be nominated by the Secretary of State and Members of Council, so that out of Seventeen Nominations the Secretary of State shall have Two and each Member of Council shall have One; but no Person so nominated shall be recommended unless the Nomination be approved of by the Secretary of State in Council.

Regulations as to Appointments and Admissions to Service.

XXXVII. Save as herein-before provided, all Powers of making Regulations in relation to Appointments and Admissions to Service and other Matters connected therewith, and of altering or revoking such Regulations, which if this Act had not been passed might have been exercised by the Court of Directors or Commissioners for the Affairs of *India*, may be exercised by the Secretary of State in Council, and all Regulations in force at the Time of the Commencement of this Act in relation to the Matters aforesaid shall remain in force, subject nevertheless to Alteration or Revocation by the Secretary of State in Council as aforesaid.

As to Removal of Officers by Her Majesty.

XXXVIII. Any Writing under the Royal Sign Manual, removing or dismissing any Person holding any Office, Employment, or Commission, Civil or Military, in *India*, of which, if this Act had not been passed, a Copy would have been required to be transmitted or delivered within Eight Days after being signed by Her Majesty to the Chairman or Deputy Chairman of the Court of Directors, shall, in lieu thereof, be communicated within the Time aforesaid to the Secretary of State in Council.

Transfer of Property.

Real and Personal Property of the Company to vest in Her Majesty for the Purposes of the Government of India.

XXXIX. All Lands and Hereditaments, Monies, Stores, Goods, Chattels, and other Real and Personal Estate of the said Company, subject to the Debts and Liabilities affecting the same respectively, and the Benefit of all Contracts, Covenants, and Engagements, and all Rights to Fines, Penalties, and Forfeitures, and all other Emoluments which the said Company shall be seised or possessed of, or entitled to at the Time of the Commencement of this Act, except the Capital Stock of the said Company and the Dividend thereon, shall become vested in Her Majesty, to be applied and disposed of, subject to the Provisions of this Act, for the Purposes of the Government of *India*.

Powers of Sale and Purchase, and to enter into Contracts, vested in Secretary of State in Council.

XL. The Secretary of State in Council, with the Concurrence of a Majority of Votes at a Meeting, shall have full Power to sell and dispose of all Real and Personal Estate whatsoever for the Time being vested in Her Majesty under this Act, as may be thought fit, or to raise Money on any such Real Estate by way of Mortgage, and make the proper Assurances for that Purpose, and to purchase and acquire any Land or Hereditaments, or any Interests therein, Stores, Goods, Chattels, and other Property, and to enter into any Contracts whatsoever, as may be thought fit, for the Purposes of this Act; and all Property so acquired shall vest in Her Majesty for the Service of the Government of *India*; and any

Conveyance

Conveyance or Assurance of or concerning any Real Estate to be made by the Authority of the Secretary of State in Council may be made under the Hands and Seals of Three Members of the Council.

Revenues.

Expenditure of Indian Revenue under Control of Secretary of State in Council.

XLI. The Expenditure of the Revenues of *India*, both in *India* and elsewhere, shall be subject to the Control of the Secretary of State in Council, and no Grant or Appropriation of any Part of such Revenues, or of any other Property coming into the Possession of the Secretary of State in Council by virtue of this Act, shall be made without the Concurrence of a Majority of Votes at a Meeting of the Council.

Dividend on the Stock of the Company, and existing and future Debts, Liabilities, and Expenses, to be charged on Revenues of India.

XLII. The Dividend on the Capital Stock of the said Company secured by the Act of the Third and Fourth Years of King *William* the Fourth, Chapter Eighty-five, until the Redemption thereof, and all the Bond, Debenture, and other Debt of the said Company in *Great Britain*, and all the Territorial Debt and all other Debts of the said Company, and all Sums of Money, Costs, Charges, and Expenses, which if this Act had not been passed would after the Time appointed for the Commencement thereof have been payable by the said Company out of the Revenues of *India*, in respect or by reason of any Treaties, Covenants, Contracts, Grants, or Liabilities then existing, and all Expenses, Debts, and Liabilities which after the Commencement of this Act shall be lawfully contracted and incurred on account of the Government of *India*, and all Payments under this Act, shall be charged and chargeable upon the Revenues of *India* alone, as the same would have been if this Act had not been passed, and such Expenses, Debts, Liabilities, and Payments as last aforesaid had been Expenses, Debts, and Liabilities lawfully contracted and incurred by the said Company, and such Revenues shall not be applied to any other Purpose whatsoever; and all other Monies vested in or arising or accruing from Property or Rights vested in Her Majesty under this Act, or to be received or disposed of by the Council under this Act, shall be applied in aid of such Revenues: Provided always, that nothing herein contained shall lessen or prejudicially affect any Security to which the said Company, or any Proprietor or Creditor thereof, now is or may be entitled upon the Fund called "The Security Fund of the *India* Company," and mentioned in the Act of the Third and Fourth Years of His late Majesty King *William* the Fourth, Chapter Eighty-five, Section Fourteen.

Revenues remitted to Great Britain, and Monies arising in Great Britain to be paid to Secretary of State in Council.

XLIII. Such Part of the Revenues of *India* as shall be from Time to Time remitted to *Great Britain*, and all Monies of the said Company in their Treasury or under the Care of their Cashier, and all other Monies in *Great Britain* of the said Company, or which would have been received by them in *Great Britain* if this Act had not been passed, and all Monies arising or accruing in *Great Britain* from any Property or Rights vested in Her Majesty by this Act, or from the Sale or Disposition thereof, shall be paid to the Secretary of State in Council, to be applied for the Purposes of this Act; and all such Monies, except as herein-after otherwise provided, shall be paid into the Bank of *England*, to the Credit of an Account to be opened by the Governor and Company of the Bank of *England*, to be intituled "The Account of the Secretary of State in Council of *India*;" and all Monies to be placed to the Credit of such Account under this Act shall be paid out upon Drafts or Orders signed by Three Members of the Council, and countersigned by the Secretary of State or One of his Under Secretaries, and such Account shall be a public Account: Provided always, that the Secretary of State in Council may cause to be kept, from Time to Time, under the Care of their Cashier, in an Account to be kept at the Bank of *England*, such Sum or Sums of Money as they may deem necessary for the Payments now made out of Money under the Care of the Cashier of the said Company.

Cash Balance at the Bank transferred.

XLIV. Such Amount of Money as at the Time of the Commencement of this Act may be standing to the Credit of the *East India* Company at the Bank of *England* shall be transferred by the Governor and Company of the Bank of *England* to the Credit of the Account to be opened in the Name of the Secretary of State in Council as aforesaid.

Stock Account to be opened at the Bank.

XLV. There shall be raised in the Books of the Governor and Company of the Bank of *England* such Accounts as may be necessary in respect of any Stock or Stocks of Government Annuities, and all such Accounts respectively shall be intituled "The Stock Account of the Secretary of State in Council of *India*," and every such Account shall be a public Account.

Stock standing in the Name of the Company transferred.

XLVI. Such Government Stock or Stocks as at the Time of the Commencement of this Act may be standing in the Name of the *East India* Company in the Books of the said Governor and Company shall be transferred by the Chief Cashier or the Chief Accountant of the said Governor and Company to the proper Account or Accounts to be raised as aforesaid.

Power to grant Letter of Attorney for Sale, &c. of Stock and Receipt of Dividends.

XLVII. The Secretary of State in Council, by Letter of Attorney, executed by Three Members of the Council, and countersigned by the Secretary of State or One of his Under Secretaries, may authorize all or any of the Cashiers of the Bank of *England* to sell and transfer all or any Part of the Stock or Stocks standing or that may thereafter stand in the Books of the said Bank to the several Accounts of the Secretary of State in Council, and to purchase and accept Stock on the said Accounts, and to receive the Dividends due and to become due on the several Stocks standing or that may thereafter stand on the said Accounts, and by any Writing signed by Three Members of the Council, and countersigned as aforesaid, may direct the Application of the Monies to be received in respect of such Sales

and Dividends, but no Stock shall be purchased or sold and transferred by any of the said Cashiers under the Authority of such General Letter of Attorney, except upon an Order in Writing directed to the said Chief Cashier and Chief Accountant from Time to Time, and duly signed and countersigned as aforesaid.

Provision as to Exchequer Bills, Bonds, and other Securities.

XLVIII. All Exchequer Bills, Exchequer Bonds, or other Government Securities, or other Securities, of whatsoever Kind, not herein-before referred to, which shall be held by the Governor and Company of the Bank of *England* in trust for or on account of the *East India* Company at the Time of the Commencement of this Act, shall thenceforward be held by the said Governor and Company in trust for and on account of the Secretary of State in Council; and all such Securities as aforesaid, and all such Securities as may thereafter be lodged with the said Governor and Company by or on behalf of the Secretary of State in Council, shall and may be disposed of and the Proceeds thereof applied as may be authorized by Order in Writing signed by Three Members of the Council, and countersigned by the Secretary of State or One of his Under Secretaries, and directed to the said Chief Cashier and Chief Accountant.

Powers of borrowing vested in the Company transferred to Secretary of State in Council.

XLIX. All Powers of issuing Bonds, Debentures, and other Securities for Money in *Great Britain* which, if this Act had not been passed, might have been exercised by the said Company, or the Court of Directors, under the Direction and Control of the Commissioners for the Affairs of *India*, or otherwise, shall and may be exercised by the Secretary of State in Council, with the Concurrence of a Majority of Votes at a Meeting; and such Securities as might have been issued under the Seal of the said Company shall be issued under the Hands of Three Members of the Council, and countersigned by the Secretary of State or One of his Under Secretaries.

Forgery of Bonds, &c. issued by Secretary of State in Council.

L. All Provisions now in force in anywise relating to the Offence of forging or altering, or offering, uttering, disposing of, or putting off, knowing the same to be forged or altered, any *East India* Bond, with Intent to defraud, shall extend and be applicable to and in respect of any Bond, Debenture, or Security issued by the Secretary of State in Council of *India* under the Authority of this Act.

Present System of issuing Warrants for Payments to be continued.

LI. The Regulations and Practice now acted on by the Court of Directors on the Issue of Warrants or Authorities for the Payment of Money shall be maintained and acted on by the Secretary of State in Council of *India* under this Act until the same be altered by the Authority of Her Majesty in Council: Provided, that where a Warrant or Authority for the Payment of Money passes through the Audit Department at the *East India House* before Payment, it shall be countersigned by such Officer or Officers of that Audit Department as the Secretary of State in Council may direct before Payment shall be made; and that Warrants or Authorities which have heretofore been signed by Two Directors of the *East India* Company shall, after the Commencement of this Act, be signed by Three Members of the Council of *India*.

As to the Audit of Accounts in Great Britain.

LII. It shall be lawful for Her Majesty, by Warrant under Her Royal Sign Manual, countersigned by the Chancellor of the Exchequer, to appoint from Time to Time a fit Person to be Auditor of the Accounts of the Secretary of State in Council, and to authorize such Auditor to appoint and remove from Time to Time such Assistants as may be specified in such Warrant; and every such Auditor shall hold Office during good Behaviour; and there shall be paid to such Auditor and Assistants out of the Revenues of *India* such respective Salaries as Her Majesty, by Warrant as aforesaid countersigned as aforesaid, may direct; and such Auditor shall examine and audit the Accounts of the Receipt, Expenditure, and Disposal in *Great Britain* of all Monies, Stores, and Property applicable for the Purposes of this Act; and the Secretary of State in Council shall by the Officers and Servants of the Establishment produce and lay before such Auditor from Time to Time all such Accounts, accompanied by proper Vouchers for the Support of the same, and shall submit to his Inspection all Books, Papers, and Writings having relation thereto; and such Auditor shall have Power to examine all such Officers and Servants in *Great Britain* of the Establishment as he may see fit in relation to such Accounts, and the Receipt, Expenditure, or Disposal of such Monies, Stores, and Property, and for that Purpose, by Writing under his Hand, to summon before him any such Officer or Servant; and such Auditor shall report from Time to Time to the Secretary of State in Council his Approval or Disapproval of such Accounts, with such Remarks and Observations in relation thereto as he may think fit, specially noting any Case, if such there shall be, in which it shall appear to him that any Money arising out of the Revenues of *India* has been appropriated to other Purposes than those of the Government of *India* to which alone they are declared to be applicable; and shall specify in detail in his Reports all Sums of Money, Stores, and Property which ought to be accounted for, and are not brought into account or have not been appropriated, in conformity with the Provisions of this Act, or have been expended or disposed of without due Authority, and shall also specify any Defects, Inaccuracies, or Irregularities which may appear in such Accounts, or in the Authorities, Vouchers, or Documents having relation thereto; and all such Reports shall be laid before both Houses of Parliament by such Auditor, together with the Accounts of the Year to which the same may relate.

Accounts to be annually laid before Parliament.

LIII. The Secretary of State in Council shall, within the First Fourteen Days during which Parliament may be sitting next after the First Day of *May* in every Year, lay before both Houses of Parliament an Account for the financial Year preceding that last completed of the annual Produce of the Revenues of *India*, distinguishing the same under the respective Heads thereof, at each of the several Presidencies

or

or Governments, and of all the annual Receipts and Disbursements at Home and Abroad on account of the Government of *India*, distinguishing the same under the respective Heads thereof, together with the latest Estimate of the same for the last financial Year, and also the Amount of the Debts chargeable on the Revenues of *India*, with the Rates of Interest they respectively carry, and the annual Amount of such Interest, the State of the Effects and Credits at each Presidency or Government, and in *England* or elsewhere, applicable to the Purposes of the Government of *India*, according to the latest Advices which have been received thereof, and also a List of the Establishment of the Secretary of State in Council, and the Salaries and Allowances payable in respect thereof; and if any new or increased Salaries or Pensions of Fifty Pounds a Year or upwards have been granted or created within any Year, the Particulars thereof shall be specially stated and explained at the Foot of the Account of such Year; and such Account shall be accompanied by a Statement prepared from detailed Reports from each Presidency and District in *India* in such Form as shall best exhibit the moral and material Progress and Condition of *India* in each such Presidency.

When Order to commence Hostilities is sent to India, same to be communicated to Parliament.

LIV. When any Order is sent to *India* directing the actual Commencement of Hostilities by Her Majesty's Forces in *India*, the Fact of such Order having been sent shall be communicated to both Houses of Parliament within Three Months after the sending of such Order, if Parliament be sitting, unless such Order shall have been in the meantime revoked or suspended, and if Parliament be not sitting at the End of such Three Months then within One Month after the next Meeting of Parliament.

Except in case of Invasion, Revenues not applicable for Operations beyond Frontiers.

LV. Except for preventing or repelling actual Invasion of Her Majesty's *Indian* Possessions, or under other sudden and urgent Necessity, the Revenues of *India* shall not, without the Consent of both Houses of Parliament, be applicable to defray the Expenses of any Military Operation carried on beyond the external Frontiers of such Possessions by Her Majesty's Forces charged upon such Revenues.

Existing Establishments.

Indian Military and Naval Forces to remain under existing Conditions of Service.

LVI. The Military and Naval Forces of the *East India* Company shall be deemed to be the *Indian* Military and Naval Forces of Her Majesty, and shall be under the same Obligations to serve Her Majesty as they would have been under to serve the said Company, and shall be liable to serve within the same territorial Limits only, for the same Terms only, and be entitled to the like Pay, Pensions, Allowances, and Privileges, and the like Advantages as regards Promotion and otherwise, as if they had continued in the Service of the said Company: Such Forces, and all Persons hereafter enlisting in or entering the same, shall continue and be subject to all Acts of Parliament, Laws of the Governor General of *India* in Council, and Articles of War, and all other Laws, Regulations, and Provisions relating to the *East India* Company's Military and Naval Forces respectively, as if Her Majesty's *Indian* Military and Naval Forces respectively had throughout such Acts, Laws, Articles, Regulations, and Provisions been mentioned or referred to, instead of such Forces of the said Company; and the Pay and Expenses of and incident to Her Majesty's *Indian* Military and Naval Forces shall be defrayed out of the Revenues of *India*.

Provision for *Persons hereafter entering Her Majesty's* Indian Forces.

LVII. Provided, That it shall be lawful for Her Majesty from Time to Time by Order in Council to alter or regulate the Terms and Conditions of Service under which *Persons hereafter entering Her* Majesty's *Indian* Forces shall be commissioned, enlisted, or entered to serve, *and the Forms of* Attestation and of the Oath or Declaration to be used and taken or made respectively on attesting Persons to serve in Her Majesty's *Indian* Forces shall be such as Her Majesty with regard to the *European* Forces, and the Governor General of *India* in Council with regard to the Native Forces, shall from Time to Time direct: Provided, that every such Order in Council shall be laid before both Houses of Parliament within Fourteen Days after the making thereof, if Parliament be sitting, and if Parliament be not sitting, then within Fourteen Days after the next Meeting thereof.

Officers, &c. in Employ of Company at Commencement of Act to be deemed to hold Offices under Her Majesty.

LVIII. All Persons who at the Time of the Commencement of this Act shall hold any Offices, Employments, or Commissions whatever under the said Company in *India* shall thenceforth be deemed to hold such Offices, Employments, and Commissions under Her Majesty as if they had been appointed under this Act, and shall be paid out of the Revenues of *India*; and the Transfer of any Person to the Service of Her Majesty shall be deemed to be a Continuance of his previous Service, and shall not prejudice any Claims to Pension, or any Claims on the various Annuity Funds of the several Presidencies in *India*, which he might have had if this Act had not been passed.

All Orders of Directors, &c. before Commencement of Act to remain in force.

LIX. All Orders, Regulations, and Directions lawfully given or made before the Commencement of this Act by the Court of Directors or by the Commissioners for the Affairs of *India* shall remain in force; but the same shall, from and after the Commencement of this Act, be deemed to be the Orders, Regulations, and Directions under this Act, and take effect and be construed and be subject to Alteration or Revocation accordingly.

Cesser of Appointments and Functions of Directors, &c.

LX. All Functions and Powers of Courts of Proprietors and Courts of Directors of the said Company in relation to the Government of *India*, and all Appointments of such of the Directors of the said Company as have been appointed by Her Majesty, shall cease, and the yearly Sums payable to the Chairman, Deputy Chairman, and other Directors of the said Company shall cease to be payable,

and all Powers vested in Her Majesty of appointing Directors of the said Company shall cease and determine.

Board of Control abolished.

LXI. The Appointments and Powers of Appointment of Commissioners for the Affairs of *India* shall cease and determine.

Records, &c. of Company to be delivered to Secretary of State in Council.

LXII. All Books, Records, and Archives of the said Company, except such Books and Documents as concern the Ownership of Shares in the Capital Stock of the said Company, and the Payments to the Proprietors of such Capital Stock of their respective Shares of the Dividend thereon, shall be delivered into the Care and Custody of the Secretary of State in Council as they may direct.

A Person succeeding to the Office of Governor General may exercise his Powers before he takes his Seat in Council.

LXIII. In case the Person who shall be entitled under any provisional Appointment to succeed to the Office of Governor General of *India* upon a Vacancy therein, or who shall be appointed absolutely to assume that Office, shall be in *India* (upon or after the happening of the Vacancy, or upon or after the Receipt of such absolute Appointment, as the Case may require), but shall be absent from *Fort William* in *Bengal*, or from the Place where the Council of the Governor General of *India* may then be, and it shall appear to him necessary to exercise the Powers of Governor General before he shall have taken his Seat in Council, it shall be lawful for him to make known by Proclamation his Appointment, and his Intention to assume the said Office of Governor General, and after such Proclamation, and thenceforth until he shall repair to *Fort William* or the Place where the Council may assemble, it shall be lawful for him to exercise alone all or any of the Powers which might be exercised by the Governor General in Council, except the Power of making Laws and Regulations; and all Acts done in the Exercise of the said Powers, except as aforesaid, shall be of the same Force and Effect as if they had been done by the Governor General in Council; provided that all Acts done in the said Council after the Date of such Proclamation, but before the Communication thereof to such Council, shall be valid, subject nevertheless to Revocation or Alteration by the Person who shall have so assumed the said Office of Governor General; and when the Office of Governor General is assumed under the foregoing Provision, if there be at any Time before the Governor General takes his Seat in Council no Vice-President of the Council authorized to preside at Meetings for making Laws and Regulations (as provided by Section Twenty-two of the Act of the Sixteenth and Seventeenth Years of Her Majesty), the senior Ordinary Member of Council then present shall preside therein, with the same Powers as if a Vice-President had been appointed and were absent.

Continuance of existing Enactments.

Existing Provisions to be applicable to Secretary of State in Council, &c.

LXIV. All Acts and Provisions now in force under Charter or otherwise concerning *India* shall, subject to the Provisions of this Act, continue in force, and be construed as referring to the Secretary of State in Council in the Place of the said Company and the Court of Directors and Court of Proprietors thereof, and all Enactments applicable to the Officers and Servants of the said Company in *India*, and to Appointments to Office or Admissions to Service by the said Court of Directors, shall, subject to the Provisions of this Act, remain applicable to the Officers and Servants continued and to the Officers and Servants appointed or employed in *India*, and to Appointments to Office and Admissions to Service under the Authority of this Act.

Actions and Contracts.

Secretary of State in Council may sue and be sued.

LXV. The Secretary of State in Council shall and may sue and be sued as well in *India* as in *England* by the Name of the Secretary of State in Council as a Body Corporate; and all Persons and Bodies Politic shall and may have and take the same Suits, Remedies, and Proceedings, legal and equitable, against the Secretary of State in Council of *India* as they could have done against the said Company; and the Property and Effects hereby vested in Her Majesty for the Purposes of the Government of *India*, or acquired for the said Purposes, shall be subject and liable to the same Judgments and Executions as they would while vested in the said Company have been liable to in respect of Debts and Liabilities lawfully contracted and incurred by the said Company.

Secretary of State, &c. to represent Company in pending Suits, &c.

LXVI. The Secretary of State in Council shall, with respect to all Actions, Suits, and all Proceedings by or against the said Company pending at the Time of the Commencement of this Act, come in the Place of the said Company, and that without the Necessity of substituting the Name of the Secretary of State in Council for that of the said Company.

Treaties to be binding on Her Majesty, &c.

LXVII. All Treaties made by the said Company shall be binding on Her Majesty, and all Contracts, Covenants, Liabilities, and Engagements of the said Company made, incurred, or entered into before the Commencement of this Act may be enforced by and against the Secretary of State in Council in like Manner and in the same Courts as they might have been by and against the said Company if this Act had not been passed.

Members of Council not personally liable.

LXVIII. Neither the Secretary of State nor any Member of the Council shall be personally liable in respect of any such Contract, Covenant, or Engagement of the said Company as aforesaid, or in respect of any Contract entered into under the Authority of this Act, or other Liability of the said Secretary of State or Secretary of State in Council in their official Capacity; but all such Liabilities, and all Costs and Damages in respect thereof, shall be satisfied and paid out of the Revenues of *India*.

LXIX. After

The Directors elected by General Court of Company alone to be the Directors of the Company.

LXIX. After the Commencement of this Act such of the Directors as have been elected by the General Court of the said Company, or who shall from Time to Time be so elected, shall be the Directors of the said Company, and the major Part of such Directors for the Time being shall form a Court of Directors; and where the Presence, Signature, Consent, or Concurrence of Ten Directors is now requisite, the Presence, Signature, Consent, or Concurrence of the major Part of the Directors for the Time being shall be sufficient; and to the Intent that the Number of Directors may be reduced to Six, Two Directors only shall be elected by the General Court of the said Company at each biennial Election to fill the Vacancies occasioned by the Expiration of the Term of Office of Directors; and so much of the said Act of the Sixteenth and Seventeenth Years of Her Majesty as requires any of the Directors to be Persons who have resided Ten Years in *India* shall be repealed, and in the Oath to be taken by a Director of the said Company, under Section Thirteen of the said Act, the Words "in the Administration of the "Government of *India* in trust for the Crown" shall be omitted.

Provision as to Reduction of Number of Directors.

Not to summon Quarterly Courts.

LXX. It shall no longer be obligatory on the Directors to summon Four General Quarterly Courts in every Year as heretofore.

Company not to be liable in respect of any Covenant, &c. made before passing of Act.

LXXI. Except Claims of Mortgagees of the Security Fund herein-before mentioned, the said Company shall not, after the passing of this Act, be liable in respect of any Claim, Demand, or Liability which has arisen or may hereafter arise out of any Treaty, Covenant, Contract, Grant, Engagement, or Fiduciary Obligation made, incurred, or entered into by the said Company before the passing of this Act, whether the said Company would, but for this Act, have been bound to satisfy such Claim, Demand, or Liability out of the Revenues of *India*, or in any other Manner whatsoever.

Saving of certain Rights of the Company.

As to Payment of Expenses of Company in respect of Capital Stock and Dividend.

LXXII. It shall be lawful for the Secretary of State in Council to pay to the said Company out of the Revenues of *India* such annual Sum as Her Majesty, by Warrant under Her Royal Sign Manual, countersigned by the Chancellor of the Exchequer, may direct for defraying the Expenses of and incident to the Payment to the Proprietors of the Capital Stock of the said Company of their respective Shares of the Dividend on such Stock, and of keeping the Books of the said Company for Transfers, and otherwise in relation to such Stock.

Saving of the Rights of the Company in respect of their Dividend and Security Fund.

LXXIII. Nothing herein contained shall affect the Preference secured by the said Act of the Third and Fourth Years of King *William* the Fourth to the Dividend on the Capital Stock of the said Company or the Right of the said Company to demand the Redemption of the said Dividend secured by such Act; and all the Provisions of the said Act concerning the Security Fund thereby created shall remain in force, save that when the Approbation of the Commissioners for the Affairs of *India* is required in relation to the Disposal of the said Security Fund, the Approbation of the Secretary of State in Council shall be required.

Commencement of the Act.

Commencement of Act.

LXXIV. Save as herein otherwise provided, this Act shall commence and take effect on the Expiration of Thirty Days after the Day of the passing thereof.

Provision as to Proceedings in India before the Act is proclaimed there.

LXXV. This Act shall be proclaimed in the several Presidencies and Governments of *India* as soon as conveniently may be after such Act has been received by the Governor General of *India*; and until such Proclamation be made all Acts, Matters, and Things done, ordered, directed, or authorized in *India* in the Name of the *East India* Company, or otherwise in relation to the Government of *India*, shall be as valid and effectual as if this Act had not been passed.

CAP. CVII.

An Act to apply a Sum out of the Consolidated Fund and the Surplus of Ways and Means to the Service of the Year One thousand eight hundred and fifty-eight, and to appropriate the Supplies granted in this Session of Parliament. [2d *August* 1858.]

§ I. There shall be applied for the Service of the Year 1858 the Sum of £11,226,255 1*s.* 1*d.* out of the Consolidated Fund.

II. The Treasury may cause £11,226,255 1*s.* 1*d.* of Exchequer Bills to be made out in manner prescribed by 48 Geo. 3. c. 1., 4 & 5 Will. 4. c. 15., and 5 & 6 Vict. c. 66.

III. The Clauses, &c. in recited Acts extended to this Act.

IV. Interest on Exchequer Bills.

V. Bank of England may advance £11,226,255 1*s.* 1*d.* on the Credit of this Act, notwithstanding 5 & 6 W. & M. c. 20.

VI. Bills prepared by virtue of this Act to be delivered to the Bank, as Security for such Advances.

VII. Monies raised by Exchequer Bills to be applied to the Services voted by the Commons.

VIII. Exchequer Bills made chargeable upon the growing Produce of the Consolidated Fund.

IX. Treasury may apply for the Service of the Year 1858 £4,327,292 18*s.* 11*d.* Surplus of Ways and Means.

§ X. Appro-

§ X. Appropriation of Ways and Means to Services hereafter expressed.—21 Vict. cc. 5., 6., 13., 17.

XI. There shall be issued,

£9,839,859	0	0	For Navy Services; viz.	
2,401,599	0	0	For Wages to 59,380 Seamen and Marines	For the Year ending 31st March 1859.
1,027,357	0	0	For Victuals, &c. in the Navy	
140,439	0	0	For Salaries, &c. of the Admiralty Office	
178,592	0	0	For Coast Guard Service and Royal Naval Coast Volunteers	
60,615	0	0	For the Navy Scientific Departments	
151,634	0	0	For Naval Establishments at home	
27,279	0	0	For Naval Establishments abroad	
966,921	0	0	For Wages of Artificers, &c. at home	
54,671	0	0	For Wages of Artificers, &c. abroad	
1,389,742	0	0	For Naval Stores, &c.	
585,862	0	0	For new Works in Naval Establishments	
50,000	0	0	For Medicines, &c.	
71,470	0	0	For Naval Miscellaneous Services	
694,148	0	0	For Naval Half Pay, &c.	
480,061	0	0	For Military Pensions	
160,481	0	0	For Civil Pensions	
410,500	0	0	For Freight of Ships, Conveyance of Troops, &c.	
988,488	0	0	For Packet Service	
XII. 500,000	0	0	For Army Services	For the Year ending 31st March 1858.
XIII. 4,007,735	0	0	For Army Services, viz.	From 1st April 1858 to 31st March 1859.
538,317	0	0	For Wages of Artificers, &c.	
689,460	0	0	For Clothing and Necessaries	
1,051,624	0	0	For Provisions, Barrack Furniture, &c.	
634,727	0	0	For Stores for Land and Sea Service	
285,736	0	0	For Fortifications	
128,780	0	0	For Works, Buildings, &c.	
679,091	0	0	For Barracks	
8,003,010	0	0	For other Army Services; viz.	
3,681,027	0	0	For Forces in United Kingdom and Stations abroad (except East Indies)	
615,661	0	0	For Miscellaneous Charges at home and abroad (except India)	
150,000	0	0	For Embodied Militia	
88,000	0	0	For Volunteer Corps	
182,977	0	0	For Salaries, &c. of War Departments	
349,000	0	0	For Manufacturing Departments, Military Storekeepers, Barrack Masters, &c.	
173,287	0	0	For Educational and Scientific Branches	
25,330	0	0	For Rewards for Military Service	
59,511	0	0	For Pay of General Officers	
531,207	0	0	For Reduced and Retired Officers	
208,132	0	0	For Pensions to Widows, and Compassionate List, &c.	
51,243	0	0	For Pensions, Gratuities, &c. to wounded Officers	
31,372	0	0	For In-Pensioners of Chelsea and Kilmainham Hospitals	
1,202,863	0	0	For Out-Pensioners of Chelsea Hospital, &c.	
130,410	0	0	For Superannuation and Retired Allowances	
90,000	0	0	For Surveys and Topographical Department	
432,990	0	0	For Disembodied Militia	
XIV. 20,911,500	0	0	For Exchequer Bills	For the Year 1858.
XV. 2,000,000	0	0	For Exchequer Bonds	For 8th May 1858.
XVI. 100,000	0	0	For Civil Contingencies	To 31st March 1859.

Consolidated Fund (Appropriation).

REVENUE DEPARTMENTS.

§ XVII.	£2,026,031	0	0	For Post Office, &c.	For the Year ending 31st March 1859.
	1,362,258	0	0	For Inland Revenue Department	
	485,575	0	0	For Superannuations, &c., Customs, Inland Revenue, and Post Office	
	849,285	0	0	For Customs Department	

CIVIL SERVICES.—*Class* 1.

XVIII.	46,219	0	0	For Repair of Royal Palaces, &c.	To 31st March 1859.
	110,651	0	0	For Maintenance, &c. of Public Buildings, temporary Accommodation, &c.	
	26,926	0	0	For Furniture for Public Departments	
	99,667	0	0	For Repair of Royal Parks, &c.	
	160,793	0	0	For New Houses of Parliament	
	30,300	0	0	For Addition to War Office.	
	31,000	0	0	For Probate Court and District Registries.	
	4,707	0	0	For Embassy Houses, &c. abroad	
	170,000	0	0	For Harbours of Refuge	
	21,000	0	0	For Holyhead Harbour	
	1,049	0	0	For Port Patrick Harbour	
	60,651	0	0	For Public Buildings in the Department of Public Works in Ireland	
	18,506	0	0	For Kingstown Harbour	

CIVIL SERVICES.—*Class* 2.

XIX.	88,107	0	0	For Salaries, &c. of Houses of Parliament	To 31st March 1859.
	54,000	0	0	For the Treasury	
	24,799	0	0	For the Home Department	
	76,900	0	0	For the Foreign Department	
	29,134	0	0	For Department of Colonies	
	67,847	0	0	For Privy Council, Railway and Marine Departments, &c.	
	2,720	0	0	For Establishment of Lord Privy Seal, &c.	
	5,223	0	0	For Civil Service Commission	
	17,198	0	0	For Paymaster General's Department	
	6,255	0	0	For Department of Comptroller General of Exchequer	
	26,575	0	0	For Office of Commissioners of Works and Public Buildings	
	22,989	0	0	For Office of Woods, Forests, &c.	
	21,009	0	0	For Public Records Department and State Paper Office	
	216,060	0	0	For Administration of Poor Laws	
	36,639	0	0	For the Mint	
	22,010	0	0	For Salaries, &c. of Inspectors of Factories, &c.	
	6,251	0	0	For Civil Charges, &c., Scotland	
	6,431	0	0	For Officers, &c. of Lord Lieutenant of Ireland	
	15,804	0	0	For Chief Secretary, &c., Ireland	
	7,119	0	0	For Paymaster of Civil Services, Ireland	
	2,613	0	0	For Inspectors of Lunatic Asylums, Ireland	
	22,615	0	0	For Board of Public Works, Ireland	
	35,768	0	0	For Department of Commissioners for auditing Public Accounts	
	17,879	0	0	For Copyhold, &c. Commission	
	12,330	0	0	For Imprest Expenses of Copyhold, &c. Commission	
	38,800	0	0	For General Register Office, England and Wales	
	3,310	0	0	For General Register Office, Dublin	
	5,652	0	0	For Department of Registrar General of Births, &c., Edinburgh	
	14,355	0	0	For National Debt Office	
	2,800	0	0	For Public Works Loan Commission	

Consolidated Fund (Appropriation).

	£1,770	0	0	For West India Islands Relief Commission -	
	9,820	0	0	For Lunacy Commission - - -	
	1,223	0	0	For General Superintendent of County Roads in South Wales - - - - -	
	2,103	0	0	For Registrars of Friendly Societies - -	
	32,000	0	0	For Foreign and other Secret Services - -	
	401,357	0	0	For Stationery, &c. for Public Departments -	
	123,100	0	0	For Postage of Letters on the Public Service -	
				CIVIL SERVICES.—*Class* 3.	
§ XX.	46,375	0	0	For Office of Solicitor to the Treasury, including Prosecutions relating to Coin, &c. - -	
	150,000	0	0	For Prosecutions at the Assizes and Quarter Sessions - - - - -	
	214,200	0	0	For Police in Counties and Boroughs in England and Wales - - - - -	
	200	0	0	For Crown Office, Chancery - - -	
	1,500	0	0	For Crown Office, Queen's Bench - -	
	14,419	0	0	For Expenses incurred by Sheriffs and Deficiency of Fees in the Exchequer - - -	
	5,940	0	0	For Department of Registrar of the Admiralty -	
	6,826	0	0	For Insolvent Debtors Court - - -	
	35,162	0	0	For Court of Probate, &c. - - -	
	157,050	0	0	For Treasurers of County Courts - -	
	25,428	0	0	For Police Courts of the Metropolis - -	
	128,607	0	0	For Metropolitan Police - - -	
	3,495	0	0	For Queen's Prison - - - -	
	3,342	0	0	For Lord Advocate and Solicitor General, Scotland - - - - -	
	18,577	0	0	For Salaries, Court of Session, Scotland - -	
	11,261	0	0	For Court of Justiciary, Scotland - -	
	5,550	0	0	For Criminal Prosecutions by Lord Advocate -	To 31st March 1859.
	1,860	0	0	For certain Officers in the Exchequer in Scotland	
	25,000	0	0	For Criminal Prosecutions, &c. in Scotland -	
	11,955	0	0	For Procurators Fiscal in Scotland - -	
	13,110	0	0	For Sheriffs Clerks, Scotland - - -	
	2,250	0	0	For Salaries of Law Officers in Scotland -	
	15,118	0	0	For General Register House, Edinburgh -	
	1,124	0	0	For Department of Commissary Clerk, Edinburgh	
	1,675	0	0	For Department of Accountant in Bankruptcy, Scotland - - - - -	
	26,620	0	0	For Criminal Prosecutions, Ireland - -	
	3,726	0	0	For Court of Chancery, Ireland - -	
	2,599	0	0	For Court of Queen's Bench, Ireland - -	
	3,480	0	0	For Court of Common Pleas, Ireland - -	
	3,975	0	0	For Court of Exchequer, Ireland - -	
	200	0	0	For Clerk to Taxing Officers for Law Courts, Ireland - - - - -	
	5,850	0	0	For Registrars to Judges, Ireland - -	
	2,348	0	0	For Office for Registration of Judgments in Ireland - - - - -	
	9,546	0	0	For Salaries, &c. of Insolvent Debtors Court, Ireland - - - - -	
	8,872	0	0	For Court of Probate, &c., Ireland - -	
	830	0	0	For Revising Barristers, Dublin - -	
	267	0	0	For Salary of Clerk to the Court of Errors, Ireland - - - - -	
	1,600	0	0	For Salaries of Police Justices, Dublin - -	
	36,500	0	0	For Metropolitan Police, Dublin - -	
	664,287	0	0	For Constabulary Force, Ireland - -	
	2,583	0	0	For Four Courts Marshalsea, Dublin - -	
	17,703	0	0	For General Superintendence of Prisons, &c. -	
	380,756	0	0	For Government Prisons and Convict Establishments at home - - - -	

Consolidated Fund (Appropriation).

	£140,023	0	0	For Maintenance of Prisoners and Removal of Convicts	To 31st March 1859.
	24,715	0	0	For Transportation of Convicts	
	225,968	0	0	For Convict Establishments in the Colonies	
				CIVIL SERVICES.—*Class* 4.	
§ XXI.	79,275	0	0	For Salaries and Expenses of British Museum	
	26,887	0	0	For new Buildings, &c. at British Museum	
	5,000	0	0	For Purchases for British Museum.	
	663,435	0	0	For Public Education in Great Britain	To 31st March 1859.
	83,730	0	0	For Department of Science and Art, and Geological Surveys of the United Kingdom	
	223,000	0	0	For Education, Ireland, &c.	
	680	0	0	For Salary of Secretary to Commissioners of Education, Ireland, &c.	
	3,654	0	0	For London University	
	7,510	0	0	For Grants to Scottish Universities	
	2,323	0	0	For Queen's University, Ireland	
	4,800	0	0	For Queen's Colleges, Ireland	
	500	0	0	For Royal Irish Academy	
	300	0	0	For Royal Hibernian Academy	
	2,500	0	0	For the Royal Belfast Academical Institution, &c.	
	16,174	0	0	For National Gallery	
	5,039	0	0	For Magnetic Observatories, &c.	
	500	0	0	For Royal Geographical Society	
	1,000	0	0	For Royal Society	For the Year ending 31st March 1859.
				CIVIL SERVICES.—*Class* 5.	
XXII.	4,050	0	0	For Civil Establishment of the Bermudas	To 31st March 1859.
	6,878	0	0	For Ecclesiastical Establishment, British North American Provinces	
	3,388	0	0	For Indian Department in Canada	
	24,728	0	0	For Salaries of Governors, &c. of West India Colonies, &c.	
	20,550	0	0	For Salaries, &c. of Stipendiary Justices in West India Colonies and the Mauritius	
	10,230	0	0	For Civil Establishments on the Western Coast of Africa	
	7,262	0	0	For St. Helena	
	960	0	0	For Heligoland	
	4,376	0	0	For Falkland Islands	
	6,021	0	0	For Labuan	
	10,000	0	0	For Hong Kong	
	7,914	0	0	For Western Australia.	
	12,828	0	0	For Emigration Board, &c.	
	11,000	0	0	For Support of captured Negroes, &c.	
	187,527	0	0	For the Consular Establishments abroad	
	40,000	0	0	For Missions abroad	
	11,050	0	0	For Commissioners for suppressing the Slave Trade	
				CIVIL SERVICES.—*Class* 6.	
XXIII.	162,889	0	0	For Superannuations, &c. to Public Officers	To 31st March 1859.
	1,978	0	0	For Toulonese and Corsican Emigrants, &c.	
	2,000	0	0	For National Vaccine Institution	
	325	0	0	For "The Refuge for the Destitute"	
	3,515	0	0	For Polish Refugees and distressed Spaniards	
	4,281	0	0	For Miscellaneous Allowances	
	2,717	0	0	For Public Infirmaries, Ireland	
	2,600	0	0	For Westmoreland Lock Hospital, Dublin	
	700	0	0	For Rotunda Lying-in Hospital, Dublin	

Consolidated Fund (Appropriation).

	£200	0	0	For Coombe Lying-in Hospital	
	7,600	0	0	For Hospitals, House of Industry, Dublin	
	2,500	0	0	For House of Recovery, and Fever Hospital, Cork Street, Dublin	
	600	0	0	For Meath Hospital, Dublin	
	100	0	0	For St. Mark's Ophthalmic Hospital, Dublin	
	1,300	0	0	For Dr. Steevens' Hospital, Dublin	
	285	0	0	For Board of Superintendence of Hospitals, Dublin	
	9,341	0	0	For Charitable Allowances, &c., Ireland	
	39,400	0	0	For Protestant Dissenting Ministers, Ireland	
				CIVIL SERVICES.—*Class* 7.	
§ XXIV.	3,568	0	0	For Ecclesiastical Commissioners, England	
	16,340	0	0	For Charity Commission for England and Wales	
	20,000	0	0	For Incumbered Estates Commission, Ireland	
	11,402	0	0	For sundry temporary Commissions	To 31st March 1859.
	26,198	0	0	For Compensations, &c. payable under the Patent Law Amendment Act	
	13,822	0	0	For Board of Fisheries, Scotland	
	2,000	0	0	For Annuity to Board of Manufactures, Scotland	
	5,000	0	0	For Commissioners of Highland Roads and Bridges	
	2,000	0	0	For Bounties on Slaves and Slave Vessels captured	
	900	0	0	For Publication of Ancient Laws of Ireland	
	9,000	0	0	For Pay of Process Servers, Ireland	
	58,900	0	0	For Pensions to Masters and Seamen, &c. under the Merchant Seamen's Fund Act	
	2,084	0	0	For Registration of Joint Stock Companies	
	1,693	0	0	For Registration of Designs Office	
	50,000	0	0	For Payments under Treaties of Reciprocity	
	4,700	0	0	For Inspectors of Corn Returns, &c.	
	20,000	0	0	For distressed Seamen abroad	For the Year ending 31st March 1859.
	3,600	0	0	For Expenses of Quarantine Arrangements	
	17,850	0	0	For Revising Barristers in England and Wales	
	3,856	0	0	For Constabulary Police at Military Camps of Aldershott and Shorncliffe	To 31st March 1859.
	3,000	0	0	For Inspection of Burial Grounds in England and Wales	
	1,053	0	0	For certain Professors at Cambridge	
	27,100	0	0	For Lighthouses abroad	
	1,000	0	0	For Arrangements connected with Orange River Territory	For the Year ending 31st March 1859.
	20,000	0	0	For promoting Civilization, &c. among Native Tribes in South Africa	
	29,940	0	0	For Expenses on account of the Treasury Chest	To 31st March 1859.
	2,000	0	0	For National Portrait Gallery	
	2,000	0	0	For Inquiry on Cholera, West Indies	
	1,600	0	0	For defining, &c. Boundaries of Counties, &c., Ireland	
	3,100	0	0	For Agricultural and Emigration Statistics, Ireland	
	6,318	0	0	For repaying Purchase Monies for Lands, &c. for new Public Offices, Belfast	For the Year ending 31st March 1859.
	15,000	0	0	For Extension of Four Courts, Dublin	
	5,000	0	0	For National Gallery, Dublin, and Reception of Archbishop Marsh's Library, Dublin	
	1,000	0	0	For Fittings for new Museum and Library, Royal Dublin Society	
	10,000	0	0	For Industrial Museum, Edinburgh	

£2,033	0	0	For Antiquarian Museum, Royal Institution, Edinburgh	For the Year ending 31st March 1859.
7,500	0	0	For additional Accommodation, General Register House, Edinburgh	
200	0	0	For Iron Presses for General Record Depository	
6,000	0	0	For completing the Nelson Column	
8,836	0	0	For Examination of Plans for Drainage of London	
111,429	0	0	For Westminster Bridge	
1,500	0	0	For Embankment, Approach to Castle, &c., Windsor	
70,000	0	0	For Premises in Doctors Commons	
19,296	0	0	For British Embassy House at Paris	To 31st March 1859.
13,000	0	0	For Consular Offices, &c. at Constantinople	For the Year ending 31st March 1859.
1,092	0	0	For Purchase of old Gun Metal for Statues, &c.	
3,000	0	0	For History of the Euphrates Expedition, by General Chesney	
5,000	0	0	For Newhaven Harbour, Sussex	
1,500	0	0	For exploring British North America	
6,479	0	0	For General Board of Health	To 31st March 1859.
20,000	0	0	For Wellington Monument	For the Year ending 31st March 1859.

§ XXV. Supplies to be applied only for the Purposes aforesaid.

XXVI. Expenditure for Navy and Army Services respectively to be confined to the separate Services for which granted.

Treasury may, on Application, alter the proportionate Amounts for such separate Services, provided the total Grant to each Department be not exceeded.

XXVII. Rules to be observed in the Application of the Sum appropriating Half Pay.

Not to prevent the receiving of Half Pay under any Act relating to the General or Local Militia, &c.

Paymaster General, by Permission of the Treasury, may issue Half Pay to Officers appointed to Civil Offices since July 1828.

An Account of the Number of Officers so receiving Half Pay to be laid before Parliament annually.

XXVIII. Treasury may authorize Military Officers in Civil Employments to receive Half Pay in certain Cases.

XXIX. Half Pay Allowances to Chaplains of Regiments not holding Ecclesiastical Benefices derived from the Crown.

XXX. Widows, &c. claiming Pensions to make required Declaration.

XXXI. Declarations to be made as specified in 5 & 6 Will. 4. c. 62.

C A P. CVIII.

An Act to amend the Act of the Twentieth and Twenty-first *Victoria*, Chapter Eighty-five.

[2d *August* 1858.]

'WHEREAS in the last Session of Parliament an Act was passed, intituled *An Act to amend the Law relating to Divorce and Matrimonial Causes in* England: And whereas it is expedient to amend the same:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: 20 & 21 Vict. c. 85.

I. It shall be lawful for the Judge Ordinary of the Court for Divorce and Matrimonial Causes for the Time being to sit in Chambers for the Despatch of such Part of the Business of the said Court as can in the Opinion of the said Judge Ordinary, with Advantage to the Suitors, be heard in Chambers; and such Sittings shall from Time to Time be appointed by the said Judge Ordinary. The Judge Ordinary may sit in Chambers.

II. The Commissioners of Her Majesty's Treasury shall from Time to Time provide Chambers in which the said Judge Ordinary shall sit for the Despatch of such Business as aforesaid, and until such Chambers are provided the said Judge Ordinary shall sit in Chambers in any Room which he may find convenient for the Purpose. The Treasury to provide Chambers.

III. The said Judge Ordinary when so sitting in Chambers shall have and exercise the same Power and Jurisdiction in respect of the Business to be brought before him as if sitting in open Court. Judge's Powers at Chambers.

IV. The Registrars of the Principal Registry of the Court of Probate shall be invested with and shall and may exercise with reference to Proceedings in the Court for Divorce and Matrimonial Causes The Registrars to do all Acts

heretofore done by Surrogates.

the same Power and Authority which Surrogates of the Official Principal of the Court of Arches could or might before the passing of the Twentieth and Twenty-first *Victoria*, Chapter Seventy-seven, have exercised in Chambers with reference to Proceedings in that Court.

Evidence given prior to 20 & 21 Vict. c. 85. may be used in Court for Divorce, &c.

V. In every Cause in which a Sentence of Divorce and Separation from Bed, Board, and mutual Cohabitation has been given by a competent Ecclesiastical Court before the Act of the Twentieth and Twenty-first *Victoria*, Chapter Eighty-five, came into operation, the Evidence in the Case in which such Sentence was pronounced in such Ecclesiastical Court may, whenever from the Death of a Witness or from any other Cause it may appear to the Court reasonable and proper, be received on the hearing of any Petition which may be presented to the said Court for Divorce and Matrimonial Causes.

Wives deserted may apply to the Judge for an Order to protect Property &c. acquired by them.

VI. Every Wife deserted by her Husband, wheresoever resident in *England*, may, at any Time after such Desertion, apply to the said Judge Ordinary for an Order to protect any Money or Property in *England* she may have acquired or may acquire by her own lawful Industry, and any Property she may have become possessed of or may become possessed of after such Desertion, against her Husband and his Creditors, and any Person claiming under him; and the Judge Ordinary shall exercise in respect of every such Application all the Powers conferred upon the Court for Divorce and Matrimonial Causes under the Twentieth and Twenty-first *Victoria*, Chapter Eighty-five, Section Twenty-one.

Provisions respecting Property of Wife to extend to Property vested in her as Executrix, &c.

VII. The Provisions contained in this Act and in the said Act of the Twentieth and Twenty-first *Victoria*, Chapter Eighty-five, respecting the Property of a Wife who has obtained a Decree for Judicial Separation or an Order for Protection, shall be deemed to extend to Property to which such Wife has become or shall become entitled as Executrix, Administratrix, or Trustee since the Sentence of Separation or the Commencement of the Desertion (as the Case may be); and the Death of the Testator or Intestate shall be deemed to be the Time when such Wife became entitled as Executrix or Administratrix.

Order for Protection of Earnings, &c. of Wife to be deemed valid.

VIII. In every Case in which a Wife shall under this Act or under the said Act of the Twentieth and Twenty-first *Victoria*, Chapter Eighty-five, have obtained an Order to protect her Earnings or Property, or a Decree for Judicial Separation, such Order or Decree shall, until reversed or discharged, so far as necessary for the Protection of any Person or Corporation who shall deal with the Wife, be deemed valid and effectual; and no Discharge, Variation, or Reversal of such Order or Decree shall prejudice or affect any Rights or Remedies which any Person would have had in case the same had not been so reversed, varied, or discharged in respect of any Debts, Contracts, or Acts of the Wife incurred, entered into, or done between the Times of the making such Order or Decree and of the Discharge, Variation, or Reversal thereof; and Property of or to which the Wife is possessed or entitled for an Estate in Remainder or Reversion at the Date of the Desertion or Decree (as the Case may be), shall be deemed to be included in the Protection given by the Order or Decree.

Order to state the Time at which the Desertion commenced.

IX. Every Order which shall be obtained by a Wife under the said Act of the Twentieth and Twenty-first *Victoria*, Chapter Eighty-five, or under this Act, for the Protection of her Earnings or Property, shall state the Time at which the Desertion in consequence whereof the Order is made commenced; and the Order shall, as regards all Persons dealing with such Wife in reliance thereon, be conclusive as to the Time when such Desertion commenced.

Indemnity to Parties making Payments under Orders afterwards reversed.

X. All Persons and Corporations who shall, in reliance on any such Order or Decree as aforesaid, make any Payment to, or permit any Transfer or Act to be made or done by, the Wife who has obtained the same, shall, notwithstanding such Order or Decree may then have been discharged, reversed, or varied, or the Separation of the Wife from her Husband may have ceased, or at some Time since the making of the Order or Decree been discontinued, be protected and indemnified in the same Way in all respects as if, at the Time of such Payment, Transfer, or other Act, such Order or Decree were valid and still subsisting without Variation in full Force and Effect, and the Separation of the Wife from Her Husband had not ceased or been discontinued, unless at the Time of such Payment, Transfer, or other Act such Persons or Corporations had Notice of the Discharge, Reversal, or Variation of such Order or Decree, or of the Cessation or Discontinuance of such Separation.

Where alleged Adulterer a Co-Respondent, he may be dismissed from the Suit.

XI. In all Cases now pending or hereafter to be commenced in which, on the Petition of a Husband for a Divorce, the alleged Adulterer is made a Co-Respondent, or in which, on the Petition of a Wife, the Person with whom the Husband is alleged to have committed Adultery is made a Respondent, it shall be lawful for the Court, after the Close of the Evidence on the Part of the Petitioner, to direct such Co-Respondent or Respondent to be dismissed from the Suit, if it shall think there is not sufficient Evidence against him or her.

Same Persons to administer Oaths under 20 & 21 Vict. c. 77. and 85.

XII. Registrars, Surrogates, Commissioners for taking Oaths in the Court of Chancery, and all other Persons now or hereafter authorized to administer Oaths under the Act of the Twentieth and Twenty-first *Victoria*, Chapter Seventy-seven, or under this Act, shall have Power to administer Oaths under the Act of the Twentieth and Twenty-first *Victoria*, Chapter Eighty-five.

Bills of Proctors, Attornies, &c. to be subject to Taxation.

XIII. The Bill of any Proctor, Attorney, or Solicitor, for any Fees, Charges, or Disbursements in respect of any Business transacted in the Court for Divorce and Matrimonial Causes, and whether the same was transacted before the full Court or before the Judge Ordinary, shall, as well between Proctor or Attorney or Solicitor and Client, as between Party and Party, be subject to Taxation by any One of the Registrars belonging to the Principal Registry of the Court of Probate, and the Mode in which any

such

such Bill shall be referred for Taxation, and by whom the Costs of Taxation shall be paid, shall be regulated by the Rules and Orders to be made under the Act of the Twentieth and Twenty-first of *Victoria*, Chapter Eighty-five, and the Certificate of the Registrar of the Amount at which such Bill is taxed shall be subject to Appeal to the Judge of the said Court.

Power to enforce Decree as to Costs.

XIV. The Judge Ordinary of the Court for Divorce and Matrimonial Causes, and the Registrars of the Principal Registry of the Court of Probate, shall respectively, in any Case where an Ecclesiastical Court having Matrimonial Jurisdiction had, previously to the Commencement of the Act of the Twentieth and Twenty-first *Victoria*, Chapter Eighty-five, made any Order or Decree in respect of Costs, have the same Power of taxing such Costs, and enforcing Payment thereof, or of otherwise carrying such Order or Decree into effect, as if the Cause wherein such Decree was made had been originally commenced and prosecuted in the said Court for Divorce and Matrimonial Causes: Provided, that in taxing any such Costs, or any other Costs incurred in Causes depending in any Ecclesiastical Court previously to the Commencement of the said recited Act, all Fees, Charges, and Expenses shall be allowed which might have been legally made, charged, and enforced according to the Practice of the Court of Arches.

Judge to exercise Power and Authority over Proctors, &c.

XV. The Judge Ordinary of the Court for Divorce and Matrimonial Causes shall have and exercise, over Proctors, Solicitors, and Attornies practising in the said Court, the like Authority and Control as is now exercised by the Judges of any Court of Equity or of Common Law over Persons practising therein as Proctors, Solicitors, or Attornies.

Commissioners may be appointed in the Isle of Man, &c.

XVI. It shall be lawful for the Judge Ordinary of the Court for Divorce and Matrimonial Causes to appoint, by Commission under Seal of the Court, any Persons practising as Solicitors in the *Isle of Man*, in the *Channel Islands*, or any of them, to administer Oaths, and to take Declarations or Affirmations, to be used in the said Court; and such Persons shall be entitled from Time to Time to charge and take such Fees as any other Persons performing the same Duties in the Court for Divorce and Matrimonial Causes may charge and take.

Appeal in Cases of Nullity of Marriage to lie to the House of Lords.

XVII. 'Whereas Doubts may be entertained whether the Right of Appeal given by the Act of the 'Twentieth and Twenty-first *Victoria*, Chapter Eighty-five, Section Fifty-six, extends to Sentences on 'Petitions for Nullity of Marriage:' Be it enacted and declared, That either Party dissatisfied with any such Sentence may appeal therefrom in the same Manner, within the same Time, and subject to the same Regulations as affect Appeals against Sentences on Petitions for the Dissolution of Marriage.

Judge Ordinary may grant Rule Nisi for new Trial, &c.

XVIII. Where any Trial shall have been had by a Jury before the full Court or before the Judge Ordinary, or upon any Issue directed by the full Court or by the Judge Ordinary, it shall be lawful for the Judge Ordinary, subject to any Rules to be hereafter made, to grant a Rule Nisi for a new Trial, but no such Rule shall be made absolute except by the full Court.

Recited Act as to Applications at Assizes repealed.

XIX. So much of the Act of the Twentieth and Twenty-first *Victoria*, Chapter Eighty-five, as authorizes Application to be made for Restitution of Conjugal Rights or for Judicial Separation by Petition to any Judge of Assize, and as relates to the Proceedings on such Petition, shall be and the same is hereby repealed.

Affidavits, before whom to be sworn when Parties making them reside in Foreign Parts.

XX. In Cases where it is necessary to obtain Affidavits, Declarations, or Affirmations to be used in the Court for Divorce and Matrimonial Causes from Persons residing in Foreign Parts out of Her Majesty's Dominions, the same may be sworn, declared, or affirmed before the Persons empowered to administer Oaths under the Act of the Sixth of *George* the Fourth, Chapter Eighty-seven, or under the Act of the Eighteenth and Nineteenth of *Victoria*, Chapter Forty-two; provided that in Places where there are no such Persons as are mentioned in the said Acts such Affidavits, Declarations, or Affirmations may be made, declared, and affirmed before any Foreign local Magistrate or other Person having Authority to administer an Oath there.

Affidavits, before whom to be sworn.

XXI. Affidavits, Declarations, and Affirmations to be used in the Court for Divorce and Matrimonial Causes may be sworn and taken in *Scotland*, *Ireland*, the *Isle of Man*, the *Channel Islands*, or any Colony, Island, Plantation, or Place out of *England* under the Dominion of Her Majesty, before any Court, Judge, Notary Public, or Person lawfully authorized to administer Oaths in such Country, Colony, Island, Plantation, or Place respectively, or, so far as relates to the *Isle of Man* and the *Channel Islands*, before any Commissary, Ecclesiastical Judge, or Surrogate who at the Time of the passing of the Act of last Session, Chapter Seventy-seven, was authorized to administer Oaths in the *Isle of Man* or in the *Channel Islands* respectively; and all Registrars and other Officers of the Court for Divorce and Matrimonial Causes shall take judicial Notice of the Seal or Signature, as the Case may be, of any such Judge, Notary Public, or Person, which shall be attached, suspended, or subscribed to any such Affidavit, Declaration, or Affirmation, or to any other Document.

Persons forging Seal or Signature guilty of Felony.

XXII. If any Person shall forge any such Seal or Signature as last aforesaid, or any Seal or Signature impressed, affixed, or subscribed under the Provisions of the said Act of the Sixth of *George* the Fourth, or of the said Act of the Eighteenth and Nineteenth of *Victoria*, to any Affidavit, Declaration, or Affirmation to be used in the Court for Divorce and Matrimonial Causes, or shall tender in Evidence any such Document as aforesaid with a false or counterfeit Seal or Signature thereto, knowing the same to be false or counterfeit, he shall be guilty of Felony, and shall upon Conviction be liable to Penal Servitude for the Term of his Life, or for any Term not less than Seven Years, or to be imprisoned, with or without Hard Labour, for any Term not exceeding Three Years nor less than One Year; and whenever

whenever any such Document has been admitted in Evidence by virtue of this Act, the Court or the Person who has admitted the same may, at the Request of any Party against whom the same is so admitted in Evidence, direct that the same shall be impounded, and be kept in the Custody of some Officer of the Court or other proper Person, for such Period and subject to such Conditions as to the said Court or Person shall seem meet; and every Person charged with committing any Felony under this Act may be dealt with, indicted, tried, and, if convicted, sentenced, and his Offence may be laid and charged to have been committed, in the County, District, or Place in which he may be apprehended or be in Custody; and every Accessory before or after the Fact to any such Offence may be dealt with, indicted, tried, and, if convicted, sentenced, and his Offence laid and charged to have been committed, in any County, District, or Place in which the principal Offender may be tried.

Persons taking a false Oath before a Surrogate guilty of Perjury.

XXIII. Any Person who shall wilfully give false Evidence, or who shall wilfully swear, affirm, or declare falsely, in any Affidavit or Deposition made under the Authority of this Act before any Surrogate having Authority to administer Oaths under the Act of the Twentieth and Twenty-first *Victoria*, Chapter Seventy-seven, or before any Person who before the passing of the said Act was a Surrogate authorized to administer Oaths in any of the *Channel Islands*, or before any Person authorized to administer Oaths under this Act, shall be liable to the Penalties and Consequences of wilful and corrupt Perjury.

CAP. CIX.

An Act to declare and define the respective Rights of Her Majesty and of His Royal Highness the Prince of *Wales* and Duke of *Cornwall* to the Mines and Minerals in or under Land lying below High-water Mark, within and adjacent to the County of *Cornwall*, and for other Purposes. [2d *August* 1858.]

Articles of Agreement, dated July 1, 1858.

'WHEREAS by Articles of Agreement made and entered into the First Day of *July* One thousand eight hundred and fifty-eight, between the Honourable *Charles Alexander Gore*, a Commissioner of Her Majesty's Woods, Forests, and Land Revenues, on behalf of the Queen's most Excellent Majesty, of the one Part, and His Royal Highness *Albert Edward* Prince of *Wales* and Duke of *Cornwall* of the other Part, under the Privy Seal of His said Royal Highness in right of the Duchy of *Cornwall*, and the Hand and Seal of the said *Charles Alexander Gore*, reciting that Questions having arisen as to whether the Mines and Minerals lying under the Seashore between High and Low Water Marks within the County of *Cornwall*, and under the Estuaries and tidal Rivers within the same County, and under the open Sea below Low-water Mark, adjacent to but not in or Part of the same County, were respectively the Property of Her said Majesty the Queen in right of Her Crown or of His said Royal Highness *Albert Edward* Prince of *Wales* in right of His Duchy of *Cornwall*, Her Majesty's Government and the Council of the Duchy of *Cornwall* did refer such Questions to the Right Honourable Sir *John Patteson*, Knight, (late One of the Justices of Her Majesty's Court of Queen's Bench, and a Member of Her Majesty's most Honourable Privy Council,) for his Consideration and Decision, by a Letter of Reference dated the Eighteenth Day of *February* One thousand eight hundred and fifty-six, signed by Lord *Cranworth*, Lord High Chancellor of *Great Britain*, and the Right Honourable *Thomas Pemberton Leigh*, Chancellor of the Duchy of *Cornwall*, and set forth in the said Articles of Agreement; and reciting that the said Sir *John Patteson*, having accepted and entered upon the said Reference, had considered and decided the said Questions as between Her Majesty on the one hand, and His Royal Highness the Prince of *Wales* and Duke of *Cornwall* on the other hand, as follows; (that is to say,) first, that the Right to all Mines and Minerals lying under the Seashore between High and Low Water Marks within the said County of *Cornwall*, and under Estuaries and tidal Rivers and other Places even below Low-water Mark, being in and Part of the said County, is vested in His Royal Highness as Part of the Soil and territorial Possessions of the Duchy of *Cornwall*; secondly, that the Right to all Mines and Minerals lying below Low-water Mark under the open Sea, adjacent to but not being Part of the County of *Cornwall*, is vested in Her Majesty the Queen in right of Her Crown (although such Minerals may or might be won by Workings commenced above Low-water Mark and extended below it); and reciting that it was intended that a Bill should be submitted to Parliament for the Purpose of obtaining the Sanction and Ratification by the Legislature of the said Reference and Award; and reciting that upon the Suggestion and Recommendation of the said Sir *John Patteson* it had been agreed that Provision should be made by the said Bill for the Purpose of giving to Her Majesty the Queen, and all and every Persons and Person who might for the Time being be entitled under or in right of the Crown to or to the Management of any of the said Mines and Minerals under the open Sea, and Her and their Lessees and Tenants, such Facilities to work, win, and get the same as therein-after mentioned upon the Terms and Conditions therein-after also mentioned, it was by the Agreement now in recital witnessed, agreed, and declared, by and between the said Parties thereto, that a Bill should be forthwith submitted to Parliament for the Ratification and Confirmation of the said Reference to Sir *John Patteson* and his Award thereon; and it was thereby further agreed and declared, that in the said proposed Bill there should be contained the several Provisions specified in the said Articles of Agreement, and which are intended to be included among the Enactments herein-after contained: And whereas the said Reference did not apply or

'extend

'extend to the Mines and Minerals in or under Estates belonging to Her said Majesty in right of Her 'Crown in the County of *Cornwall* situate above High-water Mark, or to Mines and Minerals in or 'under Land below High-water Mark, which is Part and Parcel of any Manor belonging to Her Majesty 'in right of Her Crown: And whereas the said Reference was not intended to apply to or affect any 'Claim or Title of any Person claiming any Mines or Minerals adversely, both to Her said Majesty in 'right of Her Crown, and to His said Royal Highness in right of His Duchy of *Cornwall*:' Be it therefore enacted and declared by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Minerals under the Seashore, &c. below High-water Mark in Cornwall vested in H.R.H. the Prince of Wales and Duke of Cornwall.

I. All Mines and Minerals lying under the Seashore between High and Low Water Marks within the said County of *Cornwall*, and under Estuaries and tidal Rivers and other Places (below High-water Mark), even below Low-water Mark, being in and Part of the said County, are, as between the Queen's Majesty in right of Her Crown on the one hand, and His Royal Highness *Albert Edward* Prince of *Wales* and Duke of *Cornwall* in right of His Duchy of *Cornwall* on the other hand, vested in His said Royal Highness *Albert Edward* Prince of *Wales* and Duke of *Cornwall* in right of the Duchy of *Cornwall* as Part of the Soil and territorial Possessions of the said Duchy; but this Declaration is not to extend to the Mines and Minerals in or under Land below High-water Mark which is Part and Parcel of any Manor belonging to Her Majesty in right of Her Crown.

Minerals below Low-water Mark adjacent to Cornwall vested in the Queen.

II. All Mines and Minerals lying below Low-water Mark under the open Sea, adjacent to but not being Part of the County of *Cornwall*, are, as between the Queen's Majesty in right of Her Crown on the one hand, and His Royal Highness *Albert Edward* Prince of *Wales* and Duke of *Cornwall* in right of His Duchy of *Cornwall* on the other hand, vested in Her Majesty the Queen in right of Her Crown as Part of the Soil and territorial Possessions of the Crown.

Her Majesty and Her Lessees to have Liberty to work such Minerals through the Lands of the Duchy.

III. It shall be lawful at all Times hereafter for Her Majesty, Her Heirs and Successors, and all and every Persons and Person who may for the Time being be entitled in right of the Crown to or to the Management of any of the said Mines and Minerals lying below Low-water Mark under the open Sea, adjacent to but not being Part of the County of *Cornwall* aforesaid, and for Her and their Lessees or Tenants, when and so often and so long as may be necessary for the Purposes herein-after expressed, to take or use or to pass through, over, or under any Lands for the Time being Parcel of the Soil and territorial Possessions of the said Duchy within the said County, and which Lands shall be either in the Occupation of Tenants under Leases or Agreements made subsequently to the Date of this Act, or in the Occupation of the Duke of *Cornwall* for the Time being, in order to make or sink any Pits, Shafts, Adits, Drifts, Levels, Drains, Watercourses, Pools, or Embankments, and to make lay, place, use, and repair any Spoil Banks, Roads, Ways, Bridges, and Banks, and to make, erect, and repair any Lodges, Sheds, Steam and other Engines, Buildings, Works, and Machinery in, under, upon, through, over, or along the said Lands or any Part thereof, which may from Time to Time or at any Time hereafter be required, and to do all such other Acts as may be necessary or convenient for working, searching for, digging, raising, or carrying away, dressing, or making merchantable the same Mines and Minerals, giving to the Duke of *Cornwall* for the Time being, and to any other Person or Persons who for the Time being may be interested in the Land so required, Two Months previous Notice thereof, stating the Nature of the Facilities required, and also making Compensation and Satisfaction to the Duke of *Cornwall* for the Time being, and to other the Person or Persons, if any, for the Time being interested in the said Lands so taken or used or passed through, over, under, or along in the Manner herein mentioned: Provided always, that no Pit, Shaft, Adit, Drift, Level, Drain, Watercourse, Pool, or Embankment which shall or may weaken, damage, injure, or endanger any House or other Building, shall be sunk, driven, or made, nor shall any Tramroad, Waggon, or other Way, or any Works or Machinery, be placed, laid, made, or erected, nor shall any Minerals be dressed or made merchantable within Fifty Feet of any Dwelling House, or upon any Garden or Orchard, or so as to interfere with any Mining Works or Operations for the Time being of the Duke of *Cornwall* for the Time being, His Lessees or Tenants.

Compensation to be made.

IV. Provided also, That Her Majesty, Her Heirs or Successors, or other the Person or Persons making use of the said Facilities, or any of them, shall make to the Duke of *Cornwall* for the Time being, and other the Person or Persons, if any, for the Time being interested as aforesaid, Compensation and Satisfaction for such Facilities, and for any Damage or Injury occasioned thereby or consequent thereon, to be ascertained as herein-after provided; and further, that Her Majesty, Her Heirs or Successors, or other the Person or Persons making use of the said Facilities, or any of them, do and shall make, erect, and keep good and sufficient Gates, Rails, Bars, or Posts in all Places where the same shall be necessary or proper, to shut up or enclose any Breach, Gateway, or Opening which shall be made from Time to Time in any of the Fences of the said Lands, and shall also make all Conveniences necessary and proper for the Convenience and Safety of the Owners or Occupiers for the Time being of the said Lands and other Lands adjoining thereto, and of the Public, in order to prevent any Damage or Inconvenience and Trespasses upon the same Lands, or any of them, by Cattle or other Animals.

Mode of ascertaining Compensation.

V. In all Cases where the said Facilities or any of them shall be used upon, through, over, under, or along Lands lying between High-water Mark and Low-water Mark Part of the Soil and territorial Possessions

Possessions of the Duchy of *Cornwall*, the Compensation and Satisfaction to be made shall be a Sum equal to One Fifteenth Part of the nett Dues or Moneys to be from Time to Time received by Her Majesty, Her Heirs or Successors, from the Mines and Minerals lying below Low-water Mark as aforesaid, which shall be worked and gotten by means of the said Facilities, or any of them, in addition to Compensation and Satisfaction for or in respect of any Building, Wharf, or other artificial Structure on the said Lands which may be injuriously affected by the said Facilities being used upon, through, over, under, or along the same, such Compensation and Satisfaction to be settled in the same Manner as the Compensation and Satisfaction herein-after provided for; and that when the said Facilities or any of them shall be used on, through, over, under, or along any Land other than Lands lying between High-water Mark and Low-water Mark as aforesaid, if the Amount of Compensation and Satisfaction to be made for the same shall not be determined by Agreement, then and in every such Case the Matter in difference shall be settled by Arbitration by Two Arbitrators, One Arbitrator to be named by the Officer for the Time being having the Management of the Land Revenues of the Crown in *Cornwall*, and another Arbitrator to be named by the Duke of *Cornwall* for the Time being, or by the Council of the Duchy for the Time being, or by other the Person or Persons, if any, for the Time being interested in the said Lands so to be used as aforesaid, and the Matter in difference shall be determined by the said Arbitrators, or by an Umpire to be appointed by them before they shall enter upon the Reference; and if such Arbitrators or either of them, or such Umpire, shall die or refuse or for Seven Days neglect to act, other Persons or another Person shall forthwith be named or appointed to supply the Places or Place of the Persons or Person so dying or refusing or neglecting to act, in the same Manner as such last-mentioned Persons or Person were or was named or appointed; and further, the said Arbitrators or Umpire shall determine by whom and how the Costs of the Reference and Award or Umpirage shall in each Case be paid, and they or he may call for any Documents in the Possession or Power of either of the Parties which may be deemed necessary for determining the Matter in difference, and may summon and examine upon Oath any Witness, and administer the Oath for that Purpose.

Her Majesty not to be liable for any Damage done by Her Lessees.

VI. Provided always, That Her Majesty, Her Heirs or Successors, shall not be liable to the Payment of Compensation for any Damage done by any Lessee or other Person in or about any searching or working for Mines or Minerals under the Authority of this Act, but that such Compensation shall be payable and paid by the Lessee or other Person committing such Damage, his Heirs, Executors, or Administrators.

Lines of High and Low Water Mark to be settled by Arbitration in case of Difference.

VII. In case any Difference shall at any Time arise as between the Queen's Majesty in right of Her Crown, or any of Her Tenants under Leases or Agreements made subsequently to the passing of this Act on the one hand, and the Duke of *Cornwall* or any of his Tenants, under Leases or Agreements made subsequently to the passing of this Act, on the other hand, as to the true Line of High-water Mark or of Low-water Mark, every such Difference shall be settled by Arbitration or Umpirage, in the same Manner and subject to the same Conditions in all respects as is by this Act provided for the Ascertainment in certain Cases of the Compensation and Satisfaction to be made for the Exercise of the Facilities by this Act conferred with reference to the working of Mines and Minerals below Low-water Mark adjacent to the County of *Cornwall*.

Interpretation of Terms.

VIII. In this Act the following Expressions and Words shall have the several Meanings hereby assigned to them, unless there is something in the Context repugnant to such Construction; the Expressions "Duke of *Cornwall*" and "Duke of *Cornwall* for the Time being" shall comprehend the Personage for the Time being entitled to the Revenues of the Duchy of *Cornwall*, and shall include Her Majesty, Her Heirs and Successors, when there may be no Duke of *Cornwall*; the Expression "Mines and Minerals" shall comprehend all Mines and Minerals, and all Quarries, Veins, or Beds of Stone, and all Substrata of any other Nature whatsoever, and the Ground and Soil in, upon, and under which such Mines and Minerals, Quarries, Veins, or Beds of Stone, and other Substrata lie; and the Words "the County of *Cornwall*" shall mean the said County exclusive of any Lands added thereto or taken therefrom by an Act passed in the Seventh and Eighth Years of the Reign of Her present Majesty, Chapter Sixty-one.

General Saving of Rights.

IX. Saving always to all and every Persons or Person, Bodies Politic or Corporate, and their respective Heirs, Successors, Executors, Administrators, and Assigns, (other than and except Her said Majesty, Her Heirs and Successors, in right of the Crown, and His said Royal Highness *Albert Edward* Prince of *Wales* and Duke of *Cornwall*, and His Successors, in right of the Duchy of *Cornwall* aforesaid, and all and every the Person or Persons, Bodies Politic or Corporate, claiming or to claim under or by virtue of any Grant, Lease, Agreement, or Assurance made or entered into by Her said Majesty, Her Heirs or Successors, in right of the Crown, or His said Royal Highness, or His Successors, in right of the Duchy of *Cornwall* aforesaid, or the Council of the Duchy of *Cornwall*, at any Time or Times subsequent to the passing of this Act,) all such Estates, Rights, Titles, Claims, and Demands whatsoever as they or any of them had previous to the passing of this Act, or might or could have had in case this Act had not been passed.

Short Title.

X. In citing this Act in any Act of Parliament, Deed, or other legal Instrument, it shall be sufficient to refer to it as "The *Cornwall* Submarine Mines Act, 1858."

New Writs.

CAP. CX.

An Act to extend the Act of the Twenty-fourth Year of King *George* the Third, Chapter Twenty-six, for issuing Writs during any Recess of the House of Commons, whether by Prorogation or Adjournment. [2d *August* 1858.]

'WHEREAS Provision is made by the Twenty-fourth of *George* the Third, Chapter Twenty-six, for the issuing of Writs by Warrant of the Speaker of the House of Commons during any Recess of the said House, whether by Prorogation or Adjournment; And whereas the said Act has been found advantageous to the Public, by causing speedy Elections, and it is expedient that the Provisions thereof be further extended: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Power to Speaker to issue Warrants for making out new Writs in the Room of Members accepting certain Offices.

I. From and after the passing of this Act, it shall and may be lawful for the Speaker of the House of Commons for the Time being, during any Recess of the House as aforesaid, to issue his Warrant to the Clerk of the Crown to make out a new Writ for Election of a Member of the House in the Room of any Member who has, since such Adjournment or Prorogation, accepted any Office whereby he has, either by the express Provision of any Act of Parliament or by any previous Determination of the House of Commons, vacated his Seat in the House of Commons, so soon as he shall have been gazetted thereto in any of the Queen's Gazettes, and a Notice thereof, together with a Copy of the Gazette, shall have been sent to the Speaker by a Certificate under the Hands of Two Members of the House of Commons, according to the Form in the Schedule to this Act annexed, or to the like Effect.

Members accepting Office to notify the same to the Speaker.

II. Provided always, That any Member of the House of Commons accepting any such Office as aforesaid shall forthwith notify his Acceptance thereof to the Speaker, either by Writing under the Hand of such Member or by his countersigning the said Certificate relating to such Acceptance, and the Speaker shall not issue his Warrant in pursuance of this Act without having received such Notification, and until Fourteen Days after he shall have caused Notice of his having received such Certificate and Notification to be inserted in the *London Gazette*.

If Case appears to the Speaker doubtful, Warrant not to issue.

III. Provided always, That in any Case in which it shall appear to the Speaker to be doubtful whether the Acceptance of any Office which has been certified to him as aforesaid has the Effect of vacating the Seat of the Person so appointed, it shall be lawful for the said Speaker, instead of issuing his Warrant in pursuance of this Act, to reserve such Question for the Decision of the House.

Act not to apply to certain Offices.

IV. Provided always, That this Act shall not in any way apply to the Acceptance of any of the following Offices; that is to say, the Office of Steward or Bailiff of Her Majesty's Three Chiltern Hundreds of *Stoke*, *Desborough*, and *Bonenham*, or of the Manor of *East Hendred*, or of the Manor of *Northstead*, or of the Manor of *Hempholme*, or of Escheator of *Munster*.

24 G. 3. c. 26. to apply to this Act.

V. All the other Provisions of the said recited Act shall be applicable to the Cases provided for in this Act.

Short Title.

VI. This Act may be cited as the "Election of Members during Recess Act, 1858."

SCHEDULE.

WE, whose Names are underwritten, being Two Members of the House of Commons, do hereby certify, That *M.P.*, late a Member of the said House, serving as One of the Knights of the Shire for the County of [*or as the Case may be*], has accepted the Office of Member of the Council for India [*or as the Case may be*], and has been gazetted thereto in the Gazette, dated the Day of , and has thereby vacated his Seat; and we give you this Notice, to the Intent that you may issue your Warrant to the Clerk of the Crown to make out a new Writ for the Election of a Knight to serve in Parliament for the said County of [*or as the Case may be*], in the Room of the said *M.P.*

Given under our Hands, this Day of

A.B.
C.D.

To the Speaker of the House of Commons.

LOCAL ACTS.

[For the full Titles, see Table of Titles at the Commencement of the Volume.]

Cap. i.

"The *Birmingham and Staffordshire* Gas (new Capital) Act, 1858."

Recites that under 6 G. 4. c. 79. and 8 & 9 Vict. c. 66. the Company had Power to raise 240,000*l.* in Shares, and to borrow 81,255*l.* (including Sums already borrowed), and to capitalise the Sums borrowed; that they have created 120,000*l.* in 50*l.* Shares, 60,000*l.* in 25*l.* Shares, and 140,000*l.* in 20*l.* Shares, the last-named Creation of Shares involving virtually an Exercise of the Power to capitalise Debt; that the whole of the first and secondly recited Shares had been paid up, and of the Third Class 59,670*l.*, leaving the Balance of 80,730*l.* to be called up; and that their Capital is insufficient.

Power to raise 350,000*l.* additional Capital by new Shares of 50*l.*, or of any Amount not less than 20*l.*, §§ 1 to 6.

Power to borrow 50,000*l.* forthwith, and eventually 50,000*l.* more, §§ 7 to 9.

Limitation of Dividend, §§ 10, 11.

Limitation of Price of Gas, § 12.

Testing of Gas, §§ 13 to 16.

Cap. ii.

"The *Whitehaven* Harbour Act, 1858."

Preamble, referring to Schedule, recites the several Acts relating to the Port, Harbour, and Town; that the Trustees acting in the Execution of One of those Acts, viz., 56 G. 3. c. 44., had Power to borrow 130,000*l.*, and (Schedule) 50,000*l.* more; but had no express Power to borrow at Interest upon terminable Securities.

Incorporates Sections 75, 76, 78, 79, 80, 81, 82, 83, and 88 of "The Commissioners Clauses Act, 1847," § 1.

Power to Trustees to borrow 130,000*l.* (including 61,831*l.* already borrowed), and also 50,000*l.* more in manner provided by the Act, §§ 2 and 4; and to re-borrow, § 5.

Power to exchange and renew existing Securities, § 3.

Saving of recited Acts, § 6.

Cap. iii.

"The *Edinburgh* Life Assurance Company's Amendment Act, 1858."

Recites that the Company was formed in 1823; acquired some of the Privileges of a Corporation under 8 & 9 Vict. c. 76., extended its Business to the British Colonies in North America, and requires further Powers for carrying on the Business, and for appointing Local Boards of Directors and other Officers.

Power to carry on the Business of Life Assurance in the British Colonies of North America, and to appoint Local Boards of Directors and other Officers, § 2.

Execution of Policies and Deeds by Local Boards, § 3.

Cap. iv.

"*Cheltenham* Waterworks (Capital) Act, 1858."

Recites 5 G. 4. c. 132., 2 Vict. c. 25., and 10 & 11 Vict. c. 8.; that the whole Share Capital authorized by those Acts has been paid up and converted into a Capital Stock of 55,625*l.*; that the full Amount authorized, viz., 18,541*l.* 13*s.* 4*d.* has been borrowed; that there is no Preference existing; but that the Company has incurred Liabilities in extending their Works.

Incorporates Parts of Companies and of Waterworks Clauses Acts, §§ 3 to 6.

Power to raise 34,375*l.* by new Shares, with or without a Preference, §§ 7 to 11.

Dividends, Votes, §§ 12 to 14.

Power to borrow 4,229*l.* 3*s.* 4*d.*, and eventually a like Sum in addition thereto, §§ 17 to 19.

Reservoir Provisions, §§ 20 to 29.

Cap. v.

"The *Gosport* Waterworks Act, 1858."

Incorporates Companies, Lands, and Waterworks Clauses Acts, §§ 1 to 4.

Limits of Act, § 5.

Company incorporated, § 6., with a Capital of 17,000*l.* in 10*l.* Shares, §§ 7, 8.

Votes and Meetings, §§ 10 to 12; Directors and Committees, §§ 15 to 19.

Power to borrow 4,000*l.*, § 13.

Works, §§ 20 to 23, to be completed within Three Years, § 25.

Compulsory Powers of Purchase to be exercised within Two Years, § 24.

Power to grant Easements for annual Rent, §§ 27 to 30.

Supply of Water, Rates, and Penalties, §§ 31 to 46.

Saving Rights of Crown, of Admiralty, and of London and South-western Railway Company, §§ 47 to 53.

Cap. vi.

"The *Chester* Gas Act, 1858."

Recites Formation and Dissolution of the Chester Gaslight and of the Roodee Gas Companies; the Formation out of those Two Companies of the Chester United Gas Company (Limited), 1856, with a Share Capital of 50,000*l.* and Power to increase it to 60,000*l.*, and to borrow 10,000*l.*; and that 50,000*l.* is paid up and 10,000*l.* borrowed.

Incorporates Parts of Companies and Lands and all Gas Clauses Acts, §§ 2 to 4.

Limits of Act, §§ 5, 6.

Dissolution and Reincorporation of Company; Saving of Rights and Liabilities, §§ 7 to 18.

Rent of 10*l.* reserved to Corporation of Chester, § 19.

Capital 60,000*l.*; *i.e.* 50,000*l.* among present Shareholders (to 20,000*l.* of which a Preference of 7*l.* per Cent. may be attached), and 10,000*l.* in new Shares, to which a Preference of 7*l.* 10*s.* may be attached, §§ 20 to 31.
Limitation of Dividend, §§ 32, 33.
Power to borrow 12,000*l.* (including Sums already borrowed), and eventually 3,000*l.* more, §§ 35 to 37.
Meetings; Directors; Auditors, §§ 40 to 53.
Limitation of Lands and Construction of Gasworks, §§ 54 to 56.
Supply of Gas; Testing of Gas, §§ 57 to 78.
Exclusive Power for Corporation to purchase the Undertaking, §§ 80 to 90.
Saving Rights of Corporation, § 91.

Cap. vii.

"The *Haslingden and Rawtenstall* Waterworks Act, 1858."

Recites "The Haslingden and Rawtenstall Waterworks Acts, 1853" and "1856."
Extends the Period for Completion of Works for Five Years from the 8th July 1858.

Cap. viii.

"The *Madras* Irrigation and Canal Act, 1858."

Recites Incorporation of the Madras Irrigation and Canal Company (Limited).
Incorporation of Company, § 2.
Power to hold Lands in England; vesting of Property, §§ 3, 4.
Companies Clauses Act incorporated; and Company excepted from Operation of "Joint Stock Companies Acts, 1856, 1857," § 5.
Byelaws, § 6.
Contract with East India Company, § 7.
Registration of Shares and of Transfers, §§ 8 to 12.
Locality of Shares and Securities, § 13.
Capital 2,000,000*l.* in 20*l.* Shares, § 14; and Power to increase it by 2,000,000*l.* more, § 15.
Power to consolidate Shares, § 17.
Meetings; Directors, §§ 18 to 27.
Power to borrow to the Amount of One Third of Capital paid up, § 29.

Cap. ix.

"The *Nottingham* Gas Amendment Act, 1858."

Recites Incorporation under "The Nottingham Gas Act, 1853," with a Capital of 200,000*l.* in 50*l.* Shares with a limited Dividend of 2*l.* 10*s.* per Cent.
Incorporates Gasworks Clauses Act; and Companies Clauses Act excepting Sections 73, 93, and 94,—§ 3.
Power to raise 200,000*l.* in 50*l.* Shares, to be called "additional Shares," §§ 4 to 9.
Dividend, § 10; Voting, § 11.
Borrowing Powers not affected, § 12.
Limits of Act, § 13.
Gas Rents in extended Districts, § 14.
Testing of Gas, §§ 15 to 18.
Schedule (Rates of Supply of Gas).

Cap. x.

"The *Folkestone* Waterworks Acts Amendment Act, 1858."

Recites Incorporation under "The Folkestone Waterworks Act, 1848," with a Capital of 12,000*l.*, and Power to borrow 4,000*l.*; Powers under "The Folkestone Waterworks Amendment Act, 1855," to extend their Limits to Sandgate, and to raise a further Sum of 6,000*l.* in Shares and 2,000*l.* by borrowing; that 16,200*l.* has been raised by Shares and 5,500*l.* by borrowing; proposes to raise further Moneys and to get rid of the Obligation to supply Water on the Constant Service System.
Incorporates the Provisions of Waterworks Clauses Act with respect to Recovery of Damages and Penalties, § 1.
Power to raise 6,000*l.* by new Shares, with or without a Preference not exceeding 5*l.* per Cent., §§ 2 to 6.
Power to borrow 2,000*l.*, §§ 7 to 10.
Company exempted from Obligation of Constant Service Supply, §§ 11, 12.
Regulations against Waste of Water, §§ 13 to 19.
Excepts Sections 54, 55, and 56 of Waterworks Clauses Act, § 20.
Appointment of Director by Lord Radnor, § 21.

Cap. xi.

"The *Liskeard and Looe* Railway Act, 1858."

Recites Expediency of Railway; that the Liskeard and Looe Union Canal Company (incorporated by 6 G. 4. c. clxiii.) are willing to construct it; and proposes to raise further Capital.
Incorporates Lands and Railways Clauses Act, § 2; and Parts of Companies Clauses Act, § 30.
Railway, § 3; Completion of, within Five Years, §§ 9, 14.
Level Crossings, §§ 4 to 6; Admiralty Provisions, §§ 10 to 13.
Compulsory Powers of Purchase to be exercised within Three Years, § 8.
Tolls, §§ 15 to 23.
Additional Capital, 13,000*l.* in 25*l.* Shares, §§ 24 to 27.
Power to borrow 4,000*l.*, §§ 28, 29.
Power to apply Corporate Funds and Revenue, § 32.
Working and other Arrangements with the Liskeard and Caradon Railway Company, §§ 33 to 40.
Agreements with Harbour Commissioners, § 41.
Repeals Sections 109 and 133 of 6 G. 4. c. clxiii.,—§ 45.
Saving Rights of the Crown and of Duchy of Cornwall, §§ 46, 47.

Cap. xii.

"*Merthyr Tydfil* Water Act, 1858."

Recites Order in Council of 19th June 1850, constituting Local Board; the Incorporation of the Water Company by an Act of 1852; an Award under that Act; Powers of Purchase and Sale; Articles of Contract, 1852; Payment of 1,130*l.* to the Company, but that Doubts had arisen as to a Power of raising a Sum of 4,178*l.* due for Parliamentary Expenses by Mortgage of Special District Rates; proposes to set aside Award, to abandon Works authorized by Act of 1852, to repeal that Act, and to raise Money.
Execution of Act by Local Board, § 3; Limits of Act, § 9.
Lands and Waterworks Acts (except the Sections relating to Profits in the latter) incorporated, §§ 4, 5.
Repeal of Act of 1852, and Saving of Rights and Liabilities, §§ 10 to 17.
Works and Deviations; Reservoir; Discharge of Water, §§ 18 to 26.
Power for Glamorganshire Canal Company, and Occupiers of Ironworks to inspect Reservoir, §§ 27, 28; Reservoir Provisions, §§ 37 to 46.
Power to purchase Land by Agreement; and to grant Easements for annual Rent, §§ 29 to 34.

Compulsory Powers of Purchase, Five Years; Completion of Works, Seven Years, §§ 35 and 36.
Supply of Water; Rates; Penalties; Pressure, §§ 47 to 59.
Waterworks Account; Power to borrow 70,000*l.*, §§ 60 to 64, and §§ 68, 69.
Payment of Debt of 4,178*l.*, §§ 65 to 67.
Application of Moneys, § 71.

Cap. xiii.

"The *Caledonian* Railway (*Dalmarnock* Branch) Act, 1858."

Recites 8 & 9 Vict. c. clxii. incorporating the Caledonian Company, and 9 & 10 Vict. c. ccclxxix. vesting the Clydesdale Junction in them; proposes to make a Branch Railway, to raise Money, and to increase the maximum Rate of Annuity upon the Debenture Stock authorized by 16 & 17 Vict. c. cxlix.
Incorporates Lands and Railways, and Parts of Companies Clauses (Scotland) Acts, 1845, §§ 3 and 13.
Works, § 4, to be completed within Four Years, § 9.
Approval of Admiralty, § 5.
Compulsory Powers of Purchase to be exercised within Two Years, § 8.
Tolls, § 10.
Power to raise 37,000*l.* by new Shares, with or without a Preference not exceeding 5*l.* per Cent., § 11.
Power to borrow 12,300*l.*, § 12.
Power to increase Rate of Annuity on Debenture Stock authorized by 16 & 17 Vict. c. cxlix. to an Amount not exceeding 4*l.* 10*s.* per Cent., § 16.
Schedule (Statement of Share and Preference Capital, and of Loan and Guaranteed Capital).

Cap. xiv.

"The *Eden Valley* Railway Act, 1858."

Company incorporated, with a Capital of 135,000*l.*, and Power to borrow 45,000*l.*, §§ 3 to 9.
Directors, §§ 10 to 16; Railway, §§ 18, 19.
Period for Completion, Four Years, §§ 21, 22.
Level Crossings; Bridges, §§ 23 to 26.
Saving of Lands, and Regulation of Communications with Lancaster and Carlisle and South Durham and Lancashire Union Railway Companies, §§ 27 to 30.
Agreements with those Companies and with the Stockton and Darlington Railway Company, §§ 39 to 45.
Tolls, §§ 31 to 38.
Provisions for Transmission of Traffic, §§ 46 to 48.
Power to establish a Telegraph, § 49.

Cap. xv.

"The *Symington, Biggar, and Broughton* Railway Act, 1858."

Incorporates Companies, Lands, and Railways Clauses (Scotland) Acts, § 1.
Company incorporated, with a Capital of 36,000*l.* in 10*l.* Shares, §§ 3 to 6.
Power to borrow 12,000*l.*, §§ 7, 8.
Power to Caledonian Railway Company to subscribe and hold Shares to 7,500*l.*, and to issue new Shares for that Purpose, with or without a Preference not exceeding 5*l.* per Cent., §§ 11 to 14.
Meetings; Directors, §§ 15 to 23.
Railway; Junction with Caledonian Railway, §§ 24 to 26.
Level Crossings, §§ 27 to 29,
Power to feu Lands, §§ 31 to 34.
Compulsory Powers of Purchase to be exercised within Two Years, § 35.
Railway to be completed within Three Years, §§ 36, 50.
Tolls, §§ 37 to 45.
Agreement with Caledonian Railway Company confirmed, §§ 46 to 49.
Schedule (Agreement).

Cap. xvi.

"*Dundalk and Enniskillen* Railway (Capital) Act, 1858."

Recites that the Company under 8 & 9 Vict. c. xcvi., as altered by 10 & 11 Vict. c. lxv. and 13 & 14 Vict. c. lxxvi., is authorized to raise a Capital of 406,800*l.* in 30*l.* Shares, and to borrow to the Amount of One Third of their Share Capital for the Time being; and by 18 & 19 Vict. c. cv. to raise 90,000*l.* more by new Shares, and 30,000*l.* by borrowing, and to issue and attach a Preference not exceeding 5*l.* per Cent. to any new Shares issued in lieu of any surrendered Shares; that they have raised 171,420*l.* by ordinary Shares (exclusive of 60,810*l.* paid upon Shares since forfeited), and 149,480*l.* by 10*l.* Preference Shares, and the whole Amount they are authorized to borrow, except the 30,000*l.*; recites certain Deviations authorized by 20 & 21 Vict. c. civ., and proposes to raise further Moneys.
Power to raise additional Capital of 75,000*l.* by new Shares, with or without a Preference not exceeding 6*l.* per Cent., §§ 4 to 12.
Power to borrow further Sum of 24,900*l.*, §§ 13, 14.
Incorporates Parts of Companies Clauses Act, § 16.

Cap. xvii.

"The *British* Gaslight Company, Limited, (*Sculcoates* and *Kingston-upon-Hull,*) Act, 1858."

Recites Deed of 1st February 1824, and Incorporation of Company under Joint Stock Acts of 1856, 1857.
Incorporates Gas Clauses Act, § 3.
Limits of Act; existing Works, §§ 5, 6.
Maintenance of Works subject to § 71 of Public Health Act, 1848, §§ 7, 8.
Purposes of Act, securing Maintenance of Works, §§ 9, 10.
Dividend limited to 10*l.* per Cent. upon expended Capital of 57,624*l.*, and to 7*l.* 10*s.* per Cent. upon 42,376*l.* when raised, § 11.
Price, Quality, Supply of Gas, §§ 12 to 16.
Testing of Gas, §§ 17 to 19.
Meters, Charges for, §§ 20 to 23; Removal of, § 26.
Saving Rights of Corporation, Local Board, and of Dock Company, §§ 27, 28.

Cap. xviii.

"*Aberdare* Waterworks Act, 1858."

Limits of Act, § 2.
Incorporates Companies, Lands, and Waterworks Clauses Acts, §§ 3, 4.
Company incorporated, with a Capital of 16,000*l.* in 10*l.* Shares, §§ 5 to 8.
Power to borrow 4,000*l.*, §§ 10, 11.
Meetings; Directors, §§ 12 to 22.
Works and Deviations, §§ 23 to 25.
Three Years for compulsory Purchases, § 29; Five Years for Completion of Works, § 30.
Compensations to various Persons, §§ 32 to 42.

Power to grant Easements, §§ 43 to 46.
Restriction upon Sale of superfluous Lands, § 47.
Supply of Water; Rates; Penalties, §§ 48 to 64.
Power to lease Water Rates, § 65.
Reservoir Provisions, §§ 66 to 75.
Protection of Aberdare Gasworks, § 76.
Saving Rights as to existing Reservoir, § 77.

Cap. xix.

"The *Knighton* Railway Act, 1858."

Incorporates Companies, Lands, and Railways Clauses Acts, § 1.
Company incorporated, with a Capital of 66,000*l.* in 10*l.* Shares, §§ 3 to 6.
Power to borrow 22,000*l.*, §§ 7, 8.
Meetings; Directors, §§ 11 to 19.
Railway and Works, §§ 20, 21, to be completed within Three Years, §§ 28, 29.
Communications with Shrewsbury and Hereford Railway, §§ 22 to 25.
Three Years for compulsory Purchases, § 27.
Level Crossings, Board of Trade Provisions, §§ 30 to 32.
Tolls, §§ 33 to 42.
Power to enter into Agreements with the Shrewsbury and Hereford Railway Company, §§ 43 to 51.
Saving Rights of Crown, § 52.

Cap. xx.

"The *Barnstaple* Waterworks Act, 1858."

Limits of Act, §§ 2, 3.
Incorporates Companies, Lands, and Waterworks Clauses Acts, §§ 4, 5.
Company incorporated, with Capital of 12,000*l.* in 10*l.* Shares, §§ 6 to 9.
Power to borrow 3,000*l.*, § 11.
Meetings; Directors, §§ 12 to 20.
Works to be completed within Three Years, §§ 21 to 23.
Supply of Water; Rates, §§ 25 to 32.
Power to purchase Works of Barnstaple Water Company by Agreement, § 33.

Cap. xxi.

"The *Newport* (*Salop*) Markets Act, 1858."

Incorporates Companies, Lands, and Markets Clauses Acts, except Section 50 of the latter, § 1.
Limits of Act, § 4.
Company incorporated, with Capital of 13,000*l.* in 20*l.* Shares, §§ 6 to 8.
Power to borrow 3,000*l.*, § 9.
Meetings; Directors, §§ 10 to 17.
Market Places; Markets; Works, §§ 18 to 23.
Purchase of existing Tolls from Duke of Sutherland, § 25.
Burgesses to be no longer exempt from Tolls, § 26.
Tolls, §§ 27 to 30.
Power to erect and to lease Public Buildings and Stalls, §§ 31 to 33.
Power to Newport Town and Marsh Trustees to appropriate Funds to the Undertaking, § 34.
Trustees of Stafford and Newport Turnpike to repair Street Approach, § 36.
Five Years for Exercise of compulsory Powers, § 38.
Seven Years for Completion of Works, § 39.
Schedule (Tolls).

Cap. xxii.

"The *Peniston, Thurlstone, and Oxspring* Gas Act, 1858."

Incorporates Companies, Lands (except compulsory Clauses), and Gasworks Clauses Acts, § 2.
Company incorporated, with Capital of 10,000*l.* in 20*l.* Shares, §§ 3 to 5.
Power to borrow 2,500*l.*, §§ 6, 8, 9.
Directors; Votes; Meetings, §§ 10 to 15.
Purchase of Lands; Works; Limits of Act, §§ 16 to 18.
Supply of Gas; Rates; Meters, §§ 19 to 22.
Testing of Gas, §§ 30 to 33.
Saving of Rights, § 34.

Cap. xxiii.

"*Liverpool* Exchange Act, 1858."

Recites Incorporation of Proprietors under 42 G. 3. c. lxxi.; that they have raised 80,000*l.* in 100*l.* Shares, have set apart a Reserve Fund of upwards of 6,000*l.*, and have no Debt; proposes to construct additional Buildings to abolish free Admissions, to apply Portion of Reserved Fund, and to repeal Act.
Repeal of Act, § 1; Saving of Rights and Liabilities, §§ 4 to 14.
Incorporates Parts of Companies and Lands Clauses Acts, § 3.
Capital, 120,000*l.*; viz., 80,000*l.* in 100*l.* Shares, Class A.; and new Shares to be created from Time to Time, §§ 15 to 22.
Power to borrow 20,000*l.* forthwith, and eventually 10,000*l.* more, §§ 23 to 28.
Power to apply Reserved Fund, except 500*l.*; future Reserve Fund, §§ 29 to 31.
Votes; Meetings; Committees, §§ 32 to 38.
No Person to possess Shares exceeding One Eightieth of Capital, § 39.
Power to maintain and alter Buildings, §§ 41 to 43.
Regulations as to certain Passages, § 44.
Power to purchase not exceeding 2,000 Square Yards of Land, §§ 45, 46.
Admission to and Use of Buildings, § 47.
Byelaws; Penalties; Constables, §§ 48 to 51.
Saving Rights of Corporation, § 52.

Cap. xxiv.

"The *Manchester* Assize Courts Act, 1858."

Whereas the Commissioners appointed by Her Majesty to inquire into the present Arrangements for transacting the Judicial Business, Civil and Criminal, of the Superior Courts of Common Law in England and Wales have recommended to Her Majesty that a separate Civil and Criminal Assize should be granted to Manchester for that City and the Borough and Hundred of Salford in the County of Lancaster: And whereas, under the Provisions of an Act passed in the Thirty-eighth Year of the Reign of King George the Third, intituled "An Act for obviating and removing Doubts respecting the "holding of the Adjournments of the General Court of "Quarter Session of the Peace in and for the County Pala-"tine of Lancaster, and for authorizing the Justices of the "Peace acting in and for the said County to hold an annual "General Session and also a Special Session for the Pur-"poses therein mentioned," the Business of the County of Lancaster concerning the General County Rates is transacted at the annual General Session of the Peace holden at Preston and at the Adjournment thereof, and at Special Sessions holden at Preston, according to the said Act, but the General Quarter Sessions of the said County are held by Adjourn-

ment from Place to Place, for the Transaction of Business arising within the several Divisions of the said County, and (amongst other Places) are so held in the Hundred of Salford, for the Transaction of Business arising within the said Hundred: And whereas it is expedient that commodious Courts, Lodgings for Her Majesty's Judges, Offices, Lock-ups, and other Accommodation necessary and convenient for carrying on the Civil and Criminal Business usually transacted at Courts of Assize, should be provided in or near Manchester, in the said Hundred of Salford: And whereas the aforesaid Objects and Purposes cannot be fully carried into effect without the Authority of Parliament: May it therefore, &c. &c.

I. This Act may be cited for all Purposes as "The Manchester Assize Courts Acts, 1858."

II. The Justices of the Peace for the County Palatine of Lancaster (herein-after called "the Justices") assembled at any Quarter or General Session holden originally or by Adjournment within the Hundred of Salford are hereby empowered to provide in or near Manchester within the said Hundred commodious Courts, Lodgings for Her Majesty's Judges, Offices, Lock-ups, and all other Accommodations that may be necessary or convenient for carrying on the Civil and Criminal Business usually transacted at Courts of Assize, with Power to hire temporarily any Buildings and make any other temporary Arrangements that may be necessary for the Purpose of enabling a Civil and Criminal Assize to be forthwith held at Manchester.

III. The Justices in Quarter or General Sessions assembled as aforesaid are hereby empowered, for the Purposes of this Act, to purchase, take on Lease, or otherwise acquire any Land or Buildings; and in order to facilitate the Acquirement by the Justices of Land or Buildings the Provisions of "The Lands Clauses Consolidation Act, 1845," with the Exception of such Provisions as relate to the Purchase of Lands otherwise than by Agreement, and as relate to affording Access to the Special Act by all Parties interested, shall be incorporated with this Act.

IV. Any Lands or Buildings acquired by the Justices under this Act may be conveyed, assigned, or demised to the Justices of the County Palatine of Lancaster and their Successors, and such Justices and their Successors are hereby empowered to take and hold in the Nature of a Body Corporate, on trust for the Purposes of this Act, the Lands or Buildings so conveyed, assigned, on demised to them.

V. All Expenses incurred in carrying into effect the Purposes of this Act, including any Expenses incurred in making such temporary Arrangements as aforesaid, shall be defrayed out of the Special Rate herein-after authorized to be laid, imposed, assessed, and levied, from Time to Time, as the Case may require, upon and from the Hundred of Salford in the County of Lancaster.

VI. The said Special Rate shall from Time to Time, as Occasion requires, be laid, assessed, and imposed within and upon the said Hundred of Salford on the Basis of the Valuation of the Lands, Tenements, and Hereditaments in the said Hundred for the Time being, made in pursuance of the Statutes for the Purposes of the County Rate by the Justices assembled as aforesaid; and all Powers, Authorities, and Provisions now or hereafter in force within the said Hundred of Salford respecting the County Rate shall exist and be in force in respect of the said Special Rate; and the County Treasurer, High Constables, and all other Persons whatsoever shall have the same Powers, Rights, Duties, Obligations, and Liabilities respecting the said Special Rate as if the same were a County Rate; and the Justices assembled as aforesaid may appoint any Person or Persons to be or act as Treasurer, High Constable, or other Officer or Officers, in respect of the said Special Rate; and the Person or Persons appointed as aforesaid shall have the same Powers, Rights, Duties, Obligations, and Liabilities as the Person or Persons, Officer or Officers, would have had in whose Place he or they shall have been appointed as aforesaid.

VII. The said Special Rate shall be laid, imposed, assessed, and levied upon and from the whole Hundred of Salford, including the City of Manchester and all Boroughs and Parts of Boroughs locally situate in the said Hundred which have or may have a separate Court of Quarter Session; and the Sums raised by the said Special Rate shall not be included in any Order or Account made or sent by the County Treasurer or any other Officer, under the Act of the Fifth and Sixth Years of the Reign of King William the Fourth, Chapter Seventy-six, Sections One hundred and fourteen and One hundred and seventeen, or either of them.

VIII. The Justices assembled at Quarter or General Sessions as aforesaid may from Time to Time borrow at Interest on the Security of the Special Rate hereby authorized to be levied on the Hundred of Salford any Monies (not exceeding Ninety-nine thousand Pounds) that may be necessary for defraying the whole or a Portion of the Expenses incurred in carrying into effect the Purposes of this Act.

IX. For the Purposes of any Mortgages made in pursuance of this Act, the Clauses of "The Commissioners Clauses Act, 1847," with respect to Mortgages to be executed by and the Indemnification of the Commissioners, shall be incorporated with this Act, and in the Construction of the incorporated Clauses the Justices shall be deemed to be the Commissioners, and the Clerk of the Peace to be the Clerk of the Commissioners.

X. The Receipts of the Treasurer of the County Palatine of Lancaster, or of the Person or Officer appointed as aforesaid by the Justices to act as Treasurer in respect of the said Special Rate, for any Monies received by or on account of the Justices, for any of the Purposes of this Act, shall be effectual Discharges for the Monies expressed in such Receipt to have been received.

XI. The Justices assembled as aforesaid shall have the sole and entire Control, Repair, Management, and Use of all Buildings and Premises acquired for the Purposes of this Act; and it shall be lawful for them to use or permit the Use of any such Buildings and Premises for any lawful Purpose, at such Times, in such Manner, upon such Conditions, and for such Consideration as the same Justices may think proper, but so as not to interfere with the Use of such Buildings and Premises for the Purposes primarily contemplated by this Act.

XII. All Acts and Contracts (except Conveyances and Mortgages) which the Justices aforesaid are expressly or impliedly authorized to do or make, for the Purposes of this Act, may be done or made, in the Name and on behalf of the Justices, by any Two or more of their Number for the Time being, appointed by Order of the Justices in Quarter or General Sessions assembled as aforesaid to act on their Behalf, subject to this Restriction, that no Act done or Contract made by such Appointees shall be valid unless it be sanctioned by some Order of the Justices in Quarter or General Sessions assembled as aforesaid.

XIII. It shall be lawful for the Justices assembled as aforesaid from Time to Time (and they are hereby required, within Ten Years after the Assize Courts and other Buildings and Accommodations by this Act authorized to be erected or provided shall have been completed and opened for Use) to dispose of and sell any Lands and Premises acquired under and for the Purposes of this Act, and found unfit or no longer wanted for such Purposes: The Considerations for such Disposal or Sale shall be received by the County Treasurer, or

Person appointed as aforesaid by the Justices to act as Treasurer in respect of the said Special Rate, and the Conveyance or Assignment may be made and executed by any Three or more of such Justices nominated for that Purpose by the Justices assembled as aforesaid; and the Considerations so to be received by the County Treasurer or other Person as aforesaid shall be applied in the first instance in Payment of any Monies borrowed under the Authority of this Act which shall then remain unpaid, and subject thereto the same shall be applied to the Purposes of this Act.

XIV. All Expenses of and incidental to the passing of this Act shall be paid out of the Special Rate herein-before authorized to be levied on the Hundred of Salford.

Cap. xxv.

"The *Manchester* Improvement Act, 1858."

Recites that the Corporation have expended upon their Gasworks, 92,475*l.* applicable to Improvements; proposes to raise that Sum upon the Credit of the Gasworks, and to regulate the Elevation of Buildings.
Power to borrow 195,000*l.*, inclusive of present Debt, §§ 2 to 10.
Power to borrow at a less Rate of Interest, § 11.
Sinking Fund; paying off of Mortgages, §§ 12 to 16.
Township Rates to be additional Security if Profits of Gasworks are insufficient, § 17.
Regulation of Buildings and Houses, §§ 18, 19.
Schedule (Forms).

Cap. xxvi.

"The *Tay* Fisheries Act, 1858."

Recites 9 G. 4. c. xxxix. and 7 & 8 Vict. c. xcv.
Limits of Act, § 3.
Annual Close Time, between 26th August and 1st Feb., § 4.
Period for Rod fishing, between 1st Feb. and 30th Sept., § 5.
Penalties, §§ 6, 7.
Applies Penalties of, and saves recited Acts, §§ 8, 9.
Assessment for Expenses and Protection of Fisheries, § 10.

Cap. xxvii.

"The *Birmingham* Canal Navigations Act, 1858."

Recites several Acts relating to the Company, and especially 9 & 10 Vict. c. ccxliv., authorizing a Guarantee by the London and North-western Railway Company, and 18 & 19 Vict. c. cxxi., continuing that Guarantee and authorizing a certain gross Toll; proposes to raise further Moneys by new Shares to be guaranteed in like Manner, and to continue the gross Toll for a further Period.
Incorporates Parts of Companies Clauses Act, § 2.
Power to raise 100,000*l.* by new Shares, §§ 3 to 6.
Guarantee extended to the new Share Capital, § 7.
Dividends not to exceed 4*l.* 10*s.* per Cent., until a Portion of the unallocated Debt is satisfied, § 8.
Gross Toll continued, § 9.

Cap. xxviii.

"The *Garngad* Road Act, 1858."

Recites 3 & 4 Vict. c. cxvii.; proposes to alter the Trust and to appoint new Trustees.
Appointment of new Trustees for the Portion of the Road *without* the Royalty of the City of Glasgow, § 2.
Meetings; vesting of Property, §§ 3, 4.
Transfer of Portion *within* the Royalty to Police and Statute Labour Committee, § 5.
Trustees to pay annually to Committee One Fourth of Tolls, § 6.
Buildings not to be erected within Twenty-five feet of Centre of Road, § 7.

Cap. xxix.

"The *Selkirk and Galashiels* Railway Amendment Act, 1858."

Recites Incorporation of Company in 1854, with a Capital of 24,000*l.*, in 10*l.* Shares, and Power to borrow 8,000*l.*; that Shares for 5,340*l.* are unissued, and 500*l.* unborrowed; but that they have incurred Liabilities; proposes to raise further Moneys, and to attach a Preference.
Incorporates Parts of Companies Clauses Act, § 1.
Power to raise 6,000*l.* additional Share Capital, and to attach a Preference not exceeding 5*l.* per Cent. to it, and also to their unissued Share Capital, §§ 4 to 8.
Power to borrow a further Sum of 2,000*l.*, §§ 9, 10.
Power to create a Debenture Stock with a fixed Dividend not exceeding 5*l.* per Cent., §§ 12 to 15.

Cap. xxx.

"The *Ely* Valley Railway (*Mwyndy* Branch) Act, 1858."

Recites "Ely Valley Railway Act, 1857," and proposes to make a Branch Railway.
Incorporates Lands and Railways and Parts of Companies Clauses Acts, §§ 1, 18.
Power to make Branch Railway, to be completed in Three Years, §§ 3 to 5, and §§ 11, 12.
Level Crossings, §§ 6 to 8.
Two Years for compulsory Purchases of Land, § 10.
Power to raise 13,000*l.* by new Shares, §§ 13 to 16.
Power to borrow 4,300*l.*, §§ 17, 20.
Tolls, §§ 21, 22.

Cap. xxxi.

"The *Malvern* Improvement Amendment Act, 1858."

Recites Incorporation of Commissioners by Act of 1851, the Sums authorized to be borrowed on the Security of the different Rates, and the Debts incurred in excess of their Powers; proposes to raise further Moneys, to erect a Market House, and to extend the Sewers and Gas Supply.
Incorporates Lands Clauses Act, § 2.
Extension of Sewers, to be completed within Five Years, §§ 3 to 8.
Protection of certain Streams and Interests, §§ 9 to 13.
Sewage Provisions, §§ 14 to 16.
Markets Clauses Act incorporated, but not to be enforced for Five Years, nor without Consent of Ratepayers, § 17.
Power to construct Market; Tolls, §§ 18 to 26.
Extension of Gas Supply; Reduction of Price, §§ 27, 28.
Enlargement of borrowing Powers; Application of Sums borrowed, §§ 29 to 33.
Sinking Fund, § 34.
Power to borrow to pay off former Mortgages, § 37.
Power to contract for Supply of Water, § 38.
Permanent Auditor to be appointed, § 39.
Schedule (Market Tolls).

Cap. xxxii.

"*Vauxhall Bridge* Roads Act, 1858."

Whereas an Act was passed in the Forty-ninth Year of the Reign of His Majesty King George the Third, intituled "An Act for building a Bridge across the River Thames from "or near Vauxhall Turnpike in the Parish of Saint Mary "Lambeth in the County of Surrey to the opposite Shore in "the Parish of Saint John in the City and Liberty of West-"minster and County of Middlesex, and for making conve-

" nient Roads thereto :" And whereas an Act was passed in the Fifty-second Year of the Reign of His said Majesty (Local), Chapter One hundred and forty-seven, for altering and enlarging the Powers of such Act: And whereas an Act was passed in the Sixth Year of the Reign of His Majesty King George the Fourth (Local), Chapter Thirty-one, to enable the Vauxhall Bridge Company to raise a further Sum of Money, and to alter and amend the Acts relating to the said Bridge: And whereas, under the Provisions of such Acts or some of them, the Vauxhall Bridge Company (in this Act called "the Company") was incorporated, and Power given to the Company to build Vauxhall Bridge, to set out, make, pave, and keep in repair certain Roads in the said Acts and herein-after described, and communicating with the Bridge, and to light and watch the Bridge and Roads, and to remove Obstructions, Nuisances, and Encroachments within or upon any of the said Roads, including the Footpaths to each of the said Roads: And whereas the Company, in addition to certain Tolls in the first-recited Act specified which they are authorized to demand and take in respect of Persons using the Bridge as a Footway, and of Waggons and other Carriages, Horses, Beasts, and Cattle passing over the Bridge and Roads, are authorized to demand and take certain Tolls in the first-recited Act also specified in respect of Waggons and other Carriages, Horses, Beasts, and Cattle passing along the Roads authorized to be constructed by the Company, but not passing over the Bridge : And whereas the Company duly built Vauxhall Bridge, and set out and made the Roads following ; (that is to say,)

1. A Road called "Vauxhall Bridge Road," the Commencement of which is in the said Parish of Saint John near the North-west End of the said Bridge, such Commencement being from a straight Line drawn across the said Road parallel with the Toll Gates of the said Bridge, and distant from the said Gates Thirty-one Feet, which Line is more particularly defined by Two several Stones lately erected, and placed one on each Side of the said Road, and marked with the Letters V.B.C. and V.B.C. respectively, which said Road, after running in a North-westerly Direction, terminates at its Junction with Victoria Road and Lower Belgrave Place in the Parish of Saint George in the said City and Liberty of Westminster :
2. A Road called " Crescent Road," commencing out of the said first-mentioned Road at or near its said Commencement, and terminating at or near the Entrance to the Penitentiary at Millbank, the whole of which last-mentioned Road is situate in the said Parish of Saint John :

And whereas since the opening of such Roads the Land on the Sides of the same has been wholly or to a great Extent built upon, and such Land, being situate within the Limits of divers Acts for the repairing, paving, amending, lighting, watering, cleansing, or improving of the Streets, public Places, and Highways within such Limits, and for the Removal and Prevention of Nuisances, Annoyances, and Encroachments therein, while such Roads are excluded from such Limits, the Owners or Occupiers of the Land or Buildings on the Sides of such Roads are assessed to the same Amount of Rates as the Owners or Occupiers of Land or Buildings within the remaining Portion of the respective Limits, but the District Board and Vestry respectively charged with the Execution of such respective Acts have not been compelled to light, cleanse, or water such Roads, or to lay down or maintain Foot Pavements in front of such Land or Building, or to remove or prevent Nuisances, Annoyances, or Encroachments on such Roads, or to confer on the Owners or Occupiers of such Land or Buildings any of the Advantages in respect of which such Rates are assessed, levied, and paid, and which are respectively enjoyed by the Owners and Occupiers of other Property within such several Limits, the Owners and Occupiers of such Land and Buildings being at the same Time liable to pay Tolls to the Company in respect of Waggons and other Carriages, Horses, Beasts, and Cattle passing to or from their Premises upon the said Roads: And whereas it is expedient that so much of the recited Acts as authorizes or requires the Company to maintain, pave, or keep in repair the said Roads, and to light and watch or otherwise interfere with the same, and so much of the recited Acts as authorizes them to collect Tolls upon such Roads, should be repealed, and that the Property in, and Management and Maintenance, repairing, paving, amending, lighting, watering, cleansing, and improving of such Roads, should be vested in the District Board and Vestry respectively charged with the Execution of such Acts within or near to the Limits of which such Roads are respectively situate: And whereas so much of the said first-mentioned Road as is situate between the North-west End of the Bridge and Wheeler Street, and so much of the said Road as is situate between Bentinck Street and Tachbrook Street, and the whole of the said secondly-mentioned Road (in this Act called " The Saint Margaret's and Saint John's Portion of Roads ") are comprised within or are near to the Limits of an Act passed in the Fifth Year of the Reign of His late Majesty King William the Fourth (Local), Chapter Eighteen, intituled " An Act for " paving, cleansing, lighting, and regulating the several " Parishes of Saint Margaret, Saint John the Evangelist, and " Saint James, within the Liberty of Westminster, in the " County of Middlesex, and the Precinct of the Savoy, and " also Part of the Liberty of Saffron Hill, Hatton Garden, and " Ely Rents, within the same County, and for other Purposes " therein mentioned ;" so much of the said first-mentioned Road as is situate between Wheeler Street and Bentinck Street (in this Act called "The Tothill Fields Portion of Roads ") is comprised within or is near to the Limits of an Act passed in the Sixth Year of the Reign of His Majesty King George the Fourth (Local), Chapter One hundred and thirty-four, intituled "An Act for paving, draining, cleansing, light-" ing, watching, and improving the Streets and public Places " which are or shall be made upon certain Grounds in the " Parishes of Saint Margaret and Saint John the Evangelist " in the City of Westminster, commonly called Tothill Fields ;" so much of the said first-mentioned Road as is situate between Tachbrook Street and Victoria Street (in this Act called " The Saint George Hanover Square Portion of Roads ") is comprised within or is near to the Limits of an Act passed in the Seventh of the Reign of His Majesty King George the Fourth (Local), Chapter One hundred and twenty-one, intituled "An Act for better paving, lighting, regulating, and " improving the Parish of Saint George Hanover Square " within the Liberty of the City of Westminster ;" and the remaining Portion of the said first-mentioned Road as is situate between Victoria Street and its Junction with Victoria Road and Lower Belgrave Place (in this Act called " The Grosvenor Place District Portion of Roads ") is comprised within or is near to the Limits of another Act passed in the Seventh Year of the Reign of His Majesty King George the Fourth (Local), Chapter Fifty-eight, intituled "An Act for " paving, lighting, watching, repairing, and otherwise im-" proving Grosvenor Place, and several Streets, Squares, " Lanes, and other public Places now existing and which shall " hereafter be formed upon certain Grounds in the several " Parishes of Saint George Hanover Square and Saint Luke " Chelsea in the County of Middlesex," the Powers and Provisions of which Act are altered and amended by an Act passed in the Fourth and Fifth Years of the Reign of His late

Majesty King William the Fourth (Local), Chapter Fifty-eight: And whereas by an Act passed in the Nineteenth Year of the Reign of Her present Majesty Queen Victoria, intituled "An Act for the better Local Management of the Metropolis," (Eighteenth and Nineteenth Victoria, Chapter One hundred and twenty), which Act has been amended by an Act passed in the Twentieth Year of the Reign of Her said Majesty (Nineteenth and Twentieth Victoria, Chapter One hundred and twelve), the Duties, Powers, and Authorities of the Commissioners for or in relation to the Execution of the said Act passed in the Fifth Year of the Reign of His late Majesty King William the Fourth (Local), Chapter Eighteen, so far as the said Act relates to the Parishes of Saint Margaret and Saint John, and of the Trustees for or in relation to the Execution of the said Act passed in the Sixth Year of the Reign of His Majesty King George the Fourth (Local), Chapter One hundred and thirty-four, have become and are respectively vested in the Board of Works for the Westminster District, and the Duties, Powers, and Authorities of the Trustees for or in relation to the Execution of the said Act passed in the Seventh Year of the Reign of His Majesty King George the Fourth (Local), Chapter Fifty-eight, and of the said Act passed in the Fourth and Fifth Years of the Reign of His late Majesty King William the Fourth (Local), Chapter Fifty-eight, have become vested in the Vestry of the Parish of Saint George Hanover Square: And whereas the Purposes aforesaid cannot be effected without the Authority of Parliament:

I. In citing this Act for any Purpose it shall be sufficient to use the Expression "Vauxhall Bridge Roads Act, 1858."

II. In this Act the Word "Roads" shall include the respective Footpaths to each of such Roads.

III. At Twelve of the Clock at Night on the Second Tuesday next after the passing of this Act so much of the recited Acts passed respectively in the Forty-ninth and Fifty-second Years of the Reign of His Majesty King George the Third and the Sixth Year of the Reign of His Majesty King George the Fourth as authorizes or requires the Company to maintain, pave, or keep in repair the said Roads before described, or to light or watch or in anywise to interfere with the same, or to demand or take Tolls upon such Roads or any or either of them, and so much of the said Acts as gives any Power or Authority to the Company over such Roads or either of them, or any Part thereof, or any Property, Matter, or Thing in, upon, or belonging to or in anywise relating to the same, or imposes any Duty upon the Company in relation thereto, is by this Act repealed.

IV. At Twelve of the Clock at Night on the said Second Tuesday "The Saint Margaret's and Saint John's Portion of Roads" and "The Tothill Fields Portion of Roads" shall be vested in the Board of Works for the Westminster District, and "The Saint George Hanover Square Portion of Roads" and "The Grosvenor Place District Portion of Roads" shall be vested in the Vestry of the Parish of Saint George Hanover Square; and all Property, Matters, and Things on or belonging to such respective Portions of Roads shall thenceforth be vested respectively in the said District Board and Vestry in which the Portions of Roads on which such Property, Matters, and Things are situate are respectively vested, for such Estate or Interest as the Company have therein; and thereupon and thenceforth the said District Board and Vestry shall respectively repair, pave, amend, light, water, cleanse, maintain, manage, regulate, and improve the respective Portions of Roads so vested in them respectively, and shall continue such Roads as Approaches to Vauxhall Bridge; and all the Powers, Authorities, and Provisions of the Act passed in the Fifty-seventh Year of the Reign of His Majesty King George the Third, Chapter Twenty-nine, for the better paving, improving, and regulating the Streets of the Metropolis, and removing and preventing Nuisances and Obstructions therein, of the Acts passed respectively in the Eighteenth and Nineteenth and Nineteenth and Twentieth Years of the Reign of Her present Majesty, for the better Local Management of the Metropolis, and of any Local Act affecting any Road, Street, Lane, Footway, Square, Court, Alley, Passage, or Place under the respective Jurisdiction of such District Board or Vestry, shall extend and apply respectively to the said respective Portions of Roads herein-before called "The Saint Margaret's and Saint John's Portion of Roads," "The Tothill Fields Portion of Roads," "The Saint George Hanover Square Portion of Roads," and "The Grosvenor Place District Portion of Roads," and may be exercised in and over the said several Portions of Roads respectively, and for the Purposes of such Roads such respective Acts shall be incorporated with this Act, and such Acts and this Act shall be construed together as forming One Act.

V. The Board of Works for the Westminster District shall continue the Pedestal having Four Lamps thereon as now fixed and standing on the said Road called Crescent Road, and the said Two several Stones herein-before mentioned as lately erected at the Commencement of the Vauxhall Bridge Road near Vauxhall Bridge, and the Company may erect and place any necessary directing Posts or Boundary Stones on the said Roads, provided the same are not erected or placed to the Inconvenience or Annoyance of any Person residing or occupying Property on or near the Roads or either of them, or to Persons travelling or passing upon the same.

VI. Whereas the public Foot and Carriage Road commencing at the South End of Millbank Row in the Liberty of Westminster, and terminating at the Centre of the Gateway of the Penitentiary at Millbank, being the Road which was set out and made by the Commissioners of Woods, Forests, and Land Revenues under the Powers of an Act passed in the Fifty-seventh Year of the Reign of His Majesty King George the Third, Chapter Fifty-four, and the Embankment between such Road and the River Thames, is now maintained and repaired by the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, and it is desirable that they should be enabled to contract and agree with the Board of Works for the Westminster District for the Maintenance and Repair of such Road, and the whole or some Part of such Embankment: Therefore the Commissioners of Woods, Forests, and Land Revenues, with the Consent of the Commissioners of Her Majesty's Treasury, may from Time to Time enter into an Agreement with the Board of Works for the Westminster District, and which Agreement such District Board may enter into, for the Maintenance and Repair of such public Foot and Carriage Road and the whole or some Part of such Embankment by such District Board; and such Agreement may be in perpetuity, or for such Period and upon such Terms and Conditions as shall be agreed upon; and during the Continuance of any such Agreement the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, and the Land Revenues of the Crown, shall be absolutely discharged from all Liabilities connected with the Maintenance or Repair of such Road or Embankment.

VII. Provided always, That during the Continuance of any Agreement for the Maintenance and Repair of such Road by such District Board, all the Powers, Authorities, and Provisions of the Act passed in the Fifty-seventh Year of the Reign of His Majesty King George the Third, Chapter Twenty-nine, for the better paving, improving, and regulating the Streets of the Metropolis, and removing and preventing Nuisances and Obstructions therein, of the Acts passed respectively in the Eighteenth and Nineteenth and Nineteenth and Twentieth

Years of the Reign of Her present Majesty, for the better Local Management of the Metropolis, and of any Local Act affecting any Road, Street, Lane, Footway, Square, Court, Alley, Passage, or Place under the Jurisdiction of such District Board, shall extend and apply to such public Foot and Carriage Road, and may be exercised in and over the same; and for the Purpose of such Road such respective Acts shall be incorporated with this Act, and such Act and this Act shall be construed together as forming One Act.

VIII. As the Consideration for the Liabilities to be undertaken by the Board of Works for the Westminster District under any such Agreement, the Commissioners of Woods, Forests, and Land Revenues, or either of them, may make or grant to such District Board, and such District Board may accept, a Conveyance of any Land or Hereditaments belonging to Her Majesty in right of Her Crown, or any gross or annual Sum of Money arising from the Land Revenues of the Crown, or a Charge upon any Rents or other Hereditaments payable or belonging to Her Majesty in right of Her Crown, in the County of Middlesex.

IX. Whereas the Road commonly called "New Bridge Street," commencing at the East End of the said Bridge, and terminating at its Junction with Wandsworth Road and High Street, Vauxhall, all in the Parish of Saint Mary Lambeth, is now maintained, repaired, watered, and cleansed by the Company, and it is desirable that the Company should be enabled to contract and agree with the Vestry of the Parish of Saint Mary Lambeth for the Maintenance, Repair, watering, and cleansing of such Road: Therefore the Company may from Time to Time enter into an Agreement with such Vestry, and which Agreement such Vestry may enter into, for the Maintenance, Repair, watering, and cleansing of such Road by such Vestry; and such Agreement may be in perpetuity, or for such Period and upon such Terms and Conditions as shall be agreed upon, and during the Continuance of any such Agreement the Company shall be absolutely discharged from all Liabilities connected with the Maintenance, Repair, watering, and cleansing of such Road.

X. Provided always, That during the Continuance of any Agreement for the Maintenance, Repair, watering, and cleansing of such Road by such Vestry, the Powers, Authorities, and Provisions of all Acts affecting any Highway, Road, Street, Lane, Footway, Square, Court, Alley, Passage, or Place under the Jurisdiction of such Vestry shall extend and apply to such Road called New Bridge Street, and may be exercised in and over the same, and for the Purpose of such Road such Acts shall be incorporated with this Act, and such Acts and this Act shall be construed together as forming One Act.

XI. All the Costs, Charges, and Expenses of applying for, obtaining, and passing this Act, or preparatory or otherwise incidental thereto, shall be paid by the Board of Works for the Westminster District, who are hereby empowered to include the same in any Order to be made under the Seal of the said Board, requiring the Overseers of the said Parishes of Saint Margaret and Saint John Westminster to levy and pay any Sum which the said Board may require for defraying the Expenses of the Execution of the said Acts of the Nineteenth and Twentieth Years of Her said Majesty, and the Amount of such Payment shall be included in the general Rate to be levied pursuant to such Order.

Cap. xxxiii.

"The *British* Gaslight Company, Limited, (*Staffordshire* Potteries) Act, 1858."

Recites Deed of 1st February 1824, and Incorporation of Company under Joint Stock Acts of 1856, 1857.
Incorporates Gas Clauses Act, § 3.
Limits of Act; Existing Works and Lands, §§ 4 to 7.
Supply of Gas in Burslem, and Saving of Gas Company, § 8.
Supply of Gas in Part of Parish of Stoke-upon-Trent, § 9.
Mains and Works in connexion with Canals, §§ 10, 11.
Securing sanitary Condition of the District, § 12.
Purposes of Act; securing Maintenance of Works, §§ 13, 14.
Dividend limited to 10*l.* per Cent. upon expended Capital of 42,610*l.*, and to 7*l.* 10*s.* upon 30,000*l.* when raised, § 15.
Price, Quality, Supply of Gas, §§ 16 to 19.
Testing of Gas, §§ 20 to 22.
Meters, Charges for, Removal of, §§ 23 to 31.

Cap. xxxiv.

"*Trent* Navigation Act, 1858."

Recites 23 G. 3. c. xlviii. and 34 G. 3. c. xcv.; that they have raised 26,000*l.* in Shares, but have no Debt; proposes to obtain further Powers, and to repeal Acts.
Repeal of Acts, subject to Schedule, §§ 3, 4.
Company continued; Saving of Rights and Liabilities, §§ 5 to 14.
Incorporates Companies Act, and Lands Act except compulsory Powers, §§ 15, 16.
Capital 26,000*l.*, with Power to raise 13,000*l.* more, §§ 17 to 20.
Directors; Meetings; Disposal of Shares, §§ 21 to 31.
Power to borrow 5,700*l.*, and eventually 2,900*l.* more, § 32.
Maintenance of Navigation, of certain Fords, of Bridge over River Soar, §§ 34 to 36.
Power to straighten and improve Navigation, § 37.
Gates and Stiles; Settlement of Disputes, §§ 38 to 40.
Protection of Fisheries, of Communications with other Navigations, §§ 41 to 43.
Penalties for Injuries to adjoining Property by Persons haling Vessels, § 44.
Exemption from Acts relating to Sewers, § 45.
Construction of Warehouses and other Works, § 48.
Penalties; Byelaws, §§ 49 to 60.
Rates; Exemptions from Rates, §§ 61 to 76.
Dividend limited to 7*l.* per Cent., except to make up Deficiency, § 77.
Reserved Fund; upon attaining 8,000*l.*, Interest to be applied to Purposes of Undertaking, §§ 78 to 80.
Reduction of Rates; Accounts, §§ 81 to 85.
Schedule (saved Clauses of recited Acts at length).

Cap. xxxv.

"The *London* Docks Act, 1858."

Recites that under the several Acts relating to the Company, they had up to December 1857 raised 3,791,210*l.* 5*s.* 10*d.* by Shares, and 794,300*l.* by borrowing, and had Power to raise only 52,800*l.* more; proposes to raise further Moneys.
Power to raise 300,000*l.* by borrowing or by creating additional Stock, §§ 2 to 4.
Issue, Transfer, and paying off of Assignments, §§ 3, 5 to 8.
Power to create Capital Stock to pay off Money borrowed, § 9.
Repeals § 47 of "London Docks Act, 1828," as to making Slips, &c. &c., for Repair of Vessels, § 10.
Amends § 48 of "London Docks Act, 1853," as to Notices to Owners of Lighters, &c., &c., § 11.
Contracts by and with the Company, § 12.
Enforcing of Warrants against the Company, § 13.
Saving Rights of Conservators of River Thames, §§ 14, 15.

Cap. xxxvi.

"The *Maidstone* Gasworks Act, 1858."

Recites Incorporation of Company under 4 G. 4. c. xl., with a Capital of 10,000*l.* in 50*l.* Shares, and Power to raise 2,500*l.* by borrowing or by new Shares; that they had raised 12,500*l.* by Shares, and also expended upwards of 12,500*l.* applicable to Dividend upon the Works; proposes to raise further Money, and to extend Limits.
Incorporates Companies, Lands (except compulsory Powers), and Gasworks Clauses Acts, §§ 3, 4.
Limits of Act, § 5.
Company continued; Saving of Rights and Liabilities, §§ 6 to 15.
Capital 50,000*l.*, *i.e.* 25,000*l.* made up of 12,500*l.* (A Shares) and 12,500*l.* (B Shares), Two of each Class being vested in the Holders of the 250 Shares of 50*l.*, and of 25,000*l.* new Share Capital, §§ 16 to 20.
Power to issue new Shares by Sale by Auction, or to Shareholders, §§ 21 to 29.
Dividend limited to 10*l.* on A Shares, to 4*l.* on B Shares, and to 7*l.* 10*s.* on the new Capital, § 30.
Power to borrow 5,000*l.* forthwith, and eventually 5,000*l.* more, §§ 32, 33.
Meetings; Directors, §§ 34 to 42.
Supply of Gas; Price of Gas, §§ 43 to 50; Quality and testing of, §§ 53 to 56.
Power for Commissioners acting under 59 G. 3. c. xvi. to require Extension of Mains, &c. &c., §§ 51, 52.
Penalties, Debts, &c. &c., §§ 58 to 63.
Saving Rights of Corporation and of Commissioners, §§ 64, 65.

Cap. xxxvii.

"*Manchester, Hyde, and Mottram* Road Act, 1858."

Recites 3 W. 4. c. xviii.; that the Debt is 29,954*l.*, and that some of the Mortgagees are in possession.
Repeal of recited Act; Saving of Rights and Liabilities, §§ 1 to 6.
Trustees; Committees; Meetings, §§ 7 to 10.
Roads; Toll Gates, §§ 11, 12.
Tolls, and Regulations as to Tolls at certain Gates, §§ 14 to 30.
Power to lease Tolls, §§ 31, 32.
Mortgagees to deliver up Possession, and to account, §§ 33, 34.
Mortgagees not to take Possession unless Default in Payment of Interest, § 35.
Entrances to Fields, § 36.
Arrears of Interest extinguished; future Interest, § 37.
Application of Moneys; Mode of discharging Debt, §§ 38 to 40.
Saving of General and of Improvement Acts, §§ 41, 42.
Further borrowing prohibited, § 43.
Schedule (Apportionment of Amount to be expended in repairing of Roads).

Cap. xxxviii.

"*Victoria Park* Approach Act, 1858."

Whereas it would be of great public Utility if a convenient Communication were opened between the East India Dock Road, in the Parish of Saint Anne, Limehouse, at or near its Junction with the West India Dock Road, and the South End of the Victoria Park, in the Parish of Saint Matthew, Bethnal Green, all in the County of Middlesex: And whereas such Communication might be provided by the Formation of the new Street and other Works herein-after described, and the Improvement of certain Portions of the Road called Grove Road: And whereas by an Act passed in the Session of Parliament holden in the Eighteenth and Nineteenth Years of the Reign of Her present Majesty, intituled "An Act for the "better Local Management of the Metropolis," in this Act called the Metropolis Local Management Act, 1855, the Metropolitan Board of Works were empowered to make, widen, or improve any Streets, Roads, or Ways for facilitating the Passage and Traffic between various Parts of the Metropolis, or to contribute and join with any Persons in any such Improvements as aforesaid, and to take by Agreement or Gift any Land, Right in Land, or Property, for the Purposes aforesaid, or otherwise for the Improvement of the Metropolis; provided, that where the estimated Expense of such Works should exceed Fifty thousand Pounds the same should not be carried into effect without the Approval of the Commissioners of Her Majesty's Works and Public Buildings, and that no such Works should be commenced where the estimated Expense should exceed One hundred thousand Pounds without the previous Sanction of Parliament: And whereas the Metropolitan Board of Works have caused to be deposited with the Clerk of the Peace for the County of Middlesex Plans describing the said intended Improvements and the Lands on the Site of which the same are intended to be made, and Books of Reference containing the Names of the Owners, Lessees, and Occupiers of the Land proposed to be taken for the Purposes of such Improvements, and Sections showing the Levels of such intended new Street and Improvements: And whereas the Metropolitan Board of Works are unable to carry into effect the said Improvements without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; (that is to say,)

I. "The Lands Clauses Consolidation Act, 1845," (except such of the Provisions thereof as are expressly varied by or excepted from this Act,) is incorporated with and forms Part of this Act; and the Expression "the Promoters of the Undertaking" in such Act means for the Purposes of this Act the Metropolitan Board of Works.

II. In citing this Act for any Purpose it shall be sufficient to use the Expression "Victoria Park Approach Act, 1858."

III. In this Act the following Words and Expressions shall have the several Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Construction; (that is to say,)

The Word "Justice" shall mean Justice of the Peace acting for the County, Borough, Liberty, or Place where the Matter requiring the Cognizance of any such Justice shall arise, and who shall not be interested in the Matter:

When any Matter shall be required to be done before Two Justices, the Expression "Two Justices" shall be understood to mean Two Justices assembled and acting together in Petty Sessions:

The Word "Streets" shall include Squares, Streets, Courts, or Alleys, Highways, Lanes, Roads, Thoroughfares, or public Passages or Places:

The Expression "the Board" shall mean the Metropolitan Board of Works:

The Word "Lessee" shall include any Person holding a Sub-lease.

IV. The Metropolitan Board of Works shall be and they are hereby empowered to carry this Act into execution.

V. It shall be lawful for the Board from Time to Time to appoint a Committee to manage and transact all or any of the

Matters or Purposes which the Board are hereby empowered to do, execute, or perform, which Committee shall have so much or so many of the Powers, Authorities, and Discretion by this Act given to and reposed in the Board as the Board shall think fit or proper to delegate to such Committee.

VI. If any Person, being a Member of the said Committee, shall be directly or indirectly interested or concerned in any Contract which shall be made or entered into by or on behalf of such Committee, for or concerning any of the Works to be performed or done in pursuance of this Act, or for or concerning any Materials to be used or employed therein, every such Contract shall be void; and the Person who, being a Member of such Committee, shall be so interested or concerned, shall for every such Offence be liable to a Penalty of One hundred Pounds, and such Penalty may be recovered by any Person, with full Costs of Suit, in any of the Superior Courts.

VII. It shall be lawful for the Board to make the Improvements following; (that is to say,)

To form a new Street or Road, commencing in the Parish of Saint Anne, Limehouse, in the County of Middlesex, at or from the East India Dock Road at or near its Point of Intersection with the Commercial Road East and West India Dock Road, thence proceeding in a North-westerly Direction, passing by means of a Bridge over the Limehouse Cut, and under certain Arches already formed under the Railway known as the London and Blackwall Extension Railway, and terminating in the Hamlet of Mile End Old Town, in the said County, at or near to York Terrace and Saville Place in the Bow Road, opposite or nearly opposite to the South End of Grove Road:

To improve that Portion of Grove Road which is situate between Bow Road in the said Hamlet of Mile End Old Town and Old Ford Road in the Parish of Saint Matthew, Bethnal Green, and for the Purposes thereof to widen and alter that Part of the Road which is situate on each Side of the Crossing of the Eastern Counties Railway over the said Road, and to construct Side Arches under that Railway, and to alter the Footpaths of such Road, or make new Footpaths on both Sides or either Side of the Eastern Counties Railway, in the said Hamlet of Mile End Old Town and Parish of Saint Matthew, Bethnal Green.

VIII. Subject to the Provisions of this Act, the Improvements and Works by this Act authorized may be made in or upon the Lands delineated on the said Plans and described in the said Books of Reference, and according to the Levels defined on the said Sections; and it shall be lawful for the Board to enter upon, take, use, and hold such of the said Lands as they may deem necessary for all or any of such Purposes, and for providing Space for the Erection of Houses and Buildings adjoining and near such Streets and Improvements: Provided always, that it shall be lawful for the Board, in carrying the Works shown on the said Sections into execution, to deviate to any Extent not exceeding Five Feet from the Levels defined on such Sections.

IX. Provided always, That the Board shall not be authorized to take any Lands for the Purposes of this Act, except such as are delineated on the Plans deposited as aforesaid and described in the Books of Reference thereto, without the Consent of the Owner, Lessee, and Occupier thereof, unless such Lands shall have been omitted by Mistake, and the Fact that such Omission proceeded from Mistake shall have been certified in manner herein-after provided for.

X. If any Omission, Mis-statement, or erroneous Description shall have been made of any Lands, or of the Owners, Lessees, or Occupiers of any Lands, on the said Plans or in the Books of Reference thereto, it shall be lawful for the Board, after giving Ten Days Notice to the Owners of the Lands affected by such proposed Correction, to apply to Two Justices for the Correction thereof, and if it shall appear to such Justices that such Omission, Mis-statement, or erroneous Description arose from Mistake, they shall certify the same accordingly, and they shall in such Certificate state the Particulars of any such Omission, and in what respect any such Matter shall have been mis-stated or erroneously described; and such Certificate shall be deposited with the Clerk of the Peace of the County of Middlesex, and such Certificate shall be kept by such Clerk of the Peace along with the other Documents to which it relates, and thereupon such Plan or Book of Reference shall be deemed to be corrected according to such Certificate, and it shall be lawful for the Board to take the Lands in accordance with such Certificate.

XI. It shall be lawful for the Board, if they deem it expedient so to do, to cause such Part of the Street to be laid out for the Carriageway and such Part thereof for Foot Passengers as they shall think proper, and, if they shall also deem it expedient so to do, to construct, erect, and provide such Vaults, Cellars, Arches, Sewers, Drains, and other Works and Conveniences as they may think proper.

XII. It shall be lawful for the Board to alter, divert, or stop up such Streets as are shown on the said Plans as intended to be altered, diverted, or stopped up, and to alter the Levels of any Streets shown on the deposited Sections as intended to be raised or lowered, in such Manner as, subject to the Powers and Provisions of this Act, the Board may deem expedient for the Purposes of this Act.

XIII. It shall be lawful for the Board, during the Execution and for the Purposes of the Works by this Act authorized, to stop up or cause to be stopped up all or any Part of the Carriage or Foot Ways of Streets which they shall think necessary for the Purposes of this Act, and for that Purpose to put up or cause to be put up sufficient Palisadoes, Bars, Posts, and other Erections, and to make such Order for regulating the Passage of Carts, Carriages, and Horses as to them shall seem proper.

XIV. It shall be lawful for the Board to cause to be arched over or filled up all such Sewers and Drains or Parts thereof which shall lie and be in or near the Street to be made, widened, improved, altered, diverted, or stopped up or inclosed as aforesaid as shall appear necessary for completing the Purposes of this Act, so as that no public Sewer or Drain whatsoever (unless the same become unnecessary by reason of the Purchase of the Property entitled to the Use thereof) shall be in anywise disturbed, injured, or prejudiced without another Sewer or Drain being made in lieu thereof equally serviceable and convenient: Provided always, that at the Time of filling up any Sewer or Drain or Part thereof as aforesaid, the Board shall cause to be made and built other good and sufficient Sewers and Drains of the same or greater Size or Capacity, and upon the same or lower Levels than the Sewers or Drains which shall be filled up, and when made and completed, the said Sewers and Drains shall be under the same Jurisdiction, Care, Management, and Direction as the existing Sewers or Drains.

XV. It shall be lawful for the Board to raise, sink, or otherwise alter or cause to be altered the Position of any of the Steps, Areas, Cellar Windows, and Watercourses, Pipes, or Spouts belonging to any House or Building, and also the Mains and the leaden or other Pipes which for the Purpose of conveying Water or Gas to any House or other Place shall be laid into or from any Main or Pipe laid down by any of the Companies or Societies who furnish the Inhabitants with Water or Gas, and to remove all other Obstructions, so as the

same be done with as little Detriment and Inconvenience to the said Companies, Societies, and Inhabitants as the Circumstances of the Case will admit, and the Board shall make reasonable Compensation to any Person who suffers Damage by any such Alteration.

XVI. Such of the Works hereby authorized as are necessary for or connected with the aforesaid Alteration and widening of that Part of the Grove Road which is situate on each Side of the Crossing of the Eastern Counties Railway over the said Road, and the Construction of Side Arches under that Railway, and the Alteration of or making new Footpaths on both Sides or on either Side of that Railway, and any Works constructed under the Authority of this Act which shall in any way affect the said Railway or the Works connected therewith, shall be made and constructed by the Board in such Manner as shall be approved by the Engineer of the Eastern Counties Railway Company, and in all respects to his Satisfaction, and so as not to affect injuriously the Stability of the said Railway or any of the Works thereof, or to endanger, obstruct, or interfere with or impede the Traffic upon the said Railway; and the Board shall make full Compensation for any Damage which may be occasioned to the said Railway by the Construction of any Works by the Board, or any Act or Default of the Board, their Agents, Servants, or Workmen, and the Amount of any such Compensation shall be ascertained and settled in the Manner provided by "The Lands Clauses Consolidation Act, 1845," with respect to Questions of disputed Compensation; and all such Works, when so made and constructed by the said Board as aforesaid, shall, so far as respects such Part thereof as shall be situate within the Hamlet of Mile End Old Town, be from Time to Time maintained and repaired in such Manner as shall be approved by the Engineer for the Time being of the said Railway Company, and to his Satisfaction, by the Vestry of the Hamlet of Mile End, and so far as respects any other Part thereof, shall be so maintained and repaired by the District Board or Vestry of that Parish or Place in which such Works are situate, according to the Provisions contained in this Act.

XVII. If any Dispute shall arise between the Board and the Eastern Counties Railway Company or their Engineer with respect to the Construction, or between either of the said District Boards or Vestries and the said Railway Company or their Engineer, or between the said District Boards or Vestries, with respect to the Maintenance or Repair of any Work under or in any way affecting the said Railway, every such Dispute shall be settled by Arbitration in the Manner provided by "The Railways Clauses Consolidation Act, 1845," with respect to the Settlement of Disputes by Arbitration.

XVIII. In carrying the said new Street or Road over the Limehouse Cut of the River Lee Navigation, the Board shall and they are hereby required, at their own Expense, to make a proper and substantial Bridge over the said Navigation, such Bridge to be built of Brick, Stone, or Iron, with a Span or Opening the whole Width of the present Waterway and Towing-path, and the Soffit or under Side of the said Bridge shall be in the Centre thereof Ten Feet at the least, and in no Place less than Eight Feet above High-water Mark, Trinity Standard; and shall also make a Wall of Kentish Rag Stone, coped with Granite, to protect and retain the Towing-path belonging to the said Navigation under the said Bridge and for Forty Feet on each Side of the Centre Line thereof, and the Coping of such Wall shall be not less than Twelve Inches above the High-water Mark before mentioned, and the Foundations of the Abutments of the said Bridge and Wall shall be carried to a Depth of Twelve Feet at least below the Level of the High-water Mark before mentioned.

XIX. The Bridge so to be built as aforesaid over the River Lee Navigation shall be executed to the reasonable Satisfaction of the Engineer for the Time being of the Trustees, at the Expense of the Board; and such Bridge when erected shall be maintained and repaired by the District Board to such Satisfaction as aforesaid; and if any Dispute shall arise between that Engineer and the Engineer or Architect of the Board, the same shall be referred to and determined by such Referee or Umpire as may be agreed upon by the said Engineer of the said Trustees and the said Engineer or Architect of the said Board, and the Decision of the said Umpire or other Person so to be appointed as aforesaid shall be final and conclusive between the Parties to all Intents and Purposes, as well with regard to the Matters in dispute as to the Costs of the Parties to the Arbitration and Award.

XX. At all Times during the Construction of the said Bridge and other Works, and any future Repairs thereof, the Board or the District Board shall leave for the free and uninterrupted Passage of Boats, Barges, or other Vessels along the said Navigation an open and uninterrupted navigable Waterway of the Width of Twenty-four Feet at the least, and an uninterrupted Horseway along the said Towing-path of the Width of Six Feet at the least, both Waterway and Horseway having a clear Height or Headway of at least Seven Feet.

XXI. If during the Progress of any such Works of Construction Damage shall be occasioned to the said Navigation or Towing-path, or any Works of the said Navigation or any Works connected therewith, the Board shall (to such reasonable Satisfaction as aforesaid) restore the same to as good and efficient a State and Condition as the same were in prior to the occurring of any such Damage; and if the said Bridge and other Works shall in the first instance be imperfectly constructed, by means of which any Loss of Water or Obstruction to the Navigation or Towing-path shall take place, and Notice thereof in Writing shall be given by the Clerk of the said Trustees to the Board or their Clerk for the Time being, or if such Damage shall arise from Want of Repair after the Completion of the Bridge, then to the District Board charged with such Repair or their Clerk for the Time being, and the Board or District Board, as the Case may be, shall not for the Space of Fourteen Days after such Notice shall have been given, or forthwith if the Nature of the Case require it, sufficiently and effectually amend or repair such Bridge and other Works to such reasonable Satisfaction as aforesaid, and complete the same with all reasonable Expedition, it shall be lawful for the said Trustees from Time to Time to execute such Amendments and Repairs as may be necessary and the Case may require; and the Board or District Board, as the Case may be, shall and they are hereby required from Time to Time to pay to the said Trustees, within Fourteen Days after Demand, all the reasonable Costs and Expenses which may be incurred by the said Trustees from Time to Time in or about the several Matters aforesaid.

XXII. If in the Execution of any of the Works by this Act authorized, or by reason or in consequence of any Act, Neglect, or Omission of the Board, or of their Agents, Servants, or Workmen, or if in sinking the Foundations or Abutments, or in consequence of any of the Works connected therewith when made, the Water of the said River Lee Navigation shall leak, escape, or run to waste, the Board shall forfeit and pay to the said Trustees the Sum of Five Pounds as and for ascertained Damages for every Nine thousand Cubic Feet of Water which shall so leak or run to waste, and in the same Proportion for any greater or less Quantity; and if by reason of the Matters aforesaid, or any or either of them, it shall happen that the said Navigation or the Towing-

path thereof shall be so obstructed or interrupted as that Boats, Barges, or other Vessels using the Navigation, or Horses drawing the same, shall be stopped in their Passage along the said Navigation or Towing-path, or either of them, then and in every such Case the Board shall forfeit and pay to the said Trustees the Sum of One Pound as and for ascertained Damages for every Hour during which any and every such Obstruction or Stoppage shall continue after Notice thereof to the Board.

XXIII. The Board or the Limehouse District Board shall not, by means of any Sewer to be hereafter constructed by them in the new Street, cause the Drainage from any Houses erected along such Street, or to be erected on any Land of William Cotton Esquire situate on the North Side of the said Cut, to flow into the said Navigation.

XXIV. Nothing in this Act contained shall diminish, alter, prejudice, affect, or take away any of the Rights, Privileges, Powers, or Authorities vested in the said Trustees, or authorize or empower the Board to alter the Line or Level of the Navigation, or of the Towing or Foot Paths thereof, or of any or either of them, or any Part thereof respectively, or in any Manner to obstruct or impede the Navigation, or any Part thereof, or to divert, intercept, cut off, take, use, or diminish any of the Waters therein, or to divert or turn any Sewer, Watercourse, or Land Drain into any Part of the Navigation, or to otherwise interfere with or injure any of the Works of the Navigation, or to take or use any of the Lands, Buildings, or other Property belonging to the said Trustees, or to do any Act whatever to the Prejudice of the Navigation, except so far as they may be authorized so to do under the express Provisions of this Act, without the Consent of the Trustees in Writing under their Common Seal in that Behalf first had and obtained.

XXV. And whereas Agreements have been made with the Parties herein-after mentioned for the following Purposes connected with the new Street; (that is to say,)

In respect of the Lands of William Cotton Esquire:

The Owner of such Lands to give up and appropriate to the said Board the Land required for the Purposes of the new Street between the Points marked on a Plan in the Office of the Board, to the Width shown on the said Plan, free of all Cost to the Board, and without any Payment by the Board in respect thereof:

Such Owner to undertake the Formation of the Carriageways and Footways between the Points aforesaid, and to construct all Works necessary for such Purposes, and for fencing in the Street from the adjoining Lands:

Such Owner to contribute and pay to the Board the Sum of One thousand Pounds towards the Cost of the intended Bridge over the Limehouse Cut, and the further Sum of Two hundred and sixty Pounds towards the Costs of Part of the new Street within the Hamlet of Mile End Old Town:

In respect of the Lands held by Richard Baggallay, Charles Salisbury Butler, and James Holbert Wilson:

Such Owners to give up and appropriate to the said Board the Land required for the Purposes of the Street between the Points marked on the last-mentioned Plan without Payment, and free of all Cost to the Board as aforesaid, to the Width shown on such Plan, and the said Board undertake to form and construct, within Two Years after the present Session, the Carriage and Foot Paths between the lastly-mentioned Points, and all Works necessary for such Purposes, and to fence in the Street from the adjoining Lands:

In respect of Lands of Paynton Pigott, Stainsbury Conant and Francis Piggott:

The Owners of such Lands to give up and appropriate to the said Board the Land required for the Purposes of the new Street between the Points marked in the said Plan, without Payment, and free of all Cost to the Board as aforesaid, to the Width shown on such last-mentioned Plan:

In respect of the Formation and Maintenance of the Road and Works:

The Board of Works for the District of Limehouse to make and maintain the Carriage and Foot Ways of such Parts of the new Street (not otherwise provided for) as are situate within their District, and lay out, form, and pave and fence the same free of all Costs to the said Board, and the Vestry of the Hamlet of Mile End Old Town to pay to the said Board the Sum of One thousand Pounds towards and in part of the Costs of forming the said new Street, such Payment to be made when the said new Street (including the Formation, laying out, making up, paving, kerbing, and fencing of the Carriage and Foot Ways, and the Sewerage) is completed:

Be it therefore enacted, That the said Agreements shall be binding upon all Parties thereto, and be carried into effect accordingly, and the Board shall not be compelled or compellable to proceed with the Execution of this Act until the Board shall be satisfied that those Agreements will be so carried into effect.

XXVI. When the new Street is completed, all the Land which shall be laid into the same and paved as aforesaid shall form Part of the Street, and be used by the Public accordingly; and the new Streets, Bridges, and other Works by this Act authorized to be made, altered, or improved shall, after their Completion, be maintained and repaired by the Board of Works of the District or Vestry of the Parish or Place in which the same are respectively situate, or by any other Parties or Persons liable to repair the same; and the paving, sewering, draining, and lighting shall be under the Care, Management, Control, and Jurisdiction of such Board of Works of the District or of such Vestry, as the Case may be.

XXVII. The Board may permit the Use of the Subsoil or Ground under any Street formed by the Board, or any Part thereof, for Cellars or Vaults attached to the Houses on the Sides of such Street, and also the Use of such Subsoil or Ground by any Company or Person for the Purpose of Subways, Subroads, Railways, or any Public Works or Purpose, or for laying down Gas or Water Pipes, or Telegraph Wires, upon such Terms and Conditions and for such Period as the Board and such Company or Person may mutually agree; and the Board may sell and convey any such Right or Property to any Company or Person for any of the Purposes aforesaid, or may grant a Lease thereof for any Term or Number of Years, and make such Stipulations for preventing Injury to the adjoining Property and for the Security of the Public as the Board think proper.

XXVIII. It shall be lawful for the Board to sell the Materials of the Houses and Buildings which have been purchased or taken by them by virtue of this Act.

XXIX. The Powers of the Board for the compulsory Purchase or taking of the Lands authorized to be taken by this Act shall not be exercised after the Expiration of Five Years, to be computed from the passing of this Act.

XXX. The One hundred and thirty-third Section of the Lands Clauses Consolidation Act, 1845, shall not be incorporated with or form Part of this Act.

XXXI. And whereas by reason of the Exercise of the Powers by this Act granted there may be Deficiencies in the Assessments for Land Tax in the said Parishes, Precincts, and Districts through or in which the Works hereby authorized may be performed or done: The Board therefore, in case they shall become possessed by virtue of this Act of any Premises charged with the Land Tax, shall from Time to Time, until the Works hereby authorized shall be completed and assessed to such Land Tax, be liable to make good the Deficiency arising within any Parish, Precinct, or District by reason of any Lands having been taken or used for the Purposes of this Act, and such Deficiency shall be computed according to the Rental at which such Lands, with any Buildings thereon, were valued or rated at the Time of the passing of this Act, and the Board shall pay all Deficiencies on Demand thereof to the Collector of the said Assessments; nevertheless, if at any Time the Board think fit to redeem such Land Tax, they may do so in accordance with the Powers in that Behalf given by the Acts for the Redemption of the Land Tax.

XXXII. In case any Lands which shall be purchased and cleared under the Provisions of this Act shall not be laid into and form Part of the Streets to be made and improved as aforesaid, it shall be lawful for the Board, when and as they shall think fit so to do, to demise and lease such Lands, or such Parts thereof as the Board shall think it expedient to let, on Building Leases, either altogether or in Parcels, to any Person or Persons who shall erect and build or covenant and agree to erect and build thereon, or on any Part thereof, Houses, Erections, and Buildings of such Rate or Class of building, and upon such Plan and Elevation, and of such Height and with such Stories as the Board shall think proper, for any Term or Number of Years, to determine at or before the Expiration of Ninety-nine Years from and after the passing of this Act, so as there be reserved in every such Demise or Lease the best yearly Rent, to be incident to the immediate Reversion of the Premises therein comprised, as can be had or gotten for such Lands, subject to the Conditions which the Board may think expedient to attach thereto, and so that in every such Demise or Lease there be contained a Covenant for the Payment of the Rent thereby to be reserved, and such other Covenants on the Part of the Tenant or Lessee to be therein named as the Board shall reasonably advise or require, and also a Clause in the Nature of a Condition of Re-entry on Nonpayment of the Rent thereby to be reserved, or on Nonperformance of the Covenants therein to be contained on the Part of the Tenant or Lessee to be observed and performed; and every such Tenant or Lessee shall give such good and sufficient Security for the erecting, finishing, and completing of every such House, Erection, and Building which he shall covenant or agree to erect within the Time in which he shall have contracted to finish the same as the Board shall order and direct; and further, the Board may apportion the Rents and grant separate Leases of any Part of the Hereditaments by any such Agreement agreed to be leased as the Board think fit, and may also alter or rescind any Agreement as aforesaid, and may accept any Surrender of any Lease granted, for the Purpose of granting separate Leases of the same Premises, at apportioned Rents or under different Covenants or otherwise in all respects as the Board shall think fit; and any Part of the said Lands may be appropriated for and left as Yards or Courts to be attached to any Houses agreed to be leased as the Board shall think fit: Provided always, that the Rent reserved or agreed to be reserved shall not be diminished.

XXXIII. As soon as conveniently may be after the Houses, Erections, and Buildings to be erected and built as hereinbefore is mentioned, or any of them, shall be finished and completed, and either before or after any such Leases shall have been granted thereof, the Board shall sell and dispose of or cause to be sold and disposed of the Ground Rents to be reserved by the Leases or Demises, or agreed to be reserved by any such Agreement as aforesaid, in pursuance or in consideration of which the same Houses respectively shall have been erected and built, or shall be agreed to be erected and built, and also the Reversion and Inheritance in Fee Simple in possession (subject to such Leases, Demises, or Agreements of the Lands therein demised or agreed to be demised) of such Houses and other Buildings, except such as shall have been otherwise disposed of pursuant to this Act, either altogether or in Parcels, by Public Auction or Private Contract, for such Price or Prices or Sum or Sums of Money as the Board shall think reasonable, and subject to such Stipulations and Provisions for the Enjoyment thereof, and as to the Nature of the Buildings which are to be at all Times erected and built, and also subject to such Stipulations as to the Title to be produced to the Hereditaments to be sold, as the Board shall think fit; and as regards any Stipulations or Provisions which may be contained in any such Conveyance, the same may at all Times thereafter be enforced in a Court of Equity by the Board, for the Benefit of the Parties entitled to the other Property adjoining or held under the same Title, in such Manner in all respects as the Board shall think fit; and the Board shall, at the Request, Costs, and Charges of the Purchasers of the same Premises respectively, upon Payment of the Money agreed to be given for the same respectively to the Board, by Deed convey and assure the Lands so purchased by such Purchasers respectively, together with the Houses, Erections, and Buildings then erected and built or to be erected and built thereon respectively, and the Fee Simple and Inheritance thereof, with the Appurtenances, to such Purchasers respectively, their Heirs and Assigns respectively, or as they respectively shall in that Behalf order or direct, free from Incumbrances (except the Building Leases or Agreements to be granted thereof by virtue of this Act).

XXXIV. It shall be lawful for the Board, if they shall think it expedient so to do, to sell and dispose of, in the Manner herein-before directed, all or any Lands whatever which shall not be laid out and form Part of the Street to be made or improved as aforesaid, without having previously granted or agreed to grant any Lease thereof, and to convey and assure the same unto the Purchaser or respective Purchasers thereof, for such Sum or Sums of Money, and upon, under, and subject to such Terms and Conditions, and with, under, and subject to such Covenants and Agreements on the Part of the Person or Persons purchasing or agreeing to purchase the same, with respect to the Size or Class of the Houses, Erections, and Buildings to be erected thereon, and the Height, Size, and Elevations thereof, and the Time and Manner of erecting the same, and with respect to any other Matters, Restrictions, and Things relating thereto, as the Board shall think fit and impose.

XXXV. The Board shall, within Ten Years after the Completion of the Streets respectively, sell and dispose of to any Person or Persons, and grant and convey such Parts of the said Lands as they shall not think proper to let on Building Leases, or any other Lands which they may have purchased under the Authority of this Act, which shall not be wanted for the Purposes of this Act.

XXXVI. The Receipt of the Board for any Purchase Moneys, Rents, or Profits, or other Money payable to the Board by virtue of this Act, shall be a sufficient and effectual Discharge for the Money in such Receipt expressed or acknowledged to be received, and the Person to whom the same shall be given shall not afterwards be answerable or accountable for the Misapplication or Nonapplication of the Money in such Receipt expressed or acknowledged to be received.

XXXVII. The Expenses incurred by the Board of applying for, obtaining, and passing this Act, and preparatory or inci-

dent thereto, and the Expenses of carrying this Act into execution, shall be and are hereby included in the Expenses which are authorized to be defrayed by the Board under and in the Manner provided by "The Metropolis Local Management Act, 1855."

XXXVIII. For the Purpose of defraying the Expenses of carrying this Act into execution it shall be lawful for the Board from Time to Time to borrow and take up at Interest any Sums of Money which the Board may require for the Purposes of this Act; and for securing the Repayment of the Moneys so to be borrowed with Interest, the Board may issue Bonds under their Corporate Seal, or may mortgage and assign over the Moneys or Rates which may be charged, raised, or assessed by them by virtue of the Metropolis Local Management Act, 1855, or any Part thereof respectively, to the Person who shall lend and advance such Money, or his Trustees, as a Security for the Repayment of the Money so to be borrowed, together with Interest for the same.

XXXIX. Every such Bond and Mortgage shall be by Deed duly stamped, in which the Consideration shall be truly stated, and every such Bond may be according to the Form in the Schedule to this Act annexed or to the like Effect.

XL. The Sections of the Metropolis Local Management Act, 1855, numbered respectively 184 to 191, both inclusive, are incorporated with this Act, and shall be applicable to the Mortgages and Bonds by this Act authorized to be granted and issued.

XLI. All Persons to whom such Bonds or Mortgages shall be made, or who shall be entitled to the Moneys thereby secured, shall, in proportion to the Sums therein respectively mentioned, be Creditors on the said Moneys raisable under the Metropolis Local Management Act, 1855, equally one with another, without any Preference in respect to the Priority of advancing such Moneys, or of the Dates of any such Bonds or Mortgages respectively.

XLII. The Form of Transfer of Mortgages contained in Schedule (F.) to "The Metropolis Local Management Act, 1855," shall be applicable, so far as may be practicable or convenient, to the Transfer of Bonds granted or issued under the Authority of this Act.

XLIII. All Moneys raised by Mortgage or Bond shall be charged upon and payable out of the Moneys or Rates which the Board are authorized to raise or assess by virtue of the Metropolis Local Management Act, 1855; and all Remedies given by such Act shall be applicable to any Sums of Moneys to be raised by virtue of this Act, but such Moneys shall not, unless the same be expressly declared in the Mortgage Deed or other Security, be charged upon the Land which may become vested in the Board for the Purposes of this Act.

XLIV. The Expenses of every Bond and Mortgage shall from Time to Time be defrayed by the Board out of the Money raised by the same.

XLV. The Board shall keep separate Accounts of all Moneys borrowed by them, and of all Lands, Tenements, and Hereditaments purchased by them, and of the Moneys invested in such Purchases, and of all their Receipts, Credits, Payments, and Liabilities with respect to the Execution of this Act; and in order the better to show the State of the Affairs of the Board, those Accounts shall be kept separate and distinct from all their other Accounts.

XLVI. All the Money which shall be raised under the Authority of this Act by borrowing on Mortgage or Bond shall be applied in the first place in paying the Expenses incurred by the Board of applying for, obtaining, and passing this Act, and preparatory or incident thereto, and afterwards in purchasing Lands and making such new Street and other Improvements connected therewith as are hereby authorized and as the Board shall direct to be made, and in carrying the Purposes of this Act into execution with reference thereto.

XLVII. The Purchase Money arising from the Sale by the Board of any Lands, or from the Sale of the Ground Rents reserved or agreed to be reserved under the Powers of this Act, shall be applied in carrying out the Improvements and Purposes by this Act authorized, or in augmentation of and addition to, but not in substitution for, the Sinking Fund to be provided by the Board in pursuance of the One hundred and ninetieth Section of the Metropolis Local Management Act, 1855, for the Discharge of the Principal Moneys borrowed under the Authority of this Act, and after discharging all the Purposes of this Act any Surplus shall be applicable to the Purposes to which the general Funds authorized to be raised by the Board are by the Metropolis Local Management Act, 1855, directed to be applied.

XLVIII. Nothing whatsoever contained in this Act, or in any of the Acts herein recited or referred to, shall extend to authorize the Board to purchase, take, use, or otherwise interfere with any Land, Soil, Tenements, or Hereditaments, or any Rights in respect thereof, belonging to Her Majesty in right of Her Crown, without the Consent in Writing of the Commissioners for the Time being of Her Majesty's Woods, Forests, and Land Revenues, or One of them, first had and obtained for that Purpose, and which such Commissioners or Commissioner are and is hereby authorized and empowered to give, or to divest, prejudice, diminish, alter, or take away any of the Estates, Rights, Privileges, Powers, or Authorities which now are or hereafter may be vested in or enjoyed by Her Majesty, Her Heirs or Successors.

SCHEDULE referred to in the foregoing Act.

Form of Bond.

The Metropolitan Board of Works
Bond No. £

By virtue of "The Act, 1858," we, the Metropolitan Board of Works, in consideration of the Sum of Pounds to us in hand paid by A.B. of , do bind ourselves and our Successors unto the said A.B., his Executors, Administrators, and Assigns, in the penal Sum of Pounds. The Condition of the above Obligation is such that if the said Board shall pay to the said A.B., his Executors, Administrators, or Assigns, at on the Day of which will be in the Year One thousand eight hundred and , the Principal Sum of Pounds, together with Interest for the same at the Rate of Pounds per Centum per Annum, payable half-yearly on the Day of and Day of , then the above-written Obligation is to become void, otherwise to remain in full Force.

Given under our Common Seal this Day of One thousand eight hundred and .

Cap. xxxix.

"The *Burghead* Harbour Act, 1858."

Recites that W. Young, Esq., claims to be Heritable Proprietor of the Town and Lands and Port and Harbour of Burghead, and has expended large Sums in the Formation of Piers and Docks there; the Expediency of further Works; his Willingness to execute them.

Incorporates Lands and Harbours, Docks, and Piers Clauses Acts, except §§ 16 to 19, and §§ 25, 26 of the latter, but Power reserved to Admiralty to apply §§ 16, 17; § 3.

Limits of Harbour; Works; Approval of Admiralty, §§ 4 to 6, and 8, 9, and 13.

Compulsory Powers of Purchase, Five Years, § 7.

Completion of Works, Ten Years; of deepening Harbour, Three Years, §§ 10, 11.
Rates; Sinking Fund; Application of Moneys, §§ 14 to 19.
Harbour-masters; Pilots, §§ 20 to 25.
Power to borrow 11,000*l.* on Security of Rates, §§ 26 to 29.
Appointment of Auditor by Board of Trade, § 30.
Officers and Accounts, §§ 31 to 34.
Saving of General Acts; of Rights of Crown; and of Admiralty, §§ 35 to 37.
Schedules (Rates, &c. &c.)

Cap. xl.

"The *Stoke, Fenton, and Longton* Gas Act, 1858."

Recites Formation of Company under Deed of Settlement of 1st March 1843, and Supplemental Deed of 19th July 1847, with a Capital of 20,000*l.* in 2,000 Shares of 10*l.*; that 220 have a Preference until 25th March 1859; that 1,500 (including the Preference) Shares are fully paid up, the Remainder to the Extent of 5*l.*; that their Debt is 2,000*l.*
Companies, Lands (except compulsory Powers), and Gas Clauses Acts incorporated, §§ 2, 3.
Limits of Act, § 4.
Incorporation of Company; Avoidance of Deeds; Saving of Rights and Liabilities, §§ 5 to 14.
Capital 40,000*l.*; *i. e.* 20,000*l.*, original Capital, in 10*l.* Shares, and 20,000*l.*, additional Capital, in Shares of such Value as Directors determine, §§ 15 to 17, and §§ 19 to 23.
Saving of Preference Shares, § 18.
Power to borrow a further Sum of 3,000*l.* forthwith; and eventually 3,000*l.* more, §§ 24 to 26.
Meetings; Directors, §§ 27 to 35.
Gasworks; Supply of Gas, §§ 36 to 46.
Supply for Public Purposes; Testing of Gas; Saving Rights of Commissioners, §§ 47 to 52.

Cap. xli.

"The Sufferance Wharves, Port of *London*, Act, 1858."

Recites Minutes of Commissioners of Customs, dated 13th May 1789, 3d January, 4th June, 23d June, and 13th July 1857, and 27th April 1858; the Legal Quays (London) Acts, viz., 9 & 10 Vict. c. cccxcix; 10 & 11 Vict. c. cc; and 11 & 12 Vict. c. xviii.
Provisions in those Acts extended to Broken Wharf and Red Lion Wharf, in the City of London, Miller's Wharf and Dublin Wharf, situate at Lower East Smithfield, Sharpe's Wharf and Saint Bride's Wharf, situate at Wapping in the County of Middlesex, New Hibernia Wharf in the Parish of Saint Saviour, Southwark, Freeman's Wharf, Mesnard's Wharf, Landell's Wharf, Pearson's Wharf, and Coles' Upper Wharf in the Parish of Saint John Horselydown, Southwark, and Scott's Wharf, Springall's Wharf, Farrand's Wharf, Brown and Young's Wharf, Lucas and Spencer's Wharf, and Fisher's Wharf, respectively situate in the Parish of Saint Mary Magdalen, Bermondsey, and Platform Wharf, Landell's Wharf, and Atkins' Wharf, respectively situate in the Parish of Saint Mary, Rotherhithe, §§ 1 to 10.
And it is provided that Money deposited for disputed Freights shall be paid to the Shipowner or Broker, unless Notice to retain it is given within 15 Days, and unless Proceedings are commenced to settle the Dispute within Thirty Days, § 11.

Cap. xlii.

"The *Besselsleigh* Road Act, 1858."

Recites the Acts relating to the Trust; and that 3,950*l.* is due upon the Tolls; proposes to repeal Acts, and to obtain further Powers.
Repeal of Acts, § 1; Saving of Rights, &c., &c., § 5.
Vesting of Property; Trustees; Meetings, §§ 6 to 9.
Tolls, §§ 10 to 20; Toll Gates, § 21.
Application of Moneys, §§ 22, 23.
Mortgagees not to take possession unless Default in Payment of Interest, § 24.
Mode of discharging Debt, § 25.
Saving of Improvement and of General Acts, §§ 26, 27.

Cap. xliii.

"The *Alyth* Railway Act, 1858."

Incorporates Companies, Lands, and Railways Clauses (Scotland) Acts, § 3.
Company incorporated, with Capital of 33,000*l.* in 10*l.* Shares, and Power to borrow 11,000*l.*, §§ 4 to 9, and § 12.
Power for Scottish North-eastern and the Dundee and Perth and Aberdeen Railway Companies to hold Shares not exceeding 10,000*l.*, §§ 10, 11.
Meetings; Directors, §§ 15 to 25.
Railway, §§ 26, 27, and § 34.
Junction with Scottish North-eastern Railway, §§ 28, 29.
Board of Trade Provisions, §§ 30 to 33.
Two Years for compulsory Purchases, § 36.
Three Years for Completion of Works, §§ 37, 56.
Tolls, §§ 38 to 46, and § 54.
Power to enter into Agreements with the Scottish North-eastern, and with the Dundee and Perth and Aberdeen Railway Companies, §§ 47 to 53.
Saving Rights of Scottish North-eastern Company, § 57.

Cap. xliv.

"*Brentford* Gas Act, 1858."

Recites 1 & 2 G. 4. c. lxix., incorporating the Company; 5 & 6 Vict. c. lxxviii., and 11 & 12 Vict. c. xxxix.; that they have raised by Shares (paid up) 57,500*l.*; *i. e.* 37,500*l.* in 50*l.*, and 20,000*l.* in 25*l.* Shares; have borrowed 29,987*l.*; and expended 40,000*l.* or more, applicable to Dividends, upon the Works; proposes to capitalise 32,200*l.* Part of the 40,000*l.*, *i. e.* to raise the Capital to 89,700*l.* by increasing the nominal Amount of each 50*l.* Share to 78*l.*; and of each 25*l.* Share to 39*l.*; to raise further Moneys, and to repeal Acts.
Incorporates Companies, Lands (except compulsory Powers), and Gas Clauses Acts, §§ 2.
Limits of Act, § 4; of Gasworks, § 71.
Repeal of Acts; Company remaining incorporated, and Saving of Rights and Liabilities, §§ 5 to 18.
Meetings; Directors; Auditors, &c. &c., §§ 19 to 31.
Capital; the Sums of 58,500*l.* and 31,200*l.* Consolidated Stock, vested in the Holders of the 50*l.* and 25*l.* Shares respectively; and the Sum raised by new Shares under the Act, §§ 32 to 35.
Power to raise 90,000*l.* by new Shares, with or without a Preference; Limit to Guarantee, §§ 37 to 47.
Limitation of Dividend, § 48.
Power to borrow a further Sum of 20,000*l.*, §§ 50 to 52.
Power to set aside 5,000*l.* as a Contingency Fund, § 53.
Supply of Gas; Testing of Gas, §§ 55 to 63.
Roads, and Power to divert a Footway, §§ 64 to 73.
Saving Rights of several Public Bodies, §§ 74 to 77.

Cap. xlv.

"The *Inverury and Old Meldrum* Junction Railway Lease Act, 1858."

Recites Incorporation of Company in 1855, with a Capital of 22,000*l.* in 2,200 Shares of 10*l.*, of which 1,480 are taken

and 14,591*l.* paid thereon, and 720, amounting to 7,200*l.* are surrendered or not issued; that they have a Power (unexercised) to borrow 7,000*l.* (subject to Reduction on account of Feu Duties), but that they have incurred Liabilities amounting to 10,500*l.*; proposes to cancel surrendered and unissued Shares; to raise further Moneys by Preference Shares; and to grant a Lease in perpetuity to the Great North of Scotland Railway Company in lieu of their Working Agreement of 19th March 1855.
Working Agreement to be void, § 3.
Lease to Great North of Scotland Company in perpetuity, § 4.
Maintenance of Railway, § 5; Byelaws, § 12.
Yearly Rent of 650*l.* secured on the Tolls and Undertaking; and Recovery of Rent and Arrears, §§ 6 to 9.
Saving of Rights and Liabilities, §§ 10, 11; and Saving of Great North of Scotland Company from Debts of the Company, § 13.
Cancelling of Shares and Reduction of Capital to 14,800*l.* § 14; and Borrowing Powers extinguished, § 15.
Power to raise 10,500*l.* by Shares with or without a Preference not exceeding 5*l.* per Cent., §§ 16 to 19.
Incorporates Parts of Companies Clauses Act, § 20.

Cap. xlvi.

"The *Banbridge, Lisburn, and Belfast* Railway Act, 1858."

Proposes to incorporate the Company and to authorize Traffic Agreements with the Ulster, the Dublin and Belfast Junction, and the Banbridge Junction Railway Companies; and also Working Agreements with the Ulster Railway Company.
Incorporates Companies, Railways (Ireland), and Lands Clauses Acts, § 1.
Company incorporated with a Capital of 150,000*l.* in 10*l.* Shares, and Power to borrow 49,000*l.*, §§ 3 to 8.
Meetings; Directors, §§ 11 to 20.
Railway, §§ 21 to 23; to be completed in Five Years, § 30 and § 49.
Level Crossings, §§ 24 to 27.
Three Years for compulsory Purchases, § 29.
Communications with Ulster Railway and with Banbridge Junction Railway, §§ 31 to 33.
Tolls, §§ 34 to 43.
Power to enter into Traffic and Working Agreements, §§ 44 to 48.

Cap. xlvii.

"The *East Suffolk* Railway (Branch and Capital) Act, 1858."

Recites Incorporation in 1854, with a Capital of 450,000*l.* consisting of 150,000*l.* in 20*l.* Shares (all raised), and 300,000*l.* (of which 250,000*l.* is raised) in 10*l.* Shares, and Power to borrow 150,000*l.*, of which 123,500*l.* has been borrowed; recites the State of the Works; "The Lowestoft and Beccles Railway Act, 1856," proposes to form a Junction with that Railway, to lay down a double Line of Rails throughout the Main Line, and to raise further Moneys.
Incorporates Lands and Railways Clauses Acts, § 2.
Branch Railway to be completed in Three Years, §§ 4 to 6, and §§ 12, 13.
Communications with Lowestoft Railway to be made to the Satisfaction of the Engineers of Eastern Counties and Norfolk Railway Companies, § 10.
Two Years for compulsory Purchases, § 11.
Board of Trade and Admiralty Provisions, §§ 7 to 9, and §§ 14 to 19.
Power to raise additional Capital of 360,000*l.* in 10*l.* Shares, §§ 20 to 23.
Power to borrow additional Sum of 120,000*l.*, §§ 24 to 26.
Double Line of Rails to be laid down on Main Line, § 27.
Tolls, §§ 27 to 31.
On passing of Act for amalgamating the East Suffolk, the Yarmouth and Haddiscoe, and the Lowestoft and Beccles Railway Companies, the Branch Railway to form Part of the Undertaking of the amalgamated Company, § 32.

Cap. xlviii.

"*Waterford and Kilkenny* Railway Company's Act, 1858."

Recites that the Company under their Act of 1845 (Incorporating Act) and their Acts of 1848, 1850, and 1851 have Power to raise and have raised 250,000*l.* by Ordinary Shares, 200,000*l.* by 6*l.* per Cent. Preference Shares, and 149,000*l.* by borrowing, of which 136,735*l.* is borrowed; and that 101,000*l.*, Part thereof, is owing to the Public Works Loan Commissioners; proposes further Borrowing Powers in lieu of those existing.
Power, with Consent of Lender, to issue perpetual and irredeemable Mortgages at Interest not exceeding 5*l.* per Cent., §§ 3 to 5.
Power to issue Debenture Stock to the Extent and in lieu of existing borrowing Powers, and to attach a Dividend not exceeding 6*l.* per Cent. upon the first 102,000*l.* paid up for Five Years, and subsequently 5*l.* per Cent. in perpetuity upon that and also the Residue, § 6.
Stock to be applied exclusively in satisfaction of Debt, or for raising Money in lieu of borrowing, §§ 7, 10.
Interest to rank with Interest on Debt, § 8.

Cap. xlix.

"The *Horsham and Dorking* Turnpike Road Act, 1858."

Recites 4 G. 4. c. lxxxvi., and that 7,275*l.* is due upon the Tolls; proposes to repeal Act, and to obtain further Powers.
Repeal of Act, § 1; Saving of Rights and Liabilities, §§ 4 to 8.
Trustees; Meetings; Roads, §§ 9 to 12.
Tolls; Toll Gates, §§ 13 to 21.
Application of Moneys, § 22.
Mortgagees not to take possession unless Default in Payment of Interest, § 23.
Mode of discharging Debt, § 24.
Trustees not bound by Trusts affecting Sums owing, § 25.
Schedule (Mortgagees).

Cap. l.

"The *Stokes Bay* Railway and Pier Act, 1858."

Recites Act of 1855.
Time for Completion extended Two Years, § 2.
Saving of Contracts, § 3.
Repeal of Section 22 of Act of 1855 (Railway over Ordnance Lands to be upon Viaduct), § 4.
Crown Property not to be interfered with without Consent of Secretary of State, and Provision for National Defences, §§ 5, 6.
Agreements with London and South-western Railway Company, §§ 10 to 13.

Cap. li.

"*East Kent* Railway (Extension to *Dover*) Amendment Act, 1858."

Recites that the Shares issued under the Company's Acts of 1853 and 1855 are 25*l.* Shares; that upon those issued under the Act of 1853, and not forfeited, 25*l.* has been paid; that those issued under the Act of 1855 are 5*l.* Preference Shares, and 10*l.* is paid up on those which are not forfeited; that they can only dispose of forfeited Shares by Sale; proposes to divide the Shares; also to cancel and reissue; and to extend Time for compulsory Purchases and Completion of Works.
Repeals Act of 1857 (extending Time for compulsory Purchases), and Section 33 of Act of 1855 (limiting Time for Completion), § 2.
Time for compulsory Purchases extended Two Years, § 3.
Time for Completion of Works extended to 29th September, 1860, §§ 4, 5.
Compensation and Saving of Contracts and Notices, §§ 6, 7.
Power to cancel Shares which cannot be sold, §§ 8 to 11.
Power to issue Two Half Shares of 12*l.* 10*s.* in lieu of every 25*l.* Share cancelled, § 12.
Power to cancel unissued new Shares of 1855, and to issue them (and any Capital authorized by the Act of 1855 and not issued) in "Preferred Half Shares" and "Deferred Half Shares," §§ 13, 14.
Division of Shares; Extent to which they shall be deemed paid up, § 15.
Dividends, Transfer, §§ 16 to 19.
Option to Shareholders of converting Shares, §§ 20 to 24.
Registration, §§ 25 to 27.

Cap. lii.

"*Taunton* Waterworks Act, 1858."

Incorporates Companies, Lands, and Waterworks Acts, § 2.
Company incorporated with a Capital of 12,000*l.* in 10*l.* Shares, and Power to borrow 3,000*l.*, §§ 3 to 7.
Meetings; Directors, §§ 8 to 12.
Lands; Works to be completed in Four Years, §§ 13, 14.
Limiting Pressure of Supply, § 15.
Reservoir Provisions, §§ 16 to 24.
Rates, and Supply of Water, §§ 25 to 28.

Cap. liii.

"The *Ballymena and Portrush* Railway Act, 1858."

Recites 16 & 17 Vict. c. lxxx., viz., the Act for making a Railway from Ballymena to Portrush, and proposes a Sale to the Belfast and Ballymena Railway Company.
Power to sell Railway, §§ 2, 3.
Power for Belfast and Ballymena Railway Company to raise the Purchase Money by new Shares, with or without a Preference not exceeding 6*l.* per Cent., §§ 4 to 6.
Saving of existing Preference Shares, and of Rights and Liabilities, §§ 7, 8.
Short Distance Clause, § 9.

Cap. liv.

"The *Tramore* Embankment Amendment Act, 1858."

Recites "The Tramore Embankment Act, 1852."
Repeals Sections 32 and 33 of Act of 1852 (limiting Periods for compulsory Purchases and Completion of Works), § 2.
Period for compulsory Purchases extended One Year; for Completion of Works, Four Years, §§ 3, 4.
Compensation; Saving of Contracts and Notices, §§ 5, 6.
Power for Commissioners of Woods and Forests to grant certain Rights extended for Five Years more, § 7.
Act of 1852 (as altered) to remain in force, § 8.

Cap. lv.

"The City of *Waterford* Gas Act, 1858."

Recites the Establishment of certain Gasworks, and the Consent of the Owners to transfer them to the Company proposed to be incorporated.
Incorporates Lands, Companies (except compulsory Clauses), and Gasworks Acts, §§ 2, 3.
Limits of Act to include Borough, City, and County, § 5.
Company incorporated with a Capital of 16,000*l.* in 10*l.* Shares, and Power to borrow 4,000*l.*, §§ 6 to 11.
Directors; Meetings, §§ 12 to 19.
Powers of Sale and Purchase; Vesting of Property, §§ 20, 21.
Power to maintain Works; to supply Gas, § 22.
Limits for Erection of Gasworks, § 23.
Supply, Testing, and Price of Gas, §§ 24 to 40.
Saving Rights of Corporation, § 42.

Cap. lvi.

"*Exeter and Exmouth* Railway Act, 1858."

Recites Incorporation of Company in 1855, with a Capital of 70,000*l.* in 10*l.* Shares, and Power to borrow 23,000*l.*; that all the Shares are taken up, but only 8,000*l.* paid up on them; a Power, unexercised, to enter into Agreements with the South Devon and the Bristol and Exeter Railway Companies; an Act for Extension of Time of 1857; certain Acts relating to London and South-western Railway Company; proposes to abandon Part of authorized Line; to execute other Works; to extend the Time for Completion; to reduce Capital; and repeal Act of 1855.
Incorporates Companies, Lands, and Railways Acts, §§ 2, 3.
Repeals Act of 1855; Saving of Rights and Liabilities, §§ 4 to 19.
Meetings; Directors, §§ 20 to 26.
Capital reduced to 50,000*l.* in 10*l.* Shares, § 27.
Extinguishing of Shares; Issuing of new Shares, §§ 28 to 33.
Power to borrow 16,600*l.*, §§ 34 to 36.
Power to abandon Part of Works; Compensation, §§ 37, 38.
Railway and new Works, Viaduct, and Admiralty Provisions, §§ 39 to 49.
Compulsory Purchases to be effected within Eighteen Months, § 51.
Completion of Railway, Three Years, §§ 52, 53.
Tolls, §§ 54 to 62.
Agreements with the London and South-western Railway Company, §§ 63 to 70.
Saving Rights of Crown, § 74.

Cap. lvii.

"*London, Brighton, and South Coast* Railway Company (Capital) Act, 1858."

Recites that they have raised by Shares 5,854,280*l.* (since converted into Stock); by Loans, 1,942,935*l.*, and can raise only 2,784*l.* more by Shares or Mortgage; the Incorporation of the East Grinstead Railway Company in 1853, with Power to raise 50,000*l.* in Shares, and 10,000*l.* by borrowing; and of the Wimbledon and Croydon Railway Company in 1853, with Power to raise 45,500*l.* in Shares, and 8,000*l.* by borrowing; an Act of 1856, authorizing a Lease for Twenty-one Years of the latter to the London, Brighton,

and South Coast Railway Company; proposes to authorize a Transfer thereof, and a Lease for Twenty-one Years and Transfer of the East Grinstead Railway; and to raise further Moneys.
Power to raise 200,000*l.* by new Shares, with or without a Preference not exceeding 5*l.* per Cent., §§ 4 to 15, and 19.
Power to raise not exceeding 50,000*l.* of that Sum by borrowing instead of by new Shares, §§ 16 to 19.
Power to purchase the East Grinstead and the Wimbledon and Croydon Railways, §§ 20, 21.
Saving of Rights and Liabilities, §§ 22 to 25.
Power to apply Capital; and to raise additional Capital for Purchase, §§ 26, 27.
Power to borrow to pay off existing Mortgages of Company transferring, §§ 28, 29.
Dissolution of Companies upon Completion of Transfer, § 31.
Lease of the East Grinstead Railway, §§ 32 to 39.

Cap. lviii.

"*Staines, Wokingham, and Woking* Railway Act, 1858."

Recites Incorporation of Company in 1853, with Power to raise 300,000*l.* in 20*l.* Shares, and 90,000*l.* by borrowing; an Act of 1855; and Power by "The Reading Railways Junction Act, 1857," to raise a further Sum of 40,000*l.* by Shares, and 13,000*l.* by borrowing; proposes to cancel Shares, to issue Shares with a Preference; and to lease Railway to the London and South-western Railway Company.
Power to cancel forfeited Shares, and to accept Surrender of Shares, §§ 3 to 7.
Power to issue new Shares in lieu of cancelled Shares, with or without a Preference not exceeding 6*l.* per Cent., §§ 8 to 18.
Power to lease Railway, §§ 19 to 26.
Schedule (Form of Surrender of Shares).

Cap. lix.

"The *Eastern* Steam Navigation Company's Act, 1858."

Recites Charter of Incorporation of 24th July 1851, and Deed of 29th July 1851; that their Capital was fixed at 1,200,000*l.* in 20*l.* Shares, with Power to increase the Capital, to borrow to One Third of the Amount paid up, at Interest not exceeding 5*l.* per Cent.; proposes to extend their Trade Limits, to issue Preference Shares, and to borrow at higher Interest.
Power to trade in Atlantic and Pacific Oceans, § 2.
Exemption of Vessels exceeding 10,000 Tons from certain Provisions of "Passengers Act, 1855," §§ 3 to 6.
Power to pay such Interest on Money borrowed as seems fit, § 7.
Power to issue Preference Shares, §§ 8, 9.

Cap. lx.

"The *Globe* Insurance Act, 1858."

Recites Formation of Company in and Deed of 1803; and Four Acts relating to the Company; proposes to amend Deed.
Number of Directors reduced, §§ 3 to 7.
Resolution signed by Two Thirds of Directors to be sufficient Authority for a Dividend, § 8.
Auditors, Qualification and Powers of, §§ 9 to 16.
Meetings; Voting, §§ 17 to 22.
Transfer of Shares, § 23.
Power to amalgamate with other Companies, § 24.
Trustees; new Trustees, Enrolment of Memorial of in Chancery, §§ 25 to 27.
Stamp Duty on Memorial, §§ 28, 29.
Trustees not to be personally liable on Covenants, § 30.
Receipts and Discharges, § 31.
Schedule (Forms of Memorial).

Cap. lxi.

"The *Cromford and High Peak* Railway Act, 1858."

Recites an Act of 1855 regulating the Capital and Debt of the Company; that they have borrowed 6,000*l.*, and raised 20,000*l.* by Preference Shares under that Act; proposes to raise further Moneys by Preference Shares, with like Privileges and Dividend, and by borrowing.
Power to raise 60,000*l.* by 20*l.* Shares, with a Preference of 6*l.* per Cent., with like Privileges as and on an Equality with, the existing 6*l.* per Cent. Preference Shares, §§ 3 to 8.
Preference Shares to be subject to the like Provisions for Redemption as the existing Preference Shares, § 10.
Power to borrow 20,000*l.*, to rank next after their existing Mortgage or Bond Debt, § 11.
Repeals Section 44 of Act of 1855; and alters Time and Place of Meetings, § 14.

Cap. lxii.

"The *Manchester* Overseers Act, 1858."

Whereas the Township of Manchester, the Township of Ardwick, the Township of Chorlton-upon-Medlock, and the Township of Hulme are contiguous, and contain a very large Population: And whereas by reason of such Population it is expedient that further Powers should be given to the Overseers of each of the said Townships in respect of the Rates levied by them, and that the Overseers of the said Townships should be invested with some of the Incidents of a Corporation, with a view of enabling them to take Securities, and do other official Acts: And whereas by Section CXXXVIII. of "The Manchester General Improvement Act, 1851," it is enacted, that no Land, Building, or Tenement in the Township of Manchester vested in the Mayor, Aldermen, and Burgesses of the Borough of Manchester, now the City of Manchester, and held by them in trust for the said Township, should at any Time after the passing of the Act now in recital be charged or rated in or by any Rate or Assessment made under the Provisions of the Act now in recital, or for the Relief of the Poor of the said Township, or in or by any other Rate or Assessment of the Denomination usually called Parochial: And whereas certain Gasworks established under the Local and Personal Act passed in the Fifth Year of the Reign of His late Majesty King George the Fourth, Chapter One hundred and thirty-three, and intituled "An Act for the "better lighting of the Town of Manchester, in the County "Palatine of Lancaster," have by virtue of divers Acts of Parliament become vested in the Mayor, Aldermen, and Citizens of Manchester upon Trust for the said Township of Manchester: And whereas the City of Manchester includes divers other Townships besides the Township of Manchester: And whereas the said Gasworks have been extended so as to include divers other Townships besides the Township of Manchester: And whereas the Council of the City of Manchester have for some Years past and do now apply Portions of the Moneys arising from the said Gasworks in and towards the Improvement of the several other Townships comprised within the said City; and the said Council are assessed to and pay Rates in such Townships in respect of such Part of the said Gasworks and Buildings and Property connected therewith as is situate within such Townships; and it is desirable that the Township of Manchester should have the like Power and Privilege of rating the said Gasworks as the said other Town-

ships, inasmuch as the Profits arising from such Gasworks are not wholly applied as formerly in and towards the Improvement of the Township of Manchester: And whereas the aforesaid Objects cannot be carried into effect without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; (that is to say,)

I. This Act may be cited for all Purposes as "The Manchester Overseers Act, 1858."

II. This Act shall apply only to the following Townships; that is to say, the Township of Manchester, the Township of Ardwick, the Township of Chorlton-upon-Medlock, and the Township of Hulme.

III. The Term "Rate" as used in this Act shall mean any Rate now leviable or that may hereafter be leviable by the Overseers of the Townships to which this Act applies, or any of them.

IV. Where anything is hereby authorized to be done in respect of the doing of which Powers are given by some other Act of Parliament, the Powers hereby given shall be deemed to be cumulative, and not to take away such other Powers.

V. It shall be lawful for Her Majesty's Justices of the Peace, at their Special Sessions for Appointment of Overseers of the Poor of the Township of Manchester, to appoint any Person who shall be rated to the Relief of the Poor of the Township at the rateable Value of Forty Pounds and upwards to be an Overseer of the Poor thereof, although the Person so to be appointed shall not be a Householder within the Township; and it shall be sufficient in every such Appointment to describe such Person by his Name and Residence; provided that no Person who is not a Householder within the Township shall be appointed to or be compellable to serve the Office of Overseer unless he shall have consented to such Appointment.

VI. The Justices shall hereafter appoint Eight Overseers for the Township of Manchester, and Six Overseers for each of the other Townships above mentioned; and the Overseers of each of the Townships to which this Act applies, and their Successors, herein-after respectively referred to as "the Overseers," shall be incorporated under the Name of the Township to which such Overseers belong, for the Purpose of entering into or taking any Contract or Security that may be entered into or taken by or with them in their Character of Overseers, and they shall, for the Purposes aforesaid, have a Common Seal, and a Capacity to sue and be sued in their corporate Name respectively, and for all the several Purposes mentioned in this Act shall sit as a Board, so that there shall be a Majority of the Overseers always present at the Meeting at which any Act shall be done; and they shall choose One of themselves to preside thereat, who, in case of an Equality of Votes at any Meeting, shall have a Second or Casting Vote; and such Overseers may from Time to Time appoint such Clerks, Surveyors, and Servants to aid them in the Discharge of their Duty, with such Salaries as the Poor Law Board shall from Time to Time sanction, and pay the same out of the Poor Rate, all such Clerks, Surveyors, and Servants being liable to the same Responsibility as Officers appointed under the Act of the Fourth and Fifth Years of the Reign of King William the Fourth, Chapter Seventy-six.

VII. If at the Time of making any Rate any Premises situate within the Area for which such Rate is made are unoccupied, such Premises shall be included in the Rate, but the Rate shall not be charged upon any Person in respect of the same whilst they continue to be unoccupied; but if any such Premises are afterwards occupied during any Part of the Period for which the Rate was made, and before the same has been fully paid, the Name of the incoming Tenant shall be inserted in the Rate, and thereupon so much of the Rate as at the Commencement of his Tenancy may be in proportion to the Remainder of the said Period shall be collected, recovered, and paid, in the same Manner in all respects as if the Premises had been occupied at the Time when the Rate was made; and in case of Dispute between the Overseers and such Occupier, the Proportion to be paid by such Occupier shall be ascertained by any Two or more Justices having Jurisdiction in the Matter of the Rate, and shall be settled by their Order.

VIII. And whereas by reason of the large Amount of Property of small annual Value in the several Townships to which this Act relates, it is desirable that Power should be given to the Overseers of the said Townships to rate and compound with the Owners of Cottages or Dwelling Houses the annual rateable Value of which shall not exceed Ten Pounds: Be it enacted, That, where any Cottage or Dwelling House is assessed to the Rate for the Relief of the Poor at a yearly rateable Value not exceeding Ten Pounds, the Overseers shall assess the Owner of such Cottage or Dwelling House instead of the Occupier; and if such Owner shall be willing to compound in respect of all the Cottages and Dwelling Houses of which he shall be Owner, or of any certain Number thereof, and to pay the Rates upon the same, whether they be occupied or otherwise, he may agree with the Overseers for Payment of a Sum less than the Rate thereon, so that they do not accept for any such Composition less than One Half of the whole Rate, and any Owner so compounding shall be rated in respect of the Premises for which he has compounded, and shall be liable to pay the Amount of the Composition agreed to when demanded by the Overseers; and if he makes default in Payment of such Sum on Demand, the same may be levied upon and Payment thereof be enforced against such Owner and his Goods and Chattels in like Manner as Rates for the Relief of the Poor may be by Law levied and recovered, and Payment thereof enforced against any Occupier.

IX. Where any Dwelling House, Warehouse, Mill, or other Tenement is let by the Owner or sublet by any Tenant in separate Apartments or separate Storehouses, the Overseers shall rate the Owner of such Dwelling House, Warehouse, Mill, or other Tenement, or the Party so subletting the same, as the Case may be, instead of the Occupiers of the separate Parts.

X. Where any Owner or the Party so subletting, as the Case may be, is rated in respect of any Premises instead of the Occupier, he shall have the like Powers of Appeal in respect of the Rate assessed on him, and be subject to the same Penalties for Nonpayment of such Rate, as if he were the Occupier of the Premises in respect of which he is rated.

XI. For the Purposes of this Act any Person shall be deemed to be the Owner of a Dwelling House or Tenement who receives or claims to receive Rent from the Occupier thereof, either on behalf of himself or as Agent or Trustee for any other Person.

XII. Where the Name of any Owner or Occupier liable to pay a Rate is not known to the Overseers, it shall be sufficient to assesss and designate him in the Rate as the Owner or Occupier of the Premises in respect of which the Assessment is made without any further Description.

XIII. The Occupier of any House of which the Owner is rated instead of himself, under the Authority of this Act, may at any Time claim of the Overseers, by Notice in Writing, to be rated in his own Name, and if at that Time there be no Rate due, or if he pay the Rate then due in respect of such House, the Overseers shall place or retain, as the Case may

require, his Name on the Rate, and he shall for all Purposes be deemed to have been rated from the Time of his making such Claim.

XIV. No Owner shall be assessed in respect of any increased Rent which may become payable to him by reason of his having compounded for or become liable as Owner to pay any Rate.

XV. Where any Owner has entered into a Composition with the Overseers in respect of the Rate on any Premises, or has been rated by the Overseers in respect of any Premises instead of the Occupier, and makes default in paying the Amount of any Composition or the Amount of any Rate due from him, such Amount may be levied upon and Payment thereof enforced against the Occupier of any such Premises and his Goods and Chattels, in like Manner as if the same were a Rate for the Relief of the Poor due from such Occupier, with this Limitation, that no Occupier shall be liable to pay on account of any Owner any Sum exceeding the Rent or Proportion of Rent for the Time being due to such Owner, and subject to this Proviso that any Occupier may, in the Absence of any Agreement to the contrary, deduct the Sum so paid by him from any Rent due or to accrue due to such Owner; and the Receipt of the Overseers for any Rate paid by the Occupier under the Circumstances mentioned in this Section shall, to the Extent of the Moneys therein expressed to be paid, be a Discharge as against such Owner of an equivalent Amount of Rent.

XVI. The Overseers may from Time to Time amend any Rate made by them in manner following:

By inserting therein the Name of any Person who ought to have been rated, or who ought to be rated at the Time of the making of such Amendment, or by striking out the Name of any Person who ought not to be rated:

By raising or reducing the Sum at which any Person is rated:

By altering the Description of the Property in respect of which any Person is rated:

By inserting the Description of any new Property in respect of which any Person ought to be rated:

And such Amendment may be made by the Overseers on their own Motion, or on the Application of any other Person, and when made shall operate as if it had been Part of the original Rate.

XVII. Notice of any intended Amendment to be made by the Overseers in a Rate shall be served on the Owner or Occupier in respect of whose Property the Amendment is proposed to be made, and he may appear before the Overseers and object thereto if he think proper, and the Overseers shall hear his Objection and determine its Validity, and either abandon the proposed Amendment or make it, as shall seem to them to be required in the Case; and where the Name of any Person assessed is struck out of the Rate, or the Assessment on any Property therein is reduced, public Notice shall be forthwith given in some Newspaper circulating in the City of Manchester, and any Person who feels aggrieved by such Amendment may appeal therefrom to the next Special Sessions for hearing Appeals against the Rates of the Township, in the same Manner and subject to the same Conditions as to giving Notice and otherwise, in and subject to which he might have appealed if the Matter of the Amendment had appeared on or been omitted from the Rate originally made.

XVIII. Nothing herein contained shall alter or affect any Lease, Contract, or Agreement made or entered into between any Owner and Occupier before the passing of this Act.

§§ 19, 20. Service of Summons; Notices.

XXI. The Overseers shall make out and balance their Rate Books, and deposit the same for Inspection on or before the Twenty-ninth of September in every Year, but they shall not be required to balance the same more frequently, nor in any Rate Books so deposited to balance any Rate made within Four Months before the Twenty-ninth of September of the current Year: Provided always, that the Overseers shall make out and balance all other Accounts, Balance Sheets, and Books of Account, Receipts and Payments, at the Time and in the Manner required by Law, and that nothing shall prevent any Assistant Overseer or Collector from rendering his Accounts and showing his Balances at the Time and in manner prescribed by the Orders and Regulations of the Poor Law Board.

XXII. In order to enable the Overseers to make a full and fair Assessment of the rateable Property within their Township, they may, whenever they think it expedient, by Summons under their Hands, require such Number of Persons rated to the Relief of the Poor of their Township at a yearly Rental of not less than Twenty Pounds, and not entitled to Exemption from serving as Jurors, as they think fit, to appear before them at a Time and Place to be named in such Summons.

XXIII. The Time named in the Summons shall not be less than Eight Days nor more than Fourteen Days from the Date thereof, and the Place therein named shall be situate within the City of Manchester.

XXIV. If any Person so summoned to appear before the Overseers makes default in appearing at the Time and Place named in such Summons without sufficient Excuse, to be allowed in manner herein-after mentioned, the Person so in default shall incur a Penalty not exceeding Ten Pounds.

XXV. At the Time and Place named in the Summons the Overseers shall by Warrant under their Hands appoint such Number as they think fit of the Persons summoned, whether they appeared or not in obedience to the Summons, to act as Assessors of any Rate about to be imposed on their Township, but no Person shall be compelled to serve as such Assessor more than once in Five Years.

XXVI. The Warrant shall name a Time and Place for the Assessors therein named to appear before the Overseers, and bring in their Assessments in Writing.

XXVII. If any Person appointed to be Assessor, without sufficient Excuse to be allowed in manner herein-after mentioned, refuses to serve as Assessor, or neglects to perform his Duty as Assessor, or fails to bring in his Return at the Time and Place named in the Warrant, he shall incur a Penalty not exceeding Ten Pounds.

XXVIII. The Overseers shall have Power to allow any Excuse made by a Person seeking to be relieved from the Duties imposed on him by this Act in respect of the Assessment of Rates.

XXIX. All Penalties imposed by this Act may be recovered in a summary Manner.

XXX. Section CXXXVIII. of "The Manchester General Improvement Act, 1851," so far as relates to any Rate leviable by the Overseers, and all other Provisions whatsoever exempting the Buildings, Lands, and Properties that formerly belonged to the Gas Directors therein mentioned, but which are now vested in the Mayor, Aldermen, and Citizens of Manchester, from Liability to be rated to any Rate leviable by the Overseers of the Township of Manchester, shall be repealed, and the Council shall be liable to be assessed and rated in respect of such Buildings, Lands, and Properties in like Manner as if such Provisions had not been enacted, but no further or otherwise.

§ 31. Expenses of Act.

Cap. lxiii.

"The *Wallasey* Improvement Act, 1858."

Recites 8 & 9 Vict. c. vi.; and that by the Public Health Supplemental Act, 1853, No. 1, the Local Board were appointed Commissioners for executing that Act; proposes to

obtain further Powers as to Supply of Water and Gas; the Lease and Purchase of certain Ferries; and as to the Construction of Buildings.
Limits and Execution of Act, §§ 3, 4.
Incorporates Lands Clauses, and also Water and Gas Clauses Acts, except Provisions as to Profits, §§ 5, 6.
Waterworks; Time for compulsory Purchases, Three Years; for Completion, Five Years, §§ 7 to 9.
Saving Lands of Mersey Docks and Harbour Board, § 10.
Supply of Water; Rates; Penalties, §§ 11 to 16.
Gasworks; Supply; Quality; Testing of Gas, §§ 17 to 26.
Water and Lighting Rate; Application of, and Recovery of, §§ 27 to 33.
Applies Provisions of Public Health Act, 1848, as to Compositions, and for Rates, § 34.
Liability of Mersey Docks and Harbour Board not to be affected, § 35.
Power to lease and purchase certain Ferries, and to provide Steamboats, §§ 36, 37.
Restriction upon acquiring or establishing New Ferries, § 38.
Ferry Tolls; Penalties and Byelaws, §§ 39 to 59.
Power to borrow 15,000*l.* upon Waterworks, 10,000*l.* upon Gasworks, and 75,000*l.* upon Ferries Accounts; and Application of Moneys and Accounts, §§ 60 to 67.
Power to sell, lease, or exchange certain Lands, § 68.
Extends Section 53 of Public Health Act, 1848, § 69.
Regulations as to Buildings, §§ 70 to 80.
Saving Rights of Birkenhead and Claughton Gas and Water Company; and of Local Board, §§ 86, 87.
Schedule (Ferry Tolls).

Cap. lxiv.

"The *Edinburgh and Glasgow* and *Stirling and Dunfermline* Railways Act, 1858."

Recites the Acts relating to the Stirling and Dunfermline Railway Company; their Power to raise 490,000*l.* by Shares and 163,000*l.* by borrowing; that they have raised 390,000*l.* by Shares, and 130,000*l.* by borrowing; that the Edinburgh and Glasgow Railway Company have Power to raise 2,648,375*l.* by Shares, and 1,151,700*l.* by borrowing; and have raised 2,223,375*l.* Stock, 425,000*l.* in Preference Shares, and 1,150,465*l.* by borrowing; that they are Lessees of the Stirling and Dunfermline Railway, at a fixed Rent in addition to a contingent Rent; proposes to settle Disputes in relation thereto, and to transfer the Railway.
Repeal of Leasing and Money Powers in Acts of Stirling and Dunfermline Railway Company, § 2.
Transfer of Railways, &c. §§ 3 to 5; of Powers, § 11.
Saving of Rights and Liabilities, §§ 6 to 10.
In lieu of Stirling and Dunfermline Capital, the Edinburgh and Glasgow Company to issue 480,000*l.*, 4*l.* per Cent. guaranteed Stock, § 12; *i.e.* 450,000*l.* to the Directors of Stirling and Dunfermline Company, in trust for Shareholders, and to pay Debts; and 30,000*l.* as Edinburgh and Glasgow Company determine, § 15.
Priority of Stock, §§ 13, 14.
Power to borrow 160,000*l.* including Debt of Stirling and Dunfermline Company, §§ 16, 17, 26.
Relief of Stirling and Dunfermline Company; and Payment to them of 10,500*l.* in lieu of all Claims, § 18.
Winding up and Dissolution, §§ 19, 20.
Rights of Shareholders of Stirling and Dunfermline Company, §§ 21 to 23.
Power to fund Moneys borrowed under Act in like Manner as by Sections 20 to 28 of "The Edinburgh and Glasgow Consolidation Act, 1852," § 24.
Power to raise Money by new Shares in lieu of borrowing, with a Preference of 4*l.* per Cent., §§ 25, 26.
Period for Disposal of superfluous Lands, extended for Ten Years, § 27.

Cap. lxv.

"The *Fife and Kinross* and *Kinrosshire* Railways Junction and Joint Station Act, 1858."

Recites Acts of 1857 requiring the Two Companies to promote a Bill in 1858, for the Formation of a Junction, and of a Joint Station at or near Kinross; and proposes Deviations.
Incorporates Lands and Railways Clauses (Scotland) Acts, § 1.
Railways, Deviations, and Junction, §§ 3 to 5.
Abandonment of Parts of Line; Compensation, §§ 7, 8.
Compulsory Powers of Purchase to be exercised within Two Years, § 10.
Works to be completed within Three Years, §§ 11, 12.
Tolls, § 13.
Apportionment of Expenses, §§ 14 to 16.
Management of Joint Station, § 17.
Extension of existing Powers of entering into Agreements with Edinburgh, Perth, and Dundee Railway Company, § 18.

Cap. lxvi.

"The *Caledonian* Railway (Branch to Port *Carlisle* Railway) Act, 1858."

Recites Acts incorporating the Caledonian Railway, the Port Carlisle Dock and Railway, and the Carlisle and Silloth Bay Railway and Dock Companies; the Works authorized; proposes a Junction with the Port Carlisle Railway, and Power for the Three Companies to enter into Agreements, &c., &c.; states fully (in Schedule) the Capital and Debt of the Caledonian Company; proposes to raise further Moneys.
Incorporates Lands and Railways Clauses Acts, § 3.
Railway and Works, § 4; to be completed in Two Years, § 10.
Communications with and saving Rights of Port Carlisle Dock and Railway Company, §§ 5 to 7.
Compulsory Purchases, One Year, § 9.
Tolls, § 11.
Power to raise 10,000*l.* by Shares, with or without a Preference not exceeding 5*l.* per Cent., §§ 12, 13, 15.
Power to borrow 3,300*l.*, §§ 14, 15.
Power to enter into Agreements, §§ 16 to 18.
Schedule (tabular Statement of Capital and Debt).

Cap. lxvii.

"*Salisbury and Yeovil* Railway Act, 1858."

Recites Lines of Railway and Deviations authorized by Company's Acts of 1854, 1855, and 1857; and by the London and South-western Railway Act, 1857," proposes a Sale and Transfer to them, and Extension of Time for Completion of Works.
Works as now authorized to be completed within Two Years, §§ 3 to 5.
Power to sell and transfer to London and South-western Railway Company, §§ 6 to 8.
Transfer of Debts and Credits, Rights and Liabilities, §§ 9 to 14.
Receipts; Application of Moneys, §§ 16, 17.

Cap. lxviii.

"The *Blyth* Harbour and Dock Act, 1858."

Recites Incorporation under "The Blyth Harbour and Dock Act, 1854," with a Capital of 150,000*l.* in 20*l.* Shares, and

Power to borrow 40,000*l.*; an Expenditure of 32,313*l.* upon the Harbour; that Sir M. Ridley and his Lessees have taken Shares to 14,500*l.* as the Price of certain Tolls and mooring Charges; that their Capital held by Shareholders is 52,260*l.*, and unissued 97,740*l.*; proposes further Powers for raising Money for Works, and to repeal Act.
Incorporates Companies, Lands, and Harbours Clauses Acts, §§ 3, 4.
Limits of Harbour, § 5.
Repeal of Act; Saving of Rights and Liabilities, §§ 6 to 17.
Capital 150,000*l.* in 20*l.* Shares, *i.e.*, those now existing and the new Shares to be created with or without a Preference not exceeding 6*l.* per Cent., §§ 18 to 25.
Power to borrow 17,000*l.*, and eventually 13,000*l.* more, §§ 27 to 29.
Meetings; Directors; §§ 30 to 43.
Works, Completion of; Purchase of Land; Approval of Admiralty, §§ 44 to 56.
Harbour and Dock Rates, Reduction of, §§ 57 to 66.
Rates on Goods; Tolls for Use of Graving Dock, &c., §§ 67, 68.
Lighthouses; Towing Vessels; Lamps; Recovery of Rates; Leasing of Rates; §§ 73 to 79.
Position of Vessels and Ballast Provisions, §§ 80 to 84.
Boarding of Vessels; Goods not duly entered at Custom House, §§ 86 to 92.
Saving Rights of Persons to erect Quays, Piers, &c., &c., § 85; of Crown, &c., &c., §§ 93 to 99.
Schedule (Rates).

Cap. lxix.

"*Chiswick* Improvement Act, 1858."

Incorporates Lands, Commissioners, Towns Improvement, and the Fire Provisions of Town Police Acts, §§ 2, 3.
Limits of Act, § 4.
Commissioners incorporated; Qualification, &c., &c., §§ 5 to 9.
Electors; Votes; §§ 10 to 13.
Power to take Lands for Wharf, §§ 16, 17, 19, 20.
Compulsory Powers of Purchase to be exercised within Three Years, § 18.
Admiralty Provisions and Consent of Conservators of Thames, §§ 21 to 26.
Wharf to be completed within Five Years, § 27.
Tolls for Use of Wharf; Repair of Wharf, §§ 28 to 30.
Gas Clauses (except Provisions as to Profits) incorporated; Supply of Gas, §§ 31 to 38.
The several Rates authorized, and the respective Charges thereon, §§ 39 to 49.
Power to borrow 3,000*l.* on Paving and General Sewer Rates, and 7,000*l.* on Improvement Rate and other Property, §§ 50 to 52.
Accounts; Application of several Moneys; Sinking Fund; §§ 53 to 59.
Rates, &c., &c., on unoccupied Lands, §§ 60, 61.
Protection of Metropolis Roads, §§ 63 to 68.

Cap. lxx.

"The *Luton* Gas Act, 1858,"

Recites Deed of Company of 24th March 1834; that their present Capital is 6,400*l.* in 10*l.* Shares, fully paid up, and 3,200*l.* in 5*l.* Shares paid up to 1*l.* 5*s.* only; and that they have expended 3,600*l.* applicable to Dividend upon the Works.
Incorporates Companies, Lands, and Gas Clauses Acts, §§ 1 to 3.
Company incorporated, § 6.
Avoidance of Deed; Saving of Rights and Liabilities, §§ 8 to 17.
Capital 25,000*l.*; *i.e.* Class A. Shares consisting of 6,400*l.* in 10*l.* Shares paid up, and 3,200*l.* in 5*l.* Shares paid up to 1*l.* 5*s.*; of Class B. Shares consisting of 3,200*l.* in 5*l.* Shares paid up, with a Preference of 4*l.* per Cent., and of the new Shares raised under the Act, §§ 18 to 23.
Power to create new Shares, with or without a Preference not exceeding 5*l.* per Cent.; those with a Preference to be distinguished as Class C. Shares, §§ 24 to 35.
Limitation of Dividend upon the respective Classes, § 36.
Power to borrow 2,000*l.*; and eventually 4,000*l.* more, §§ 39 to 42.
Meetings; Directors, §§ 43 to 52.
Lands; Works; Supply, Price, and Testing of Gas, §§ 53 to 68.
Saving Rights of Board of Health, § 72.

Cap. lxxi.

"The *Balby and Worksop* Road Act, 1858."

Recites 6 G. 4. c. xlvi., and an Agreement with the Trustees acting under 4 & 5 Vict. c. cix., and 12 & 13 Vict. c. lxiv.
6 G. 4. c. xlvi. repealed, § 1.
Saving of Rights and Liabilities, §§ 4 to 6.
Appointments of Trustees; Meetings, §§ 7 to 9.
Roads, &c.; Name of Trust, §§ 10, 11.
Toll Gates; Tolls, §§ 12 to 21.
Power to borrow 400*l.*, § 22.
Application of Moneys; Discharge of Debt, §§ 23, 24.
Leasing of Tolls, § 26.
Agreement confirmed, § 28.
Act to continue for Twenty-one Years, § 30.
Schedule (Mortgagees, &c., &c.)

Cap. lxxii.

"The *Burry* Navigation and *Llanelly* Harbour Act, 1858."

Recites that the Commissioners acting under 53 G. 3. c. clxxxiii., and 6 & 7 Vict. c. lxxxviii. have Power to raise on Mortgage 22,000*l.*, but that they have only borrowed 7,200*l.*; proposes to define Limits and improve Harbour; to construct a Railway; and to repeal Acts.
Limits of Harbour, § 2.
Repeal of Acts; Saving of Rights and Liabilities, §§ 3 to 12.
Additional Commissioners to be appointed, § 13.
Incorporates Parts of Commissioners Clauses Act, 1847, §§ 15, 64.
Meetings; Works; Lands Clauses Act incorporated, §§ 16 to 21.
Saving Rights of Her Majesty; and of Persons entitled to Water, §§ 22, 23.
Admiralty Provisions; Protection of South Wales Railway, §§ 24 to 33.
Agreement with Commissioners of Woods and Forests confirmed, § 34.
Limitation of Time for compulsory Purchases and Works, §§ 35, 38.
Gauge of Railways; Powers of Regulation by Board of Trade, §§ 39 to 41.
Purchase of Dock of Llanelly Railway Company, §§ 42 to 47.
Improvement of Harbour; reclaimed Land vested in the Crown, §§ 48, 49.
Deposit of Ballast, § 50; Sluicing of Harbour, § 51; Appointment of Officer, § 55.

Harbours, Docks, and Piers Act, except Sections 25,26, and 83, incorporated, § 56 ; and Railways Clauses, § 60.
Power to levy Rates and Tolls, §§ 58, 59.
Power to borrow 5,000*l.* for Railway ; and 5,200*l.* (in addition to existing borrowing Powers) for other Works, §§ 61 to 64.
Saving Private Rights, § 65 ; of Crown, § 70.
Schedule (unrepealed Provisions of recited Acts).

Cap. lxxiii.

"The *Ayr and Dalmellington* Railway Transfer Act, 1858."

Recites Acts relating to the Company ; that the Glasgow and South-western Railway Company have acquired all their Shares except 15 ; proposes a Transfer of the Undertaking to that Company.
Powers for Ayr and Dalmellington Railway Company to create, and for Glasgow and South-western Railway Company to accept, additional Capital Stock not exceeding 60,000*l.*, for discharging Debts of Ayr and Dalmellington Railway Company, § 3.
Dissolution of Ayr and Dalmellington Railway Company, and transfer to Glasgow and South-western Railway Company, upon Acquisition of the remaining 15 Shares, § 4.
Saving of Rights and Liabilities, §§ 5 to 12.
Powers of Ayr and Dalmellington Railway Company to be exercised by Glasgow and South-western Railway Company, § 13.
Tolls, § 14.
Schedule (Numbers of the Shares to be acquired).

Cap. lxxiv.

"The *Hertford, Luton, and Dunstable* Railway Act, 1858."

Recites Incorporation of the Hertford and Welwyn Junction Railway Company by 17 & 18 Vict. c. cxxvii. with a Capital of 65,000*l.* in 20*l.* Shares, and Power to borrow 21,600*l.*, and that their Railway is opened ; the Incorporation of the Luton, Dunstable, and Welwyn Junction Railway Company with a Capital of 120,000*l.* in 10*l.* Shares, and Power to borrow 40,000*l.* by 18 & 19 Vict. c. cxlvi.; that their Railway is not yet complete ; that the Hertford Company issued all their Shares, but 527 of those Shares are forfeited, and there are only 2,723 with registered Shareholders, and those not fully paid up ; and that they owe 20,900*l.* on Debentures ; that the Luton Company have issued 8,800 only of their Shares, of which 1,816 have been forfeited, and there are now only 7,000 of their 12,000 Shares with registered Shareholders, and those not fully paid up ; and that they have no Debt ; proposes to amalgamate the Two Companies.
Incorporates Companies, Lands, and Railways Clauses Act, §§ 2, 3.
Dissolution of the Two Companies ; Reincorporation of Shareholders ; Saving of Rights and Liabilities, §§ 4 to 24.
Meetings ; Directors ; Voting, §§ 25 to 32.
Capital 185,000*l.*, viz., Hertford, Capital, 54,460*l.* in 10*l.* Shares vested in the Holders of existing 20*l.* Shares, and 10,540*l.* in new Shares ; and Luton, Capital, 70,000*l.* in 10*l.* Shares vested in present Holders, and 50,000*l.* in new Shares, §§ 33 to 41.
New Shares may be issued with a Preference not exceeding 5*l.* per Cent., §§ 42 to 48.
Vesting of Shares ; cancelling of Shares, §§ 49 to 61.
Power to borrow on Hertford Section 21,600*l.*, and on Luton Section 40,000*l.*, §§ 63 to 68.
Application of Moneys; Dividends, §§ 69 to 71.
Arrangement of Accounts between the Two Sections, §§ 72 to 78.
Maintenance of Works ; Tolls, §§ 79 to 84.
Provision for facilitating Traffic, § 85.

Cap. lxxv.

"The *Manchester, Sheffield, and Lincolnshire* Railway (*Newton* to *Compstall* Line) Act, 1858."

Recites the several Acts relating to the Company ; proposes to make a new Railway and to increase the Rate of Interest upon the Debenture Stock authorized by their Act of 1853.
Incorporates Lands and Railways Clauses Acts, § 3.
Railway to be completed in Three Years, § 4, and §§ 8, 9.
Two Years for compulsory Purchase of Lands, § 7.
Tolls, §§ 10, 11.
Power to apply "Six Pounds Preference Shares" to Purposes of the Act, § 12.
Power to attach a Dividend not exceeding 6*l.* per Cent. to Debenture Stock, § 13.
Saving Rights of Crown, § 16.

Cap. lxxvi.

"The *Bradford* Corporation Waterworks Act, 1858."

Recites Sale and Transfer of the Bradford Waterworks to the Corporation, pursuant to Two Acts of 1854 ; that under those Acts they have Power to borrow 450,000*l.*, and have borrowed 347,005*l.* ; proposes to extend the Limits, and Time for Completion ; to alter the Works, and make better Compensation to Mill Owners, &c., &c. ; to raise further Moneys, and to amend Acts.
Repeals Parts of Bradford Waterworks Act, 1854, § 2.
Extension of Limits, § 4.
New Works and Powers to take Lands, §§ 5 to 7.
Works for the higher Levels to be completed within Two Years and a Half, § 8.
Powers of Entry, and Occupation of Roads and Lands ; Works, §§ 9 to 25.
Completion of Works, §§ 26, 27.
Saving certain Grants of Easements, § 28.
Provisions as to Compensation, §§ 29 to 32.
Arrangement between Mill Owners and Corporation confirmed, § 33.
Voting of Mill Owners in respect of Compensation ; Reservoirs, &c., &c., §§ 34, 35.
Reservoir Provisions, §§ 36 to 44.
Protecting Rights of W. Ferrand, and of Aire and Calder Navigation, §§ 46, 47.
Confirming Agreements with Mrs. Ellis and R. Smith, Esq., § 48.
Power to borrow 200,000*l.*, § 49 ; Sinking Fund, § 50.
Extending Powers of levying and collecting Rates, § 51.
Power to sell Water in Bulk and to let Meters, §§ 52 to 55.
Saving Rights of Corporation of Leeds, § 56.

Cap. lxxvii.

"The *Wexford* Harbour Embankment Act, 1858."

Recites that under 15 & 16 Vict. c. cli., the Capital of the Company is 140,000*l.* in 50*l.* Shares ; that upon 2,170 Shares more than Half has been paid ; that 300 Shares are unissued ; proposes to divide the Shares, to cancel those unissued, and to reissue with a Preference ; to extend Periods of Completion of Works and of leasing Powers ; and to accept Surrenders of Shares in Payment for Lands reclaimed.

50*l.* Shares divided, §§ 3 to 8.
Power to issue 600 25*l.* Shares (in lieu of Shares unissued or cancelled) with a Preference not exceeding 6*l.* per Cent., §§ 9, 10.
Application of Income; Meetings, §§ 11, 12.
Repeal Sections 44 and 70 of recited Act, § 13.
Power to grant Leases for Thirty-one Years, § 14.
Power to accept Surrenders of Shares in Payment for Lands, § 15.
Time for Completion extended to Seven Years, § 16.
Power to enter into other Agreements for Reclamation of Lands, § 17.
Repeal of Section 61 of recited Act, § 18; Power for Commissioners of Public Works with Consent of Admiralty to appoint Arbitrator to apportion Charges, §§ 19 to 23.

Cap. lxxviii.

"The *Belfast and County Down* Railway Act, 1858."

Recites 9 & 10 Vict. c. lxxxvii. and 18 & 19 Vict. c. xviii.; that their Capital is 500,000*l.* in 50*l.* Shares; that by the Second Act they have Power to issue new Shares in lieu of forfeited and unissued Shares, and were required to attach a Preference of 5*l.* per Cent. to them; and that 3,361 50*l.* Shares have been so issued, and in part paid up; proposes to divide Shares, and to extend Time for compulsory Purchases.
Time extended for compulsory Purchases of certain Lands to July 31, 1859, Section 39 of 18 & 19 Vict. c. xviii. saved, §§ 2 to 4.
Power to divide Shares, § 5; and to issue certain Shares authorized by Second Act, with or without a Preference, §§ 5 to 7.
Power to cancel and accept Surrenders of Shares, §§ 8, 9.

Cap. lxxix.

"The *British* Gaslight Company, Limited (*Norwich*) Act, 1858."

Recites Deed of Settlement of Company; their Incorporation under Joint Stock Companies Acts, 1856, 1857, and their Purchase of all the Shares of the Norwich Gaslight Company; proposes to extend Limits, and to dissolve the Norwich Gas Company.
Dissolution of Norwich Gaslight Company and Repeal of their Acts (*i.e.* 1 G. 4. c. xi., and 7 G. 4. c. lvi.); Saving of Rights and Liabilities, §§ 3 to 9.
Limits; Works; Gas Clauses Act incorporated, §§ 10 to 15.
Dividend limited to 10*l.* per Cent. upon 40,000*l.*, Part of Moneys already expended, to 7*l.* 10*s.* upon 28,326*l.* the Residue thereof, and 31,674*l.* the further Sum authorized to be expended by the Act, § 16.
Accounts; Auditor, §§ 17 to 24.
Price of Gas; Testing of Gas; Meters, §§ 25 to 35.
Saving Rights of Corporation of Norwich, § 39.

Cap. lxxx.

"The *Liverpool* Improvement Act, 1858."

Proposes to enable the Corporation to acquire certain Lands for Streets, Offices, and Buildings; to sell Lands not required, and also their present Offices, and to raise further Moneys.
Incorporates Lands Clauses Act, § 2.
Purchase of Lands; new Streets, §§ 4 to 8.
Protection of Pipes of Liverpool United Gaslight Company, § 9.
Elevation of Buildings, § 10.
Lands for Offices; Post Office, §§ 11, 12.
Sale of Lease of present Offices, and of Lands not required, § 13.
Saving Right of Pre-emption of Messrs. Crosse, § 14.
Power to levy Improvement Rate not exceeding 2½*d.* in the Pound, § 15.
Rateable Property; annual Value; Appeals; Recovery of; Apportionment of Rates, §§ 16 to 32.
Power to borrow 130,000*l.*, to be paid off in Thirty Years, §§ 33, 34.
Mortgages, Transfer, Redemption of, §§ 35 to 47.
Application of Moneys; Amounts, §§ 48 to 51.
Saving Rights of Corporation, § 52.

Cap. lxxxi.

"The *Yar Bridge* Act, 1858."

Incorporates Companies and Lands Clauses Acts, § 2; and Parts of Harbours, &c. &c. Act, § 63.
Company incorporated with Capital of 5,000*l.* in 10*l.* Shares, and Power to borrow 1,500*l.*, §§ 3 to 8.
Directors, §§ 9 to 12.
Lands, Three Years for compulsory Powers, §§ 13 to 15.
Works; Deviations, §§ 16 to 24; to be completed in Five Years, § 32.
Admiralty Provisions, §§ 25 to 31.
Ferry Boats to be provided in case of Accident to Bridge, § 34.
Tolls and Exemptions, §§ 35 to 45.
Penalties, §§ 46 to 52.
Leasing of Tolls; Collectors, §§ 53 to 57.
Lease of Quay and Harbour by Corporation of Yarmouth, §§ 58, 62.
Tolls; Application of Rent, §§ 59, 60.
Power to appoint Officers; to under-lease and to mortgage Tolls, §§ 64 to 66.
Saving existing Free Landing Places, § 67.
Settlement of Disputes; Penalties, §§ 68 to 71.
Accounts; Application of Tolls, §§ 72, 73.
Sinking Fund; Redemption of Mortgages and Shares, §§ 74 to 78.
Vesting of Bridge and Cesser of Lease, when Mortgages and Shares are paid off, §§ 79, 80.

Cap. lxxxii.

"The *Andover and Redbridge* Railway Act, 1858."

Recites Incorporation of the Proprietors of the Andover Canal Navigation by 29 G. 3. c. lxxii., with a Capital of 35,000*l.* in 100*l.* Shares (paid up and expended), and Power to borrow 20,000*l.*, of which 12,900*l.* is borrowed; proposes to convert the Canal into a Railway.
Incorporates Companies, Lands, and Railways Clauses Acts, §§ 1, 2.
Company incorporated with Capital of 130,000*l.* in 10*l.* Shares, and Power to borrow 43,000*l.*, §§ 4 to 10.
Meetings; Directors, §§ 13 to 18.
Railway; Works to be completed in Five Years, §§ 19 to 21, and §§ 56, 57.
Protection of London and South-western Railway, §§ 22 to 25.
Admiralty and Board of Trade Provisions, §§ 26 to 32.
Sale of Lands belonging to Duchy of Lancaster, §§ 34, 35.
Reverter of certain Lands to Sir W. Heathcote, § 36.
Transfer of Canal to Company in consideration of 12,500*l.* in Money and 1,250 Shares in the Railway, §§ 37 to 43.
Dissolution of Canal Company, and Distribution of Assets; §§ 44 to 47.
Repeal of Act; Conversion of Canal into Railway, § 48; 29 G. 3.; Saving of Rights and Liabilities, §§ 49 to 55.
Tolls, §§ 58 to 66.
Saving Rights of Crown and of Duchy of Lancaster, § 68.

Cap. lxxxiii.

"The *Oude* Railway Act, 1858."

Recites Constitution of Company under "The Joint Stock Companies Act, 1856," with a Capital of 1,000,000*l.*, in 20*l.* Shares, and that the greater Part are subscribed for.
Companies Clauses Act incorporated, § 3.
Dissolution of existing Company, § 4.
Incorporation of new Company; Saving of Rights and Liabilities, §§ 5 to 13.
Capital 1,000,000*l.* in 20*l.* Shares, and Power to increase it to 3,000,000, §§ 14 to 17.
Provision in case of Guarantee of Shares by East India Company, § 18.
Power to borrow to the Amount of One Third of the guaranteed Capital for the Time being paid up, § 19.
Meetings; Directors, §§ 20 to 27.
Offices in India, § 28.
Issuing of Shares in India; Seal, Registry, and Transfer of Shares, §§ 29 to 35.
Locality of Shares and Bonds, §§ 36, 37.
Contracts with East India Company, § 40.
Proceedings before Magistrates, and Penalties, §§ 41, 42.

Cap. lxxxiv.

"*London, Brighton, and South Coast* Railway (new Lines) Act, 1858."

Recites Consolidation Act, 9 & 10 Vict. c. cclxxxiii; and the 20 & 21 Vict. c. cxxxiii. ("Mid-Sussex Railway Act, 1857"); proposes to make a Line to join the Two Railways.
Incorporates Lands and Railways Clauses Acts, § 2; and Parts of Companies Clauses Act, § 18.
Power to raise 155,000*l.* in new Shares, with or without a Preference not exceeding 5*l.* per Cent. §§ 4 to 14.
To cancel unissued Shares and create new Shares in lieu, § 13.
Power to borrow 50,000*l.*, §§ 15 to 17.
Works; Railway, §§ 19, 20.
Board of Trade and Admiralty Provisions, §§ 21 to 31.
Three Years for compulsory Purchases and for Completion of Railway, §§ 33, 34, 36.
Junction with other Railway, § 35.
Power to use Lines of Mid-Sussex Railway Company, §§ 37, 38.
Tolls, § 39.
Charges at Kingston-by-Sea to be the same as the Charges of the Company at Deptford, § 40.

Cap. lxxxv.

"*Birkenhead* Improvement (general Mortgagees) Act, 1858."

Recites 3 W. 4. c. lxviii., 1 Vict. c. xxxiii., 5 Vict. c. v., 6 Vict. c. xiii., xiv., 7 Vict. c. xxxii., 9 Vict. c. xxviii., and 13 & 14 Vict. c. iii. ("The Birkenhead Improvement Amendment Act, 1850"); that under the last Act the Commissioners have sold Portions of the Lands purchased by them under the Powers of former Acts, at the Prices set forth in the Schedule to that Act, amounting in the whole to 96,000*l.* or thereabouts, and Bonds or Mortgages forming Part of their General Mortgage Debt, and representing principal Sums, amounting in the aggregate to 76,923*l.* or thereabouts, and also the Arrears of Interest on such principal Sums, amounting in the aggregate to 12,724*l.* or thereabouts, have been given as the Consideration for certain of such Lands, and the General Mortgage Debt has been proportionately reduced in Amount, but few of the Lands so sold have been built upon, and the Lands remaining unsold are by reason of the high Value or Price set upon the Lands in the Schedule to the said Act unsaleable, and the Benefits which would result from the Sale thereof cannot be obtained, unless the Restriction as to Price imposed upon them by the said Act is removed; that since the passing of that Act the Commissioners have, as thereby required, divided their Income applicable to the Payment of Interest on their General Mortgage Debt amongst the Owners of Bonds and Mortgages comprised in such Debt, and the Sum so divided was after the Rate of 1*l.* per Cent. on the Amount of such Debt in the Year ending the 30th Day of June 1851, and after the Rate of 1*l.* 10*s.* per Cent. in the Year ending the 30th June 1852, and after the Rate of 2*l.* per Cent. thereon in every subsequent Year, down to and inclusive of the Year 1855, and also in the Year 1857, and after the Rate of 1*l.* per Cent. thereon in the Year 1856, and the Difference between the Interest so paid and 5*l.* per Cent. has been credited, as required by the said Act, in the "Arrears of Interest Account Book," and there is now due from the Commissioners upon the Balance of such Account 84,875*l.*, or thereabouts; that it would improve the financial Condition of the Commissioners, and be beneficial to the Interests of Birkenhead, if Provision were made for capitalizing the Arrears of Interest upon the General Mortgage Debt, and for reducing the Rate of Interest upon the Principal Sums so increased, and for further facilitating the Sale or Lease of Lands belonging to the Commissioners; and for enabling the Commissioners, if need be, to increase their Stock of Ferry Boats and to pay off their present open Liabilities, and for facilitating the Payment of Mortgages, and for giving further Powers to the Mortgagees; that upwards of Nine Tenths of such Owners have signified their Assent to the proposed Arrangement, and that it is expedient that the Commissioners should be incorporated.
Incorporating Commissioners, § 2.
Saving of Rights and Liabilities, §§ 3, 4.
Repealing Provisions of 13 Vict. c. 3. imposing Restriction on Price at which Lands may be sold, § 5.
Power to lease, § 6.
Repealing certain Sections of the Birkenhead Improvement Amendment Act, 1850, relating to the General Mortgage Debt, § 7.
"Arrears of Interest Account Book" to continue to be kept; and Entries to be made therein, § 8.
Interest up to December 1858, to be added to the Arrears of Interest Fund, § 9.
Arrears of Interest to be capitalized, and Persons entitled to Principal to have new Mortgages, § 10.
Mortgages to be payable January 1st, 1865, with Interest in the meantime at 3½*l.* per Cent., § 11.
Upon Receipt of new Mortgages old Mortgages to be given up, § 12.
Mortgages to confer the same Lien, &c., as Bonds and Mortgages comprised in the General Mortgage Debt, § 13.
When Income insufficient to pay Interest and prior Charges Rates to be increased, but not so as to exceed the maximum authorized by Parliament, § 14.
General Receipts to be accumulated, and form the Interest Reserve Fund, § 15.
Power to apply Interest Reserve Fund to meet Deficiency in Receipts, § 16.
Receipts to be accumulated and form a Fund to be called "The General Mortgagees Fund," § 17.
Application of General Mortgagees Fund, § 18.
Power to invest Funds, § 19.
Provisions for increasing Stock of Ferry Boats, § 20.

Power for Commissioners to redeem Mortgages at the Market Price, § 21.
Mortgages or Bonds coming to the Commissioners, and Arrears of Interest due in respect thereof, to be considered as paid off, § 22.
Mortgagees may elect a Commissioner, who shall go out of Office triennially; occasional Vacancies may be supplied; Commissioners retiring or resigning may be eligible for Re-election, § 23.
Meetings of Mortgagees for Election of Commissioners, § 24.
Chairman, § 25.
Scale of Voting, § 26.
Joint Mortgagees how to vote, § 27.
If no Meeting, old Commissioner to continue, or if no such Commissioner the Place to remain vacant, § 28.
Special Meeting to elect Commissioners, § 29.
Mortgagees Commissioner to have the same Powers, &c., as other Commissioners, and to be a Member of the Finance Committee and Ferry Committee, § 30.
Statement of Commissioners' Accounts to be transmitted to every Bondholder, § 31.
Saving Rights of Francis Richard Price, Charles Potts, and Thomas Dixon, § 32.

Cap. lxxxvi.

"The *Dean Forest* Turnpike Roads Act, 1858."

Recites 1 & 2 Vict. c. xxxviii.; and that large Sums are owing upon the Tolls.
Repeals recited Act, § 1; Saving of Rights, § 4.
Trustees; Meetings, §§ 5 to 7.
Power to stein or metal Road from Bream to Yorkley, § 8.
Roads; Works, §§ 9 to 14.
Lands Clauses Act not to apply, § 15.
General Turnpike Acts applied and extended, §§ 16 to 19.
Three Years for compulsory Purchases, § 19; Seven to complete Works, § 20.
Tramroads; Gates; Quarries; Kilns; Fences, §§ 21 to 25.
Appeal against Order of Justices, §§ 26, 27.
Unnecessary Roads; Toll Gates; Tolls, §§ 28 to 41.
Power to borrow 5,000*l.* upon the Lydney Road, § 42.
Separate Accounts; Application of Funds; Accounts, §§ 43 to 46.
Toll not to be taken on Lydney Road if certain Payments made, § 47.
Mortgagees in possession to give up Gates, §§ 49, 50.
Mode of discharging Debt, § 51.
Saving Rights of Crown, §§ 53, 54.

Cap. lxxxvii.

"The *Manchester* Corporation Waterworks Act, 1858."

Recites that under their Act of 1847 (10 & 11 Vict. c. cciii.), the Water Rate is required to be an uniform Per-centage upon the Rent; that it has been found inequitable; proposes to alter it; and to take Power to charge for Water to Waterclosets where there is more than One.
Alteration of Charge for "Domestic Water Rate," § 2.
Additional Charge for Waterclosets, § 3.
Saving of Borough of Salford, § 5.

Cap. lxxxviii.

"The *Cornwall* Railway Act, 1858."

Period for Completion of Works authorized by their Act of 1855, extended to 3d August 1861; saving of Contracts; &c. §§ 2, 3.
Expenditure on Line between Truro and Falmouth restricted until Line opened between Plymouth and Truro, § 4.
Preference Dividend out of the Earnings of the Line between Truro and Falmouth may be attached to the Shares created under the Act of 1847, for making that Portion of the Line, § 5.
Accounts to be kept, § 6.
Application of Funds after Completion of the Line between Plymouth and Truro, § 7.

Cap. lxxxix.

"*South-western* Railway (Works and Capital) Act, 1858."

Recites seriatim the several Acts relating to the South-western Railway Company, especially "The South-western Railway (Capital and Works) Act, 1855," and their Acts of 1856 and 1857, and the State of their Capital and Debt under those Acts; also the Acts relating to the Salisbury and Yeovil, the Exeter and Exmouth, and the Wimbledon and Dorking Railway Companies; that by the South-western Acts the Company are authorized to make and maintain their Basingstoke and Salisbury Railway, commencing by a Junction with the Main Line of the London and South-western Railway, and ending near to Salisbury, and the greater Part thereof is made and open for public Traffic; that by the Salisbury and Yeovil Acts the Salisbury and Yeovil Company are authorized to make and maintain the Salisbury and Yeovil Railway from Salisbury to Yeovil, commencing by a Junction near to Salisbury with the Basingstoke and Salisbury Railway, and ending near to Yeovil, and the Salisbury and Yeovil Railway is making; that by the South-western Acts the South-western Company are authorized to make and maintain the Exeter Extension Railway, commencing by a Junction near to Yeovil with the Salisbury and Yeovil Railway, and ending at Exeter, and the Exeter Extension Railway is making; that by means of the Main Line of the London and South-western Railway from London to Basingstoke, and thence by the Lines of the Basingstoke and Salisbury Railway and the Salisbury and Yeovil Railway and the Exeter Extension Railway, there will be a continuous Line of Railway Communication between London and Exeter; proposes to authorize the Company to make and maintain a Branch Railway from their Exeter Extension Railway at Heavitree, near Exeter, to Topsham; to execute additional Works at Exeter and at Basingstoke; to make a Line of Railway at Southampton to afford easier Communication between their Main Line from London to Southampton and their Southampton and Dorchester Line; to make the Bridges by which the Exeter Extension Railway is to be carried over the several public Roads mentioned in this Act, of the Span by this Act authorized; and to make the Bridges by which the several public Roads mentioned in this Act are to be respectively carried over the Exeter Extension Railway of the Width by this Act authorized; to deviate from, and alter the Level of, the Exeter Extension Railway in several Particulars; to make and maintain the new Carriage Roads by this Act authorized, and to stop up and abandon certain now existing public Highways, as by this Act authorized; to purchase for the Purposes of their Undertaking additional Lands at Exeter, Basingstoke, Misterton, Eling, Feltham, and Seal respectively; to enter into Contracts with the Epsom Company to contribute to the Capital, and to appoint Directors of that Company; and to accept a Lease of the Salisbury and Yeovil Railway; also proposes to raise, by new Shares, such an Amount as the Southampton and Dorchester Railway

Company were authorized to raise with respect to the Cost of the additional Line of Rails which the Company have laid down on their Southampton and Dorchester Railway, and which they may hereafter continue further thereon; to raise further Capital for the several Works and Purposes by this Act authorized, and other Purposes of their Undertaking; to define and declare the Capital and borrowing Powers of the Company, and to make further Provision with respect to the same; and further recites that the Company have, under "The Salisbury and Yeovil Railway Deviation Act, 1857," Power to guarantee Mortgage or Bond Debt of the Salisbury and Yeovil Company, but the Company have no other Power to guarantee any Capital or Debt of that or any other Company; and that they have not exercised their Power of guaranteeing Debt of the Salisbury and Yeovil Company.

Incorporates Lands and Railways Clauses Acts, §§ 2, 3.

Power to take Lands, and to execute Works; but Consent required in certain Cases, §§ 4, 5.

Works, original and substituted, § 6.

Power to stop up Roads; Bridges; Board of Trade and Admiralty Provisions, §§ 7 to 19, and 21 to 26.

Protection of Mr. Follett's Ropewalk at Topsham, § 20.

Eighteen Months for compulsory Purchases for Northam Junction, and Three Years in other Cases, § 28.

Exeter and Topsham Branch and Northam Junction to be completed in Two Years, §§ 29, 30.

Tolls, §§ 31, 32.

Power to enter into Agreements with the Exeter and Exmouth and the Epsom Railway Companies, §§ 33 to 36.

Power to hold Shares in the Epsom Company to the Amount of 30,000*l.*, and to lend that Company a Sum not exceeding 20,000*l.*; to guarantee Interest; and to appoint Two Directors, §§ 37 to 52.

Joint Committee of Company, and Exeter and Exmouth Company, and of Company and Epsom Company, § 53.

Power to lease Salisbury and Yeovil Railway; Rent to be commuted within Twenty Years from its being opened throughout into a fixed yearly Payment, §§ 54 to 59.

Power to create Annuities or Shares with or without a Preference not exceeding 5*l.* per Cent.; to buy up Shares of Salisbury and Yeovil Company, §§ 60 to 64.

Eventual Dissolution of the Salisbury and Yeovil Company, § 65.

LXVI. On the passing of this Act, the several Powers of the Company under the South-western Acts or any of them of raising Money by Shares or by borrowing are by this Act extinguished, and the Debenture Stock, the preferential Shares and Stock, and the ordinary Stock and Shares by this Act declared to constitute together the Capital of the Company, shall, without respect to the original Creation or Issue thereof, constitute the then Capital of the Company: Provided always, that the Company from Time to Time may, under the Provisions in that Behalf of this Act, raise by new Shares the Amount which they are now authorized to raise by new Shares.

LXVII. The Capital of the Company as it existed on the 30th Day of November 1857, and exclusive of their Debenture Stock, is by this Act declared to have been the Sum of 7,599,326*l.* 13*s.* 4*d.*, consisting of the preferential Shares of the Company amounting to 14,400*l.*, and bearing 5*l.* per Centum per Annum Dividend, and the preferential Stock of the Company amounting to 172,276*l.* 13*s.* 4*d.*, and bearing 7*l.* per Centum per Annum Dividend, and the ordinary Stock of the Company, amounting to 7,197,841*l.* 7*s.* 11*d.*, and the aggregate Sum of 215,808*l.* 12*s.* 1*d.* which the Company were then authorized to raise by Shares.

LXVIII. The Capital of the Company under this Act, exclusive of their Debenture Stock from Time to Time, and exclusive also of Loan from Time to Time converted into Capital, is by this Act declared to be the Sum of 7,599,326*l.* 13*s.* 4*d.*, consisting of the preferential Stock of the Company under this Act, amounting to 14,400*l.*, and bearing 5*l.* per Centum per Annum Dividend, and the present preferential Stock of the Company, amounting to 171,276*l.* 13*s.* 4*d.*, and bearing 7*l.* per Centum per Annum Dividend, and the ordinary Stock of the Company, as existing on the 30th Day of November 1857, amounting to 7,197,841*l.* 7*s.* 11*d.*, and such Part as the Company have since that Day raised by Shares of the Sum of 215,808*l.* 12*s.* 1*d.*, which on that Day they were authorized to raise by Shares, and such Part of that Sum of 215,808*l.* 12*s.* 1*d.* as they have not yet raised by Shares, but which they are still authorized so to raise, and the additional Sums, making together 300,000*l.*, which they are by this Act authorized to raise by new Shares.

New Capital to be Part of general Capital, § 69.

LXX. The Sum of 14,400*l.*, the aggregate Amount of the preferential Shares of the Company, bearing 5*l.* per Centum per Annum Dividend, is by this Act converted into the Sum of 14,400*l.* fully paid up consolidated preferential Stock, bearing a like perpetual preferential Dividend of 5*l.* per Centum per Annum on the nominal Amount thereof, and that consolidated preferential Stock is by this Act vested in the several Persons who immediately before the passing of this Act were the registered Holders of those preferential Shares, according to their respective Interests therein.

Power for Company to raise so much of 215,808*l.* 12*s.* 1*d.*, already authorized to be raised as is not yet raised, § 74.

Power for Company to raise 180,000*l.* by new Shares for additional Line of Rails on Southampton and Dorchester Railway, § 75.

LXXVI. Whereas the estimated Expense of the Works by this Act originally authorized, and which are 1st, 2dly, 3dly, and 4thly described in this Act, is 70,000*l.*, and the Amount by this Act authorized to be contributed by the Company towards the Funds of the Epsom Company is 30,000*l.*: Therefore the Company from Time to Time may raise for those Purposes, by the Creation and Issue of new Shares, any Sums not exceeding 100,000*l.*, and any Sum not exceeding 20,000*l.*, for the Purpose of purchasing the additional Lands by this Act authorized to be purchased for the Purposes of their Undertaking, as authorized previously to the passing of this Act, in addition to the several other Sums which they are by this Act authorized to raise by new Shares: Provided always, that the Money so raised shall be applied only for those Purposes respectively.

Power to attach a Preference to new Shares not exceeding 5*l.* per Cent., §§ 77, 78.

Shares; issuing of; vesting of; cancelling of, §§ 79 to 93.

XCIV. The Company from Time to Time may borrow, on Mortgage or Bond, any Sums not exceeding, inclusive of their present Mortgage or Bond Debt, but irrespective of the Sum of 1,000,000*l.*, authorized to be raised for the Purposes of the Exeter Extension Railway, the Sum of 2,500,000*l.*: Provided always, that all the Moneys so borrowed shall be applicable only for Purposes by the South-western Acts and this Act respectively authorized.

XCV. The Company from Time to Time may borrow on the Security of their Undertaking for the Purposes of the Exeter Extension Railway, any Sums not exceeding in the whole, inclusive of the Sums already borrowed for those Purposes, the Sum of 1,000,000*l.*: Provided always, that the Company may raise all or any Part of that Sum not already

borrowed by preferential or ordinary Shares, instead of by borrowing: Provided also, that the Company may raise all or any Part of that Sum, whether already or hereafter borrowed, by preferential or ordinary Shares, instead of by re-borrowing.

XCVI. Provided always, That that Sum of 1,000,000*l.*, whether represented by Mortgages or by Shares, or by both, shall be in addition to the other Sums which the Company are by this Act authorized to raise by Shares and by borrowing respectively, and shall be applied wholly and exclusively towards the Expenses in that Behalf authorized by the Company's Acts of 1855 and 1856.

XCVII. Provided always, That the Mortgages already and hereafter granted by the Company shall rank in the following order:

1st. Mortgages for securing 2,400,416*l.* already authorized to be borrowed for Purposes other than Purposes of the Exeter Extension Railway:

2d. Mortgages for securing 1,000,000*l.* already authorized to be borrowed for Purposes of Exeter Extension Railway:

3d. Mortgages for securing 99,584*l.* by this Act originally authorized to be borrowed.

Power to create a Debenture Stock with a preference Dividend not exceeding 5*l.* per Cent.; borrowing Powers to be reduced pro tanto, §§ 99 to 105.

CVI. Provided always, That the total Amount which the Company may from Time to Time raise by Stock and Shares, and by borrowing, shall be the Sum of 11,402,326*l.* 13*s.* 4*d.*, being the aggregate of the following Amounts; (that is to say),

	£	*s.*	*d.*
Debenture Stock disposed of before the 30th Day of November 1857	3,000	0	0
Preferential Stock at 5*l.* per Cent.	14,400	0	0
Preferential Stock, 7*l.* per Cent.	171,276	13	4
Ordinary Stock as existing on that Day	7,197,841	7	11
The Sum which the Company were on that Day authorized to raise by Shares	215,808	12	1
The additional Sums by this Act authorized to be raised by new Shares	300,000	0	0
The Sum which the Company were on that Day authorized to borrow generally	2,400,416	0	0
The Sum which the Company were on that Day authorized to raise for the Exeter Extension Railway	1,000,000	0	0
The additional Sum by this Act authorized to be borrowed	99,584	0	0
	£11,402,326	13	4

CX. Subject to the Provisions of this Act, the preferential Stock of the Company by this Act substituted for preferential Shares, and amounting to 14,400*l.*, shall have Preference over all other present and future preferential and ordinary Stock and Shares of the Company except the Debenture Stock and shall bear a fixed perpetual preferential Dividend at the Rate of 5*l.* per Centum per Annum, and the other preferential Stock of the Company, amounting to 171,276*l.* 13*s.* 4*d.*, shall bear a fixed perpetual preferential Dividend, at the Rate of 7*l.* per Centum per Annum; and those preferential Dividends respectively shall from Time to Time be paid rateably out of the Profits of the Company applicable to the Payment of Dividends, before any Payment thereout of any Dividend on the ordinary Stock or ordinary Shares, but after Payment thereout of the Dividend on the Debenture Stock from Time to Time disposed of, except only so far as the Company, from Time to Time, before the Issue of the Debenture Stock, otherwise determine.

Dividends on new Shares; Voting; Qualifications, §§ 111 to 115. Saving Rights of Companies; of Crown, §§ 116, 117.

Cap. xc.

"The *Mersey* Docks and Harbour (Works) Act, 1858."

Whereas by the Acts mentioned in the Schedule hereunto annexed as having been passed in reference to "the Birkenhead Dock Trustees," and in reference to "the Birkenhead Dock Company," certain Docks, Buildings, and Works have been authorized to be constructed at Birkenhead, Part of which only have yet been constructed: And whereas the several other Acts mentioned in the Schedule hereunto annexed have been passed in reference to the Liverpool Docks: And whereas under or by virtue of the Local and Personal Act 20 and 21 Victoria, Chapter 162, intituled "An Act for consolidating the Docks at Liverpool and Birkenhead into One Estate, and for vesting the Control and Management of them in One Public Trust, and for other Purposes," the Mersey Docks and Harbour Board, nominated and elected under the Authority of the Provisions therein contained, have become possessed of and entitled to, amongst other Property, all such Estate and Interest in the Docks, Buildings, and other Works constructed under the Authority of the several Acts mentioned in Parts I. and II. of the said Schedule, as were transferred or were intended to be transferred to the Corporation of Liverpool by "The Birkenhead Docks Act, 1855," (being One of such Acts,) and are authorized and in some Instances are required to construct such of the Docks, Buildings, and other Works by such Acts or any of them authorized to be constructed as have not yet been constructed or completed: And whereas the Birkenhead Docks would be rendered more available for the Commercial Purposes of the Port of Liverpool if the Board were authorized to construct certain Works in lieu of the Works authorized or required to be constructed by the said Acts passed in reference to the Birkenhead Dock Trustees, and in reference to the Birkenhead Dock Company: And whereas the Objects and Purposes aforesaid cannot be effected without the Authority of Parliament: And whereas the Board, in obedience to a Provision contained in "The Mersey Docks and Harbour Act, 1857," are now prosecuting a Bill in Parliament for the Purpose of repealing the several Acts mentioned in the said Schedule, and for consolidating the several Provisions contained in the said Acts, which Bill is herein-after referred to as "the proposed Act."

Lands Clauses Act, except Sects 127 and 133, incorporated, § 3.
Power to dispose of superfluous Lands, § 4.
Deficiency of Land Tax to be made good, § 5.

VI. Whereas the Works proposed to be constructed under the Authority of this Act consist of, first, a great Low-water Basin opening into and communicating with the Great Float by means of a Lock Fifty Feet wide and Two hundred and forty Feet long, and having Sluices of not less than Eight hundred Feet sectional Area, for the Purpose of drawing Water therefrom for scouring and deepening the said Low-water Basin; secondly, the Enlargement and Alteration of the Morpeth Dock and its present Entrance, and the Formation of a new and additional Entrance thereto from the Woodside Basin; thirdly, the Formation upon certain Lands known as the North Reserve of an Outer or Low-water Basin (with a Pier or Jetty therein) near to and to the Northward of the present authorized Entrance from the River Mersey to the Great Float, and the Removal of so much of the existing

River or Sea Wall of the North Reserve as may be necessary for that Purpose; and also of an Inner Basin between and communicating with such last-mentioned Low-water Basin and the Great Float; fourthly, a permanent Embankment across the Eastern End of the Great Float, commencing at or near the Western Entrance of Egerton Dock and terminating at a short Distance Northward of the Northern Extremity of the permanent Embankment as at present authorized across the End of the Great Float; fifthly, the Formation of a Quay by the Inclosure by a Sea Wall of Part of the Woodside Basin and of Part of the Shore or Bed of the River Mersey to the South of the Woodside Pier or Jetty; also the Construction to the Northward of the Woodside Pier or Jetty, and behind the said intended Sea Wall, of an open Dock or Basin communicating with and opening into the River Mersey through the said intended Sea Wall; also the Construction of a Graving Dock behind the said intended Sea Wall on the South Side of the Woodside Pier or Jetty, communicating with and opening into the River Mersey through the said intended Sea Wall; also the providing and erecting of a floating Landing Stage in the Front of and connected with the said intended Sea Wall; sixthly, a new Street or Road between Taylor Street and Hamilton Street at Birkenhead, and the widening of the existing and the making of additional Quays between the said intended new Road and the Docks, Basins, and other Works at Birkenhead now belonging to the Corporation; seventhly, a Wharf Wall or Embankment on the North Side of the Great Float between the Site of the said intended permanent Embankment and Wallasey or Poulton Bridge Road, except in Parts where a Wharf Wall or Embankment has already been constructed, but including Alterations of some Parts of the Wharf Wall or Embankment which has been so constructed; eighthly, a new Road or Street Northward of the said last-mentioned Wharf Wall or Embankment, commencing at or near a Point now or formerly known as Neff Point, and terminating by a Junction with the Wallasey or Poulton Bridge Road at or near the Turnpike Gate at Wallasey Bridge, and a Drain or Culvert under the said intended new Road or Street, and communicating with the Drain or Culvert authorized to be made across the North Reserve to or into the River Mersey at or near Seacombe Ferry Slip; ninthly, an Embankment herein-after called the Duke Street Embankment, together with a new Road or Street over the same across the Great Float, commencing at or near the West Side of the Seacombe Copper Mills, and terminating with a Junction with Corporation Road at or near the Corner of Duke Street: And whereas Plans and Sections describing the Line, Levels, and Situation of all the aforesaid Works, with a Book of Reference to such Plans, have been deposited in the Office of the Clerk of the Peace for the County of Chester: Therefore, subject to the Provisions of this Act, the Board may construct and complete such Works according to the said deposited Plans and Sections, and upon the Lands described or comprised in the said Book of Reference, and for that Purpose may purchase such Lands or any Part thereof, and may enter upon, take, and use the same, or such Part thereof as shall be necessary; and the Board may construct all such Warehouses, Transit and other Sheds, Graving Docks, Graving Blocks, Inclined Planes, Patent Slips, Gridirons, Jetties, Piers, Walls, Wharfs, Quays, Landing Stages, Slips, Stairs, Locks, Gates, Bridges, Weirs, Sluices, Channels, Railways, Tramways, Approaches, Cranes, Engines, Wells, Machinery, and other Works, Matters, and Things, as the Board shall from Time to Time deem necessary for the efficient Completion or the convenient Use of the aforesaid Works.

VII. The Board shall not be required to construct any Portion of any Works authorized to be constructed by all or any of the Acts mentioned in Parts I. and II. of the Schedule hereunto annexed, or by "The Mersey Docks and Harbour Act, 1857," which shall be rendered unnecessary or inexpedient by or be incompatible with the Execution of the Works by this Act authorized to be constructed, anything to the contrary in the "proposed Act" notwithstanding.

Limits of lateral Deviation, §§ 8, 9.

Errors and Omissions may be corrected by Justices, who shall certify the same; Certificate, § 9.

Restricting Powers of Deviation in Works sixthly and eighthly described, § 10.

Admiralty Provisions, §§ 11 to 13.

Power to purchase Lands of the Cheshire Junction Railway Company, § 14.

Provision as to Purchase of certain Lands belonging to Sir J. Bailey and R. Vyner, Esqrs., § 15.

Power to purchase the Reversion of Lands from Corporation, § 16.

Time limited for compulsory Purchase of Lands, § 17.

Periods for Completion of Works, §§ 18, 19.

Great Western Railway Station on South Reserve not to be removed till other Accommodation provided, § 20.

Lines of Rails on the Quays of the Birkenhead Docks, § 21.

Appropriation of Part of the South Reserve to Railways, § 22.

Access for Railways to South Reserve, § 23.

Great Western and London and North-western Railway Companies to have each a Lease of 40,000 Yards of Land on South Reserve, with free Access to the Quays opposite the same, §§ 24, 25.

Birkenhead, Lancashire, and Cheshire Junction Railway Company to have a Lease of Land on South Reserve, with free Access to the Quays, § 26.

Public Road to Seacombe and Railway, § 27.

Culvert at Seacombe to be extended to the River Mersey, § 28.

Provision for sluicing Seacombe Ferry Slip, § 29.

Saving Rights of Owners and Lessees of the Seacombe Ferry, § 30.

Sewers may be used by Owners and Occupiers of Land adjoining the intended Road, § 31.

Power to make Branch Railways to communicate with the Railways of the Board on South Side of Float, § 32.

Power to Parties to communicate with Railways of the Board on North Side of Great Float, § 33.

Power to construct Railways to Land of John Laird, Esq., § 34.

Stopping up and Appropriation of Roads, § 35.

Alterations consequent on changing Levels of Streets to be made at the Expense of the Board, § 36.

Board to lay Gas and Water Mains in new Street, § 37.

Board to reinstate Pipes of Company, § 38.

Part of Landing Stage to be appropriated to the Woodside Ferry Traffic, § 39.

Arrangements with Owners and Lessees of Woodside Ferry, Pier, and Works, § 40.

Powers for Recovery of Rentcharge, § 41.

Agreement between the Crown and Improvement Commissioners not to be prejudiced, § 42.

Saving Rights of Woodside Ferry, § 43.

Land of the Birkenhead Improvement Commissioners, or whereof they are Lessees, not to be taken without their Consent, § 44.

Saving Clause of Compensation under existing Acts, §§ 45, 46.

Until Wharf Walls are built on the North Side of the great Float, the Board to preserve Foreshore from Encroachments and Nuisances, § 47.

Level of Waters in Great Float not to be reduced lower than Thirteen Feet above the Level of the Old Dock Sill at Liverpool, § 48.

Gas and Water Pipes may be carried across Embankments, § 49.

Railway to be maintained over temporary Dam, § 50.

Rails on temporary Dam to be subject to Regulations of the Board, § 51.

Tolls and Exemptions, §§ 52 to 56.

Power to borrow under "The Mersey Docks and Harbour Act, 1857," to apply to the Works at Birkenhead authorized by this Act, § 57.

Saving Rights of the Crown; of the Admiralty; of Great Western, of Birkenhead, Lancashire, and Cheshire Junction Railway Companies; of Messrs. Hustler and Pollard; and of the Seacombe Mill Company, §§ 58 to 63.

SCHEDULE.

PART I.

The Birkenhead Dock Trustees Acts.

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8 Victoria - -	4	16 and 17 Victoria	165
10 and 11 Victoria -	264	17 and 18 Victoria	192
10 and 11 Victoria -	265	18 and 19 Victoria	171
11 and 12 Victoria -	144		

PART II.

The Birkenhead Dock Company's Acts.

8 and 9 Victoria -	60	16 and 17 Victoria	177
11 Victoria - -	9	18 and 19 Victoria	171
11 Victoria - -	42		

PART III.

Liverpool Docks Acts.

1 Anne - -	12	9 George IV. -	114
3 George I. - -	1	11 George IV. -	14
11 George II. -	32	4 Victoria - -	30
2 George III. -	86	6 and 7 Victoria -	98
25 George III. -	15	7 and 8 Victoria -	80
39 George III. -	59	8 Victoria - -	11
51 George III. -	143	9 and 10 Victoria	109
53 George III. -	156	11 Victoria - -	10
59 George III. -	30	14 and 15 Victoria	64
6 George IV. -	187	18 and 19 Victoria	174
9 George IV. -	55		

Cap. xci.

"*Halifax* Park and Improvement Act, 1858."

Recites Indenture of 14th August 1857, by which Francis Crossley, Esq., granted a Park and Grounds to the Corporation and their Successors; that it is apprehended that the recited Indenture cannot have full legal Effect according to the Intent and Meaning thereof; that the said Francis Crossley and the Corporation are respectively desirous that the recited Indenture be confirmed by Act of Parliament: recites that such of the Provisions of an Act of the Fourth Year of George the Fourth, intituled "An Act for paving, lighting, cleansing, watching, and improving the Township of Halifax, and for supplying the same with Water" (in this Act called the Improvement Act), as have not been repealed by or in pursuance of the Provisional Order of the General Board of Health, set forth in the Schedule to the Act of 1853, or by the Act of 1853, or otherwise, are now in force within the Borough; that by "The Halifax Improvement Act, 1853," the Corporation were authorized to extend their Waterworks, and in order thereto to purchase Lands, Streams, and Waters, and to make the several Works specified in that Act; that Parts of those Works have been made, and it is expedient to enlarge and alter other Parts thereof, and to make additional Waterworks; and that the Limits of Supply and the Periods for compulsory Purchases and Completion of Works be extended; that under the Authority of "The Public Health Supplemental Act, 1856," the Local Board have, with the Approval of the General Board of Health, borrowed the Sum of 37,500*l.* on Mortgage of the Gasworks, and the Income therefrom, and the general District Rates for their District, and have applied for the Purchase of that Undertaking and the Extension of the Works the Money so borrowed; that it is expedient that the Local Board be authorized to extend their Gasworks, and that other Provisions be made with respect to their Gasworks; that it is expedient that the Corporation be authorized to make the new Streets, and the improvement of existing Streets by this Act authorized; that the Corporation have purchased the Markets under the Powers and in accordance with the Provisions of the Act of 1853, and it is expedient that further Provision be made with respect to the Markets, Fairs, Market Places, and Slaughter-houses in the Borough; and as to the Sewerage and Drainage of the Borough, and the Expenses thereof; and for determining by whom or out of what Funds the Expenses of making Drains and Sewers shall be defrayed; and that the Corporation be authorized to make, maintain, manage, and regulate a Cemetery for the Borough; that at the Time of the passing of "The Public Health Supplemental Act, 1851, No. 3," the Town Council of the Borough of Halifax then acting in execution of the before-mentioned "Improvement Act," were then Owners of certain Springs and Waterworks belonging to the said Township, and had incurred a Debt of 30,000*l.* in respect of the said Waterworks, of which Sum 17,000*l.* is now owing; proposes to make further Provision as to that Sum; to provide and regulate Baths and Washhouses; to make provision for the Application of the North Bridge Fund: recites further, that the Corporation have, under the General Laws relating to Municipal Corporations in England, and under the General Laws relating to Local Boards of Health, the ordinary Authorities of a Municipal Corporation, and of a Local Board of Health, respectively, for borrowing Money; and they have the following special Powers for borrowing Money, which they have exercised, as follows; (that is to say,) the Corporation have borrowed, under the Powers of the Public Health Supplemental Act, 1851, before recited (Section 3), the Sum of 30,000*l.*, and they have applied 13,000*l.*, Part thereof, in the Payment of the Debts of the Township of Halifax, pursuant to the Terms of that Statute, leaving the Sum of 17,000*l.* chargeable upon the Waterworks owing to the Township of Halifax; under the recited Act of 1853 (Section 133), Powers to borrow for the Purposes of the Waterworks the Sum of

73,000*l.*, and they have actually borrowed 72,885*l.*; under the recited Act of 1853 (Section CXXXVI.), for the Purposes of a Town Hall, Court House, Prison Cells, and other Works, the Sum of 15,000*l.*, but they have not actually borrowed any Part of that Sum; under the recited Act of 1853 (Section CXXXV.), for the Purposes of a Cattle Market, the Sum of 5,000*l.*, but they have not borrowed any Part of that Sum; the Local Board have borrowed, with the Sanction of the General Board of Health, for the Purposes of the Gasworks, under the Authority of the Public Health Supplemental Act, 1856, before recited, Section II., the Sum of 37,500*l.*, and have secured the Repayment thereof, with Interest, by Mortgage of the Gasworks, and the Income and Profits thereof, and the General District Rates; and have borrowed, with the Sanction of the General Board of Health, under the Authority of the Public Health Act, 1848, for the Purposes of Sewerage and Drainage, 42,000*l.*; that the Local Board have incurred further Liabilities for the Purposes of Sewerage and Drainage to the Amount of 12,000*l.*, or thereabouts; that it is expedient that the Corporation and the Local Board respectively be authorized to raise further Sums for the Purposes of the Act of 1853 and this Act respectively; and that further Provision be made with respect to the Improvement of the Borough, and with respect to the Rates and Assessments to be made on the Borough, and for carrying into effect the several Powers and Provisions of the Act of 1853, and of the several Acts therein recited.

Incorporation of Lands and Waterworks and Gasworks, and Markets and Fairs and Towns Improvement and Police Clauses Act, and Parts of Commissioners Clauses Act, §§ 3 to 5.

Execution of Act by Mayor, Aldermen, and Burgesses of the Borough, by Corporation, and by Local Board, §§ 9 to 11.

The recited Indenture confirmed, and the Park vested in Corporation as Municipal Corporation, §§ 12, 13.

Mr. Crossley and his Issue, &c. to be Protector of the Park, § 14.

Management of Park to be free from local Rates, §§ 15 to 27.

Power for Corporation and Local Board to take Lands compulsorily, § 28.

Limit of Period for compulsory Purchase by Corporation and by Local Board, §§ 29, 30.

Lands of Sir Charles Ibbetson and John Thomas Selwin, Esq., not to be taken otherwise than by Agreement, § 31.

Limit of Lands to be purchased, § 32.

Period for Completion of Works and Compensation, §§ 33 to 35.

Agreement by Corporation for taking Lands, &c. for Waterworks confirmed, § 36.

Power for Corporation and Local Board to purchase and rent Lands by Agreement to be Part of the Corporate Estates, §§ 37 to 42.

General Power for Corporation and Local Board in executing Works to interfere with Streets, Waters, &c., § 43.

Power for Corporation to make Waterworks, to take Water from Brooks, &c., §§ 44 to 47.

Specified Provisions of Act of 1853 as to Waterworks to apply to Waterworks as authorized under Act of 1853 and this Act, § 48.

Limits of Act for Water Supply, § 49.

Contracts for Delivery of Water beyond Limits of Act for Water Supply, § 50.

Restriction on Supply of Water beyond the Borough, § 51.

Gasworks vested in Corporation, § 52.

Power for Local Board to maintain and extend their Gasworks, &c., § 53.

Supply of Gas by Corporation, § 54.

Power for Local Board to make new Streets and widen existing Streets, § 57.

New Streets and Widenings of Streets authorized by Act, §§ 58 to 62.

Improvement of Approaches to Market Houses, &c., § 63.

Fair Tolls, First Schedule, § 64.

Power for Local Board to declare Expenses of making Sewers private Improvement Expenses, or payable out of Rates, § 65.

Appeal, §§ 66, 67.

Fire Engine Establishment vested in Corporation, § 68.

Expenses and Receipts in respect of Fire Engine Establishment to be paid out of and to Borough Fund, § 69.

Expenses occasioned by Fires out of Limits of Borough to be paid by Owners of Property endangered, § 70.

Power for Corporation to make and maintain Cemetery, § 71.

Cemetery Provisions, §§ 72 to 89.

Power for Local Board to cleanse and improve the Hebble, § 90.

Power for Corporation to regulate Height of Chimneys; and Appeal, §§ 91 to 93.

Power for Corporation to erect Public Baths in Park; and also other Baths and Bathing Places and Wash-houses, §§ 94 to 102.

Application of North Bridge Fund, § 103.

Repeal of Sections of Act of 1853 relating to Rates, borrowing and Application of Moneys, § 104.

Power for Local Board to levy General and Special District Rates for Street Improvements, § 105.

Incorporation of Clauses of Commissioners Clauses Act respecting Mortgages, § 106.

Power for Corporation to borrow for Waterworks Purposes and for Gasworks, §§ 107, 108.

General District Rates comprised in Mortgage of Gasworks to be indemnified against Mortgage Debt and Interest, § 109.

Provision for including Borough Rate in and excluding General District Rate from that Mortgage, § 110.

But not so as to charge General District Rates, § 111.

Power for Corporation to borrow for Town Hall, &c., for Markets, Cemetery, and for Baths and Wash-houses Purposes, §§ 112 to 115.

Limit of Amount to be borrowed by Corporation, § 116.

Application of Moneys, § 117.

Application of Income from Waterworks, Gasworks, Markets and Fairs, Cemetery, Baths and Wash-houses, §§ 118 to 123.

Expenditure of Corporation under Act of 1853 and this Act, § 124.

Limit of Amount to be applied out of the Borough Fund, § 125.

Certificate of such Amount, § 126.

Corporation, with Sanction of a Meeting of Borough Ratepayers, may exceed that Limit, §§ 127 to 129.

Power for Local Board to borrow for Sewerage Purposes, § 130.

Act not to restrict other Powers of Local Board for borrowing, § 131.

Income and Expenditure of Local Board under Act, §§ 132, 133.

Period for paying off Money borrowed by Local Board, § 134.

Power to reborrow, §§ 135, 136.

Corporation to keep "The People's Park Account," "The Gasworks Account," "The Cemetery Account," and "The Public Baths and Wash-houses Account," § 138.

Extension of Sections of Act of 1853, § 139.

Lancashire and Yorkshire Railway and Calder and Hebble Navigation Companies to be rated in manner prescribed by "Public Health Act, 1848," as to such Works as might have been executed under the Provisions of that Act, &c., § 140.
Saving Rights of the Calder and Hebble Navigation; the Lancashire and Yorkshire Railway Company; of Mortgagees of Waterworks under Public Health Act, 1851; of Corporation and Local Board, §§ 141 to 144.
Power to rate Owners in certain Cases, §§ 148 to 150.
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Cap. xcii.

"The *Mersey* Dock Acts Consolidation Act, 1858."

Whereas by the Mersey Docks and Harbour Act, 1857, being "An Act for consolidating the Docks at Liverpool and Birken-"head into One Estate, and for vesting the Control and Ma-"nagement of them in One Public Trust, and for other "Purposes," the Mersey Docks and Harbour Board were incorporated for the Purposes therein mentioned: And whereas by the said Act it is enacted, that "The Board shall "in the ensuing Session prosecute a Bill in Parliament for "consolidating the several Acts specified in the Schedule "hereto, and for obtaining any additional Powers that may "be necessary or expedient for carrying into effect the Pur-"poses of this Act, and for revising and regulating the Rates "and Charges to be levied upon all Vessels, Goods, Merchan-"dize, and other Articles now liable or hereafter liable to the "same:" And whereas the Acts specified in the said Schedule are the same Acts as are specified in Schedule (A.) annexed to this Act: And whereas by the Acts mentioned in the First Part of the said Schedule (A.), or some of them, Powers were given to the Trustees of the Liverpool Docks to raise by way of Loan various Sums of Money, amounting in the whole to the Sum of Six millions one hundred and thirty-four thousand Pounds for the Construction of the Works authorized by and for other the Purposes of such Acts, the whole of which Sum has been actually borrowed by the Trustees: And whereas by the Mersey Docks and Harbour Act, 1857, the Board were authorized, in addition to any Powers acquired by them under the Acts specified in the Schedule thereto, to borrow at Interest any Sum or Sums of Money required for the Completion of the Birkenhead Docks and Works, or for other the Purposes specially provided for by that Act, but for no other Purpose whatever: And whereas it is expedient that the Board should be authorized to borrow a further Sum of Money to be applied in the Manner and for the Purposes herein-after mentioned: And whereas it is expedient to alter and amend some of the Provisions contained in the Mersey Docks and Harbour Act, 1857: And whereas it is expedient to repeal an Act passed in the Fifth Year of the Reign of His late Majesty King George the Fourth, Chapter 73, and intituled "An Act for the better "Regulation and Encouragement of Pilots for the conducting "of Ships and Vessels into and out of the Port of Liverpool," herein-after called "The Liverpool Pilotage Act," and to vest in the Board such Powers as may be necessary in relation to Pilotage of Vessels into and out of the Port of Liverpool, and the Regulation of Pilots: May it therefore, &c.

I. This Act shall commence and come into operation on the First Day of January One thousand eight hundred and fifty-nine, except as to such Portions thereof as are herein-after directed to commence and come into operation at some other Period of Time.

Short Title, § 2.
Interpretation, § 3.
Incorporates Lands Clauses Act, § 4.
Deficiency of Land Tax to be made good, § 5.
Repeal of Acts, § 6.
Birkenhead Dock Trustees and Birkenhead Dock Company to continue to exist until wound up, § 7.
Grants, Conveyances, &c. to continue in force, § 8.
Saving Rights, Liabilities, Appointments, &c. under repealed Acts, §§ 9 to 18.
Works, &c. required by the repealed Acts to be made or maintained shall be made and maintained by the Board, § 19.
Continuing to R. Vyner, Esq., Powers of existing Acts to make navigable Gates in his Wharf Wall on the South Side of the Great Float, § 20.
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Board to construct and maintain all Works not affected by new and substituted Works, and may purchase Lands already authorized to be purchased, § 22.
Repeal of certain Sections of Mersey Docks and Harbour Act, 1857, § 23.
Members of the Board, § 24.
Appointment of a Fourth Nominee Member, § 25.
Reduction of Qualification of Elective Members of the Board, § 26.
Rotation of Nominee Members of Board, § 27.
Rotation of Elective Members of the Board, § 28.
Revising Barrister to revise List of Dock Electors, § 29.
How Distance is to be measured, § 30.
Board to have all Powers, &c. of the Liverpool Dock Trustees, § 31.
Power to appoint Officers, § 32.
Annual or other Payment may be made to retiring Officers, § 33.
Collectors to keep Accounts, § 34.
One Set of Porters to receive, &c. the Cargo of each Vessel, § 35.
Master Porter to give Bond with Sureties; Owners, &c. may sue on the Bond, § 36.
Owners, &c. of Goods may bring other Actions on the same Bond, § 37.
When new Bonds are to be given, § 38.
A certified Copy of the Bond to be Evidence, § 39.
Penalty on Persons acting as Master Porters without having given Bond, § 40.
Board may dismiss Master Porters, § 41.
In case of Default by Owner, Goods may be removed by the Board after the same have been weighed, &c. by a Master Porter, § 42.
Owner of the entire Cargo may employ Master Porters, § 43.
Board may employ Persons to discharge or load Ships, § 44.
Dock-master not to exercise certain Trades, § 45.
Police Force for Liverpool Docks, § 46.
Police Force for Birkenhead, § 47.
Expense of Police Force to be settled by Arbitration if necessary, § 48.
Harbour-masters, &c. to direct Vessels coming in or going out of the Docks, § 49.
As to Use of Bridges at Wapping Basin, § 50.
Penalty on opening Dock Gates, &c. without Permission, § 51.
Vessels to have their Sails lowered when entering any Docks, § 52.
Harbour-masters, &c. may remove Vessels from Entrances to Docks, § 53.
For facilitating the working of the Docks, § 54.
Harbour-masters, &c. may employ Labourers for expediting the passing of Vessels into or out of the Docks, § 55.
Power to run Docks dry for the Purpose of Repairs, &c., § 56.
Vessels to be always kept so loaded with Ballast or otherwise as to be safely removed, § 57.

Unserviceable Vessels may be sold at End of Four Months, § 58..
Power to remove Wrecks, &c., § 59.
Penalty on bringing Vessels into Dock contrary to the Directions of the Dock-masters, § 60.
Penalty on Vessels being brought into the Entrance Basins when the Signal is hoisted, § 61.
Penalty on giving a false Draught of Water, § 62.
Power to appoint the particular Dock, &c. to which Steam and other Vessels shall resort, § 63.
Enabling Board to appropriate particular Portions of Docks, &c. for the Use of Canal Companies and others, § 64.
Cut constructed under 7 & 8 Vict. c. 80. to be kept in repair by the Board, and to form Part of the Dock Estate, § 65.
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Canal Company to appoint Persons to admit the Water into the Cut, &c., § 67.
Free Passage to be allowed through the Cut, § 68.
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Docks, &c. may be improved, § 70.
The Board may enclose Docks, § 71.
Lines of Rail on the Quays, &c. at Liverpool, § 72.
Rails at Birkenhead, § 73.
Board may charge for Use of Rails, § 74.
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Free Communication with Docks for Custom-house Officers, § 77.
Residences may be provided for Harbour-masters, &c., § 78.
All the Dock Quays to be legal Landing Places, § 79.
Prohibiting Interference with the Dock Quays, § 80.
Provision for paving the Quays, &c., § 81.
Depôts, Sheds, Cranes, &c. may be erected, and special Berths appropriated, § 82.
Docks may be set aside for Vessels to be loaded, &c. by the Board, § 83.
Goods in Sheds adjoining such Docks to be moved, &c. by Servants of the Board, § 84.
No Ballast, &c. to be thrown into the Docks, § 85.
No Ballast, &c. to be deposited on the Quays, § 86.
Regulations as to unloading Ballast, &c., § 87.
Penalty on Persons leaving Goods on Quays, &c. for more than Forty-eight Hours, or longer than necessary, § 88.
Removal of Goods left on Quay, § 89.
Owners of Vessels may cause Warehouse Entry to be made, § 90.
Commissioners of Customs may sell Goods to satisfy Duties, § 91.
If the Goods are not worth the Amount of Duty they may be destroyed, § 92.
Entry to be made according to the Marks, &c., and no Goods to be liable to Seizure by reason of unintentional Inaccuracy, § 93.
Vessels damaging Works may be detained until Damage paid for or a Deposit paid, § 94.
Power to award Compensation for Damage done to Vessels, &c., § 95.
Penalty on Persons offering Bribes to Officers, and on Officers taking Bribes, § 96.
For Protection of Harbour and Dock Masters in discharge of their Duties, § 97.
Public Way to be left on Eastern Boundary of Property at Liverpool of Duke of Bridgewater's Trustees, § 98.
Power to Bridgewater Trustees to form Communications with Tramroads, § 99.
Obstructions to be removed, § 100.
Penalty for throwing Rubbish into the River Mersey or Port of Liverpool, § 101.
Restrictions as to emptying Mud, &c. into the River, § 102.
Penalty on Vessels discharging, &c. in the River North of a Line drawn from Rock Ferry Slip to Harrington Dock, § 103.
Power to erect Lighthouses, &c., § 104.
Authority to defray Expenses of Light at Rock Perch, § 105.
Power to provide Floating Lights, &c., § 106.
Penalty for injuring Light Ships, &c., § 107.
Penalty on fastening Vessels to Buoys not being Mooring Buoys, § 108.
Power to establish Life Boats, § 109.
Authority to make and maintain Telegraphs, § 110.
Board empowered to lay Pipes along public Roads, Bridges, and Streets, § 111.
Wires, &c. may be laid down across the Seas, § 112.
Board to remove Works in case of Interference with Navigation, § 113.
Notice to be served on Persons having Control, &c. before breaking up Streets, § 114.
Streets not be broken up except under Superintendence; if Persons having Control, &c. fail to superintend, the Board may perform the Work without them, § 115.
Streets, &c. broken up to be reinstated without Delay, § 116.
In case of Delay, other Parties may reinstate and recover Expenses, § 117.
Board to have exclusive Regulation, &c. of Pilots, and to appoint Pilotage Committee, § 118.
Pilotage Committee to be deemed a Committee of the Board, § 119.
Persons holding Licences at Time of Commencement of this Act to act as Pilots to be deemed to be licensed by the Board, § 120.
The Board to examine, and grant Licences to Pilots, § 121.
Pilots to pay for First Licence 6*l.* 6*s.*, and afterwards 3*l.* 3*s.*, and the Licence to be in force for One Year, § 122.
Persons acting without a Licence to forfeit 20*l.*, § 123.
Pilots misbehaving to have their Licences recalled; and if they act afterwards to be liable to the same Penalties as if they were not Pilots, § 124.
Pilots refusing to conduct Ships or assist a Vessel in distress, to forfeit 10*l.* and lose their Licence, § 125.
Pilots leading the Way in any Vessel to be entitled to Pilotage, § 126.
Distances to which Vessels are to be piloted, § 127.
Places to which Vessels are to be piloted Inwards, § 128.
Vessels liable to pay Pilotage coming into Port, to display a Signal for a Pilot, § 129.
Masters of Vessels Inward bound refusing to take Pilots who offer to be liable to full Pilotage, § 130.
Masters of Vessels to give Pilots a true Account of the Draught of Water of their Vessel, and Pilot authorized to admeasure, § 131.
Penalty on Masters forcibly taking away Pilots, § 132.
Board may fix Rates for Pilotage, § 133.
The Board may regulate the Prices of Pilotage, § 134.
Only One Half the Pilotage to be paid from certain Distances; Proviso as to Pilots not offering themselves before Vessels pass certain Places, § 135.
Compensation to be made to Pilots for taking Vessels out of Port which have been forced back, § 136.
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Pilot attending a Vessel at Anchor in the River to have 5*s.* for every Day of Attendance, except the Day of going to Sea and returning from Sea, § 138.
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Money to be raised from Licences, after Expenses, to be applied for Rewards to meritorious Pilots, § 143.
Accounts to be adjusted every Three Months; Balance, with Per centage, to constitute a Fund for Annuities, § 144.
Existing Fund to be paid over to the Board for the like Purpose, § 145.
To assist in raising Annuity Fund, Collector to pay 1*l.* 10*s.* per Cent. out of gross Earnings of Pilots, § 146.
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Pensions to Pilots, Annuities to disabled Pilots, and Widows and Children of Pilots, § 148.
As to depositing Money in Savings Banks, &c., § 149.
Licensing Boats, § 150.
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Persons interested in Pilot Boats at Commencement of Act to retain same Rights, &c. as if Act had not been passed, § 152.
Rates for Licences for Boats, § 153.
Licences may be suspended or recalled, § 154.
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Licensed Pilots only to have Shares in licensed Boats, § 156.
For Sale of deceased Pilots Boats, § 157.
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Reward for Pilots assisting Ships in distress to be settled by the Board, § 159.
Board empowered to class Pilots, § 160.
Majority of Pilots may have a Joint Stock, § 161.
Pilots not to keep Public Houses, § 162.
No Claim to be made by any Pilot or Life-boat Man for Salvage Services without the Consent of the Board, § 163.
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Deposit of Goods in Transit Sheds, § 166.
If Owner, &c. of Goods deposited in Transit Sheds neglect to make Customs Entries, the Board may, § 167.
Board may employ Persons to weigh, &c. Goods, § 168.
Goods not liable to Seizure for inaccurate Entry, § 169.
Goods may remain in Transit Sheds One Day after passing Landing Waiter free of Charge; and not to be removed until all Rents and Charges are paid, § 170.
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Board may give Security required for Bonding Warehouses, &c., § 181.
Board may give Bond for Duties on Goods warehoused, § 182.
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Persons engaged in loading or unloading Vessels may be searched on leaving Docks, § 184.
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Rents, &c. for Goods, when to be paid, § 187.
Charges for unloading Vessels, &c., how to be recovered, § 188.
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Board may prevent Part of Cargo being landed until Three Fourths are entered at Custom House, § 190.
Board may enter Goods if not entered within Forty-eight Hours by the Owner or Consignee, § 191.
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Notice may be given to the Board to detain Goods until Freight, &c. be satisfied or Deposit paid, § 194.
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Authority to appropriate, purchase, or rent Land for a Depôt for Timber until measured and passed, § 201.
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Penalty on Persons discharging Timber in Docks without Consent, § 203.
Penalty on Persons leaving Timber on Quays, &c., § 204.
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In case of Sale of Timber, § 206.
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SCHEDULE (A.)—PART 1.

Liverpool Dock Acts.

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3 George I. -	1	11 George IV. -	14
11 George II. -	32	4 Victoria - -	30
2 George III. -	86	6 & 7 Victoria -	98
25 George III. -	15	7 & 8 Victoria -	80
39 George III. -	59	8 Victoria - -	11
51 George III. -	143	9 & 10 Victoria -	109
53 George III. -	156	11 Victoria - -	10
59 George III. -	30	14 & 15 Victoria -	64
6 George IV. -	187	18 & 19 Victoria -	174
9 George IV. -	55		

PART II.

The Birkenhead Dock Trustees Acts.

Year.	Chapter.	Year.	Chapter.
7 & 8 Victoria -	79	13 & 14 Victoria -	100
8 Victoria - -	4	16 & 17 Victoria -	165
10 & 11 Victoria -	264	17 & 18 Victoria -	192
10 & 11 Victoria -	265	18 & 19 Victoria -	171
11 & 12 Victoria -	144		

PART III.

The Birkenhead Dock Company's Acts.

8 & 9 Victoria -	60	16 & 17 Victoria -	177
11 Victoria - -	9	18 & 19 Victoria -	171
11 Victoria - -	42		

Schedules B., C., D., E., (Rates).
„ F., G., H., I., (Forms).
„ K., saved Sections of the "Birkenhead Docks Act, 1855," viz., Sections 31 to 39, and 56, 57.

Cap. xciii.

"The *Limerick and Foynes* Railway Act, 1858."

Recites Incorporation of Company by 16 & 17 Vict. c. clxviii. with Power to raise 130,000*l.* in Shares, and that Shares to the Amount of 31,975*l.* have not been subscribed for, and that they cannot complete the Railway; proposes to cancel unissued and forfeited Shares, and to issue them as Preference Shares.
Power to create Shares with a Preference not exceeding 5*l.* 10*s.* per Cent., in lieu of unissued and forfeited Shares, §§ 2 to 5.

Cap. xciv.

"The *Midland Great Western* Railway of *Ireland* (*Clara* Deviation) Act, 1858."

Recites the several Acts relating to the Company; proposes a Deviation, and to amend Acts.
Incorporates Lands and Railways Clauses Acts, and Railways (Ireland) Acts, § 1.
Railway, §§ 4, 5; to be completed in Three Years, §§ 7, 8.
One Year for compulsory Purchases, § 6.
Communications with Great Southern and Western Railway, §§ 9 to 12.
Power to abandon Part of Line, § 13; Compensation, § 14.
Tolls, § 15.
Power to apply Corporate Funds, § 16.
Railway charged with Repayment of Sum of 500,000*l.* borrowed under 12 & 13 Vict. c. 62,—§ 17.

Cap. xcv.

"*Corris, Machynlleth, and River Dovey* Tramroad Act, 1858."

Recites 15 & 16 Vict. c. clxvi., but that its Powers were unexercised and had lapsed.
Incorporates Companies, Lands, and Railways Clauses Acts, § 1.
Company incorporated, with Capital of 15,000*l.* in 10*l.* Shares, and Power to borrow 5,000*l.*, §§ 3 to 6, and 9, 10.
Meetings; Directors, §§ 11 to 17.
Tramroads to be completed in Four Years, §§ 18 to 20, and 22.
Tolls, §§ 23 to 26.

Cap. xcvi.

"The *Great Northern and Western* (of *Ireland*) Railway Act, 1858."

Proposes to make Deviations, and to authorize the Midland Great Western Railway of Ireland to hold Shares.
Incorporates Lands and Railways Clauses Acts, and Railways (Ireland) Acts, § 1.
Deviations; to be completed in Four Years, §§ 3 to 5, and § 12.
Compensation, § 6.
Level Crossings, Board of Trade Provisions, §§ 8 to 10.
Three Years for compulsory Purchases, § 11.
Power for Midland Great Western Railway Company to subscribe not exceeding 80,000*l.*; to appoint Directors, §§ 13 to 18.
Power to raise Money by new Shares, §§ 19, 20.
Power to enter into Agreements, §§ 21 to 23.
Provisions as to Auditors; Repeal of Section 19 of Act of 1857,—§ 24.

Cap. xcvii.

"The *Ware, Hadham, and Buntingford* Railway Act, 1858."

Incorporates Companies, Lands, and Railways Clauses Acts, § 2.
Company incorporated, with Capital of 50,000*l.* in 10*l.* Shares, and Power to borrow 16,600*l.*, §§ 3 to 10.
Meetings; Directors, §§ 11 to 17.
Railway and Works, §§ 18, 19.
Level Crossings, §§ 20 to 22.
Two Years for compulsory Purchases, § 24; Four Years for Completion of Line, §§ 25, 26.
Tolls, §§ 27 to 34.
Protection of Eastern Counties Railway Company, §§ 35 to 38; of New River Company, §§ 39 to 41; of Lea Navigation, §§ 42 to 46.

Cap. xcviii.

"The *Ulverstone and Lancaster* Railway Act, 1858."

Recites Incorporation in 1851, with Power to raise 220,000*l.* in Shares, and 73,333*l.* 6*s.* 8*d.* by borrowing; that both have been raised and expended; that they owe in addition 72,000*l.*; that they have only laid down a single Line of Rails; proposes to raise further Moneys; to enter into Working Agreements with the Furness Railway Company, and for Lease or Sale, and to authorize the Furness Company to raise Money for the Purpose.
Incorporates Part of Companies Clauses Act, §§ 2, 3.
Power to raise 150,000*l.* in Two Sums of 72,000*l.* and 78,000*l.* by new Shares, with or without a Preference not exceeding 6*l.* per Cent., §§ 4 to 18.
Power to borrow 24,000*l.* in respect of new Capital of 72,000*l.* and 26,000*l.* in respect of new Capital of 78,000*l.*, §§ 19 to 21.
Power to create Debenture Stock, with a Dividend not exceeding 5*l.* per Cent., and Reduction of borrowing Powers accordingly, §§ 22 to 30.
Application of respective Portions of new Share Capital, §§ 34, 35.

Working Agreements with Furness Company, §§ 36 to 41, and 59.
Power to lease or to sell and transfer to Furness Company, §§ 42 to 55.
Power for Furness Company to borrow to the Amount of the Company's Debts undertaken, § 56.
Change of Name of Ulverstone and Lancaster Railway Company if their whole Undertaking is not purchased, § 57.
Contingent Dissolution of Company, Winding-up, §§ 60 to 64.
Saving Rights of Duchy of Lancaster, and of Furness Railway Company, §§ 65, 66.
Schedules. (Statement in full of the Capital and Debt of the Two Companies.)

Cap. xcix.

"The *Eastern Counties* Railway Act, 1858."

Recites 9 & 10 Vict. c. clxxii., authorizing the Newmarket and Chesterford Railway; the closing of the Railway; the Construction of a Line from Cambridge to Newmarket by the Newmarket and Chesterford Company and the Eastern Counties Railway Company; and Purchase of all the Undertaking except a Branch to Bury St. Edmunds by the latter; proposes to abandon and sell and dispose of the closed Railway; recites 16 & 17 Vict. c. cxvii., authorizing a Branch to Galleon's Reach from a Loop Line thereby also authorized; that the Purpose for which the Branch was intended has failed, and that nothing has been done under the Act in respect to it, and that it is expedient that the Construction of it should be abandoned.
Power to abandon Portion of Newmarket and Chesterford Railway, and to sell the Land and Works, §§ 2, 3, 5.
Agreement of 6th Feb. 1854 saved, § 4.
Provisions as to Maintenance of Fences and Roads by Purchasers, and as to Compensation, §§ 6 to 9.
Power to abandon Branch to Galleon's Reach, § 10.
Company not to be liable to Suspension of Dividend in consequence of Non-construction thereof, § 11.

Cap. c.

"The *Bury and Radcliffe* Waterworks Amendment Act, 1858."

Recites Incorporation in 1853, with a Share Capital of 83,989*l.*, of which 43,989*l.* represented the Share Capital (Preference) of the Bury Waterworks Company (since merged in the Company), and Power to borrow 10,000*l.*, in addition to the Debt of 10,500*l.* of the Bury Waterworks Company; that the Company now owe about 18,000*l.*, and have raised 10,000*l.* beyond the authorized Share Capital, proposes to raise further Moneys and amend Act.
Power to raise 60,000*l.* by new Shares, to 50,000*l.* of which a Preference not exceeding 5*l.* per Cent. may be attached, §§ 3 to 10.
Powers of borrowing in respect of existing paid-up Capital extended to 25,500*l.*, § 11.
Power to borrow 18,000*l.* by Instalments, in proportion as new Capital is paid up, §§ 12 to 15.
Meters, &c., &c., §§ 17 to 20.
Repeal of Sections 43 and 46 of recited Act, and Provision for Supply of definite Quantities of Water to certain Mills, § 21.
Provisions as to Holden Wood Reservoir not to be affected, § 22.
Diverting of Sewage from Black Carr Reservoir, § 23.

Cap. ci.

"The *Portsmouth* Railway Amendment Act, 1858."

Recites the several Acts relating to the Company; proposes to extend the Railway; to use Portions of the London and South-western and London, Brighton, and South Coast Railways; to acquire Lands; to abandon a Portion of their Railway; and to assimilate their Tolls to those of the London and South-western Railway Company.
Incorporates Lands and Railways Clauses Acts, § 2.
Railways, § 3.
Board of Trade Provisions, §§ 4 to 6.
Communications with the other Railways, §§ 7 to 10.
Crown Lands not to be dealt with without Consent of Secretary of State for War, §§ 11 to 13.
Protection of Farlington Waterworks Company, §§ 14 to 18, and of other Persons and Public Bodies, §§ 19 to 21.
One Year for compulsory Purchases, § 22.
Two Years for Completion of Line, §§ 23, 24.
Tolls; Repeal of Sections 45 to 53 of "Portsmouth Railway Act, 1853," §§ 25 to 33.
User of Railways of the London and South-western and London, Brighton, and South Coast Railway Companies, §§ 35 to 42.
Agreement with London, Brighton, and South Coast Railway Company confirmed, § 43.
Power to abandon Part of Shalford Extension; Compensation, §§ 44, 45.
Double Line of Rails to be laid when Traffic exceeds a certain Amount; Contingent Power to increase Capital, § 46.
Schedule (Agreement with Farlington Waterworks Company).

Cap. cii.

"The *South Devon and Tavistock* Railway Act, 1858."

Recites the Act of 1854, incorporating the Company with a Capital of 160,000*l.* in 25*l.* Shares, and with Power to borrow 53,300*l.*; proposes to lease Railway; and to raise further Moneys.
Incorporates Companies Clauses Act and Provisions as to Leases of Lands Clauses Act, § 2.
Power to lease Railway to South Devon Railway Company, but subject to Provision in Act of 1854 as to User by Narrow Gauge Railway, § § 3, 4.
Power to raise 30,000*l.* by new Shares, §§ 5, 11, 12.
Power to cancel forfeited Shares and to re-issue them as "New Shares," §§ 5 to 10.
Power to attach a Preference not exceeding 6*l.* per Cent. to "New Shares," § 13.
Preferential Dividends not to carry Arrears after 1st December 1863, § 16.
Power to borrow 5,000*l.*, and eventually 5,000*l.* more, § 17; or to raise their authorized Mortgage Debt by Debenture Shares or Stock, with a fixed Dividend of 5*l.* per Cent., §§ 18 to 24; or by "New Shares" of the same Rank as the other "New Shares;" but to be applied solely to reduction of Debt, § 25.

Cap. ciii.

"The *Northampton* Gasworks Act, 1858."

Recites Incorporation under 4 G. 4. c. xcvi., and Power to raise 15,540*l.*; that this has been raised in 20*l.* Shares, and upwards of 17,000*l.* divisible as Revenue has also been expended upon the Works; proposes to capitalise 15,540*l.* of this Sum, to raise further Moneys, and to repeal Act.
Repeal of Act, § 2.
Saving of Rights and Liabilities, §§ 6 to 16.
Incorporates Companies, Lands, and Gas Clauses Acts, §§ 3, 4.
Limits of Act, § 5.
Capital 60,000*l.*, *i.e.*, 777 (A.) and 777 (B.) Shares of 20*l.*; and the "New Shares" from Time to Time issued, §§ 17 to 28.

Dividend on A. Shares limited to 10*l.* per Cent.; on B. Shares 4*l.* per Cent.; and on new Shares 7*l.* 10*s.*, § 29.
Power to borrow 4,000*l.*, §§ 31 to 33.
Meetings; Votes; Directors, §§ 34 to 41.
Provisions as to Purchase of Lands, §§ 42 to 44; and as to certain Streets, §§ 45 to 47.
Supply of Gas; Testing of Gas, §§ 48 to 65.
Saving Rights of Corporation and of Improvement Commissioners, §§ 66, 67.
Schedule (Lands and Premises).

Cap. civ.

"The *West London and Crystal Palace* Railway Act, 1858."

Recites Acts (Public) relating to Battersea Park, the Act of 1853, incorporating the Company, Three successive Agreements with the Battersea Park Commissioners, and Acts relating to the Farnborough Extension; proposes to further extend Time for Purchases of Land, and for Completion of Line, to raise further Moneys, and to authorize Lease of the Railway to the London, Brighton, and South Coast Railway Company.

II. The Commissioners are authorized and directed to sell and convey and the Company are authorized and directed to purchase and take the Lands and other Hereditaments comprised in the said Agreement of the Second Day of June One thousand eight hundred and fifty-seven at the Price and upon the Terms mentioned therein, except so far as such Terms are varied by the Provisions of the Agreements with the Commissioners, dated respectively the Thirty-first Day of December One thousand eight hundred and fifty-seven, and the Tenth Day of March One thousand eight hundred and fifty-eight, all which Agreements are set forth in the Schedule of this Act.

III. The Commissioners are authorized and directed to sell and convey and the Company are authorized and directed to purchase and take the Lands and other Hereditaments comprised in the said Agreement of the Thirty-first Day of December One thousand eight hundred and fifty-seven, at the Price and upon the Terms mentioned in the same Agreement.

IV. The Road which on the Plan annexed to the said Agreement of the Second Day of June One thousand eight hundred and fifty-seven is marked "Occupation Road," shall not be carried over the Railway intended to be constructed by the Company as provided by the same Agreement; but the Company shall construct a Road connecting the said Occupation Road with the Road on the same Plan marked "Prince of Wales Road" over Land belonging to the Commissioners, as shown on a Plan deposited with the Commissioners by the Colour Brown, and the Portion of the Occupation Road described in the Clause numbered 12 in the same Agreement as the Portion between the Foot of the Inclination and the Victoria Road shall not be constructed.

V. The Commissioners are authorized and directed to sell and convey and the Company are authorized and directed to purchase and take the Three Pieces of Land coloured Green on the Plan so deposited with the Commissioners as last aforesaid, which Three Pieces of Land contain together by Admeasurement One Acre Three Roods and Twenty Perches, and the Price of such Three Pieces of Land to be the Sum of Three thousand seven hundred and forty Pounds Twelve Shillings and Sixpence, such Sum to include Compensation to be paid to the Commissioners for giving up the Land coloured Brown on such Plan for the Purpose of the Road by the Fourth Section of this Act authorized to be constructed, and also to include Compensation for all Damage and Injury which may be caused to the Land and other Hereditaments belonging to the Commissioners by the Working or Operations of the said intended Railway upon and over the same Three Pieces of Land, except during the Construction thereof.

VI. The said Sum of Three thousand seven hundred and forty Pounds Twelve Shillings and Sixpence shall be paid by the Company by Five equal yearly Instalments of Seven hundred and forty-eight Pounds Two Shillings and Sixpence each, the first thereof to be paid on the Twenty-fifth Day of March One thousand eight hundred and sixty-three, and One of the remaining Four Instalments shall be paid on the Twenty-fifth Day of March in each of the Four succeeding Years, and the Company, until the whole of such Purchase Money has been paid, shall pay Interest after the Rate of Four Pounds *per Centum per Annum* to the Commissioners half-yearly on the Twenty-fifth Day of March and the Twenty-ninth Day of September in every Year on such Purchase Money, or on such Part thereof as shall for the Time being remain unpaid, the First Payment to be made as on the Twenty-fifth Day of March One thousand eight hundred and fifty-eight; and the said Three Pieces of Land shall be conveyed by the Commissioners to the Company, at the Cost of the Company, immediately after the passing of this Act.

VII. The said Purchase Money of Three thousand seven hundred and forty Pounds Twelve Shillings and Sixpence, and every Part thereof, and the Interest thereon, shall be secured in a Manner precisely similar to that by which the Purchase Money mentioned in the said first-mentioned Agreement is provided to be secured; and all such Purchase Moneys shall be a First Charge in all respects whatsoever, as is provided in the said first-mentioned Agreement with respect to the Sum of Sixty-one thousand six hundred Pounds.

VIII. The Provision as to the Evidence of the Title of the Commissioners to the Land comprised in the said first-mentioned Agreement, and the Proviso as to Enfranchisement, if necessary, both contained in the Clause numbered 4 in the said first-mentioned Agreement, shall apply to the said Three Pieces of Land mentioned in the Fifth Section of this Act; and the Provisions in the Clauses numbered 8, 9, 10, and 18 in the said first-mentioned Agreement shall apply to the said Three Pieces of Land.

IX. The Company shall at their own Cost inclose, fence in, and construct the said Road by the Fourth Section of this Act authorized to be made, and that Part of the Clause numbered 11 in the said first-mentioned Agreement, whereby the Company is bound at their own Cost to inclose and fence in the whole of the Land comprised in the said Agreement, and to erect sufficient Retaining Walls for the same, shall apply to the whole of the Land by this Act authorized and directed to be sold; and the Company shall do and perform all the Works to which this Section relates to the Satisfaction of the Commissioners, and complete the same by or before Lady Day One thousand eight hundred and fifty-nine.

X. The Company shall contribute One Half of the Cost of repairing and maintaining the Road by the Fourth Section of this Act authorized to be made until the same shall be taken by the Board of Works for the Wandsworth District, and the Company shall at all Times have the free Use of such Road.

XI. If any Rights of Way exist over the said Three Pieces of Land by the Fifth Section of this Act authorized and directed to be sold, the Commissioners shall at their own Cost use all Powers vested in them, and at their own Cost take all proper Steps, either alone or concurrently with the Company, to destroy and stop up such Rights of Way.

XII. The Company shall at all Times have full Access over the Road authorized to be made by the Fourth Section of this Act, and until Lady Day One thousand eight hundred and

fifty-nine to and over the Lands belonging to the Commissioners adjoining to the Three Pieces of Land mentioned in the Fifth Section of this Act for the Purpose of enabling the Company to execute the Works required to be executed by them: Provided always, that the Company shall at their own Expense compensate the Occupiers of the said Three Pieces of Land for any Damage or Injury sustained by them, and shall repair and make good any Damage which they shall cause thereby to the said Road so authorized to be made, and to the said Three Pieces of Land; but such Right of Entry on the said adjoining Lands shall cease at Lady Day One thousand eight hundred and fifty-nine, or at such earlier Period as the said Road and Works shall be executed.

XIII. It shall be lawful for the Company to construct on the Pieces of Land which they are hereby authorized to purchase all Buildings, Works, Conveniences, and Approaches necessary or convenient for the Purposes of the Railway Wharf and Landing Place which they are by "The West London and Crystal Palace Railway Act, 1853," authorized to construct.

XIV. Notwithstanding the Provisions contained in the several Agreements in the Schedule to this Act and in "The Lands Clauses Consolidation Act, 1845," the Company may at any Time and from Time to Time, with the Consent in Writing of the First Commissioner for the Time being of Her Majesty's Works and Public Buildings, demise for any Term of Years or sell any Portion of the Lands and Hereditaments by this Act authorized to be purchased, if not required for the Purposes of the said Railway, Wharf, and Landing Place, to any Person or Persons, or Company, without first offering to sell or demise the same to any other Person, and the Company may in all respects, with such Consent as aforesaid, apply the same Lands and Hereditaments to any Purpose whatsoever; but unless such Consent of the said First Commissioner shall be so obtained to such Demise, Sale, or Application, the Provisions contained in the Clauses numbered 9 and 10 in the said first-mentioned Agreement shall be applicable to all the Lands and Hereditaments by this Act authorized to be purchased.

XV. The Company shall have the entire Control over and Management of the Wharf and Landing Place which by "The West London and Crystal Palace Railway Act, 1853," and this Act they are authorized to construct; and the Company shall have full Power and Authority to enter into Arrangements with Owners of Steam and other Vessels and Boats, and other Persons and Companies, for the User of such Wharf and Landing Place, and of any Portion of the Land hereby authorized to be purchased abutting on the River Thames, upon such Terms as the Company shall think fit, and to refuse such User to any Persons or Companies the Company may think fit, subject, however, to the Exception contained in the Fifteenth Clause in the said first-mentioned Agreement in the Schedule to this Act.

XVI. Notwithstanding the Provisions contained in this Act and in the said Agreements for Payment of the Purchase Money of the Lands and Hereditaments by this Act authorized to be purchased by Instalments, it shall be lawful for the Company at any Time, and from Time to Time, to pay to the Commissioners the whole Amount of such Purchase Money, or of such Part thereof as shall then remain unpaid, or any Part of such Purchase Money or unpaid Purchase Money, and Interest on the Sum or Sums so paid shall be calculated at the Rate aforesaid up to the Date of the Payment of such Sum or Sums: Provided always, that the Company shall give to the Commissioners Three Months previous Notice of their Intention to pay such Sum or Sums.

XVII. Nothing in this Act contained shall authorize or empower the Company to embank, encroach on, or interfere with any Part of the Bed or Soil of the River Thames, or the Shore thereof, except according to a Plan to be approved by the Conservators of the River Thames, and signed by the Secretary of the said Conservators: Provided always, that the said Conservators shall not shut up, take away, or remove the Wharf or Landing Place constructed by the Company under the Provisions of "The West London and Crystal Palace Railway Act, 1853," or any Part thereof, or prevent or in any way interfere with the User by the Company, or any Person or Persons authorized by them in that Behalf, of the said Wharf and Landing Place.

Power to raise 70,000*l.* by new Shares with or without a Preference not exceeding 6*l.* per Cent., §§ 18 to 22.

Extension of Time for purchasing Lands and completing Farnborough Line; Compensation, §§ 23 to 28.

Leasing of Company's Railways to Brighton Company, §§ 29 to 31.

Saving Rights of Conservators of River Thames, § 35.

Schedules (Agreements with Battersea Park Commissioners).

Cap. cv.

"The *Llandaff and Canton* District Markets Act, 1858."

Recites Claim of Corporation of Cardiff to hold Markets, and that Markets and Fairs are held at Cardiff, Llandaff, and other Places in the District; recites 5 & 6 Will. 4. c. li., for removing the Markets from Cardiff, and providing others; that the Powers of the Act have only been partially exercised; proposes to incorporate Company.

Incorporates Companies, Lands, and Markets and Fairs Acts; Saving of Llandaff Whitsuntide Fair, § 1.

Limits of Act, § 4.

Company incorporated, with Capital of 12,000*l.* in 10*l.* Shares, and Power to borrow 4,000*l.*, §§ 6 to 9.

Directors; Meetings, §§ 10 to 15.

Power to construct and to extend Market House, &c., §§ 16 to 18.

Tolls; Power to lease Tolls, §§ 19 to 24.

Restriction on Sale of marketable Commodities, § 25.

Opening of Market, notwithstanding recited Act, but saving of a Market for Pigs, &c. claimed by Corporation of Cardiff, § 26; and Power for Corporation to purchase the new Market within Five Years, § 29.

Saving Rights of several Individuals and of Corporation of Cardiff, § 30.

Schedules (Tolls).

Cap. cvi.

"The *Blackburn* Railway Amalgamation Act, 1858."

Recites the several Acts under which the Company and Railway as now existing were constituted; that their authorized Share Capital is 1,050,000*l.*, and they have Power to borrow 333,000*l.*; that the registered Capital of the Blackburn Company as now existing is composed of 18,347 ordinary Shares of 25*l.* each, amounting to 458,675*l.* and of 8,387 Shares of 25*l.* each, entitled to Interest or preferential Dividends at the Rate of 6*l.* per Centum per Annum, amounting to 209,675*l.*, and they have borrowed on Mortgage or Bond the Sum of 333,000*l.*, that there are Rents and Rentcharges now payable by the Blackburn Company amounting to the annual Sum of 890*l.* 7*s.* 11*d.*; that under the Provisions of the said recited Acts a Portion of the Railways thereby authorized has been made, and the Undertaking of the Blackburn Company now consists of

Two Lines of Railway, the one commencing by a Junction with the Lancashire and Yorkshire Railway in the Town of Bolton, extending from thence, in a northerly Direction, to Darwen Street in the Town of Blackburn, (there forming a Junction with the East Lancashire Railway,) the other commencing near Daisy Field in the Town of Blackburn (by another Junction with the East Lancashire Railway), thence passing through the Town of Clitheroe to Chatburn, which Lines of Railway are designated as the Blackburn Railway; that under an Agreement, bearing date the 1st Day of April 1850, the Blackburn Railway has been and still is in the Possession of and worked by the Lancashire and Yorkshire Railway Company, to whom all the Working Stock of the Blackburn Company was, by virtue of that Agreement, transferred; that the Two Portions of the Blackburn Railway can only be worked as a continuous Line by means of the East Lancashire Railway; that it will be for the Public Advantage, and for the Benefit of the Lancashire and Yorkshire, East Lancashire, and Blackburn Railway Companies, that the Undertaking of the Blackburn Company should be vested in and managed and worked by the other Two Companies jointly, and that the said Agreement between the Lancashire and Yorkshire Railway Company and the Blackburn Company should be determined; that it has been agreed by and between the before-mentioned Companies that such Amalgamation shall take effect as from the 1st Day of January 1858, and that, as between the Lancashire and Yorkshire and East Lancashire Railway Companies (in this Act called "the Joint Owners") on the one hand, and the Blackburn Company on the other hand, the Mortgage or Bond Debt of the Blackburn Company shall be fixed at the before-mentioned Sum of 333,000*l.*, upon which the Joint Owners shall pay, from the 1st Day of January 1858 until the passing of this Act, Interest at the Rate of 4*l.* 10*s.* per Centum per Annum, and from the Day of the passing of this Act at the Rate which such Mortgages or Bonds shall for the Time being bear; and that the Rents and Rentcharges payable in respect of the Blackburn Company, to which the Joint Owners are to be liable, shall be fixed at 890*l.* 7*s.* 11*d.* per Annum; and that the Amount of the unsecured Debts and Liabilities of the Blackburn Company, to which the Joint Owners shall be liable, shall be fixed at and shall not exceed 69,000*l.*; and that the Blackburn Company shall be liable to pay, and shall pay, all Sums (if any) to which they may be liable in respect of Interest on Debt, Rents, and Rentcharges, or unsecured Debts and Liabilities, in excess of the before-mentioned Amounts, and shall reimburse the Joint Owners all Sums (if any) which may from Time to Time be paid by such Joint Owners in excess of such Amounts; that the total Number of Preference Shares in the Blackburn Company is 8,387, and at Meetings of the Blackburn Company specially convened for the Purpose of considering the Provisions of this Act the Holders of 6,249 of the said Preference Shares signified their Assent thereto, and at the said Meetings, or One of them, the Holders of 493 of the said Preference Shares, although declining to signify their Assent thereto, yet allowed the Resolution approving thereof to be passed unanimously; that the Holders of 1,644 of the said Preference Shares have in reply to Circulars addressed to them signified in Writing their Assent thereto; that the Holder of One of the said Preference Shares, who is the only Proprietor of such Shares who has not assented directly or indirectly as aforesaid to the Provisions of this Act, is believed to have become bankrupt, and his Place of Residence is unknown to the Blackburn Company, but such Holder is indebted to that Company in respect of Calls on Ordinary Shares of that Company to a greater Amount than is represented by the One Preference Share so held by him.

Determination of Agreement of 1st April 1850, § 2.

Vesting the Undertaking of the Blackburn Company in the Lancashire and Yorkshire and East Lancashire Railway Companies as Joint Owners, § 3.

Saving Rights of Owners of Rentcharges and Holders of Mortgages, &c., § 4.

Blackburn Company to continue for the Purpose of winding up its Affairs, § 5.

Joint Owners to pay 69,000*l.* towards Payment of the unsecured Debts of the Company, to be applied by the Directors of the Company accordingly, § 6.

Joint Owners to pay certain Liabilities accrued due since the 1st January 1858, § 7.

Joint Owners to pay Rentcharges of Company amounting to 890*l.* 7*s.* 11*d.*, § 8.

Payment of the Five per Cent. Dividends on the Preference Shares to be instead and Satisfaction of the Right to Interest or Preferential Dividends now attached to such Shares, § 9.

Providing for the Capitalization of the Arrears of Interest or Dividends on Preference Shares and for the Creation of new Stock for that Purpose, § 10.

Power to redeem the Preference Shares of the Blackburn Company, § 11.

Dividends to be paid by the Joint Owners on the Stock and Share Capital of the Company at certain progressive Rates, § 12.

Power to redeem the Ordinary Stock or Share Capital of the Company, § 13.

As to Method of redeeming Blackburn Preference and Ordinary Shares, § 14.

Limiting Liability of Joint Owners to Debts of Blackburn Company as between themselves and that Company, § 15.

Joint Owners to pay Working Expenses and receive the Earnings of the Blackburn Railway from 1st January 1858, § 16.

Joint Owners may deduct Moneys paid on account of Earnings of Blackburn Railway after 1st January 1858, § 17.

Saving Claims of East Lancashire Railway Company, § 18.

Blackburn Company to deliver to the Joint Owners their Share Register and other Books, § 19.

Power to raise additional Moneys to pay off the Sum of 69,000*l.* and the Redemption Money payable for the Ordinary and Preference Shares of the Blackburn Company, and to attach a Preference not exceeding 5*l.* per Cent. §§ 20 to 23.

Power to apply Corporate Fund to Purposes of Act, § 24.

Joint Owners to bear Liabilities in equal Moieties, § 25.

Joint Owners may enter into Agreements for working the Blackburn Railway, and failing, or until such Agreement, the Undertaking to be worked by a Joint Committee, § 26.

Providing for the Case of an Amalgamation of the East Lancashire Railway Company with the Lancashire and Yorkshire Railway Company, and in that Case applying the foregoing Provisions to the amalgamated Company, § 27.

Providing in the like Event for the Dissolution of the Blackburn Company, § 28.

Declaring the Order of Priority in the amalgamated Company of the Preference Shares and Ordinary Shares and Stock of the Company, § 29.

Saving and applying to the amalgamated Company the Provisions of the Acts relating to the Company, § 30.

Saving of Rights and Liabilities, §§ 31 to 38.

Powers of Company to raise further Capital not to be exercised, § 39.

Cap. cvii.

"*East Kent* Railway (Western Extension) Act, 1858."

Recites Company's Acts of 1853 and 1855; that under them the Company's Line will extend from Strood to Dover; that their only Access to London at present is by the North Kent Railway, which is in the Hands of the South-eastern Railway Company; proposes another Route to London by means of a Branch to the Mid Kent Railway (Bromley to St. Mary's Cray), and by using that Line and the Line of the West London and Crystal Palace Company.

Incorporates Lands and Railways Clauses Acts, §§ 2 to 4.

Power to make Two Branch Railways (to be completed by 29th September 1860); but Construction of One Branch to be suspended for Twelve Months, except with Consent of Mid Kent (Bromley to St. Mary's Cray) Railway Company, §§ 5, 6, and §§ 11, 12.

Communications with Mid Kent (Bromley to St. Mary's Cray) Railway, § 7.

Construction of Station in Sole Street, § 8.

Tolls; and Repeal of Provisions of Act of 1853 as to Passengers Luggage, §§ 13 to 15.

User of Lines of Mid Kent (Bromley to St. Mary's Cray), and West London and Crystal Palace Railways Companies, § 16.

Facilitating Transmission of Traffic between the South-eastern and East Kent Railway, § 17.

Traffic Arrangements with West London and Crystal Palace Railway Company, §§ 18 to 25.

Power to raise 300,000*l.* by new Shares; with or without a Preference not exceeding 6*l.* per Cent.; and to divide Shares, if desired, into "preferred" and "deferred" Half Shares, §§ 26 to 32 and § 35.

Power to borrow 100,000*l.*, §§ 33, 34, and 36.

Cap. cviii.

"The *Formartine and Buchan* Railway Act, 1858."

Incorporates Companies, Lands, and Railways (Scotland) Clauses Acts, § 1.

Company incorporated; Capital 300,000*l.* in 10*l.* Shares, and Power to borrow 100,000*l.*, §§ 3 to 8.

Power for Great North of Scotland Railway Company to subscribe 50,000*l.*, §§ 9 to 11.

Meetings; Directors, §§ 14 to 23.

Railway and Branches, §§ 24, 25; to be completed in Five Years, §§ 47, 48.

Board of Trade and Admiralty Provisions, §§ 26 to 41.

Settlement of Differences with Peterhead Harbour Trustees, § 42.

Main Line not to be opened until Branch Line to Ellon is completed, § 44.

Railway not to be opened until a double Line of Rails has been laid on Great North of Scotland Railway between Dyce and Kittybrewster, § 45.

Communication with Great North of Scotland Railway, §§ 49 to 57.

Working Agreements with Great North of Scotland Company, §§ 52, 57.

Tolls, §§ 58 to 66.

Cap. cix.

"The *North British* Railway Consolidation Act, 1858."

Recites the several Acts under which the Company has been constituted; that the Company have completed the Railways which they were authorized by Parliament to execute, (except a certain Branch Railway to the Harbour of Cockenzie authorized by "The Tranent and other Branches Act, 1846," and except also certain Branch Railways to Selkirk and Jedburgh authorized by "The Kelso Branch Act, 1846," which have been made by other Parties,) and the Undertaking of the Company now consists of the following Railways; (that is to say,)

First. A Main Line of Railway from the North Bridge in Edinburgh to Berwick-upon-Tweed, herein-after referred to as "The Berwick Line:"

Second. A Branch Railway therefrom, near Bankton, to Tranent, herein-after referred to as "The Tranent Branch:"

Third. A Branch Railway therefrom, at Longniddrie, to Haddington, herein-after referred to as "The Haddington Branch:"

Fourth. A Branch Railway therefrom, near Drem, to North Berwick, herein-after referred to as "The North Berwick Branch:"

Fifth. A Branch Railway therefrom, near Reston, to Dunse, herein-after referred to as "The Dunse Branch:"

Sixth. A Main Line of Railway from the Berwick Line, at the Portobello Station thereon, to Hawick, herein-after referred to as "The Hawick Line:"

Seventh. A Branch Railway therefrom, near Niddrie, to Saint Leonard's in Edinburgh, herein-after referred to as "The Saint Leonard's Branch:"

Eighth. A Branch Railway therefrom, near the River North Esk, to Dalkeith, herein-after referred to as "The Dalkeith Town Branch:"

Ninth. A Branch Railway therefrom, from near Newtown, to Sprouston, herein-after referred to as "The Kelso Branch:"

Tenth. A Branch Railway from the Saint Leonard's Branch, passing under the Berwick Line, and terminating at Leith Harbour, herein-after referred to as "The Old Leith Branch:"

Eleventh. A Branch Railway connecting the Leith Branch with the Berwick Line, herein-after referred to as "The Old Leith Branch Junction:"

Twelfth. A Branch Railway from the Hawick Line at Niddrie, passing over the Berwick Line, and terminating by Two diverging Lines, one to Fisherrow Harbour, and the other to Musselburgh, herein-after referred to as "The Old Fisherrow and Musselburgh Branch:"

That it would be of Convenience to the Public if a new Railway were made to connect the Old Leith Branch with the Berwick Line, and that the Company should be authorized to abandon and disuse as a Railway so much of the Old Leith Branch as lies between its Junction with the St. Leonard's Branch and its intended Junction with the new Railway, and to abandon and disuse as a Railway the Old Leith Junction, and to sell the Site; that the Old Leith Branch is not used by Locomotive Engines, and the Company are restricted from so using the same, except with the Consent of the Trustees of certain Turnpike Roads and other Parties, and it would be for the Public Convenience if the same were used throughout by Locomotive Engines, and it is expedient that the Restrictions aforesaid should be repealed, and that the Company should be authorized to make such Alterations in the said Branch from the Fishwives Causeway to its Terminus at Leith Harbour by diminishing the Number of Roads or Accesses across the said Branch and otherwise, as may be proper or convenient for adapting the same to the Passage of Locomotive Engines thereon; that it would be of Convenience to the Public if a Railway were made in the Parish of Inveresk in the County of Edinburgh, to connect the Berwick Line with the Old Fisherrow or

Musselburgh Branch, and it is expedient that the Company should be authorized to make such Railway, and to abandon and disuse as a Railway so much of the Old Fisherrow and Musselburgh Branch as lies between its Junction with the Hawick Line and its intended Junction with the new Railway, and to sell the Site; that it is expedient that the Company should be authorized to purchase Lands for constructing a Station at Joppa in the Parish of Duddingstone in the County of Edinburgh, and for enlarging their Stations at Portobello and Leith; that certain Rights of Wayleaves, Rents, and annual Sums were granted or reserved by "The Edinburgh and Dalkeith Railway Act, 1826," to Andrew Wauchope, Esquire, John Wauchope, Esquire, and Sir Robert Keith Dick, Baronet, and their respective Heirs and Successors, in their Estates of Niddrie-Marischall, Edmonstone, and Prestonfield, and it is expedient that the Company should be empowered to purchase up or redeem such Rights, Rents, and annual Sums upon such Terms as may be agreed upon between the Company and the Parties for the Time being entitled thereto respectively; that the nominal Capital of the Company amounts to 3,505,532*l.* 8*s.* 4*d.*, whereof the Sum of 780,200*l.* is in Consolidated Stock entitled to preferential Dividends at the Rate of 5*l.* per Centum per Annum, and the further Sum of 223,272*l.* is in Shares of 7*l.* each entitled to preferential Dividends at the Rate of 5*l.* per Centum per Annum, subject to the preferential Dividends on the said Consolidated Preference Stock, upon which Shares the Sum of 7*l.* per Share has been called up and paid or is in course of Payment, and the Residue of the said Capital, amounting to 2,502,060*l.* 8*s.* 4*d.*, is in ordinary Consolidated Stock; that under the recited Acts relating to the North British Railway Company, the Company have Power to borrow on Mortgage of their Undertaking various Sums of Money, amounting in the whole to 1,167,792*l.* 13*s.* 4*d.* and to convert any Part or Parts thereof, not exceeding in the whole 1,117,792*l.* 13*s.* 4*d.*, into Debenture Shares entitled to preferential Dividends at a Rate not exceeding 4*l.* per Centum per Annum, and to Priority in Payment of Dividends over all other Shares or Stock of the Company, and it is expedient that such Power should be extended; that further Particulars relating to the Share Capital and Borrowing Powers of the Company are set forth in Schedule (B.) to this Act; that it is expedient to repeal the recited Acts.

Repeal of Acts, except as saved in Schedule (A.) §§ 1, 2.

Incorporation of Parts of 8 & 9 Vict. cc. 16, 17; and also the whole of cc. 18, 19, 20, and 33, §§ 4, 5.

Saving of Rights and Liabilities, §§ 7 to 16.

Capital (exclusive of Moneys authorized this Session) declared to be 3,505,532*l.* 8*s.* 4*d.*, consisting of 2,502,060*l.* 8*s.* 4*d.* ordinary Stock; of 780,200*l.* Stock with 5*l.* per Cent. Preference; and 223,272*l.* in Shares with 5*l.* per Cent. Preference, § 18.

Power to borrow or to raise by Debenture Stock not exceeding 1,167,790*l.*, §§ 19 to 24.

Meetings; Directors, §§ 27 to 32.

Railway; new Railways to be completed in Three Years, §§ 33 to 36, and §§ 44, 45.

Power to Lord Aberdeen to make a certain Railway, § 37.

Board of Trade Provisions; shutting up of Roads, §§ 39 to 42.

Power to sell Site of abandoned Railways; Compensation, §§ 47, 48.

Power to stop up certain Roads, &c. &c. on Leith Branch, § 49.

Protection of Craigintinney Estate; of Edinburgh and Leith Gaslight Company, §§ 50 to 56.

Power to purchase Sir R. K. Dick's Wayleave, § 57.

Protection and Compensation to Messrs. Wauchope and their Heirs, §§ 58 to 61.

Protection of Harbour and Town of Leith, §§ 62 to 67.

Compensation to Edinburgh and Leith Glass Company, § 68.

Tolls, §§ 69 to 80.

SCHEDULE (A.)

Saved Provisions of repealed Acts.

SCHEDULE (B.)

TABULAR STATEMENT of the SHARE CAPITAL and BORROWING POWERS of the COMPANY.

ORDINARY CAPITAL.

Act conferring Power.	Amount authorized. £ s. d.
7 & 8 Vict. Cap. 66.	800,000 0 0
8 & 9 Vict. Cap. 82.	185,000 0 0
„ Cap. 164.	400,000 0 0
9 & 10 Vict. Cap. 73.	343,000 0 0
„ Cap. 74.	170,000 0 0
10 & 11 Vict. Cap. 136.	550,000 0 0
Total Amount authorized	2,448,000 0 0
Deduct never raised, being authorized for a special Purpose, and not now required 25,000 0 0	
Forfeited 71,272 18 4	96,272 18 4
	2,351,727 1 8
Raised by Shares instead of borrowing	150,333 6 8
Amount of ordinary Capital, all consolidated into Stock	2,502,060 8 4

PREFERENCE SHARES.

Act conferring Power.	Amount authorized. £ s. d.	Amount raised. £ s. d.
11 & 12 Vict. Cap. 25. & 16 & 17 Vict. Cap. 81.	600,000 0 0	
16 & 17 Vict. Cap. 81.	180,200 0 0	
	780,200 0 0	780,200 0 0 Consolidated 5 per Cent. Preference Stock (1st Preference).
14 Vict. Cap. 27.	330,500 0 0	
19 & 20 Vict. Cap. 63.	223,272 18 4	223,272 0 0
Debenture Shares	1,117,792 0 0	5 per Cent. 7*l.* Preference Shares (2d Preference).
	2,451,764 18 4	1,003,472 0 0
Repealed and other Powers substituted by 16 & 17 Vict. Cap. 81.	330,500 0 0	
	2,121,264 18 4	

BORROWING POWERS.

Act conferring Power.	Amount authorized. £ s. d.
7 & 8 Vict. Cap. 66.	266,666 13 4
8 & 9 Vict. Cap. 82.	53,333 6 8
„ Cap. 164.	133,333 6 8
9 & 10 Vict. Cap. 73.	114,333 0 0
„ Cap. 74.	56,666 13 4
10 & 11 Vict. Cap. 136.	183,333 0 0
11 & 12 Vict. Cap. 25.	200,000 0 0
14 Vict. Cap. 27.	110,160 0 0
16 & 17 Vict. Cap. 81.	150,300 0 0
19 & 20 Vict. Cap. 63.	50,000 0 0
	1,318,126 0 0
Raised by Shares instead of borrowing	150,333 6 8
	1,167,792 13 4

All borrowed except 50,000*l.*

Cap. cx.

"The *Shrewsbury and Welchpool* Railway Act, 1858."

Recites 19 & 20 Vict. c. cxxxii.; and, except as to certain Lands, extends the Time for compulsory Purchases for Two Years, and for Completion of Railway for Four Years, §§ 2, 3.

Compensation, &c. &c., §§ 4, 5.

Cap. cxi.

"*East Suffolk* Railway Companies Amalgamation Act, 1858."

Recites 14 & 15 Vict. c. xxvi. and 17 & 18 Vict. c. cxix., relating to the East Suffolk Railway Company; 19 & 20 Vict. c. lxxix., relating to the Yarmouth and Haddiscoe Railway Company; and 19 & 20 Vict. c. liii., relating to the Lowestoft and Beccles Railway Company; that the Sums of Money which the Companies are authorized to raise by Shares or by borrowing on Mortgage or Bond are as follows:

The East Suffolk Railway Company, 150,000*l.* by Shares of the nominal Value of 20*l.* each, and 300,000*l.* by Shares of the nominal Value of 10*l.* each, and 150,000*l.* by borrowing:

The Yarmouth and Haddiscoe Railway Company, by Shares 90,000*l.*, by borrowing 25,000*l.*:

The Lowestoft and Beccles Railway Company, by Shares 80,000*l.*, by borrowing 23,000*l.*:

That it is expedient that the Constitution of the East Suffolk Railway Company, with or into which the others of the said Companies are by this Act amalgamated, should be in some respects altered; that it is expedient to authorize certain Alterations in the Works now in course of Construction; and that Power should be given to lease the Undertaking; that Provisional Contracts have been entered into for such Lease, subject to the Approbation of Parliament; that by an Agreement entered into between the Eastern Counties Railway Company, the Norfolk Railway Company, and the Eastern Union Railway Company, confirmed by "The Eastern Counties and the Norfolk, the Eastern Union, the East Anglian, and the Newmarket Railways Act, 1854," the gross Receipts derived from the Undertakings of those Three Companies are divided amongst them in certain Proportions, and the Eastern Counties Railway Company supply Engines and Carriages for and work the Norfolk Railway and Eastern Union Railway; and certain Agreements are proposed to be entered into between the Three last-mentioned Companies and the East Suffolk Railway Company with reference to the Undertakings to be consolidated into One Undertaking by this Act, and it is expedient to authorize the carrying of the same into effect.

Incorporates Companies, Lands, and Railways Clauses Acts, § 1.

Companies amalgamated; Saving of Rights; and Liabilities, §§ 3 to 10, and §§ 12 to 16.

Capital, 620,000*l.* in 10*l.* Shares, § 11; Distribution of Shares, &c., §§ 17, 18.

Directors; Mortgages; Restriction on further borrowing, §§ 19 to 24.

Power to create Debenture Stock at 5*l.* per Cent. Interest, §§ 26 to 36.

Alterations in Works; Board of Trade Provisions, §§ 37 to 40.

Provision as to crossing a certain Road mentioned in former Act, § 41.

Power to lease Railways to Sir S. M. Peto, §§ 43 to 49.

Traffic Arrangements with Eastern Counties, Eastern Union, and Norfolk Railway Companies, §§ 50 to 53.

Cap. cxii.

"The *Athenry and Tuam* Railway Act, 1858."

Incorporates 8 & 9 Vict. cc. 16, 18, and 20., and 14 & 15 Vict. c. 70,—§ 1.

Company incorporated, with Capital of 90,000*l.* in 10*l.* Shares, and Power to borrow 30,000*l.*, §§ 3 to 8.

Meetings; Directors, §§ 12 to 21.

Railway to be completed in Five Years, §§ 22 to 25, and §§ 32, 33.

Board of Trade Provisions, §§ 26 to 28.

Communications with Midland Great Western Railway, §§ 30, 31.

Tolls, §§ 34 to 43.

Agreements with Midland Great Western Railway Company, §§ 44 to 57.

Cap. cxiii.

"The *Great Northern* and *Manchester, Sheffield, and Lincolnshire* Railway Companies Act, 1858."

Recites 9 & 10 Vict. c. lxxi., incorporating the Great Northern Railway; the 10 & 11 Vict. c. cxlviii., whereby they became possessed of the East Lincolnshire Railway; also 12 & 13 Vict. c. lxxxi., re-incorporating the Manchester, Sheffield, and Lincolnshire Railway Company; describes the Undertaking of the latter Company; that it is expedient that the Two Undertakings should be under One Management; that under the 9 & 10 Vict. c. lxxi., the Great Northern Railway Company are in possession of the River Witham by virtue of a Lease for Nine hundred and ninety-nine Years, granted to them by the Company of Proprietors of the Witham Navigation, and as such are interested in the Maintenance of a Bridge over the said River in the City of Lincoln, and it is expedient that they should be empowered to enter into Agreements with the Mayor, Aldermen, and Burgesses of the same City touching the Maintenance of the said Bridge, or the Construction and Maintenance of some Bridge to be substituted for the same: And whereas a Question has been raised whether the General Commissioners for Drainage by the River Witham, or the Trustees of the Nocton, Potterhanworth, and Branston Drainage, or the Great Northern Railway Company as such Lessees of the River Witham, are liable to repair and uphold the South Bank of the South Delph in the Parish of Branston in Lincolnshire, and it is expedient that the said several Bodies should be authorized as herein-after mentioned to enter into Agreements touching the immediate Repair and the future Maintenance of the said South Bank of the South Delph.

I. The Great Northern Railway Company, and the Manchester, Sheffield, and Lincolnshire Railway Company may from Time to Time, during Fifty Years from the passing of this Act, enter into Agreements with respect to the following Purposes or any of them; (that is to say,)

The Use and Working by either Company of all or any Part of the Undertaking of the other Company:

The Conveyance by either Company of the whole or any Part of the Traffic upon the said Undertakings:

The Division and Apportionment of such Traffic between the said Companies:

The Supply of any Rolling or Working Stock required for such Purposes:

The Use or Purchase by the one Company of the Rolling or Working Stock belonging to the other Company, or any Part thereof:
The Management, Maintenance, and Repair of the said Undertakings, or any Part thereof:
The Costs and Expenses of such Working, Management, Maintenance, and Repairs:
The Forwarding, Interchange, and Transmission upon or over the respective Undertakings of the said Companies of any Passenger or other Traffic arising on or destined for either of the said Undertakings or any Place beyond the same:
The Collection, Delivery, and general Conduct of such Traffic:
The fixing of the Tolls, Rates, and Charges to be levied or taken by the said Companies in respect of the Traffic conveyed over their several Railways or any Part thereof respectively, not exceeding the maximum Tolls, Rates, and Charges authorized by the Acts of Parliament relating to such Railways respectively:
The Collection, taking, and levying of the said Tolls, Rates, and Charges:
The Division between the said Companies of the Receipts arising from the Traffic upon their respective Railways or any Part thereof respectively, subject to any Deductions to be made therefrom, or any Rent or other Consideration to be paid by either of the said Companies to the other of them, by virtue of the said Agreement.

Agreements not to affect Persons not Parties thereto, § 2.
Appointment of Joint Committee to carry Agreement into effect, § 3.
As to settling of Differences, § 4.
Not to alter Powers of certain Special Acts as to Agreements, § 5.
Not to affect Powers of Revision of Byelaws and Tolls on Canals, § 6.

VII. The Manchester, Sheffield, and Lincolnshire Railway Company shall, upon the Request in Writing of the London and North-western Railway Company, or of any other Railway Company, under the Hand of the Secretary of such Company, afford to such Company all reasonable Facilities by through Booking, through Rates, and otherwise, for the Conveyance of Passengers, Animals, and Goods between Liverpool and the Port of Great Grimsby, and between any other Station of the London and North-western Railway and the same Port, or between any Station of such other Company and the said Port of Great Grimsby; and if any Differences arise between the Companies as to the Facilities to be afforded or as to the Amount of the said Rates, the same shall from Time to Time be settled by an Arbitrator, to be appointed by the Board of Trade, whose Decision upon the Matters referred to him shall be final: Provided always, that it shall not be incumbent on the Manchester, Sheffield, and Lincolnshire Railway Company to afford any such Facilities as aforesaid unless the London and North-western Railway Company or such other Company, as the Case may be, shall afford to them similar Facilities between the same Places.

VIII. It shall be lawful for the Great Northern Railway Company and the Mayor, Aldermen, and Burgesses of the City of Lincoln to enter into and fulfil Agreements touching the Construction and Maintenance of a Bridge over the River Witham in the City of Lincoln and the Approaches and Works connected with such Bridge; and any such Agreement may prescribe that instead of maintaining or replacing any existing Bridge the Great Northern Railway Company may contribute Money or Land or both to the Construction and Maintenance of some other Bridge over the River Witham in the same City, to be erected and maintained by the said Mayor, Aldermen, and Burgesses upon a Site which may be deemed more convenient to the Inhabitants of the said City.

IX. It shall be lawful for the General Commissioners for Drainage by the River Witham, the Trustees of the Nocton, Potterhanworth, and Branston Drainage, and the Great Northern Railway Company, to enter into and fulfil Agreements for the Repair by the said Trustees of the South Bank of the South Delph in the Parish of Branston in Lincolnshire; and the said Agreement may provide for the Contribution by the said several Bodies of Money or of Land for the Purpose of such Repair, and for the Application to such Contribution of any Funds in the Hands of the said Commissioners, Trustees, and Company respectively; and the said Agreement may also provide and declare that the Duty of maintaining and upholding the said South Bank shall, in consideration of the said Agreement, and of the Fulfilment of the Covenants therein by the other Parties thereto, for ever after the Date of the said Agreement attach to and be performed by the said Trustees.

Cap. cxiv.

"The *Cleveland* Railway Act, 1858."

Incorporates Companies, Lands, and Railways Clauses Acts, § 1.
Company incorporated; Capital 120,000*l.*, in 50*l.* Shares, and Power to borrow 40,000*l.*, §§ 4 to 10.
Meetings; Directors, §§ 11 to 18.
Railway to be completed in Five Years, §§ 19 to 23.
Roads; Communications with Middlesbrough and Guisbrough Railway, §§ 24, 25.
Tolls, §§ 26 to 35.
Electric Telegraph, § 36.
Provisions for a Collateral Railway; and Tolls, §§ 37, 38.
Agreements with West Hartlepool Harbour and Railway Company, §§ 39 to 46.

Cap. cxv.

"The *Stockton and Darlington* Railway (*Durham* Line, &c.) Act, 1858."

Recites 17 & 18 Vict. c. cxxviii. and 18 & 19 Vict. c. cxlix.; purposes to construct a new Railway; to widen Part of the Wear Valley Railway; to abandon One Branch Railway authorized by secondly-recited Act; and extend Time for making another; and to raise further Moneys.
Incorporates Lands and Railways Clauses Acts, § 3.
Railway, §§ 4, 5.
Board of Trade Provisions, §§ 6 to 8.
Compulsory Purchases, Three Years, § 10.
Railway to be completed in Five Years, §§ 11, 12.
Power to raise 30,000*l.* in 25*l.* Shares for Works authorized by the Act, and 305,000*l.* in 25*l.* Shares for other Purposes, and to attach a Preference not exceeding 5*l.* per Cent. to not exceeding 200,000*l.*, §§ 13 to 20.
Voting, §§ 19 and 20.
Power to abandon Branch Railway; Compensation, §§ 23, 24,
Time for completing other Branch extended to 1st July 1861, §§ 25, 26.

Cap. cxvi.

"The *Stockton and Darlington* Railway Amalgamation Act, 1858."

Recites the several Acts relating to the Stockton and Darlington, the Wear Valley, the Middlesbrough and Redcar,

the Middlesbrough and Guisbrough, and the Darlington and Barnard Castle Railway Companies, their Undertakings, Capital, and Debt; that under "The Stockton and Darlington Act of 1855" the Stockton and Darlington Company cancelled their Preference B. Shares to the aggregate Amount of 200,000*l.*, and in lieu thereof issued 8,000 ordinary Shares of 25*l.* each, to the aggregate nominal Amount of 200,000*l.*, and by Agreement converted the Residue of the Preference B. Shares to the aggregate Amount of 50,000*l.* into Preference A. Shares of like aggregate Amount; that the Stockton and Darlington Company's Share Capital is not yet fully paid up; that the Capital of the Stockton and Darlington Company now consists of—

Preference A. Shares of 25*l.* each (including converted Preference B. Shares to the aggregate Amount of 50,000*l.*) - -	£450,000
Ordinary Shares of 25*l.* each (including new Shares to the aggregate Amount of 200,000*l.* issued in lieu of cancelled Preference B. Shares) - - -	1,000,000
Total Capital - - -	£1,450,000

And their borrowed Debt now consists of - £572,592

And their Liabilities, in respect of Rents and Guarantees, are—

First, yearly Rent payable to the Wear Valley Company - - - -	£47,037
Secondly, yearly Rent payable to the Redcar Company - - - - -	£3,960
Thirdly, yearly Interest, payable on the Wear Valley Company's borrowed Debt of 40,000*l.*, about - - - - -	£2,000
Fourthly, yearly Interest, payable on the Redcar Company's borrowed Debt of 22,000*l.*, about - - - - - -	£1,100
Fifthly, Liabilities under the Leases to the Stockton and Darlington Company, from the Wear Valley Company and the Redcar Company respectively, of uncertain yearly Amount;	

All which Rents, Guarantees, and Liabilities are on a Footing of rateable Equality, but have Priority to,—

Sixthly, yearly Dividend on the Capital of the Guisbrough Company - - -	£5,760

Which has Priority to,—

Seventhly, yearly Payment to the Barnard Castle Company, at present about - - -	£5,750

That no Share or Debenture of any other Company is held by the Wear Valley Company, the Redcar Company, the Guisbrough Company, the Barnard Castle Company, or the Stockton and Darlington Company; that the aggregate Capital of the Five Companies is 2,477,950*l.*, consisting of,—

Wear Valley Company's Capital - -	£783,950
Redcar Company's Capital - - -	66,000
Guisbrough Company's Capital - -	96,000
Barnard Castle Company's Capital - -	82,000
Stockton and Darlington Company's Capital,—	
Preference A. Shares - - -	450,000
Ordinary Shares - - - -	1,000,000
Total - - -	£2,477,950

That more than One Half of the Capital of each of the Five Companies has been paid up and expended for the Purposes of the Act or Acts relating to them respectively; that the aggregate Debenture Debt of the Five Companies is 667,592*l.*, consisting of,—

Wear Valley Company's Debt - -	£40,000
Redcar Company's Debt - - -	22,000
Guisbrough Company's Debt - - -	Nil.
Barnard Castle Company's Debt - -	33,000
Stockton and Darlington Company's Debt -	572,592
Total - -	*£667,592*

And the Barnard Castle Company have a further Debt of - - - - £34,700

That it is expedient that an Amalgamation of the Five Companies be effected by means of the Five Companies being respectively dissolved, and the Stockton and Darlington Company being re-incorporated with the Addition to their own Shareholders of the several Shareholders of the Four other Companies respectively, and that the several Undertakings of the Five Companies respectively be by this Act vested as One Undertaking in the Company formed by the Amalgamation, and that other Provisions be made with respect to the Five Companies, and the Company to be formed by the Amalgamation respectively; that Two Bills respectively promoted by the Stockton and Darlington Company for authorizing them to execute further Works, and for raising further Capital, and for making other Provisions with respect to them, have been solicited by them in the present Session of Parliament, and it is expedient that if those Bills or either of them be passed into a Law in the present Session, and whether before or after the passing of this Act, the Acts or Act so passed should apply to and be executed by the Company to be formed by the Amalgamation, and that the Capital so raised should form Part of their Capital, and that Provision be made by this Act accordingly.

Incorporates Companies, Lands, Railways, and, with some Exceptions, Harbours and Docks Acts, §§ 3 to 6.

VII. On the Commencement of this Act, but subject to the Provisions thereof, "The Bishop Auckland Act of 1837," and "The Wear Valley Acts of 1845 and 1847," respectively, and "The Redcar Act of 1845," and "The Guisbrough Act of 1852," and "The Barnard Castle Act of 1854," and "The Stockton and Darlington Acts of 1854 and 1855," are by this Act respectively repealed.

Certain Sections of repealed Acts, as in Schedule, to remain in force, but to apply to Company as constituted by this Act, § 8.

Re-incorporation of Stockton and Darlington Company, §§ 9, 10.

Saving of Rights and Liabilities, §§ 11 to 30.

Meetings; Directors, §§ 31 to 37.

XXXVIII. From and after the passing of this Act, the Capital of the Company shall be the aggregate of the following Amounts; that is to say,

First, the Class A. preferential Share Capital of 450,000*l.*, by this Act appropriated to and vested in the Stockton and Darlington preferential Shareholders:

Secondly, the Class B. preferential Share Capital, consisting of the 849,950*l.*, by this Act appropriated to and vested in the Wear Valley and Redcar Shareholders respectively; and any Capital from Time to Time created

by the Company under the Authority of this Act, with such Preference, by the Conversion into Capital of the Wear Valley Company's Debt of Forty thousand Pounds, and the Redcar Company's Debt of Twenty-two thousand Pounds, or any Part thereof respectively:

Thirdly, the Class C. preferential Share Capital of One hundred and seventy-eight thousand Pounds, consisting of the Class C. preferential Share Capital of Ninety-six thousand Pounds, by this Act appropriated to and vested in the Guisbrough Shareholders, and the Class C. preferential Share Capital of Eighty-two thousand Pounds, by this Act appropriated to and vested in the Barnard Castle Shareholders, and any Capital from Time to Time created by the Company, under the Authority of this Act, with such Preference, by the Conversion into Capital of the Barnard Castle Company's Debt and Liabilities of Sixty-eight thousand Pounds, or any Part thereof:

Fourthly, the other preferential Share Capital, if any, from Time to Time created under the Authority of this Act, and the preferential Share Capital, if any, from Time to Time created by or under the Authority of any Act already or hereafter passed during the present Session of Parliament, relating to the Stockton and Darlington Company, and authorizing them to create or issue such preferential Share Capital:

Fifthly, the ordinary Share Capital of One million Pounds, by this Act appropriated to and vested in the Stockton and Darlington Shareholders, and any other ordinary Share Capital from Time to Time created under the Authority of this Act, and any ordinary Share Capital, if any, from Time to Time created by or under the Authority of any Act already or hereafter passed during the present Session of Parliament, relating to the Stockton and Darlington Company, and authorizing them to create or issue such ordinary Share Capital.

450,000*l.* Class A. preferential Capital vested in Stockton and Darlington Class A. preferential Shareholders, § 39.

Class B. preferential Share Capital vested as to 783,950*l.*, Part in Wear Valley Shareholders, and 66,000*l.* Residue in Redcar Shareholders, § 40.

178,000*l.* Class C. preferential Share Capital vested as to 96,000*l.* in Guisbrough Shareholders, and as to 82,000*l.* in Barnard Castle Shareholders, § 41.

1,000,000*l.* ordinary Share Capital vested in Stockton and Darlington ordinary Shareholders, § 42.

Shares representing 200,000*l.* ordinary Stockton and Darlington Capital under their Act of 1852, partly paid up, § 43.

Surrender and Extinguishment of preferential Shares, § 48.

Power to create new ordinary Shares to be exchanged for preferential Shares to be surrendered, § 49.

And new ordinary Shares for Reduction of Debt, § 50.

Powers to convert Loan into Capital not prejudiced, § 51.

LVII. The net Revenues of the Company, after Payment of the Interest on their Debt, or such Part thereof as from Time to Time is not paid off, remaining applicable for Payment of Dividends, shall be applied as follows:

First, in Payment of the preferential Dividends of 5*l.* per Centum per Annum on their Class A. preferential Share Capital of 450,000*l.*, or such Part thereof as from Time to Time is paid up:

Secondly, in Payment of the preferential Dividend of 6*l.* per Centum per Annum on their Class B. preferential Share Capital from Time to Time existing, or such Part thereof as from Time to Time is called and paid up; and the Interest from Time to Time payable in respect of the Wear Valley Company's Debt of 40,000*l.*, and the Redcar Company's Debt of 22,000*l.* respectively:

Thirdly, in Payment, firstly, of the Interest from Time to Time payable in respect of the Barnard Castle Company's Debt of 68,000*l.*; and secondly, in Payment of the preferential Dividend of 6*l.* per Centum per Annum on their Class C. preferential Share Capital from Time to Time existing, or such Part thereof as from Time to Time is called and paid up; provided, that the Dividend on the 82,000*l.*, Part of their Class C. preferential Share Capital which by this Act is appropriated to and vested in the Shareholders of the Barnard Castle Company, shall, up to the First Day of January One thousand eight hundred and fifty-nine, be a preferential Dividend only of 5*l.* per Centum per Annum, and after that Day shall be a preferential Dividend of 6*l.* per Centum per Annum:

Fourthly, in Payment of the preferential Dividend on the Company's other preferential Share Capital, if any, from Time to Time created under the Authority of this Act, and the preferential Dividend on the Company's preferential Share Capital, if any, from Time to Time created by or under the Authority of any Act already or hereafter passed during the present Session of Parliament relating to the Stockton and Darlington Company, and authorizing them to create or issue such preferential Share Capital:

Fifthly, as to all Surplus in Payment of a Dividend on such Part of their ordinary Share Capital from Time to Time existing, as from Time to Time is called and paid up, and Interest on Money paid in anticipation of Calls thereon.

Power to borrow and reborrow for Payment of Stockton and Darlington Company's Debt, § 59.

Power to borrow and reborrow for Payment of Wear Valley, Redcar, and Barnard Castle Companies Debts, § 60.

Tolls, &c., §§ 67 to 81.

Saving Rights of Crown, and of Mortgagees, §§ 84, 85.

Schedule (Saved Provisions of repealed Acts).

Cap. cxvii.

"The *Stockton and Darlington* Railway (North Riding Lines) Act, 1858."

Recites Acts of 1854 and 1855 relating to the Company, proposes to construct some Branches, and to raise further Moneys.

Incorporates Lands and Railways Clauses Acts, § 3.

Railways, § 4.

Board of Trade Provisions, §§ 5 to 7.

Three Years for compulsory Purchases, § 9.

Five Years for Completion of Railway, §§ 10, 11.

Power to raise 45,000*l.* in 25*l.* Shares, §§ 12 to 15.

Voting and Qualification, §§ 16, 17.

Power to apply Money arising from Preference Shares to Purposes of Act, § 19.

Cap. cxviii.

"*Victoria* Station and *Pimlico* Railway Act, 1858."

Recites that the making of a Railway from a Junction in the Parish of Battersea with the West End of London and Crystal Palace Railway to a Point in the Parish of Saint George Hanover Square, near to the Junction of the Vauxhall Bridge Road with Shaftesbury Terrace, and the carrying of the Railway across the River Thames by means of a Bridge, and the providing of a Station in the said Parish of Saint George Hanover Square, would be of great public and local Advantage, and would afford an improved Means of Communication between divers Railways South of the

Thames and the Western Districts of the Metropolis; that the London, Brighton, and South Coast Railway Company, the Crystal Palace Railway Company, and the East Kent Railway Company respectively, have or are authorized to have or make use of terminal Stations to the Southward of the River Thames, and it is expedient that Provision be made for authorizing the Company by this Act incorporated and the contracting Companies, or any One or more of such Companies, to make and carry out Working and other Arrangements with respect to the intended Railway and Station; and that the Brighton Company be authorized to contribute towards the Expense of making, maintaining, and working the intended Railway.

Incorporates Companies, Lands, and Railways Clauses Acts, §§ 2, 3.

Company incorporated, Capital 675,000*l.* in 10*l.* Shares, and Power to borrow 225,000*l.*, but subject to Reduction if Share Capital reduced, §§ 4 to 9.

Meetings; Directors, §§ 12 to 18.

Railway, §§ 19, 21; to be completed in Five Years, §§ 24, 25.

Compulsory Purchases Three Years, § 20.

Communications with the Crystal Palace Railway, §§ 22, 23.

As to Construction of Portion of Railway South of the Thames, § 26.

Crystal Palace Railway Company to execute certain Works, § 27.

Line to be completed with all necessary Works, § 28.

Additional Rails, if required, § 29.

If Crystal Palace Railway Company fail to execute Works, Company may complete same, § 30.

Provisions required for Protection of Conservators of River Thames, the Admiralty, the Commissioners of Woods and Forests, and of Metropolitan Board of Works, §§ 31 to 45.

As to certain Freehold and Leasehold Lands belonging to the Chelsea Waterworks Company, § 46.

Agreement with Marquis of Westminster executed by Three Provisional Directors shall have the same Effect as if under Common Seal, § 47.

Securing to the Marquis a Right of Pre-emption of superfluous Lands acquired from him or the Trustees, § 48.

Provision as to widening or rebuilding Ebury Bridge, § 49.

Provision as to the Levels and Construction of Parapets and Plantations and Approaches of St. George's and Eccleston Bridges, and for Maintenance of all the Bridges, &c., § 50.

Company only to proceed with the Alteration, &c. of One Bridge at a Time, and during Works to make and keep temporary Roadway for Accommodation of the Public, § 51.

Time of Completion of Bridges and Works, and Penalty for Non-completion, § 52.

Company not to make any Goods Station or Depôt within certain Limits, § 53.

Beyond those Limits Railway to be used for Passenger Traffic only, § 54.

Company not to manufacture or permit to be manufactured Coke or Gas, 55.

Company not within Fourteen Years to take down or alter certain Houses, § 56.

Company not to erect or permit to be erected on any Frontage any Houses, &c., unless Designs approved by Marquis of Westminster, &c., § 57.

For the Protection of the Property held on Building Leases by the Executors of the late Thomas Cubitt, § 58.

For further Protection of Mr. Cubitt's Property, § 59.

Company to purchase Premises of J. R. Swinton, Esq., § 60.

For Protection of Messrs. Trollope, § 61.

Protection of certain Property in Parish of St. George's Hanover Square, and of Lessees of certain Property near Grosvenor Canal, §§ 62, 63.

Tolls, §§ 64 to 75.

Power for Company and the contracting Railway Companies to make Working and other Agreements, and confirming Agreements in Schedule, §§ 76 to 83.

Power for contracting Companies to make Stations &c., § 84.

Brighton Company may hold Forty-five thousand Shares in the Company, § 85.

Voting at Meetings by Brighton Company, § 86.

Power to Brighton Company to raise the Money by Shares, and to attach a Preference not exceeding 5*l.* per Cent., or to borrow a Part, not exceeding 112,500*l.*, §§ 90 to 98.

Schedule.—(Agreements with the London, Brighton, and South Coast Railway Company and East Kent Railway Company.)

Cap. cxix.

"*Dublin and Meath* Railway Act, 1858."

Incorporates Companies, Railways, and Lands Clauses Acts, § 1.

Company incorporated; Capital 230,000*l.* in 25*l.* Shares, and Power to borrow 75,000*l.*, §§ 3 to 9.

Meetings; Directors, §§ 10 to 15.

Railway and Works, §§ 16 to 18.

Communications with other Railways, and saving Rights of Midland Great Western and Dublin and Drogheda Railway Companies, §§ 19 to 21.

Protecting Rights, &c., &c. of W. Johnson, §§ 22 to 25.

Three Years for compulsory Purchases, § 27.

Railway to be completed in Five Years, §§ 28, 29.

Tolls, §§ 30 to 39.

Cap. cxx.

"The *Hove* Improvement Act, 1858."

Recites that it is expedient to provide for the better paving, lighting, cleansing, and improving of the Western Parts of the Parish of Hove; also for a more efficient Police Establishment for the whole Parish, and to repeal certain Portions of 11 Geo. 4. c. xvi., and the 14 & 15 Vict. c. cxl.

Limits of Act for Improvement Purposes, §§ 7 to 10.

Commissioners Clauses Act incorporated, § 11.

Commissioners; Meetings; Votes, §§ 12 to 22.

Incorporation of Towns Improvement Clauses Act, § 23.

Limitation of Section 50. of the Towns Improvement Clauses Act, § 24.

Improvement Commissioners may execute Act without Approval of Inspector, and may appoint a Surveyor, § 25.

Occupiers to repair and cleanse private Drains, 26.

Provision for Repair of private Streets, § 27.

Unoccupied or unproductive Ground may be let to defray Expenses, §§ 28, 29.

Owners may do Works instead of Improvement Commissioners, § 30.

Power to provide public Waterclosets, § 31.

Public Urinals, § 32.

Penalty for exposing for Sale unsound Meat or Provisions, § 33.

Officers may inspect Knackers Yards, § 34.

Depth of Soil over Coffins, § 35.

Penalty for disturbing Corpses, § 36.

Lands Clauses Consolidation Act incorporated, § 37.

Power to purchase Lands by Agreement, § 38.

"The Lawn" to be vested in the Improvement Commissioners, § 39.

Expenses to be repaid by Private Improvement Rates, § 40.

Improvement Commissioners may grant Licences to use "The Lawn," § 41.
Power to keep Beach in good Order, § 42.
Commissioners may appropriate, with Consent, other Lands for Esplanades, § 43.
Improvement Commissioners may contract for lighting Streets, § 44.
General Improvement Rate, § 45.
Separate Sewers Rate unnecessary, § 46.
Application of Improvement Rate, § 47.
Restrictions as to Sums to be borrowed on Mortgage of Rates, § 48.
The Interest on Moneys borrowed on Security of the Improvement Rate not to exceed One Third of the Rate; Evidence of Authority for borrowing, § 49.
Power to reborrow, § 50.
Application of Moneys raised by Mortgage, § 51.
Receiver for Mortgagees, § 52.
The Improvement Commissioners to do certain Things by Special Order only, § 53.
Reservation of Mr. George Gallard's Right of supplying Water, § 54.
Saving Right of Turnpike Road Trustees, § 55.
Limits of Act for Police Purposes, § 56.
Incorporation of Town Police Clauses Act, § 57.
Police Purposes to be carried into effect by Police Commissioners, § 58.
Brunswick Square Commissioners to appoint Six Members, § 59.
Improvement Commissioners to appoint Four Members, § 60.
Incorporation of Police Commissioners, § 61.
First Members to continue in Office until others are appointed, § 62.
Providing for Retirement of Members annually, § 63.
Provisions in case of casual Vacancies, and to supply Places of retiring Members, §§ 64 to 67.
Expenses of Elections to be paid by Police Commissioners, § 68.
Certain Sections of the Commissioners Clauses Act rendered applicable to Police Purposes, § 69.
First and other Meetings of the Commissioners, § 70.
Chairman of the Police Commissioners, § 71.
Application of Parts of Commissioners Clauses Act, §§ 72, 73.
Power to appoint Constables, § 74.
Regulations of Police Commissioners to be observed under a Penalty, § 75.
Power to Two Justices to dismiss Constables, § 76.
Gratuities to Constables, § 77.
Dangerous Dogs, § 78.
Hackney Carriages to be subject to Inspection, § 79.
Power to license Boats and Hand-chairs, and to make Bye-laws to regulate same, § 80.
Repeal of Parts of the recited Acts, § 81.
General Provision for Protection of Rights under recited Acts, §§ 82, 83.
Police Rate, § 84.
Application of Parts of "The Towns Improvement Clauses Act," § 85.
Consumption of Smoke by Brighton and Hove General Gas Company, § 86.
Mode of rating certain Properties to Improvement and Police Rates; Recovery of Moneys and Penalties, §§ 87 to 91.
Saving Rights of the Lords of the Manor of Preston and Hova Villa, &c., § 92.
SCHEDULES:—
Schedule A. (Manors and Hereditaments excluded).
Schedule B. (Saved Provisions of repealed Acts).

Cap. cxxi.

"The *Birkenhead* Commissioners Gas and Water Act, 1858."

Enumerates the several Acts under which the Birkenhead Commissioners and the Birkenhead Gas and Water Company are authorized to supply Gas and Water; that the Company have raised and now owe 33,000*l.*; proposes to authorize the Commissioners to construct new Water and Gas Works, and to accept a Transfer of the Works of the Company.
Incorporates Lands, Water, and Gas Clauses Acts, except Sections as to Profits, § 1.
Purchase of Lands, §§ 2 to 6.
Limits of Water Supply; new Waterworks; Five Years for Completion, §§ 7 to 12.
Limits of Gas Supply; Gasworks; Limitation of Price of Gas; Meters, §§ 13 to 21.
Transfer of Undertaking of Company at the Price of 220,000*l.* by Bonds of 100*l.*, payable in Twenty Years and bearing 4*l.* per Cent. Interest for Five Years and 5*l.* per Cent. afterwards; the Commissioners to retain 40,000*l.* in Bonds as Security for Mortgage Debt, §§ 22 to 40.
Dissolution of Company; Saving of Rights and Liabilities, §§ 41 to 49.
Superfluous Lands to be sold within Five Years, § 50.
Power to contract with neighbouring Townships for Supply of Gas, § 51.
Water Rates; Supply of Water, §§ 53 to 58.
Special Rates; Question of Rating of Docks not to be affected, §§ 59 to 61.
Power to borrow 75,000*l.* additional by Bonds, § 62.
Reborrowing; Registry and Transfer of Bonds, §§ 63 to 69.
Remedies of Bondholders, §§ 70 to 73.
Sinking Fund; Application of Moneys received, §§ 75, 76.
Schedules (Site of Gasworks and Forms).

Cap. cxxii.

"The *Devon Valley* Railway Act, 1858."

Incorporates Companies, Lands, and Railways (Scotland) Clauses Acts, § 3.
Company incorporated; Capital 90,000*l.*, with Power to borrow 30,000*l.*, §§ 4 to 10.
Meetings; Directors, §§ 13 to 23.
Railway, §§ 24, 25,
Regulation of Junctions with other Railways, §§ 26, 27.
Board of Trade Provisions, §§ 28 to 31.
Protecting Property of J. Millar, Esq., § 32.
Power to feu Lands; proportionate Reduction of borrowing Powers, §§ 34 to 37.
Two Years for compulsory Purchases, § 38; Railway to be completed in Three Years, §§ 39, 50.
Tolls, §§ 40 to 49.

Cap. cxxiii.

"The *Oxford, Worcester, and Wolverhampton* Railway Act, 1858."

Recites the several Acts relating to the Company, and especially their Acts of 1853, 1854, and 1855; that by the Act of 1854 the Company are empowered to make Deviations in the Lines and Levels of certain Branch Railways to the Towns of Stratford-upon-Avon and Stourbridge, but were by the Twelfth Section of such Act prohibited from expending any Money upon such Construction until they had completed their Main Line throughout with a Double Line of Rails; that the Company have hitherto been prevented

by the Operation of such Section from proceeding with the Construction of the Stratford and Stourbridge Branches, and they are bound to complete such Branches on or before the 31st July 1859; and it is expedient that they should be authorized to make a Deviation in the Line and Levels of the Stourbridge Branch, and that the Restriction upon the Application of their Funds to the Purposes of that Branch and of the Stratford Branch should be removed, and the Time for the Completion of the Stratford Branch be extended: And whereas by the Act of 1855 the Company were authorized to make and maintain a Railway in lieu of Part of the Branch called the Kingswinford Branch, and also a Branch Railway called the Diglis Branch, described in such Act as commencing by a Junction with the Main Line of the Oxford, Worcester, and Wolverhampton Railway in the Parish of Saint Martin, in the County of Worcester, and terminating at or near the River Severn, on the Left Bank thereof in the Parish of St. Peter; that the Stourbridge Extension Canal belongs to the Company, and passes through the District through which also a Portion of the Kingswinford Branch is authorized to be made, and the Company are about to construct Works with the view to the more efficient Interchange of Traffic between the Canal and the Part of the Kingswinford Branch now in the course of Construction; that the Diglis Branch will to a great Extent be rendered unnecessary by the Worcester and Hereford Railway now in the course of Construction and by other Circumstances; that the Company, in order to avoid at the present Time a large Expenditure of Capital for Objects which will be in great measure accomplished by other Means, are desirous of being relieved from the Obligation of constructing the Diglis Branch, and so much of the Kingswinford Branch as is herein-after specified; that by the Act of 1855 the Company were empowered, either previously or subsequent to the Completion of their Purchase of the Stratford-upon-Avon Canal Navigation, which Purchase was authorized by "The Oxford, Worcester, and Wolverhampton Railway (Amendment) Act, 1846," to agree with any Shareholder in the Canal for a fixed annual Rentcharge or Annuity to be charged and chargeable as therein mentioned, in lieu of a Payment of a Sum in gross in respect of his Interest in the Purchase Money of the Canal; that such Purchase has been duly completed, and the Company have duly paid in Cash the Sum of 14,040*l.*, (Part of the Sum of 108,330*l.* the settled Price for the Canal, as the aggregate Amount of the Purchase Money,) at the Rate of 30*l.* per Share for 468 Shares in the Canal, of which Shares the Holders did not agree with the Company for Rentcharges in lieu of the Payment of Sums in gross, or of which the Proprietors were not known or could not be found, or in respect of which no Claim was made or no Person was competent to give a Discharge; that the Company arranged and agreed with the Holders of 3,143 Shares in the Canal interested as such in the Purchase Money thereof to the aggregate Amount of 94,290*l.* (the Residue of the said Sum of 108,330*l.*) for fixed annual Rentcharges or Annuities in lieu of the Payment of Sums in gross; and the Company have accordingly granted to such Shareholders respectively Rentcharges or Annuities at the Rate of 30*s.* of annual Payment for the 30*l.* to which, as provided by the Twenty-second Section of the Act of 1855, the said Shareholders were to be deemed entitled for each Share held by them respectively in the Canal upon the Division of the Purchase Money payable for the same; that the aforesaid Rentcharges respectively have been duly granted by Deed, under the Seal of the Company, in the Form set forth in the Schedule to this Act; and in most instances the Rentcharge granted by each such Deed as aforesaid has been of the Amount of 7*l.* 10*s.*, being an annual Rentcharge at the Rate aforesaid, in respect of Five Shares in the Canal, and such Deed contains certain Powers of Redemption as therein set forth; that it is expedient to make further Provision with reference to the 468 Shares to which the Company have become entitled by the Payment of the Price thereof in manner aforesaid and also for facilitating the Transfer or Division of Rentcharges, and for the registering and authenticating the same, and for evidencing the Right of the Holders thereof to the Security thereby intended to be given; that the Holders of the Second Guaranteed Stock of the Company are entitled to a Dividend of 6*l.* per Centum per Annum, and all or any Arrears now existing or which may accrue due in respect of such Stock are payable out of the future Revenue of the Company, in preference to any Payments upon the ordinary Stock, and such Arrears, up to the 31st December 1858, are estimated at the Sum of 21*l.* 16*s.* 1*d.* per Centum, subject to Reduction by the Amount of any Dividend payable in respect of the Year 1858; that there are in the Hands of the Company forfeited and unissued Shares, representing a Sum of 99,500*l.* of the ordinary Stock of the Company; that it is probable that the Company will, from and after the 31st December 1858, be able to pay the future Dividends on the Second Guaranteed Stock, but no Dividend having been paid, or being likely (by reason of the Arrears on the Second Guaranteed Stock) to be paid, on the ordinary Stock, such last-mentioned Shares cannot be disposed of, except at a Price far below the nominal Value thereof; that it would facilitate the financial Arrangements of the Company if the Company were authorized to agree in manner herein-after mentioned with the Holders of the Second Guaranteed Stock, with respect to the Mode of Liquidation or Extinction of such Arrears of Dividend; and that it is expedient that the Acts relating to the Company be amended and enlarged.

Incorporation of Lands Clauses Act and Railways Clauses Act, § 2.
Power to make Deviations, § 3.
Power to make Works according to deposited Plans, § 4.
Company to relinquish certain Works, § 5.
As to future Application to Parliament respecting Siding at Worcester, § 6.
Compensation to be made where Contracts have been entered into or Notices given, § 7.
For Protection of certain Kingswinford Ironmasters, and of Lord Ward's Estate, §§ 8, 9.
Period for Completion of Stourbridge Railway, § 10.
Same Tolls as on Oxford, Worcester, and Wolverhampton Railway, § 11.
Repeal of 12th Section of Act of 1854, § 12.
Application of existing Capital, § 13.
Period for Completion of Stratford Branch, §§ 14, 15.
Rentcharges granted on Stratford Canal to be Personal Estate, § 16.
Purchased Shares to vest in Company, § 17.
Not to prevent Grant of Rentcharges for Shares so vested, § 18.
Existing and future Rentcharges to be styled "Stratford Canal Annuities," § 19.
A Register of the Annuities to be kept by Company, § 20.
Certificates to be issued to Holders of the Annuities, § 21.
Transfer of the Annuities, § 22.
Transfers to be registered, § 23.
Certificates to confer same Rights and Remedies as Rentcharges under Act of 1855 or this Act, § 24.
Incorporation of certain Sections of Companies Clauses Act, § 25.
Power to Holder of Annuities to require Company to redeem same, § 26.

Power to Company to redeem Annuities, § 27.
Agreements with Second Guaranteed Shareholders, § 28.
Schedule.

Cap. cxxiv

"The *Windsor* New Road Act, 1858."

Trustees; Meetings, §§ 3 to 5.
Roads authorized; Deviations, §§ 6 to 8, and § 15.
Road to be diverted if required by Great Western Railway Company, § 9.
Exclusion of Lands Clauses Act; Application of Portions of General Turnpike Acts, §§ 16, 17.
Freehold of Land to remain in adjoining Owners, § 18.
Two Years for compulsory Purchases; Three Years for Completion of Works, §§ 20, 21.
Fencing of Road; Drainage; Sale of superfluous Land, §§ 22 to 24.
Tolls, §§ 26 to 34.
Power to borrow 8,000*l.*, but subject to 6,000*l.* or more being subscribed (such Sum not to be repaid nor to carry Interest, and the Power of borrowing to be reduced by that Sum), §§ 35 to 37.
Application of Moneys borrowed and of Income, §§ 38, 39.
Restriction of Powers of Mortgagees, § 40; Mode of discharging Debts, § 41.
Sale of Toll Houses, &c. &c. on Expiration of Act, § 42.
Schedule (Form of Conveyance).

Cap. cxxv.

"The *Hesketh* Marsh Act, 1858."

Recites "The Ribble Navigation Act, 1853," and an Agreement for the Purchase by Sir T. Hesketh of certain reclaimed Lands.
Agreement of 10th November 1857 confirmed, § 2.
Power to sell and convey Lands, § 3.
Power to agree with Duchy of Lancaster as to their Proportion of the Purchase Money, § 4.
Application of Purchase Money, § 5.
Saving Rights of Duchy of Lancaster, § 6.

Cap. cxxvi.

"The *Newport, Abergavenny, and Hereford* Railway Act, 1858."

Recites their Act of 1857; proposes to divert Part of a Branch Railway authorized by it, and of Canal; to purchase Lands for Sidings, and to divert Turnpike Road.
Incorporates Lands and Railways Clauses Acts, § 1.
New Works; §§ 3 to 5; to be completed in Two Years, §§ 14, 15.
Protection of Aberdare Canal; Regulations with respect to Diversion thereof, §§ 6 to 10 and § 18.
Power to abandon Portion of Branch Railway; Compensation, §§ 11, 12.
One Year for compulsory Purchases, § 13.
Tolls, §§ 16, 17.
Power to convert borrowed Capital into Stock, and in lieu of further borrowing to create Debenture Stock, bearing Interest not exceeding 5*l.* per Cent., §§ 20 to 24.

Cap. cxxvii.

"The *Whitehaven Junction* Railway (New Branches) Act, 1858."

Recites the several Acts regulating the Railway; proposes to construct new Branches, and to raise further Moneys.
Incorporates Lands and Railways Clauses Acts, § 2.
Works; amended Plans, §§ 3 to 5.
Power to widen and improve existing Line, § 6.
Limits of Railway; Restriction as regards the Quay at Maryport, §§ 7, 8.
Protecting Maryport New Dock and Traffic on Tramways, §§ 9 to 11.
Power to make Roads across Branch Railway, § 12.
Board of Trade Provisions, §§ 13 to 16.
Company not to use Locomotive Engines on certain Branches, § 17.
Power to stop up and divert Road, § 19.
Two Years for compulsory Purchases, § 20.
Five Years to complete Branch Railways, §§ 21, 22.
Admiralty Provisions, and Protection of Whitehaven Harbour, §§ 23 to 31.
Power for H. Curwen, Esq., to make Waggon-ways, &c. &c., § 32.
Tolls, § 33.
Power to raise 65,000*l.* by Shares, and to attach a Preference not exceeding 6*l.* per Centum, §§ 34 to 39.
Qualification of Auditor, § 40.
Power to borrow 21,000*l.*, or to raise it all or in part by Shares, §§ 41 to 45.
Saving Rights of Crown and of Trustees of Maryport Harbour, §§ 50, 51.
Schedule (Tabular Statement of Capital and Debt).

Cap. cxxviii.

"The *Lancaster and Carlisle* Railway Act, 1858."

Proposes to abandon a Branch Railway authorized by their Act of 1857; to alter certain Roads; and after reciting the Lancaster and Preston Junction Railway Amendment Act, 1849, and the Transfer of the latter Undertaking to the Lancaster and Carlisle Company, proposes to authorize the Lancaster and Preston Company to raise further Moneys.
Incorporates Lands and Railways Clauses Acts, § 2.
Power to make Diversion of Roads, § 3.
Power to abandon Branch Railway, Compensation, &c. &c., §§ 4, 5.
Purchase of certain Lands of North-western Railway Company, § 6.
Power to make Archways and lay additional Rails on certain Roads, §§ 7 to 10.
Power to acquire additional Lands, but only within Two Years, §§ 11, 12.
XIV. All or any Acts, Matters, or Things which may from Time to Time be done by the Lancaster and Carlisle Railway Company, and all or any Privileges or Advantages obtained or Obligations or Liabilities incurred by them, shall, if and when approved by a General Meeting of the Lancaster and Preston Junction Railway Company, be binding upon the Lancaster and Preston Junction Railway Company and on the Lancaster and Carlisle Railway Company; and all Works from Time to Time executed by the Lancaster and Carlisle Railway Company shall, after such Approval, as between the Lancaster and Carlisle Railway Company and the Lancaster and Preston Junction Railway Company, and for all the Purposes of "The Lancaster and Preston Junction Railway Amendment Act, 1849," be deemed Part of the Railway and Undertaking of that Company, as if they had been so at the Time of the passing of that Act; and the Dividend or Interest to be payable on any additional Share Capital or borrowed Money which may be expended upon any such Works shall be a Charge upon the whole of the Railways and Undertaking of the Lancaster and Carlisle Railway Company, including the

Lancaster and Preston Junction Railway, and any Works so executed by the Lancaster and Carlisle Railway Company, as if such Share Capital and borrowed Money were Part of the Moneys raised and expended under Section XXXV. of the said Act.

XV. And whereas the Share Capital of the Lancaster and Preston Junction Railway Company is Six hundred and seventy-six thousand three hundred and thirty Pounds, and the Amount of Mortgage Debt owing by that Company is Twenty-six thousand three hundred Pounds: Therefore that Company may from Time to Time borrow, on Mortgage or Bond, including the Sum already borrowed, and if subsequently paid off may again re-borrow, any Sum not exceeding Two hundred and one thousand three hundred Pounds, or they may raise the same by new Shares, and for that Purpose all the Provisions of the Lancaster and Preston Junction Railway Acts with respect to new Shares shall be applicable, mutatis mutandis, to the new Shares to be created under this Act; and any such Moneys may be applied by the Lancaster and Preston Junction Railway Company as their Proportion of any additional Capital already raised and expended under the Authority of the "Lancaster and Preston Junction Railway Amendment Act, 1849," or which may be required for the Purposes of the united Undertaking.

Cap. cxxix.

"The *Crystal Palace District* Gas Company's Act, 1858."

Recites Formation of Company by Deed of Settlement, and Registration under Joint Stock Companies Act in 1854; that 32,829*l.* has been paid up; and that by virtue of a Deed of Demise of 16th August 1854, from the Sydenham Gas and Coke Company, they have been supplying a certain District, particularly described, with Gas; proposes to extend Limits of Supply, to increase Capital, and to incorporate the Company.

Company incorporated, §§ 1, 2.

Incorporation of Companies, Lands, and Gasworks Clauses Acts, §§ 4 to 6.

Power to contract with Sydenham Gas and Coke Company, § 8.

Limits of Act, § 9.

Avoidance of Deed of Settlement; Saving of Rights and Liabilities, §§ 10 to 21.

Existing Capital, 50,000*l.*; Power to raise 50,000*l.* more in Shares, and to attach a Preference not exceeding 6*l.* per Cent., §§ 22 to 24.

Power to borrow 12,500*l.* forthwith, and eventually 12,500*l.* more, §§ 25, 26.

Meetings; Directors, §§ 27 to 33.

Power to lay Pipes and construct Works within certain Limits, §§ 34, 35.

Supply of Gas; Maximum Price; Testing of Gas, §§ 36 to 43.

Saving Rights of Metropolitan Board of Works, § 44.

Cap. cxxx.

"The *Chester and Holyhead* Railway Act, 1858."

Recites that the Chester and Holyhead Railway from Holyhead to Chester, and the London and North-western Railway from Chester to London, form a complete Line of Railway Communication between Holyhead and London, and the Postal Service between Dublin and London, viâ Holyhead, is carried on over the said Railways; that by "The Chester and Holyhead Railway Act, 1848," Powers to purchase, hire, and use Steamboats between Holyhead, Kingstown, and Dublin were conferred upon the Chester and Holyhead Railway Company for the Purpose of effecting more speedy, convenient, and continuous Means of Communication between England and Ireland; that by "The Improved Postal and Passenger Communication between England and Ireland Act, 1855," Powers were conferred upon the Chester and Holyhead Railway Company, the London and North-western Railway Company, and the City of Dublin Steam Packet Company, for facilitating the Postal Service and the convenient Transmission of Passengers between England and Ireland; that in order more effectually to carry out the Objects of the said Act, it is necessary that Arrangements should be entered into between the said Companies, involving an Amount of Expenditure and pecuniary Responsibility which the Chester and Holyhead Railway Company have not the Power to undertake under the Authority conferred by their existing Acts; and it is also expedient that the Chester and Holyhead Railway Company and the London and North-western Railway Company should be empowered to enter into Arrangements between themselves in reference to the Objects and Purposes of the said Act; that the London and North-western Railway Company are interested in the Objects of the said Act being fully effected, and are also Holders of Shares both ordinary and preference in the Capital of the Chester and Holyhead Railway Company to a large Amount; that it is expedient that the Chester and Holyhead Railway Company should be authorized to raise a further Sum of Money, and that the London and North-western Railway Company should be authorized to guarantee Dividends thereon, or on some Part thereof, and to make such Appropriation of all or any future Dividends upon the Shares held by them in the Capital of the Chester and Holyhead Railway Company in favour of the other Shareholders, and in Payment of Interest upon Mortgages of that Company, as they may think fit, and otherwise to guarantee the Interest and Dividends on the Mortgages and Shares of that Company; and, for the Purposes before mentioned, that the said Companies should be empowered to unite their Undertakings by Amalgamation, or by Sale and Purchase, or otherwise, as they may think fit; that the Capital of the Chester and Holyhead Railway Company amounts to 3,250,000*l.*, and the Mortgage Debts of the said Company amount to 1,084,332*l.*, or thereabouts, being the full Amount which the Company are authorized to raise by Mortgage, and it is expedient that the said Company should be authorized to create Debenture Shares or Debenture Stock for paying off such Mortgage Debts.

Power for Chester and Holyhead Company to raise 200,000*l.* in new Shares, and to attach a Preference not exceeding 6*l.* per Cent., §§ 1 to 5; and for London and North-western Company to guarantee Dividend upon them not exceeding 5*l.* per Cent., § 6.

Power to enter into Agreements as to meeting Deficiency in Receipts of Chester and Holyhead Company, to pay Interest on Debt and Dividends on Shares, § 7.

Power to London and North-western Company to guarantee Interest and Dividends on Mortgages and Shares of Chester and Holyhead Company, §§ 8, 9.

Power to Chester and Holyhead Company to create Debenture Shares or Stock, with 5*l.* per Cent. Interest, to the Amount of 1,084,332*l.*, to be applied solely to Discharge of Debt, §§ 10 to 14.

Repeals certain Sections of 7 & 8 Vict. c. lxv. (Chester and Holyhead Railway Act), and incorporates certain Provisions of Railways Clauses Act, § 18.

Power to enter into Sub-Contracts as to Postal and Passenger Arrangements between England and Ireland, § 19.

Powers of Amalgamation or Sale, § 20.

Provision for giving Publicity to Agreements, § 21.
Traffic not to be obstructed, §§ 22, 23.
Power to agree as to Conversion of Shares of Chester and Holyhead Company into ordinary Stock of the London and North-western Company, §§ 24 to 29.

Cap. cxxxi.

"The *London and North-western* Railway (Additional Works) Act, 1858."

Proposes to execute several Works and Alterations; to authorize Agreements between the Company, the Chester and Holyhead Railway Company, and the Dublin Steam Packet Company in reference to Postal and Passenger Communication between England and Ireland; and with Great Western Railway Company for Appropriation of Joint Station at Wolverhampton.
Incorporation of Lands and Railways Clauses Acts, § 2.
Power to construct Works, acquire Lands, &c., § 3.
Regulating Execution of Works across the River Irwell, § 4.
Company to construct Foot Bridge across the Irwell in lieu of the present Foot Bridge, § 5.
The new Foot Bridge to be opened simultaneously with the proposed Widening of the Bridge over the Irwell, § 6.
Power to cross a certain Road on the Level; Board of Trade Provisions, §§ 7 to 9.
Two Years for compulsory Purchase of Land, § 10.
Three Years for Completion of Works, § 11.
Power to abandon Portion of St. Albans Branch Railway; Compensation, §§ 12, 13.
Power to the Company and the Chester and Holyhead Railway Company, and the Dublin Steam Packet Company, to enter into Sub-Contracts in reference to the improved Postal and Passenger Communication between England and Ireland, §§ 14, 15.
Power to Company and Great Western Railway Company to make Agreements for Appropriation of Joint Station at Wolverhampton, § 16.
Appropriation to be approved by Board of Trade, and to be subject to Rights of Third Parties, § 17.
Saving Powers of London and North-western Railway Act, 1854, § 18.
Power to establish Provident Institutions for Servants of the Company, § 19.
Incorporation of Provisions of Savings Bank Act, 7 & 8 Vict. c. 83.,—§ 20.
Power to apply Corporate Funds to Purposes of this Act, § 21.
Saving Rights of Nene Valley Drainage Commissioners, § 22.

Cap. cxxxii.

"*St. Leonard Shoreditch* Act, 1858."

Recites 14 Geo. 3. c. xxix., 15 Geo. 3. c. lv., and 53 Geo. 3. c. cxii., relating to the Relief of the Poor of St. Leonard, Shoreditch, and providing for the Appointment of a Body of Trustees of the Poor of the Parish, and for the vesting in them of certain Estates granted and devised by Individuals for parochial Purposes; that the Income from such Estates was directed to be applied in aid of the Poor Rates, or in assisting any indigent and industrious Parishioners who had not received Parish Relief; that the Trustees were authorized to provide additional Burial Ground and Workhouse, and also to raise Money by Annuities, chargeable on the Rates; that the Trustees had put the Act in execution; that they had paid off and discharged all the Annuities due and Moneys borrowed; that under the "Burial Acts" a Burial Board had been established in the Parish; that the Provisions of the existing Act with respect to the Burial Ground are either repealed or superseded, or have otherwise become unnecessary; that since the passing of the last Act the general Laws for the Relief of the Poor have been amended, and it is expedient that some of the Provisions of those Laws which are not now in force in the Parish be applied to the Parish; that under the 18 & 19 Vict. c. 120., ("The Metropolis Local Management Act,") the Parish (which is mentioned in Schedule (A.) to that Act, and according to the Rate for the Relief of the Poor of the Parish made last before the passing of that Act) contained Ten thousand rated Householders or thereabouts, has been divided into Eight Wards; (that is to say), Number One, or Moorfields Ward; Number Two, or Church Ward; Number Three, or Hoxton Ward; Number Four, or Wenlock Ward; Number Five, or Whitmore Ward; Number Six, or Kingsland Ward; Number Seven, or Haggerstone Ward; and Number Eight, or Acton Ward; each of those Wards containing according to that Rate not less than Five hundred rated Householders; that under the "Metropolis Local Management Act" the Vestry of the Parish consists, in addition to the Incumbent and the Churchwardens, of One hundred and twenty Vestrymen elected for the Parish among those Wards; that it is expedient that a Board of Guardians of the Poor of the Parish be substituted for the Trustees; that the 53 Geo. 3. c. cxii. be repealed, and some of the Provisions thereof be re-enacted with Amendments and made applicable to the Board of Guardians; and that other Provision be made with respect to the Board of Guardians and the Parish.
Short Title; Interpretation of Terms, §§ 1, 3, 5.

II. "The Lands Clauses Consolidation Act, 1845," and "The Commissioners Clauses Act, 1847," except the Clauses thereof with respect to the Qualification of Commissioners, and with respect to the Election and Rotation of the Commissioners, where the Commissioners are to be elected by the Ratepayers or other like Class of Electors, are respectively incorporated with this Act: Provided always, that this Act shall not authorize the purchasing of any Lands otherwise than by Agreement.

IV. This Act may and shall be put in force for all the Purposes thereof, in all Places within the Limits of the Parish of Saint Leonard, Shoreditch, in the County of Middlesex, and for such of the Purposes thereof as are according to any of the Provisions thereof to be effected beyond the Limits of the Parish, may and shall be put in force beyond those Limits accordingly.

VI. This Act, so far as it is to be carried into execution by the Vestry, shall be carried into execution by the Vestry of the Parish elected under the "Metropolis Local Management Act," and so far as it is to be carried into execution by the Board shall be carried into execution by the Board of Guardians under this Act.

VII. The Powers, Authorities, and Privileges of the Vestry, and their Officers and Servants, under the "Metropolis Local Management Act," and any and every Act from Time to Time in force for amending or extending any of the Powers or Provisions of that Act, shall extend and apply to the Vestry and their Officers and Servants with respect to the carrying of this Act into execution by the Vestry, as if the Purposes of this Act with respect to the Vestry were Purposes of the "Metropolis Local Management Act."

VIII. With respect to all Matters within the Authority of any Committee from Time to Time appointed by the Vestry for any of the Purposes of this Act, the Expression "the

Vestry" in this Act includes and applies to the Committee as well as the Vestry.

IX. The Poor Law Board may and shall, within Three Months after the passing of this Act, by Order direct that the Administration of the Laws for the Relief of the Poor of the Parish shall be in a Board of Guardians, to be elected and constituted according to the Provisions of the Act of the Session of the Fourth and Fifth Years of William the Fourth, Chapter Seventy-six, for the Amendment and better Administration of the Laws relating to the Poor in England and Wales, and all other general Statutes and Laws from Time to Time in force relating to the Poor in England and Wales, and applicable to the Parish and this Act, and the Board shall accordingly be the Guardians of the Poor of the Parish for the Execution of the Laws from Time to Time in force with respect to the Relief and Management of the Poor of the Parish and the Administration of the Relief, and the disbursing of Moneys raised for the Relief and the Performance with respect to the Parish of all other Duties of Guardians of the Poor.

X. The Board shall consist of Forty Guardians to be elected for Wards as by this Act provided.

XI. The Board and the several Members thereof, and the Officers and Servants of the Board respectively, shall have and may exercise and enjoy the several Powers, Authorities, Discretions, Privileges, Indemnities, Immunities, and Exemptions whatsoever, which by virtue of the general Statutes and Laws from Time to Time in force relating to the Poor in England, may be had, exercised, and enjoyed respectively by the Guardians of a Union or Parish collectively or individually, and the Officers and Servants of the Guardians respectively.

XII. The Board and their Officers and Servants shall be subject to the Jurisdiction, Orders, and Regulations of the Poor Law Board; and shall accordingly respectively conform to and observe the Orders and Regulations, whether general or special, already and hereafter made by the Poor Law Board, and from Time to Time in force and applicable to the Parish.

XIII. The Forty Guardians shall from Time to Time be elected as follows (every Guardian being an inhabitant Householder of the Ward for which he is elected, and otherwise qualified according to the Statute of the 4th and 5th William IV. c. 76.); that is to say,

For Number 1, or Moorfields Ward, Six Guardians;
For Number 2, or Church Ward, Seven Guardians;
For Number 3, or Hoxton Ward, Seven Guardians;
For Number 4, or Wenlock Ward, Six Guardians;
For Number 5, or Whitmore Ward, Four Guardians;
For Number 6, or Kingsland Ward, Four Guardians;
For Number 7, or Haggerstone Ward, Three Guardians;
For Number 8, or Acton Ward, Three Guardians:

Provided, that the Poor Law Board may at any Time, having due regard to the relative Population or Circumstances of the Wards, make such Alterations in those Proportions as to them shall seem advisable.

XIV. The Board shall hold their First and subsequent Meetings at such Times as the Poor Law Board shall from Time to Time order; but, except from any Cause deemed by the Board urgent, the Time appointed for the Commencement of any such Meeting shall not be later than Ten o'Clock in the Forenoon, and all Meetings of the Board shall be held at the Vestry Room in the Parish, unless the Poor Law Board shall otherwise authorize or direct.

XV. The First and subsequent Elections of Guardians shall take place at the Times appointed by the Order of the Poor Board.

XVI. At the Time appointed for the First Meeting of the Board, the thirdly-recited Act shall, subject to the Provisions of this Act, be by this Act repealed.

XVII. Notwithstanding the Repeal of the thirdly-recited Act, every Rate made before the Repeal, and at the Time of the Repeal due and payable, or to become due and payable, or ordered to be collected under that Act, shall continue to be due and payable and shall and may be collected and levied as if it were made under this Act, and shall be received and applied by the Vestry as if it were made under this Act.

XVIII. Notwithstanding the Repeal of the thirdly-recited Act, all Compositions, Contracts, or Agreements before the Time of the Repeal made under that Act with any Person for the Payment of any Rates, shall continue and be valid and effectual and may be enforced by and against the Vestry, and all such Compositions shall continue in force until duly rescinded under this Act by the Vestry.

XIX. Notwithstanding the Repeal of the thirdly-recited Act, all Rates and Arrears of Rates which immediately before the Time of the Repeal were under that Act due and payable or accruing due and payable to the Trustees, are by this Act vested in and shall be payable to and may be collected and recovered by the Vestry in like Manner as any Rates under this Act.

XX. From and after the Repeal of the thirdly-recited Act, and except only as is by this Act otherwise expressly provided, the Vestry shall for all Purposes of this Act with respect to Rates made under the thirdly-recited Act, and Officers of the Trustees appointed or employed with respect to the Rates, and all Debts, Liabilities, and other Matters in any way relating to the Rates, represent the Trustees as if the Trustees and the Vestry had originally been and had continued without Intermission to be One and the same Body, and the several Provisions of this Act shall be read and have effect accordingly.

XXI. Provided always, That every Treasurer, Overseer, Clerk, and other Person appointed or acting under the thirdly-recited Act who shall, at the Time of the Repeal of that Act, have in his Custody or Power any Moneys collected by virtue of that Act, not being Moneys arising from Charity Estates or Charitable Foundations, shall within Seven Days thereafter pay the same to the Treasurer of the Board, or shall when thereunto required by the Vestry or by the Board duly account for the same to the Vestry, or, as the Case may be, to the Board.

XXII. Provided always, That the Management of all Charity Estates and Charitable Foundations respectively, which at the Time of the passing of this Act are vested in the Trustees, shall remain and be exerciseable by the Trustees, until the Appointment of Charity Trustees as by this Act provided.

XXIII. Within One Month after the passing of this Act the Vestry shall nominate such Forty-eight Persons, being respectively inhabitant Householders of the Parish occupying and being rated or assessed to the Relief of the Poor of the Parish in One entire Assessment of Thirty Pounds, as the Vestry think fit, for the Office of Charity Trustees, for the Purposes of this Act, and shall make a List of the Persons so nominated, and forthwith submit the same to the Charity Commissioners for England and Wales, and those Commissioners may, if and so often as they shall think fit, require such List to be revised or altered by the Vestry, by the Substitution, either wholly or partially, of the Names of other Persons having the like Qualification, and may direct public Notice of the List of Persons to be so nominated, to be given by the Vestry in such Manner and so often as the same Commissioners shall consider necessary or desirable, and the same Commissioners, upon being satisfied of the Sufficiency of any List to be submitted to them, may by Order under their Seal appoint Twelve Persons from such List to be, together with the Vicar and Churchwardens of the Mother Church of Saint

Leonard, Shoreditch, for the Time being, as provided by this Act, the First Charity Trustees for the Purposes of this Act.

XXIV. Whenever by reason of the Death, Resignation, Disqualification of any of the Charity Trustees, or otherwise, their Number is reduced to fewer than Nine, the Vestry shall forthwith thereafter nominate so many Persons, being respectively inhabitant Householders of the Parish occupying and being rated or assessed to the Relief of the Poor of the Parish in One entire Assessment of Thirty Pounds, as shall be at the Rate of Four Persons for every Vacancy in the Office of Charity Trustees, and shall make a List of the Persons so nominated, and submit the same to the Charity Commissioners, and those Commissioners shall have the same Powers of requiring every or any such List to be revised or altered, and of directing public Notice to be given of the same, as are contained in the last foregoing Section with regard to the First Charity Trustees to be appointed under this Act, and the same Commissioners may from Time to Time, upon being satisfied of the Sufficiency of any List to be so submitted to them, by Order under their Seal appoint from such List so many Persons to be the Charity Trustees as shall be requisite for supplying the Vacancies.

XXV. The Vicar for the Time being of the Parish of Saint Leonard, Shoreditch, and the Churchwardens for the Time being of the Mother Church of Saint Leonard, Shoreditch, shall, by virtue of their respective Offices, be ex-officio Charity Trustees, and the Vicar and Churchwardens, with the several Persons from Time to Time appointed according to this Act to be Charity Trustees, shall be the Charity Trustees under this Act, and shall be subject to the Jurisdiction of the Charity Commissioners.

XXVI. On and after the First Appointment of Charity Trustees for the Purposes of this Act, all the Freehold, Copyhold, and Leasehold Estates and other Hereditaments, and the Rights to sue for and recover Personal Estates heretofore given, granted, bequeathed, or devised to the Churchwardens of the Parish, or to any other Persons, in trust for charitable Purposes in the Parish, or for the Benefit of the poor Inhabitants of the Parish, and all Rents and Profits and Arrears of Rents and Profits thereof, and all Rights of Presentation to any Place or Situation in any School, Almshouse, Hospital, or other Public Charity, given, granted, bequeathed, or devised to the Churchwardens of the Parish or any other Persons for the Benefit of the Parish or the poor Inhabitants thereof, and which respectively are immediately before the Repeal of the thirdly-recited Act vested in the Trustees, upon the Trusts and for the Purposes therein declared and expressed, are by this Act transferred to and vested in the Charity Trustees for the Time being under this Act without any Conveyance or Assurance; and all Sums of Stock then held by the Trustees or any of them as such Trustees in trust for such charitable Purposes as aforesaid, or which since the passing of the thirdly-recited Act have been bequeathed or given for such charitable Purposes as aforesaid, shall be transferred to the Charity Trustees, or some Four of them to be appointed for that Purpose, of whom the Vicar for the Time being shall be One, subject, nevertheless, to the same Trusts and for the same Intents and Purposes as and to be paid to and to be disbursed and distributed by the Persons to whom the same respectively were so given, granted, and devised respectively, according to their respective original Foundations, anything in this Act or in the thirdly-recited Act to the contrary notwithstanding.

XXVII. The yearly List and Account of the Freehold, Copyhold, and Leasehold Estates, and Charitable Foundations, and Bequests belonging to the Parish, to be made and published yearly by the Charity Trustees according to the Mode pointed out in Section One hundred and ninety-nine of "The Metropolis Local Management Act," shall contain an Account of all the Freehold, Copyhold, and Leasehold Estates, and Charitable Foundations and Bequests by this Act placed under the Control of the Charity Trustees.

XXVIII. On and after the Repeal of the thirdly-recited Act, and except only as is by this Act otherwise expressly provided, all the Estates, Lands, Buildings, Property, Moneys, Choses in Action, Possibilities, Expectancies, Effects, Claims, and Demands whatsoever, of or to which the Trustees, by virtue of the thirdly-recited Act, or by any other Means whatsoever, are immediately before the Time of the Repeal seised, possessed, or in any way entitled at Law or in Equity, or otherwise howsoever, with the Appurtenances, and not by this Act vested in the Charity Trustees, are by this Act transferred to and vested in the Board according to the Tenure, Nature, and Quality thereof respectively, but subject and without Prejudice to any Mortgages, Charges, Incumbrances, Claims, and Demands which at the Time of the Repeal affect the Trustees or their Property, and are so vested in the Board for the Purposes and subject to the Provisions of this Act.

XXIX. From and after the Repeal of the thirdly-recited Act, and except only as is by this Act otherwise expressly provided, the Board shall, for all Purposes of this Act, and with respect to all Powers, Authorities, Duties, Debts, Liabilities, and other Matters other than the Powers, Authorities, Duties, Debts, Liabilities, and other Matters with respect to which the Vestry or the Charity Trustees are to represent the Trustees, represent the Trustees as if the Trustees and the Board had originally been, and had continued without Intermission to be, one and the same Body; and the several Provisions of this Act shall be read and have effect accordingly.

XXX. From and after the Repeal of the thirdly-recited Act, and except only as is by this Act otherwise expressly provided, the Board shall, for all Purposes of this Act, except with respect to Rates and Charities, be subject to and perform and conform to all Duties, Obligations, Debts, and Liabilities to which the Trustees immediately before the Repeal were subject, and shall indemnify the Trustees and their Officers and Servants, and their respective Representatives, from all such Duties, Obligations, Debts, and Liabilities, and all Costs, Damages, and Expenses in that Behalf.

XXXI. After the Repeal of the thirdly-recited Act, the Board from Time to Time may maintain, or with the Order or Consent of the Poor Law Board take down, alter, rebuild, enlarge, and repair all or any Part of the present or any future Workhouse of the Parish, and may hire, enlarge, or repair any other House for the Reception of the Poor of the Parish, and in order thereto may by Agreement purchase or take on Lease any Lands in the Parish.

General Saving of Rights under Act hereby repealed, § 32.

Provisions of other Acts continued notwithstanding Repeal of thirdly-recited Act, § 33.

Contracts, &c. under thirdly-recited Act may be enforced, § 34.

Guarantees preserved, § 35.

Actions not to abate, &c., § 36.

Debts due to and by Trustees to be paid to and by Vestry or Board, § 37.

Byelaws continued for a Time not exceeding Six Months, § 38.

Books, &c. continued Evidence, § 39.

Officers continued, § 40.

Compensation to Officers of Trustees, § 41.

If Office of Vestry Clerk existing under 13 & 14 Vict. c. 57. should cease, &c., Person holding it may claim Compensation, § 42.

Overseers to remain in Office for a Time, § 43.
Overseers, &c. to deliver Rate Books, &c. to Vestry, § 44.
Notices for and holding of Meetings of Vestry under Act, § 45.

XLVI. The Vestry shall meet at Eleven o'Clock in the Forenoon of Tuesday in the Week next before the Twenty-fifth Day of March in every Year, and shall then make a List of Two Persons for the Liberty of Holywell Street, Two Persons for the Liberty of Moorfields, Four Persons for the Liberty of Church End, and Four Persons for the Liberty of Hoxton, the Persons being respectively substantial Householders of the Parish, and in the Liberties for which they respectively are chosen, whom the Vestry think qualified and fit to be appointed Overseers of the Poor of the Parish for the then ensuing Year, and the Vestry Clerk shall enter the Lists in the Minutes of the Proceedings of the Vestry.

XLVII. Within Two Days after such Tuesday in every Year the Vestry Clerk shall deliver a true Copy in Writing under his Hand of the List of the Persons chosen for the Office of Overseer to any Justice, and the Justice shall thereupon forthwith, by Writing under his Hand and Seal, appoint One of those Persons for the Liberty of Holywell Street, One of those Persons for the Liberty of Moorfields, Two of those Persons for the Liberty of Church End, and Two of those Persons for the Liberty of Hoxton, whom the Justice thinks proper to be Overseers of the Poor of the Parish for the Year then next ensuing, and until new Overseers are in like Manner appointed to succeed them, and the Persons so from Time to Time appointed, and having Notice thereof in Writing under the Hand of the Vestry Clerk, given to or left for such Person at his then or then last Place of Abode in the Parish, shall accordingly thenceforth be Overseers of the Poor of the Parish.

XLVIII. Where any Person so appointed to be an Overseer shall, for Seven Days after such Notice to him of his Appointment, fail to take on him the Duty and Office of Overseer accordingly, then the Vestry Clerk shall again apply to any Justice, who shall thereupon, by Writing under his Hand and Seal, appoint another Person named in the List for the same Liberty to be an Overseer of the Poor of the Parish instead of the Person so failing; and the Person so appointed, and having like Notice thereof, shall thenceforth be an Overseer of the Poor of the Parish in the Place of the Overseer so failing.

XLIX. Where all the Persons chosen for any Liberty of the Parish so fail for Seven Days after such Notice, then the Vestry shall forthwith thereafter assemble and make a List of Four, or, as the Case may be, Two other qualified Persons from the Liberty, in the Place of the Persons so failing, whereupon the like Proceedings shall be had as in the Case of the original List, and the Justice shall thereupon, by Writing under his Hand and Seal, appoint Two, or, as the Case may be, One of the Persons in the List, to be an Overseer or Overseers, and each of them, on having the Notice thereof, shall accordingly thenceforth be an Overseer of the Poor of the Parish, and so from Time to Time on every such Failure.

L. Where an Overseer dies, or is declared bankrupt, or applies to take the Benefit of or becomes subject to any Act for the Relief of Insolvent Debtors, or compounds with his Creditors, or ceases to be a Householder within the Liberty for which he was chosen for the Office of Overseer, he shall thereupon cease to be an Overseer of the Poor of the Parish, and the Vestry shall, within Fourteen Days after Notice thereof to them, assemble and make a List of Two other qualified Persons from the Liberty, in the Place of the Overseer so disqualified, whereupon the like Proceedings shall be had as is by this Act provided with respect to the Choice and Appointment of an Overseer in the Case of the Failure to act of an Overseer chosen as by this Act provided.

LI. Provided always, That no Person who shall have been appointed and shall have served the Office of Overseer of the Poor of the Parish, or shall have paid the Penalty for failing to take on himself the Office or Duty of Overseer, shall without his Consent be again appointed to be an Overseer of the Poor of the Parish.

LII. Provided always, That no Person shall be eligible to the Office of Overseer of the Poor of the Parish who is a Victualler, or a Person selling Ale, Wine, Spirits, or other strong Liquor by Retail, or who is a Woman, or of the Age of Sixty Years or upwards, or who is prevented by any bodily or mental Infirmity from acting.

LIII. Except as is by this Act otherwise expressly provided, the Overseers from Time to Time appointed under this Act may and shall perform and execute the Office and Duties of Overseers of the Parish, and may and shall have, exercise, and enjoy the several Powers, Authorities, Privileges, Indemnities, Immunities, and Exemptions, and shall be subject to the several Rules, Penalties, and Forfeitures which by virtue of the several Statutes and Laws from Time to Time in force relating to the Poor in England the Overseers of the Poor of a Union or Parish collectively or individually may have and enjoy and be subject to.

LIV. The Board Clerk shall once in every Quarter deliver in Writing under his Hand, to the Vestry Clerk at the Vestry Office, a true and correct Account of all Moneys received and paid by the Authority of the Board for the then last preceding Quarter, and for what Purposes the same were so paid, and of the actual Balance, or, as the Case may be, of the actual Deficiency then remaining, in order that the true State of the Parish with respect to the Relief of the Poor may thereby appear, and that the Vestry may be enabled to ascertain what Sums are required to be raised for the Relief of the Poor; and the Vestry Clerk shall deliver the Account and Statement to the Chairman of the Vestry.

LV. The Quarterly Accounts to be delivered, as by this Act required by the Board Clerk to the Vestry Clerk, shall be delivered on or before the several Days by this Act appointed for the Quarterly Meetings of the Vestry, for ascertaining the Sums necessary to be raised by Rates for the Relief of the Poor of the Parish, and shall be delivered by the Vestry Clerk to the Chairman of the Vestry at or before those Meetings respectively.

LVI. The Vestry shall Four Times in every Year, that is to say, on the Tuesday next after each of the Twenty-fifth Day of March, the Twenty-fourth Day of June, the Twenty-ninth Day of September, and the Twenty-fifth Day of December in every Year, meet and examine the Books, Accounts, Receipts, Credits, Payments, and Liabilities of the Parish with respect to the Relief of the Poor, and ascertain the Amount necessary to be raised for the Relief of the Poor, and for defraying the Expenses of the Execution of this Act for the current Quarter, and shall make a Rate on the Parish for the Relief of the Poor of the Parish accordingly; and in the Amount of the Rate shall be included the Amount requisite for discharging those Expenses.

LVII. If and whenever the Vestry fail to make a Rate of a sufficient Amount for the Relief of the Poor of the Parish, and for defraying all Charges by Law on the Rates for the Relief of the Poor of the Parish, the Poor Law Board, by Order, may require the Board to make and levy a Rate or additional Rate to meet such Failure, and to exercise the Powers and Authorities of the Vestry under this Act for that Purpose; and the Rates so made and levied by the Board shall be collected and paid to the Treasurer of the Board by the Collector of the

Vestry on the Order of the Board, as though they were Rates made by the Vestry and collected by their Order.

LVIII. The Overseers, and the Officers of the Board respectively, having the Care of the then last Rate Books and the Account Books, and the Minute Books of the Board, shall from Time to Time, when thereunto required by the Vestry, by Notice in Writing under the Hand of the Vestry Clerk, produce the same to the Vestry.

LIX. The Vestry shall make every Rate under this Act by an equal Pound Rate on the yearly Value of all Tenements in the Parish, rateable according to the general Statutes and Laws from Time to Time in force relating to the Poor in England; and the Rates shall be levied on the Persons, and in respect of the Tenements so rateable, and shall be assessed upon the net annual Value of the Tenements according to those general Statutes and Laws.

LX. Subject to the Provisions of this Act, the Rates from Time to Time made by the Vestry under this Act shall have the like Incidents in all respects and to all Intents and Purposes as the Incidents according to the general Statutes and Laws from Time to Time in force relating to the Poor in England of the Rates for the Relief of the Poor of any Union or Parish.

LXI. There shall be paid out of the Moneys from Time to Time raised by the Rates all such Sums as by Law are payable out of the Rates for the Relief of the Poor of the Parish, and the Board shall make the Payments accordingly.

LXII. The Vestry from Time to Time may amend any Rate by inserting therein the Name of any Person claiming and entitled to have his Name therein as Owner or Occupier, or by inserting therein the Name of any Person who ought to be rated, or by striking out the Name of any Person who ought not to be rated, or by raising or reducing the Sum at which any Person is rated, if it appear to them that the Person has been under-rated or over-rated, or by making such other Amendments therein as will make the Rate conformable to this Act, and no such Amendment shall avoid the Rate.

LXIII. Every Person whose Rates are so altered shall be entitled to Seven Days Notice of the Alteration, before the Rate shall be payable by him.

LXIV. Provided always, That every Person aggrieved by any such Alteration shall have the same Right of Appeal therefrom as he would have had if his Name had been originally inserted in the Rate, and no such Alteration were made; and with respect to such Person the Rate shall be considered to have been made at the Time he received Notice of the Alteration.

LXV. The Vestry from Time to Time may appoint so many competent Persons as they think fit to be Collectors of the Rates made by the Vestry under this Act, and from Time to Time may dismiss any Persons so appointed.

LXVI. The Collectors shall levy and collect the Rates, and for the Purpose of levying and collecting the same shall proceed in the same Manner and have the same Powers, Remedies, and Privileges as, according to the general Laws and Statutes from Time to Time in force relating to the Poor in England, the Overseers of the Poor of any Union or Parish have for levying, by themselves or their Collectors, Money for the Relief of the Poor of the Union or Parish.

LXVII. All Moneys from Time to Time collected in respect of the Rates shall, within such Time, not being less than Seven Days after the Collection thereof, as the Vestry from Time to Time appoint, be paid into the Hands of the Treasurer of the Board to the Credit of the Board.

LXVIII. Where the yearly Rent or Value of any Tenement in the Parish does not exceed Fifteen Pounds, and whether the Rent, if any, be paid or agreed to be paid quarterly or otherwise, and where any Tenement is let for any Period less than One Year, or is let furnished, or is let in separate Apartments, whether furnished or unfurnished, the Vestry may, if they think fit, compound with the Landlord of the Tenement for the Payment of the Rates, at such a reduced yearly Rental as the Vestry think reasonable, so that no such Tenement be rated at less than One Half of the Rackrent at which it is then let, or at less than One Half of the yearly Value thereof.

LXIX. The Landlord of every Tenement in the Parish not exceeding the yearly Rent or Value of Fifteen Pounds, or let for a less Period than for One Year, or let furnished, or let in separate Apartments, whether furnished or unfurnished, shall compound for the Rates in respect thereof; and in case the Landlord, after Notice in Writing from the Vestry, fail to compound, the Landlord, and not the Occupier, shall thenceforth be rated in respect thereof.

LXX. The aggregate Amount of all the Compositions entered into with any Landlord shall be expressed in the Rate Books and numbered therein as One Rating, and for the Purposes of this Act shall be One Rating only.

LXXI. Provided always, That no Landlord shall be rated in respect of any increased Rent reserved or payable to him on account of his having agreed to pay the Rates otherwise chargeable on the Occupiers of his Tenement.

LXXII. On Nonpayment of the Rates or Composition payable by any Landlord, the Vestry may levy the same by Distress and Sale of the Goods and Chattels of the Landlord, wheresoever found, or of the Occupiers of the Tenement found therein.

LXXIII. Provided always, That the Goods and Chattels of any such Occupier shall be liable to be distrained and sold for Payment of such only of the Rates as become due in respect of the Tenement during his Occupancy thereof.

LXXIV. Provided always, That no such Occupier shall at any Time be liable to pay any greater Sum for or towards the Rates than the Amount of the Rent actually due or payable by such Occupier to the Landlord of the Tenement so occupied.

LXXV. Every such Occupier who pays any such Rate, or on whom it is levied, may from Time to Time, unless there be an Agreement between Landlord and Tenant to the contrary, deduct the Amount thereof from the Rent due and payable from him to his Landlord of the Tenement, and the Receipt for the Payment shall be a sufficient Discharge to the Occupier for so much of his Rent, and to his Landlord for so much of the Rates.

LXXVI. After any Composition is made with the Vestry, the Rates in respect of the Tenement to which it relates shall be made according to the reduced Rental agreed on, unless and until the Vestry think proper otherwise to rate the Owner or Occupier in respect thereof.

Persons receiving Rents to be rated as Landlords, § 77.

Where Name of Landlord not known, he may be rated as "the Landlord," § 78.

No Rate payable for Tenement while unoccupied, § 79.

Unoccupied Tenement to be described in Rate Book as "empty," § 80.

LXXXI. Where during the Period for which any Rate is made any Person occupies any Tenement described in the Rate Book as being "empty," the Vestry shall insert in the Rate the Name of the Occupier, and collect from such Occupier or from the Landlord, if he be liable to pay the same, a Portion of the Rate proportioned to the Time during which such Person occupies the Tenement; and every such Person shall thereupon be deemed to all Intents to be properly rated, and all such Rates may be collected and recovered from the Person liable under the Provisions of this Act to pay in like Manner as other Rates made payable thereunder.

LXXXII. Provided always, That every Person whose Name is so inserted in the Rate, and the Landlord of the Tenement respectively, may appeal against the Rate in like Manner as he respectively might have appealed if he had been named in the Rate when it was made.

LXXXIII. All Rates whatsoever from Time to Time made by the Vestry, whether under this Act or otherwise, and from Time to Time wholly or partly in arrear, and all Penalties imposed by this Act may be recovered by summary Proceeding before any Justice, in manner provided by the Act of the Session of the Eleventh and Twelfth Years of Her Majesty, Chapter Forty-three, to facilitate the Performance of the Duties of Justices of the Peace out of Sessions within England and Wales, with respect to summary Convictions and Orders: Provided always, that the Remedies under this Act for the Recovery of Rates and Penalties are cumulative.

Complaint, Summons, and Warrant to contain all Rates in arrear, § 84.

Form of Complaint, Summons, and Warrant in Schedule to Act, § 85.

Several Names and Sums in One Complaint, Summons, or Warrant, § 86.

Constables to assist in making Distress, § 87.

Rates may be recovered in County Court, § 88.

Persons aggrieved by Rate may apply to Vestry for Relief, § 89.

XC. Where any Person having applied to the Vestry for Relief against a Rate is not satisfied with their Determination thereon, or the Vestry fail for One Month after his Application to them to determine thereon, or to give Notice to him of their Determination thereon, and where any Person feels himself aggrieved by any Order, Judgment, or Determination of any Justice in pursuance of this Act, every such Person may appeal to the Quarter Sessions to be holden within Two Months next after the Determination of the Vestry is made, or after their Failure to determine or to give Notice, or after the Order, Judgment, or Determination of the Justice.

XCI. Provided always, That the Appellant shall first give at least Seven clear Days Notice in Writing of his Intention to appeal and of the Matter thereof to the Vestry Clerk, by leaving the Notice for him at the Vestry Offices, and within Three clear Days next after such Notice shall enter into Recognizance before a Justice in the Sum of Twenty Pounds, with Two sufficient Sureties in the Sum of Ten Pounds each, conditioned to try the Appeal and to abide the Order to be made, and to pay the Costs to be awarded thereon by the Court at the Quarter Sessions, or at any Adjournment thereof.

XCII. On due Proof of the Notice to appeal being given, and of the Recognizance being entered into, the Court shall hear and determine the Matters of the Appeal in a summary Way, and may award such Costs to be paid by the Appellant or the Respondent to the other of them as the Court may think proper, and the Determination of the Court shall be final and conclusive on all Parties.

XCIII. Every Notification in Writing of the Election of a Guardian shall at all reasonable Times be open to the Inspection and Transcription of all Ratepayers and other Persons entitled, and the Board Clerk shall accordingly permit any such Person to inspect and transcribe the same, on Payment of a Fee of One Shilling; and if the Board Clerk wilfully fails to allow any such Inspection or Transcription, he shall for every such wilful Failure be liable to a Penalty not exceeding Ten Pounds.

XCIV. Where any Collector at any Time retains in his Hands any Sum of Money above Twenty Pounds, collected by virtue of this Act, for Seven Days or upwards, without paying the same to the Treasurer of the Board, every Person so offending shall for every such Offence be liable to a Penalty not exceeding Fifty Pounds, and the Penalty may be recovered by any Person, with full Costs of Suit, in any Court of competent Jurisdiction.

XCV. Where the Occupier of any Tenement, on Inquiry of him by the Vestry, or any Collector wilfully fails to disclose, or wilfully mis-states to the Vestry or to the Collector, the Name of the Landlord or of the Person receiving, or authorized or claiming to receive the Rent of the Tenement, any Justice, on Oath made before him of such Inquiry, and of such wilful Failure or wilful Mis-statement, may summon the Person who so wilfully failed or wilfully mis-stated to appear at a Time and Place mentioned in the Summons, before himself or some other Justice, and if the Person so summoned fail to attend at the Time and Place mentioned in the Summons, or attend and do not show good Cause to the Justice then present, for such Failure or Mis-statement, the Justice, on Proof, in case of Failure so to attend, of the due Service of the Summons, or on such Attendance on Proof of such Failure or Mis-statement, may impose a Penalty not exceeding Five Pounds on the Person who so wilfully failed or wilfully mis-stated.

XCVI. Where any Treasurer, Overseer, Clerk, or other Person by this Act required to pay or account for any Money to the Vestry or to the Board or their Treasurer, or to deliver any Book, Paper, Document, or Writing to the Vestry or to any of their Officers, or to the Board or to any of their Officers, wilfully fails so to do within the respective Time by this Act appointed in that Behalf, every Person so offending shall for every such Offence be liable to a Penalty not exceeding Twenty Pounds, and the Penalty may be recovered by any Person before any Justices.

XCVII. Where the Board Clerk wilfully fails to deliver an Account in Writing under his Hand to the Vestry Clerk as by this Act required, and where any Officer of the Board wilfully fails to produce any Rate Book, Account, or Minute Book of the Board to the Vestry, as by this Act required, then in every such Case every Person so offending shall for every such Offence be liable to a Penalty not exceeding Twenty Pounds, and the Penalty may be recovered by any Person before any Justices.

XCVIII. Where any Person appointed under this Act to be an Overseer fails, by Seven Days after Notice to him as by this Act provided, to take on himself the Office and Duty of Overseer accordingly, every such Person so offending shall for every such Offence be liable to a Penalty not exceeding Twenty Pounds, to be paid to the Treasurer of the Board.

Justices to act in execution of Act, § 99.

No Proceeding to be quashed for Want of Form, &c., § 100.

Notices, § 101.

Service of Notice on Vestry, § 102.

Service of Notice on Board, § 103.

Saving Rights of Poor Law Board, § 104.

Expenses of Act, § 105.

Schedule. (Forms.)

Cap. cxxxiii.

"The *Stockton and Middlesbrough* Waterworks Act, 1858."

Recites Incorporation by "The Stockton, Middlesbrough, and Yarm Waterworks Act, 1851," with a Share Capital of 22,500*l.*, and Power to borrow 7,500*l.*; and for the Purchase of the Darlington Gas and Water Works, to raise an additional Share Capital, not exceeding the Sum of 35,000*l.*; that by their Act of 1854 the Company were authorized to extend their Supply, &c. &c., and for the Purposes thereof to raise by the Creation of new Shares or Stock the several Sums of 12,000*l.* and 18,000*l.*, and to borrow any Sums of Money not exceeding in the whole, with the said Sum of

7,500*l.*, One Fourth of their Share Capital; that they have raised the whole of the said Sum of 22,500*l.* by the Creation of 1,800 Shares of 12*l.* 10*s.* each, the whole of which Shares (herein-after referred to as "Original Shares,") have been paid up in full; that they purchased a Portion of the Darlington Gas and Waterworks, and raised for such Purchase a further Sum of 10,000*l.* by the Creation and Issue of 800 Shares of 12*l.* 10*s.* each, which Shares have been paid up in full, and are herein-after referred to as "Class A. Shares;" that they have created Shares for the whole of the said Sum of 18,000*l.*, namely 1,440 Shares of 12*l.* 10*s.* each, on the whole of which Shares (herein-after referred to as "Class B. Shares,") Calls to the Amount of 7*l.* per Share have been paid; that they have created Shares for the Sum of 1,887*l.* 10*s.*, Part of the said Sum of 12,000*l.*, namely, 151 Shares of 12*l.* 10*s.* each, on the whole of which Shares (also herein-after referred to as "Class B Shares,") Calls to the Amount of 7*l.* per Share have been paid; and that they owe on Mortgage 14,600*l.*; proposes to extend Works, raise further Moneys, and repeal Acts.

Company dissolved; recited Acts repealed, § 3.

Incorporates Companies, Lands, and Waterworks Clauses Acts, § 4.

Limits of Act, § 5.

Company re-established; Saving of Rights and Liabilities, §§ 6 to 21.

Capital 92,387*l.* 10*s.*, viz. 22,500*l.* in 12*l.* 10*s.* Shares (Original Shares); 10,000*l.* in 12*l.* 10*s.* Shares (Class A.); 19,887*l.* 10*s.* in 12*l.* 10*s.* Shares (Class B.); and 40,000*l.* in 10*l.* Shares to be called Class C. Shares, §§ 22 to 27.

Power to raise 40,000*l.* by new or Class C. Shares, and to dispose of them by Auction or otherwise, and to attach a Preference not exceeding 6*l.* per Cent., §§ 28 to 35.

Limitation of Dividends on respective Classes of Shares, §§ 38, 39.

Power to borrow 8,500*l.* more, §§ 41 to 46.

Meetings; Directors, &c. §§ 47 to 57.

Auditors Accounts, §§ 58 to 60.

Works authorized, §§ 62, 63.

Power to purchase Water, § 64.

Works to be completed in Three Years, § 65.

Water need not be laid on under Pressure, § 66.

Rates at which Water is to be supplied; Supply of Water; and regulating Supply to Ironmasters, §§ 67 to 78.

Power to Justices to order Repair of Reservoirs, §§ 79 to 89.

Works affecting the North-eastern Railway to be done under Inspection of their Engineer, § 90.

For Protection of Stockton and Darlington Railway, &c., §§ 91 to 93.

Schedule. (List of present Works and Property.)

Cap. cxxxiv.

"The *North Yorkshire and Cleveland* Railway Act, 1858."

Recites the Works authorized by the Company's Acts of 1854 and 1855; proposes a Diversion and to construct new Works; to raise further Moneys; to authorize Lease or Sale of their Undertaking to the North-eastern Railway Company; and to amend Acts.

Incorporates Lands and Railways and Part of Companies Clauses Acts, §§ 1, 18.

Alterations; new Branches; Completion of, within Three Years, §§ 2 to 7.

Board of Trade Provisions, §§ 8 to 12.

Tolls, §§ 13, 31.

Power to raise 40,000*l* in Shares; and to borrow 13,000*l.* §§ 15 to 21.

Traffic and other Agreements with North-eastern Railway Company, §§ 25 to 30.

Power to purchase Wayleaves, § 32.

Power to purchase or agree for Use of Ingleby Private Branch Railway, §§ 33 to 36.

Power to abandon Mineral Branch Railway when Minerals exhausted, §§ 37, 38.

Power of North-eastern Railway Company to purchase Shares held by West Hartlepool Harbour and Railway Company, § 39.

Company empowered to sell their Undertaking to North-eastern Railway Company, §§ 40 to 46.

Power for North-eastern Railway Company to subscribe Capital; Saving of Rights and Liabilities, § 47.

Power for North-eastern Railway Company to apply existing Funds or to raise new Share Capital not exceeding 220,000*l.* towards Purchase, §§ 48, 49.

North-eastern Railway Company may exercise Borrowing Powers of Company purchased, § 50.

Restriction on Dividend applied to North-eastern Railway Company, § 51.

Power to lease to North-eastern Railway Company, §§ 52 to 55.

Arrangements with North-eastern Railway Company and West Hartlepool Company as to Use of Line to Ferry Hill, § 56.

Cap. cxxxv.

"The *Severn Valley* Railway Act, 1858."

Recites Company's Acts of 1855 and 1856.

Extends Time for completing Railway as authorized by Acts of 1855 and 1856 to Three Years from 23d July 1858; but provides that the Period referred to in Section 99. of the Act of 1855 as "the Period prescribed for the Completion of the Railway" shall mean the Expiration of Two Years from 23d July 1858.

Cap. cxxxvi.

An Act to improve the Management of the *Manchester, South Junction, and Altrincham* Railway.

Recites that the Undertaking is by virtue of the Acts recited in the Schedule vested in the London and North-western and Manchester, Sheffield, and Lincolnshire Railway Companies; that they each appoint Three Directors, which constitutes the Board, and a Chairman chosen from each Class of Directors presides alternately; that owing to the Chairman having a Casting Vote, the Decision come to at one Meeting is reversed at the next; proposes to provide for Settlement of Differences.

Chairman not to have a Casting Vote, § 1.

The Two Companies every Year to appoint joint Arbitrator, §§ 2, 3.

Powers of Arbitrator, § 4.

Rights of Public and Tolls not to be affected, § 5.

Incorporates Parts of Companies Clauses Act, § 6.

Schedule. (Acts relating to the Company.)

Cap. cxxxvii.

"The *Redditch* Railway Act, 1858."

Incorporates Companies, Lands, and Railways Clauses Acts, § 1.

Company incorporated; Capital, 35,000*l.* in 10*l.* Shares, and Power to borrow 11,500*l.*, §§ 4 to 10.

Meetings; Directors, §§ 13 to 18.

Railway and Works defined, §§ 19 to 21; to be completed in Two Years, §§ 24, 25.
One Year for compulsory Purchases, § 23.
Agreements with the Midland Railway Company, §§ 26 to 30.
Communications with Midland Railway Company, §§ 31 to 33.
Protection of Worcester and Birmingham Canal, §§ 34 to 38.
Tolls, §§ 39 to 47.

Cap. cxxxviii.

"The *Great Southern of India* Railway Act, 1858."

Recites Constitution of Company under the Joint Stock Companies Act, 1856, with Capital of 1,000,000*l.*, subject to Increase to any Amount, and with unlimited Borrowing Powers.
Avoidance of Memorandum and Articles of Association, § 3.
Saving Rights and Liabilities, §§ 4 to 8, and § 11.
Excludes Joint Stock Companies Act, 1856, and incorporates Companies Clauses Act, with certain Modifications, §§ 12, 13.
Contracts with East India Company, § 14.
Capital 1,000,000*l.*, in 20*l.* Shares, and Power to increase to 3,000,000*l.*, §§ 15 to 18.
Power to borrow 330,000*l.*, and as Capital is increased to borrow not exceeding One Third of the Amount for the Time paid up, § 28.
Meetings; Directors; Auditors, §§ 19 to 27; Proxies of Shareholders in India, § 37.
Registration of Shares and Transfer, §§ 29 to 35.
Determining Locality of Shares, § 36.
Power to contract with other Companies, § 39.

Cap. cxxxix.

"The *Plymouth Great Western* Dock Act, 1858."

Recites that the Company were by "The Plymouth Great Western Dock Act, 1846," authorized to make and maintain Docks at Mill Bay, Plymouth, and to raise 90,000*l.* in Shares of 20*l.* each, herein called "ordinary Shares," and 30,000*l.* by borrowing; that only 84,060*l.* have been paid on the Shares, the Residue of the Shares being forfeited or surrendered; that they have borrowed the 30,000*l.*; that they had Power by their Act of 1848 to raise not exceeding 60,000*l.* by Shares, and 20,000*l.* by borrowing, and to guarantee Interest upon the new Shares at a Rate not exceeding 10*l.* per Centum per Annum; that they created 6,000 Shares of 10*l.* each, herein-after called "Preference Shares," bearing Interest at the Rate of 5*l.* per Centum per Annum guaranteed in perpetuity, and payable with Arrears before any Dividend can be paid on the ordinary Shares in the Company, the Holders being also entitled to participate with the Holders of ordinary Shares in any surplus Revenue after Payment of 4*l.* per Centum per Annum on Shares of the latter Class; that with the Exception of a small Amount, the said Preference Shares have been fully paid up, and there is now due to the Holders of the same an Arrear of Interest amounting to 12,220*l.* 1*s.* 9*d.*, calculated up to the 31st October 1857; that they have borrowed the Sum of 20,000*l.* under the Powers of the last-recited Act, which is secured by Mortgages; that by some of the recited Acts, the Great Western Railway Company, the Bristol and Exeter Railway Company, and the South Devon Railway Company were respectively authorized to subscribe for and hold Shares in the Company; that by their Act of 1855, the Company were authorized to raise not exceeding 72,000*l.* by Shares and 24,000*l.* by borrowing, and it was provided that such new Shares should not have any Preference or Priority over the existing Preference Shares, but might, with the Consent of Four Fifths of the Votes of the Holders of such Preference Shares, present at a Meeting duly convened for the Purpose, be created and issued on an Equality as regards Payment of Dividend with those Shares, and that they were so issued; that the Company have been unable to dispose of more than 287 of the last-mentioned Preference Shares, but such Shares have been paid up in full, and there is now due to the Holders of the same an Arrear of Interest amounting to the Sum of 58*l.* 11*s.* 5*d.*, calculated up to the 31st October 1857; that they are also indebted, and have given special Securities to the Amount of 23,600*l.*; that there are floating Balances and Liabilities due and owing from and to be provided for by, the Company, estimated at the Sum of 10,876*l.* 0*s.* 8*d.*, or thereabouts; that they are unable to borrow by reason of their Capital not being subscribed for; that they have still Power to raise by ordinary Shares 5,940*l.*, by Preference Shares 69,130*l.*, and (subject to the Restriction herein-before mentioned) by borrowing 24,000*l.*; proposes to obtain further Powers, to enable the South Devon Railway Company to make Arrangements for raising further Funds, to authorize Arrangements with Creditors, and to authorize Sale or Lease of Undertaking.
Power of borrowing 24,000*l.* under Act of 1855 may be exercised, § 2.
Application of Money to be raised by borrowing, § 3.
Power for South Devon Railway Company to guarantee Interest on Money borrowed, § 4.
Money guaranteed by South Devon Railway Company not to be expended without their Consent, § 5.
Power to create Debenture Stock at Rate not exceeding Five per Cent., § 6.
Application of Moneys, § 7.
Holders of Debenture Stock not to vote, but to have Rights of Mortgagees except as to Principal, § 8.
Cancelling ordinary Shares to the Extent of 5,940*l.*, § 9.
Power to Company to attach a Privilege to Shares to the Amount of 40,000*l.*, to be created and issued in lieu of cancelled and unissued Shares, § 10.
Appropriation of privileged Shares in liquidation of special Securities, § 11.
Power to agree with Holders of special Securities to accept Shares in discharge thereof, § 12.
Power to capitalize Arrears of Interest, § 13.
Power for South Devon Railway Company to guarantee for Twenty-one Years Debenture and privileged Shares, § 14.
Saving Rights of Preference Shares in South Devon Railway Company, § 15.
Saving Rights of Preference Shareholders in Company, § 16.
Certain Provisions of Companies Clauses Act and Company's Act of Incorporation to apply to the privileged Shares created and issued under this Act, § 18.
Power for Company to lease or sell their Undertaking, §§ 20 to 22.
Power to let Land for the Construction of Warehouses and other Buildings, § 23.
Provisions as to Goods deposited in Warehouses, §§ 24 to 29.
Saving Rights of Duchy of Cornwall and of Admiralty, §§ 31, 32.

Cap. cxl.

"The *Middlesbrough* Improvement Act, 1858."

Recites 4 & 5 Vict. c. lxviii. (the First Improvement Act), and 19 & 20 Vict. c. lxxvii., "The Middlesbrough Improvement Act, 1856;" the Incorporation of the Inhabitants into a Municipal Borough; the Application of "The Public Health Act, 1848;" and that a Site for a Market had been

purchased and a Market Place provided; proposes to extend the Boundaries of the Borough, to confirm an Agreement with the West Hartlepool Harbour and Railway Company respecting a Wharf and Landing Place on the South of the River Tees; to establish a Second Ferry; to raise further Moneys, and alter and amend Acts.
Limits of Borough extended, §§ 3 to 10.
Execution of Act, §§ 11, 12.
Lands Clauses, and Parts of Harbours and Docks Clauses Acts incorporated, §§ 13 to 15.
Power to enlarge Market, § 16.
Agreement with West Hartlepool Harbour and Railway Company respecting Landing Place, confirmed and enforced, §§ 17 to 23, and §§ 48, 49.
Power to construct Landing Place on North Side of River Tees, § 24.
Admiralty Provisions, §§ 25 to 29.
Power to lay Trams and form Junctions with Clarence Railway, and to use Landing Place for public Passage, §§ 30, 31.
Power to establish Boats on new Passage, and erect Sheds, &c., §§ 32, 33.
Tolls; Penalties; Power to lease Tolls; Byelaws, §§ 34 to 47.
Provisions in case the Corporation make Port Clarence a Landing Place, § 48.
Application of Tolls, &c. from new Landing Place, § 50.
Power to borrow 8,000*l.* on Credit of Tolls, §§ 51 to 53.
Sinking Fund; Separate Accounts; Reduction of Tolls, §§ 54 to 58.
Repeal of Provisions of Second Improvement Act preventing Corporation from acquiring Land, &c. on North of River, § 59.
Corporation to repair Approaches to new Passage for Ten Years, § 60.
Local Board may apply existing Funds for Purposes of Act, § 61; or may raise Money by Annuities, terminable in Thirty-five Years, §§ 63 to 69.
Provisions relating to Supply of Gas, §§ 70 to 73.
Local Board to be the Burial Board, § 74.
Saving Rights of Crown; of T. Hustler, Esq.; of Surveyors of Township of Linthorpe; of Local Board; and of Tees Conservancy Commissioners, §§ 74 to 84.
For making good Deficiency in Highway Rates in Ormesby, § 81.
Schedule. (Agreement, Tolls, and Forms.)

Cap. cxli.

"The *Tees* Conservancy Act, 1858."

Recites that by "The Tees Conservancy and Stockton Dock Act, 1852," the Tees Conservancy Commissioners were incorporated, and all the Property, Debts, and Liabilities of the Tees Navigation Company, and the Management and Conservancy of the River Tees, within the Limits prescribed by the said Act, were vested in them, with Power to light, maintain, and manage the said Navigation, and to execute certain Works for the Improvement thereof; the Works in the said Act first described as the Channel from Middlesbrough to the Ninth Buoy Anchoring Pool being the Works by the said Act first directed to be executed; and that those Works by "The Tees Conservancy Act, 1854," to an Amount not exceeding 25,000*l.* were made a First Charge on the Tees Conservancy Capital Account; proposes to repeal existing Restriction against their deriving Benefit from Lands reclaimed; to purchase and manage Fisheries below Stockton Bridge; also to enable the Commissioners to raise the Sum required to purchase and extinguish certain Mortgages amounting to 32,000*l.*, by charging an additional Tonnage Rate or other Toll upon all Vessels entering the River, and by raising Money upon Mortgage thereof; to vary the Application of some Portions of the Moneys by the secondly-recited Act directed to be applied to specified Works; to facilitate the raising of the Moneys required for the Purposes of the first-recited Act, by authorizing the Stockton and Darlington Railway Company to lend Money to the Commissioners, and to guarantee the Payment of the Principal and Interest of Moneys to be hereafter borrowed by the Commissioners; to transfer to the Commissioners certain Dues or Charges respectively known as Anchorage and Plankage Dues, to be applied for the Benefit of the River; to take additional Tolls, &c.; to amend Acts, and to acquire further Powers.
Limits of and Execution of Act, §§ 2 to 5.
Incorporates Lands Clauses and Parts of Harbours and Docks Clauses Acts, § 6.
Provisions regulating the Reclamation of Lands; Rights of Pre-emption; Arbitration; and Mortgages, §§ 7 to 48.
Power of selling and dealing with reclaimed Lands; Rights of Mortgagees, §§ 49 to 55.
Water Bailiffs, their Powers, §§ 57 to 60.
Power to purchase Rights of Fisheries; to make Byelaws for Fisheries, §§ 62 to 65.
Power to apply Moneys to Purchase of Mortgages; Sinking Fund, §§ 66 to 68.
Mode of discharging Mortgage Debts, § 69.
Power to charge additional Tonnage Rate to pay off the Mortgages, §§ 69 to 71.
Description of "Works of Maintenance" of River Tees and its Navigation, § 72.
Power to vary the Application of Moneys, § 73.
Power for Stockton and Darlington Railway Company to lend or guarantee Loans not exceeding 40,000*l.*, § 74.
Transfer of Anchorage and Plankage Dues to the Commissioners, § 75.
Consideration for Anchorage and Plankage Dues, §§ 76 to 78.
Power to borrow 7,100*l.* on Mortgage of Anchorage and Plankage Dues and Revenue Account, §§ 79, 80.
Payments may be made by Commissioners by Mortgages; Limit of Mortgages to be issued in Payment, § 81.
Anchorage and Plankage Dues to be carried to a separate Account, § 82.
Defining Anchorage and Plankage Dues, § 83.
Sinking Funds to be invested, § 84.
Admiralty Provisions, §§ 85 to 90.
Certain Provisions of Act not to apply to certain Lands belonging to Mr. Joseph Pease, § 91.
Works of Reclamation not to interfere with Jetty and Landing Place at Eston, § 93.
Saving Rights of the Crown and of Lords of Manors and Land Owners, §§ 94, 95.
Schedule. (Fisheries to be purchased, and Tolls.)

Cap. cxlii.

"The *Worcester and Hereford* Railway Act, 1858."

Recites 16 & 17 Vict. c. clxxxiv.; that it is expedient to extend the Time for constructing the Railway; to commute the Compensation Money payable by the Company in respect of certain Common Lands into an annual Rentcharge; to vest provisionally in the Newport, Abergavenny, and Hereford Railway a certain Junction Railway made by them under certain Conditions, and to empower that Company, the Oxford, Worcester, and Wolverhampton Railway Company, and the Midland Railway Company to subscribe Capital towards the Worcester and Hereford Railway.

Time for completing the Railway extended till August 15, 1861, § 2.
Common Lands in Great Malvern may be sold on Chief Rents, §§ 3 to 6.
Portion of Railway at Hereford vested in Newport, Abergavenny, and Hereford Railway Company, § 7.
Power to Worcester and Hereford Company in certain Event to repurchase the same, §§ 8 to 10.
The Newport, Abergavenny, and Hereford, the Oxford, Worcester, and Wolverhampton, and the Midland Railway Companies may subscribe not, exceeding 37,500*l.* to Worcester and Hereford Railway, §§ 40 to 43.

Cap. cxliii.

"*Lancashire and Yorkshire* and *East Lancashire* Railways Act, 1858."

Recites 9 & 10 Vict. c. ccclv.; that it is expedient that a Part of the Barnsley Railway now under Lease to the Lancashire and Yorkshire Company should be vested in that Company, and the Barnsley Company dissolved.
Power to East Lancashire Railway Company to abandon the Burscough Branch of the Manchester and Southport Railway; Contracts, &c. saved, §§ 2, 3.
For providing a better Passenger Station at Wigan, § 4.
Vesting Barnsley Railway in Lancashire and Yorkshire Company, § 6.
Lancashire and Yorkshire Company to create guaranteed Stock to Amount of 260,050*l.* bearing Dividend of 5*l.* 3*s.* 10*d.* per Annum, to be given to Barnsley Shareholders in lieu of their Shares in that Company, §§ 7, 8.
Winding up of Affairs of Barnsley Company, § 9.

Cap. cxliv.

"*Limerick and Castle Connell* Railway (*Killaloe*) Extension Act, 1858."

Recites 18 & 19 Vict. c. lxxvi.
Lands Clauses and Railways Clauses Acts incorporated, § 3.
Power to raise 37,000*l.* in 10*l.* Shares, and to borrow on Mortgage 12,333*l.*, §§ 4 to 7.
Voting by respective Classes of Shareholders, § 8.
Mortgages under this Act to attach to Extension Railway only, § 10.
Application of Moneys; separate Accounts; distinct Liabilities; Tolls and Revenue, §§ 12 to 16.
Midland Great Western Railway may subscribe 10,000*l.*, § 17.
Limerick and Castle Connell Railway Company may contribute 8,000*l.* by way of Loan, § 18.
Railway and Works, §§ 19 to 21.
Board of Trade Provisions, §§ 22 to 25.
Regulating Junction with Castle Connell Railway, §§ 26 to 28.
Time for compulsory Purchases Two Years; for completing Railway Three Years, §§ 29 to 31, and § 43.
Saving Rights of Commissioners of Shannon Navigation, § 32.
Tolls, §§ 33, 34.
Power to attach Preference not exceeding 6*l.* per Cent. to 8,000*l.* of unissued Shares, §§ 35 to 39.

Cap. cxlv.

"*West End of London and Clapham and Norwood Junction* Railway Abandonment Act, 1858."

Recites 17 & 18 Vict. c. ccv. for making the Westminster Terminus Railway; the 18 & 19 Vict. c. cxcviii. authorizing an Extension of the same from Clapham to Norwood; the 19 & 20 Vict. c. cxxx. authorizing the Abandonment of the Line across the Thames and the Formation of a Junction with the Crystal Palace Railway; and the 20 & 21 Vict. c. cxliii. empowering the Company to abandon the Line described in the Act secondly above mentioned; proposes to authorize the Abandonment of the Undertaking described in the Act of the 19 & 20 Vict.
Power to abandon the remaining Part of the Railway authorized by the Act of 17 & 18 Vict., and the Railway authorized by the Act of the 19 & 20 Vict.; Compensation, §§ 2 to 4.
Deposit Money to be repaid, § 5.
Application of Money in Hands of Company at its Dissolution, § 6.

Cap. cxlvi.

"The *South Wales* Railway Act, 1858."

Recites 18 & 19 Vict. c. xcviii.; that it is expedient to amend the same.
Incorporates Lands Clauses Act, § 2.
Power to take Land near Newport for Purposes of Railway, § 3.
Compulsory Powers limited to Two Years, § 4.
Section 83. of recited Act repealed; Compensation, §§ 5, 6.
Power to apply Corporate Funds to Purposes of Act, § 7.

Cap. cxlvii.

"*Vale of Towy* Railway Leasing Act, 1858."

Recites Llanelly Railway Act, 16 & 17 Vict. c. clxix., and Vale of Towy Railway Act, 17 & 18 Vict. c. cl.; proposes to authorize a Lease of the Towy Railway to the Llanelly Company.
Power to lease; relative Obligations of Lessors and Lessees, §§ 3 to 6.
Rents received by Llanelly Company to be applicable to general Liabilities of Company and then divisible as Profits, § 7.

Cap. cxlviii.

"The *Atlantic* Telegraph Amendment Act, 1858."

Recites the "Atlantic Telegraph Act, 1857," 20 & 21 Vict. c. cii.; and that further Powers of raising Capital are required.
Power to attach a Preference Dividend to any new Shares to be created under the recited Act, § 3.
Repeal of Section 17. of recited Act; Power to borrow not exceeding 100,000*l.* on Mortgage, § 4.
Power given to Secretary of State by Section 62. of recited Act further suspended, § 5.
Works connected with the Thames to be subject to Jurisdiction of Conservators, § 6.
Pipes in City of London not to be laid down without Consent, § 7.

Cap. cxlix.

"*Clyde* Navigation Consolidation Act, 1858."

Recites the several Acts for improving the Navigation of the Clyde, ending with the 20 & 21 Vict. c. xcii.; that under these Acts the Trustees were authorized to borrow a Sum of 1,504,350*l.* 17*s.* 9*d.*; that they have borrowed and expended 1,013,000*l.*; that the Increase of Trade and Shipping makes further Accommodation necessary; that it is expedient to increase and adjust the Rates on Vessels and Goods so as to afford Security for the Moneys borrowed; to amend and consolidate the recited Acts, and to alter the Constitution of the River and Harbour Boards.
Recited Acts repealed, § 3.

Lands Clauses (Scotland) Act incorporated, § 4.
Commissioners Clauses Act and Harbours and Docks Clauses Act incorporated, §§ 5, 6.
New Trustees incorporated, § 8.
Mode of electing Trustees; Qualifications of Trustees and of Electors; Supply of Vacancies, §§ 9 to 30.
Committees and Meetings of Trustees; Officers; Byelaws, §§ 31 to 39.
Agreements to be enforced; Rights and Liabilities continued, §§ 40 to 44.
Borrowing Powers of Trustees; Bonds; Registers; Transfers, §§ 45 to 63.
Sinking Fund; Mortgage Debt may be funded, §§ 63 to 69.
Auditors; Accounts, §§ 71, 72.
Limits of Harbour and of River defined, §§ 73 to 76.
Admiralty Provisions, §§ 77 to 80.
Saving of pending Actions; of Rights of Proprietors; and of Ferries, §§ 83 to 95.
Rates on Vessels and Goods, §§ 97, 98.
Rates for Sheds, Warehouses, Cranes, &c.; Exemptions from Rates, §§ 99 to 113.
Ferry Boats and Rates for Ferries, §§ 114 to 116.
Byelaws, § 119.
Harbour and River Police, §§ 120 to 126.
Harbour and Dock Masters, § 127.
Pilot Board; Appointment and Meetings of; Regulations as to Pilots, §§ 128 to 139.
Penalties and Proceedings, §§ 140 to 142.
Saving Rights of Crown; of Magistrates of Greenock and Port Glasgow; Magistrates of Renfrew; Glasgow and South-western Railway; Forth and Clyde Canal Company; Proprietors of Salmon Fishings, &c., §§ 145 to 150.
Schedules. (Reserved Provisions of repealed Acts; Forms; Tables of Rates.)

Cap. cl.

"The *Warrington and Stockport* Railway Capital Act, 1858."

Recites 14 & 15 Vict. c. lxxi., incorporating the Company, and the subsequent Acts of 16 & 17 Vict. c. cxxii. and 16 & 17 Vict. c. ccxviii.; states the Financial Powers and Operations of the Company under their several Acts; viz., that the total Amount of ordinary Capital which they are authorized to raise is—

	£
By the Act of 1851	180,000
By the First Act of 1853	110,000
By the Second Act of 1853	10,000
Total £	300,000

And the Amount raised under the Act of 1851 and the Second Act of 1853 together is—

	£
On Seventeen thousand and eight Shares: Paid up £169,600	
Unpaid, but considered recoverable 480	170,080
On Four hundred and ninety-two Shares issued, but forfeited	Nil.
On One thousand five hundred Shares issued as Security	Nil.
£	170,080

	£
And the Amount raised under the First Act of 1853 is	Nil.
But the Company have received by way of Deposit on Shares subscribed for before the passing of that Act	1,918

So that the Company have raised in respect of Share Capital—

Under the Act of 1851 and the Second Act of 1853, together	170,080
For the Purposes of the First Act of 1853	1,918
Total Capital raised £	171,998

Recites further, that the Company have borrowed 62,700*l.*, Part of the total Sum of 99,600*l.* which they are authorized to borrow; that it is expedient that the forfeited Shares, Part of the 19,000 Shares authorized by the Act of 1851 and the Second Act of 1853 together, and also such of the Shares authorized by the First Act of 1853 as have not been issued, should, subject to the Provisions herein-after contained, be cancelled; and that the 1,500 Shares, Part of those 19,000 Shares which have been issued by way of Security, but on which nothing has been paid, be cancelled, with the Consent of the Holders thereof, and of the Lenders of the Money for which they are issued as Security; and that the Company be authorized to issue new Shares instead of Shares cancelled under this Act; and that the Company be authorized to borrow further Sums; also, that Provision be made for the eventual Conversion of the Mortgage and Bond Debt of the Company into a Debenture Stock of like Amount, and having, with respect to the Payment of Interest or Dividend thereon, like Priority as that Debt; and that other Provisions with respect to the Company be made.

Certain Provisions of 8 & 9 Vict. c. 16. incorporated, § 2.

IV. On the passing of this Act the Shares created under the Act of 1851 and the Second Act of 1853 together, and which have been forfeited, are by this Act cancelled, and all Rights, Claims, and Liabilities in respect thereof are by this Act absolutely extinguished.

V. With respect to the One thousand five hundred Shares which have been issued as Security, and which were created under the Act of 1851 and the Second Act of 1853 together, the Company from Time to Time, with the Consent in Writing of the Holder of any of those Shares, and of the Lenders of the Money for which they are issued as Security, and with the Sanction of a General Meeting of the Company, may resolve that the Share be cancelled, and immediately thereupon the Share shall be cancelled, and all Rights, Claims, and Liabilities in respect thereof shall be absolutely extinguished; but until the Cancellation thereof the Shares, and after the Cancellation thereof any new Shares which may be issued in lieu thereof under this Act, shall, but without Prejudice to the Liability of the said Six Directors or any of them, continue and be a Security as aforesaid, for the Purpose of repaying the said Sum of 15,000*l.* and Interest, and (subject thereto) for the Purpose of indemnifying the said Six Directors, and during the Continuance of such Security shall entitle the Holders of the said respective Shares, and the Parties claiming Repayment and Indemnity as aforesaid, to all Rights, Claims, and Benefits in respect of such Shares, as if they were Shares absolutely paid up in full, anything in this Act contained to the contrary notwithstanding.

VI. After the passing of this Act, the Capital of 110,000*l.* authorized by the First Act of 1853 shall be divided into 11,000 Shares of 10*l.* each, and the Sum of 1,918*l.* received by the Company by way of Deposit shall be deemed to have been paid on 1,918 of such Shares after the Rate of 1*l.* on every Share.

Company to give Notice of Provisions of this Act relating to such Deposits, § 7.

Company to issue Shares to Persons who paid Deposits, if they apply for them, § 8.

Such of the said Shares as are not taken to be cancelled, and Deposits forfeited, § 9.

X. On the passing of this Act, the 9,082 Shares, representing the Remainder of the Capital authorized by the First Act of 1853, are by this Act cancelled, and all Rights, Claims, and Liabilities in respect thereof are by this Act absolutely extinguished.

XI. The total Share Capital of the Company on the passing of this Act shall be the Sum of 225,000*l.*, being—

	£
The aggregate Amount of the Capital authorized by the Act of 1851 and the Second Act of 1853 - - - -	190,000
And of the Capital of 110,000 authorized by the First Act of 1853 - - -	35,000
	£225,000

Power to create new Shares with preferential Dividend of 5*l.* per Cent. in lieu of cancelled Shares, §§ 12 to 17.

Appropriation of new Shares, §§ 18 to 23.

Borrowing Powers under recited Acts to cease, § 29.

Power to borrow on Mortgage not exceeding 75,000*l.*, §§ 30 to 34.

Power to create Debenture Stock to the Extent of 75,000*l.*; Rights and Restrictions attaching to Debenture Stock, §§ 38 to 42.

Total Amount of Capital, Debenture Stock, and Mortgage Debt never to exceed 300,000*l.*, § 45.

Saving of Rights under existing Acts, § 48.

PRIVATE ACTS,

PRINTED BY THE QUEEN'S PRINTERS,

AND WHEREOF THE PRINTED COPIES MAY BE GIVEN IN EVIDENCE.

N.B.—*To each of these Acts is annexed a Clause in the Form following:*

" This Act shall not be a Public Act, but shall be printed by the several Printers to the Queen's most Excellent Majesty " duly authorized to print the Statutes of the United Kingdom, and a Copy thereof so printed by any of them shall be ' admitted as Evidence thereof by all Judges, Justices, and others."

Cap. 1.

An Act for enabling Mining Leases to be granted of an Estate in the North Riding of *Yorkshire* late of *Henry Darley* Esquire, deceased, and for other Purposes, and of which the Short Title is "*Darley's* Estate Act, 1858." [12th *July* 1858.]

Cap. 2.

An Act to confirm certain Arrangements with regard to the Trust Estate of the late *George* Viscount *Keith*, and to enable his Trustees to carry the same into effect. [12th *July* 1858.]

Cap. 3.

An Act for confirming and giving Effect to an Agreement for a Lease by the *Westminster* Improvement Commissioners of Land in *Victoria Street* and *Tothill Street* in the City of *Westminster* to the *Westminster Palace* Hotel Company, Limited, and of which the Short Title is "*Westminster Palace* Hotel Company's Act, 1858." [23d *July* 1858.]

Cap. 4.

An Act to authorize the raising of Money to be expended in permanent Improvements on the Entailed Estates of *Braco, Marr, Carraldstoun,* and others, and the granting of Feus and long Leases of Parts of the said Estates. [23d *July* 1858.]

Cap. 5.

An Act for vesting Estates of the late Mr. *Henry Holroyd* deceased in Trustees for Sale; and for authorizing Grants in Fee and Building Leases for long Terms of Years of the same Estates; and for other Purposes. [23d *July* 1858.]

Cap. 6.

An Act to grant further Powers and to make further Provisions in respect to the Estates subject to the Trusts of the Will of *Benjamin Hall* Esquire, deceased. [23d *July* 1858.]

Cap. 7.

An Act for authorizing the Trustees of the late *James Davidson* of *Ruchill* to sell Part of his Lands of *Ruchill, Garrioch,* and *Balgray,* in the County of *Lanark,* and to reinvest the Prices of such Lands; and for other Purposes. [2d *August* 1858.]

Cap. 8.

Act Act for regulating the *Dundonald* Bursaries in the University and College of *Glasgow;* and for other Purposes. [2d *August* 1858.]

Cap. 9.

An Act for authorizing Mining, Building, and other Leases, the obtaining of the Enfranchisement of Copyholds and the Renewal of Leases, and the making of Partitions, Sales, and Exchanges of the Estates devised and bequeathed by the Will of *Henry Belward Ray* Esquire, deceased; and for other Purposes. [2d *August* 1858.]

Cap. 10.

An Act to amend an Act of the Parliament of *Ireland,* passed in the Eleventh and Twelfth Years of the Reign of King *George* the Third, intituled *An Act for vesting the Estate of the Right Reverend Father in God Doctor* John Stearne, *late Lord Bishop of* Clogher, *deceased, in Trustees, in trust for carrying the charitable and other Bequests of his Will into execution.* [2d *August* 1858.]

TABLES

SHOWING THE EFFECT OF THE YEAR'S LEGISLATION.

TABLE I.

[In Order of Cap.]

21 & 22 Vict. Cap.	Effect.	Act affected.	Subject of Act affected.
I. s. 2	Suspends temporarily	7 & 8 Vict. c. 32.	Bank Act.
III. s. 9.	Applies	5 & 6. Will. 4. c. 64. s. 4.	Stamps and Assessed Taxes.
IV.	Continues for a Year	20 & 21 Vict. c. 82.	Militia Embodiment.
X. s. 4.	Explains	5 & 6 Vict. c. cv.	Toxteth Park (Local).
s. 5.	Incorporates	11 & 12 Vict. c. 63.	Public Health.
XI.	Repeals	Part of Schedule 1. of 55 Geo. 3. c. 184.	Stamp Duties.
XIV.	Applies	17 & 18 Vict. c. 23. ss. 16, 17, 18, 19.	Exchequer Bonds.
XV. s. 2.	Alters	18 Vict. c. 22.	Excise Duties.
s. 6.	Defers	19 & 20 Vict. c. 34.	" "
XIX.	Continues	3 & 4 Vict. c. 110.	Loan Societies.
	Defers	20 & 21 Vict. c. 41.	" "
XX.	Applies	The Stamp Acts.	
XXIII.	Repeals	4 & 5 Will. 4. c. 61. ss. 16–22.	Erection of Public Bridges (Ireland).
XXIV.	Alters	Schedule of 55 Geo. 3. c. 84.	Stamp Act.
XXV. s. 3.	Applies	3 & 4 Vict. c. 92. ss. 5–19.	Non-parochial Registers.
s. 4.	Amends	6 & 7 Will. 4. c. 86.	Registration of Births, Deaths, and Marriages.
s. 5.	Amends	" " ss. 25. 28.	" " "
s. 6.	Partly repeals	6 & 7 Will. 4. c. 85.	Marriages.
		6 & 7 Will. 4. c. 86.	Registration of Births, Deaths, and Marriages.
s. 7.	Partly repeals	16 & 17 Vict. c. 100.	Vaccination.
XXVI.	Repeals	9 Anne, c. 5.	Qualification of Members of Parliament.
		33 Geo. 2. c. 20.	
		59 Geo. 3. c. 37.	
		1 & 2 Vict. c. 48.	
	Partly repeals	39 & 40 Geo. 3. c. 67.	Union of England and Ireland.
		40 Geo. 3. c. 38. (I.)	
		41 Geo. 3. c. 101.	Elections and Qualifications of Members of Parliament.

Effect of the Year's Legislation—*continued.*

21 & 22 Vict. Cap.	Effect.	Act affected.	Subject of Act affected.
XXVIII.	Continues for a Year	19 & 20 Vict. c. 36.	Preservation of the Peace (Ireland).
XXXIII.	Explains	15 & 16 Vict. c. 81. s. 51.	County Rates.
XXXIV.	Continues	14 & 15 Vict. c. 70.	Railways (Ireland).
XXXV.	Explains	16 & 17 Vict. c. 107.	Customs.
XXXVII.	Saves	14 & 15 Vict. c. 43.	Disafforesting the Forest of Hainault, in Essex.
XXXVIII.	Repeals Parts of	18 & 19 Vict. c. 18.	For raising a Sum of 16,000,000*l.* by way of Annuities.
		19 & 20 Vict. c. 6.	For raising 5,000,000*l.* by Annuities.
		19 & 20 Vict. c. 21.	For raising a further Sum of 5,000,000*l.* by Annuities.
XXXIX.	Further suspends Parts of	42 Geo. 3. c. 90.	Militia.
XL. s. 2.	Incorporates	Parts of 8 & 9 Vict. c. 19.	Lands Clauses Consolidation Act (Scotland).
s. 7.	Applies	15 & 16 Vict. c. 28.	Act to vest Courts of Justice in Edinburgh in Commissioners of Works.
XLI.	Extends Time	19 & 20 Vict. c. 62.	Navigations and Drainage (Ireland).
XLII.	Extends to Ireland	2 & 3 Will. 4. c. 71.	Shortening the Time of Prescription.
XLIII. s. 1	Explains	5 & 6 Will. 4. c. 76.	Municipal Corporations.
s. 2.	Incorporates unrepealed Parts of	59 Geo. 3. c. 12.	Relief of the Poor.
XLIV. s. 5.	Repeals	19 & 20 Vict. c. 95.	University of Oxford, &c. (Power to sell and exchange Lands).
		19 & 20 Vict. c. 88. s. 48.	University of Cambridge, &c. (Good Government and Extension).
s. 30.	Excludes	18 Eliz. c. 6.	Universities of Oxford and Cambridge and Colleges of Winchester and Eton.
XLV.	Explains	6 Will. 4. c. 19.	Separation of Palatine Jurisdiction from Bishopric of Durham.
		3 & 4 Vict. c. 113.	Act to confirm Fourth Report of Ecclesiastical Commissioners.
s. 4.	Applies	10 Geo. 4. c. 50.	Management of Woods and Forests and Land Revenues of the Crown.
XLVI.	Extends Operation of	12 & 13 Vict. c. 68.	Marriages of British Subjects resident abroad.
ss. 2. 3.	Applies	6 & 7 Will. 4. c. 86.	Registration of Births, Deaths, and Marriages.
XLVIII.	Partly repeals and applies	13 Will. 3. c. 6.	Acts relating to Oath of Abjuration.
		6 Geo. 3. c. 53.	
		1 Will. & Mary, c. 8.	Act relating to Oaths of Allegiance and Supremacy.

Effect of the Year's Legislation—*continued.*

21 & 22 Vict.	Effect.	Act affected.	Subject of Act affected.
Cap. XLVIII. s. 5.	Extends	9 Vict. c. 52.	Relief of Persons of Jewish Religion appointed to Municipal Offices.
s. 6.	Saves	10 Geo. 4. c. 7.	Roman Catholic Relief Act.
L.	Continues	10 & 11 Vict. 98.*	Ecclesiastical Jurisdiction.
LI.	Partly continues	16 & 17 Vict. c. 137. 18 & 19 Vict. c. 124.	Charitable Trusts. Charitable Trusts Amendment.
LIII.	Partly continues	14 & 15 Vict. c. 53.	Copyhold and Inclosure Commission and Tithe Commutation (Consolidation).
LV.	Revives and continues	18 & 19 Vict. c. 4.	Service in the Army.
LVI. s. 16.	Applies	55 Geo. 3. c. 184. ss. 40, 41, 42, 43. 56 Geo. 3. c. 56. 48 Geo. 3. c. 149.	Stamp Act. Stamp Act (Ireland). Stamp Duties on Deeds, &c.
LVII. s. 6.	Saves	14 & 15 Vict. c. 104.	Management, &c. of Episcopal and Capitular Estates in Scotland.
s. 7.	Saves	6 & 7 Vict. c. 37.	Spiritual Care of populous Parishes.
ss. 10, 11.	Partly repeal and amend	5 & 6 Vict. c. 108.	Ecclesiastical Leasing Act.
LIX.	Amends and explains	14 & 15 Vict. c. 72. ss. 2–29. 30.	Erection and Endowment of Churches, Chapels, &c. (Ireland).
LX.	Amends	20 & 21 Vict. c. 14.	Joint Stock Companies Act, 1857.
LXII.	Continues	11 & 12 Vict. c. 107 16 & 17 Vict. c. 62.	Prevention of Contagion among Sheep, Cattle, and other Animals.
LXIV.	Amends	14 & 15 Vict. c. 68.	Medical Charities and Relief of the Poor (Ireland).
LXV.	Amends Repeals	20 & 21 Vict. c. 72. „ „ s. 8	Police in Counties and Boroughs (Scotland).
LXVI.	Amends and partly repeals	9 & 10 Vict. c. 39.	Chelsea Bridge Act.
LXVII.	Repeals	4 Geo. 4. c. 64. s. 24. 2 & 3 Vict. c. 56. s. 10. 5 & 6 Will. 4. c. 76. Part of s. 86. 2 & 3 Vict. c. 71. Part of s. 15. 7 & 8 Vict. c. 101. s. 11. 10 & 11 Vict. c. 82. Part of s. 11.	Gaols and Houses of Correction. Better Ordering of Prisons. Municipal Corporations. Metropolitan Police Courts. Poor Law Amendment. Trial of Juvenile Offenders.
LXVIII.	Extends	2 & 3 Vict. c. 93. 3 & 4 Vict. c. 88.	Detached Parts of Counties.

* N.B. Part of this Statute has been repealed.

Effect of the Year's Legislation—*continued.*

21 & 22 Vict. Cap.	Effect.	Act affected.	Subject of Act affected.
LXX. -	Amends - -	5 & 6 Vict. c. 100. - -	Copyright of Designs Act, 1842.
	Applies - -	9 & 10 Vict. c. 95. - -	County Courts Acts.
		12 & 13 Vict. c. 100. -	
LXXII. s. 36. -	Applies - -	41 Geo. 3. c. 90. - -	Recovery of Debts due to His Majesty, &c.
s. 46. -	Applies - -	19 & 20 Vict. c. 120. -	Leases and Sales of Settled Estates.
s. 64. -	Applies - -	16 & 17 Vict. c. 64. -	Sale and Transfer of Incumbered Estates in Ireland.
s. 66. -	Applies - -	13 & 14 Vict. c. 60. -	Trustees.
		15 & 16 Vict. c. 55. -	
s. 70. -	Applies - -	10 & 11 Vict. c. 96. -	Better securing of Trust Funds and Relief of Trustees.
		11 & 12 Vict. c. 68. -	
LXXIII. s. 5. -	Explains - -	11 & 12 Vict. c. 43. s. 22.	Performance of Duties of Justices out of Sessions.
ss. 6, 7.	Amend - -	2 & 3 Vict. c. 71. s. 18. -	Metropolitan Police Courts.
s. 8. -	Repeals - -	59 Geo. 3. c. 28. - -	Power to Magistrates to divide Court of Quarter Sessions.
		7 Will. 4. & 1 Vict. c. 19. s. 4. - - -	Division of Court of Quarter Sessions.
		5 & 6 Vict. c. 38. s. 4. -	Jurisdiction of Justices in Quarter Sessions.
LXXIV. s. 1. -	Repeals - -	9 & 10 Vict. c. 95. s. 19. -	County Courts.
s. 4. -	Amends - -	19 & 20 Vict. c. 108. s. 43.	County Courts Acts Amendment.
s. 5. -	Repeals - -	17 & 18 Vict. c. 125. s. 3.	Common Law Procedure Act, 1854.
LXXV. s. 1. -	Amends - -	7 & 8 Vict. c. 85. - -	Regulation of Railways.
s. 3. -	Amends - -	8 & 9 Vict. c. 42. -	Carriage of Goods by Canal Companies.
LXXVI. ss. 25, 26.	Apply - -	11 & 12 Vict. c. 36. -	Amendment of the Law of Entail (Scotland).
		16 & 17 Vict. c. 94. -	Act to extend same.
s. 33. -	Applies - -	6 & 7 Will. 4. c. 33. -	Erasures in Instruments of Sasine, &c. (Scotland).
LXXVII. - -	Amends - -	19 & 20 Vict. c. 120. -	Settled Estates Act, 1856.
LXXXIII. s. 3.	Excludes -	16 & 17 Vict. c. 89. -	Lay Chairs in the Universities of Scotland.
LXXXV. -	Revives and continues -	18 & 19 Vict. c. 1.* -	Service of the Militia out of the United Kingdom.
LXXXVI. - -	Continues -	20 & 21 Vict. c. 82. -	Embodying the Militia.
LXXXVII. -	Continues and amends -	17 & 18 Vict. c. 102. -	Corrupt Practices Prevention Act, 1854.
LXXXVIII. -	Amends - -	14 & 15 Vict. c. 57. -	Civil Bills, &c. (Ireland).
LXXXIX. -	Amends - -	20 & 21 Vict. c. 71. -	Lunatics and Lunatic Asylums (Scotland).
XC. s. 36. -	Saves - -	18 & 19 Vict. c. 119. -	Passengers Act, 1855.
s. 53. -	Saves - -	17 & 18 Vict. c. 114. -	University of London Medical Graduates Act, 1854.

* The Duration of ss. 14, 15, 16 of this Act is not to be affected or limited by c. 85.

21 & 22 Vict.	Effect.	Act affected.	Subject of Act affected.
Cap.			
XCI. -	Partly repeals and amends	20 & 21 Vict. c. 49. -	Joint Stock Banking Companies Act, 1857.
XCIII. - -	Incorporates -	20 & 21 Vict. c. 85. -	Divorce and Matrimonial Causes.
XCIV. s. 2.* -	Repeals - -	16 & 17 Vict. c. 57. -	Amendment of Copyhold Acts.
		4 & 5 Vict. c. 35, Part of s. 11. - - -	Copyhold Act, 1841.
		15 & 16 Vict. c. 51. ss. 2. 11. 27. - - -	Copyhold Act, 1852.
s. 5. -	Applies provisionally -	14 & 15 Vict. c. 104. -	Management, &c. of Episcopal and Capitular Estates in England.
s. 6. -	Partly repeals -	15 & 16 Vict. c. 51. s. 1. -	Copyhold Act, 1852.
s. 7. -	Partly applies -	„ „ -	„ „
s. 14. -	Saves - -	„ „ s. 48.	„ „
XCV. s. 11. -	Repeals - -	20 & 21 Vict. c. 77. s. 54.	Court of Probate Act, 1857.
s. 12. -	Extends - -	„ „ s. 59.	„ „
s. 18. -	Extends - -	„ „ and 38 Geo. 3. c. 87. -	„ „ Administration of Assets where Executor is out of the Realm.
s. 21. -	Extends - -	20 & 21 Vict. c. 77. s. 71.	Court of Probate Act, 1857.
ss. 25, 26.	Amend - -	„ „ ss. 51. 49.	„ „
s. 27. -	Explains - -	„ „ s. 89.	„ „
s. 29. -	Amends - -	„ „ s. 95.	„ „
ss. 31. 33.	Apply - -	6 Geo. 4. c. 87. - -	Salaries and Allowances of Consuls at Foreign Ports.
		18 & 19 Vict. c. 42. -	Power to Consuls at Foreign Ports to administer Oaths, &c.
XCVI. s. 2. -	Incorporates -	17 & 18 Vict. c. 117. -	West Indian Incumbered Estates Act, 1854.
s. 3. -	Repeals - -	„ „ ss. 3. 10. 17. 25. 32, 33, 34. 38. 45. 50. - -	„ „
XCVII. - -	Incorporates Powers of -	18 & 19 Vict. c. 116. -	Diseases Prevention Act, 1855.
XCVIII. s. 4. -	Incorporates with - -	11 & 12 Vict. c. 63. -	Public Health Act, 1848.
s. 10. -	Amends -	„ „ s. 114.	„ „
s. 25. -	Amends -	„ „ s. 19.	„ „
s. 26. -	Partly repeals -	„ „ s. 33.	„ „
s. 32. -	Repeals - -	„ „ ss. 55, and Part of 56.	„ „
	Amends - -	„ „ s. 59.	„ „
s. 33. -	Amends - -	„ „ s. 54.	„ „
s. 34. -	Repeals - -	„ „ ss. 53 & 72.	„ „
s. 37. -	Amends and explains -	„ „ s. 117.	„ „
	and applies -	13 Vict. c. 35. - -	Returns of Expenditure on Highways, &c. &c.
s. 38. -	Extends and amends -	11 & 12 Vict. c. 63. ss. 69. 70. - - -	Public Health Act, 1848.
s. 42. -	Amends - -	11 & 12 Vict. c. 63. -	„ „
s. 46. -	Supersedes -	3 & 4 Will. 4. c. 90. -	Lighting and Watching of Parishes in England and Wales.

* This Section also repeals all Provisions authorizing Commutations by Schedule of Apportionment, or by a Schedule to be prepared by the Steward, also those authorizing Enfranchisement by Schedule of Apportionment, and the charging of Enfranchisement or Compensation Monies or the Expenses of Commutations or Enfranchisements upon Land.

EFFECT OF THE YEAR'S LEGISLATION—*continued.*

21 & 22 Vict.	Effect.	Act affected.	Subject of Act affected.
Cap.			
XCVIII. s. 47.	Applies conditionally	10 & 11 Vict. c. 74.	Public Baths and Washhouses.
s. 48.	Repeals	11 & 12 Vict. c. 63. s. 61. and Part of s. 62.	Public Health Act, 1848.
s. 49.	Applies conditionally	20 & 21 Vict. c. 81.	Amendment of the Burial Acts.
s. 51.	Extends	11 & 12 Vict. c. 63., s. 76.	Public Health Act, 1848.
s. 54.	Repeals	„ „ „ s. 86.	„ „ „
s. 55.	Repeals	„ „ „ ss. 88. & 95.	„ „ „
s. 56.	Applies	6 & 7 Will. 4. c. 96.	Parochial Assessments.
s. 57.	Repeals	11 & 12 Vict. c. 63. ss. 107. 113. and 119.	Public Health Act, 1848.
s. 60.	Repeals	„ „ „ s. 122.	„ „ „
s. 65.	Amends	„ „ „ s. 120.	„ „ „
s. 68.	Repeals	„ „ „ s. 145.	„ „ „
s. 75.	Partly repeals	„ „ „ s. 84.	„ „ „
s. 77.	Repeals	„ „ „ s. 141.	„ „ „
XCIX. s. 4.	Repeals as to British Columbia	43 Geo. 3. c. 138. and 2 Geo. 4. c. 66.	Jurisdiction of Courts of Justice in Lower and Upper Canada, &c. &c. Regulation of Fur Trade and Criminal and Civil Jurisdiction within certain Parts of North America.
C. s. 2.	Incorporates	14 & 15 Vict. c. 93.	The Petty Sessions (Ireland) Act, 1851.
s. 4.	Repeals	„ „ „ ss. 2. 3. and 4.	„ „ „ „
s. 28.	Excepts	11 & 12 Vict. c. 92.	Protection of Salmon and other Fisheries in Ireland.
CI. s. 1.	Extends	18 & 19 Vict. c. 63.	Consolidation of Friendly Societies Acts.
s. 2.	Repeals	„ „ „ s. 10.	„ „ „ „
s. 3.	Extends	„ „ „ ss. 16. and 24.	„ „ „ „
	Partly repeals	„ „ „ s. 40.	„ „ „ „
s. 5.	Applies	11 & 12 Vict. c. 43.	Performance of Duties of Justices out of Sessions.
	Applies	14 & 15 Vict. c. 93.	Justices of the Peace and Quarter Sessions (Ireland).
s. 6.	Extends	18 & 19 Vict. c. 63. ss. 40. and 44.	Consolidation of Friendly Societies Acts.
s. 8.	Amends	„ „ „ s. 13.	„ „ „ „
CIII. s. 10.	Applies	14 & 15 Vict. c. 85.	Constabulary Force (Ireland).
s. 19.	Applies	14 & 15 Vict. c. 93.	Justices of the Peace and Quarter Sessions (Ireland).
CIV. ss. 3. 11. 14, 15, 16. 23. 26. and 33.	Extend and apply	18 & 19 Vict. c. 120.	Local Management of the Metropolis.
s. 25.	Repeals	„ „ „ s. 136. and Part of 144	„ „ „ „
CV.	Amends and explains	13 & 14 Vict. c. 2.	Amendment of Laws relating to Judgments in Ireland.
CVI. s. 3.	Amends	17 & 18 Vict. c. 77.	Acts of the Crown in India and Powers of Governor General.
s. 18.	Applies	4 & 5 Will. 4. c. 24.	Pensions, Compensations, &c., &c., for Loss of Civil Offices.

EFFECT OF THE YEAR'S LEGISLATION—*continued.*

21 & 22 Vict. Cap.	Effect.	Act affected.	Subject of Act affected.
CVI. s. 31. -	Repeals* - -	16 & 17 Vict. c. 95. ss. 37, 38, 39, 40, 41, and 42.	Government of India.
s. 69. -	Partly repeals -	16 & 17 Vict. c. 95. -	" "
ss. 42—73 -	Save - -	3 & 4 Will. 4. c. 85. -	Government of Territories of Crown in India.
CVIII. ss. 6, 7, 8, 9, and 17. -	Extend and amend - -	20 & 21 Vict. c. 85. -	Divorce and Matrimonial Causes in England.
s. 19. - -	Partly repeals -	" " " -	" " "
s. 20. - -	Applies - -	6 Geo. 4. c. 87. - -	Salaries of British Consuls abroad.
		18 & 19 Vict. c. 42. -	Power to Consuls abroad to administer Oaths, &c.
CX. s. 5. - -	Extends - -	24 Geo. 3. c. 26. - -	Issue of Writs during Recess of the House of Commons.

* *i.e.* so far as relates to the Admission, &c. of Persons to the Civil Service of the East India Company.

TABLE II.

CHRONOLOGICAL.

[For Details, see TABLE I.]

Act affected.	Subject of Act affected.	How affected.	Act affecting.
			21 & 22 Vict. Cap.
18 Eliz. c. 6.	Universities of Oxford and Cambridge and Colleges of Winchester and Eton.	Excluded	XLIV. s. 30.
1 Will. & Mary, c. 8.	Oaths of Allegiance and Supremacy	Partly repealed and applied.	XLVIII.
13 Will. 3. c. 6.	Oath of Abjuration	Partly repealed and applied.	XLVIII.
9 Anne, c. 5.	Qualification of Members of Parliament.	Repealed	XXVI.
33 Geo. 2. c. 20.	Qualification of Members of Parliament.	Repealed	XXVI.
6 Geo. 3. c. 53.	Oath of Abjuration	Partly repealed and applied.	XLVIII.
24 Geo. 3. c. 26.	Issuing of Writs during Recess of House of Commons.	Extended	CX.
38 Geo. 3. c. 87.	Administration of Assets where Executor is out of Realm.	Extended	XCV.
39 & 40 Geo. 3. c. 67. 40 Geo. 3. c. 38. (I.)	Union of England and Ireland	Partly repealed	XXVI.
41 Geo. 3. c. 90.	Recovery of Debts due to His Majesty, &c. &c.	Applied	LXXII.
41 Geo. 3. c. 101.	Elections, and Qualifications of Members of Parliament.	Partly repealed	XXVI.
42 Geo. 3. c. 90.	Militia	Parts of, further suspended.	XXXIX.
43 Geo. 3. c. 138.	Jurisdiction of Courts of Justice in Lower and Upper Canada.	Partially repealed	XCIX.
48 Geo. 3. c. 149.	Stamp Duties on Deeds, &c. &c.	Applied	LVI.
55 Geo. 3. c. 184.	Stamp Duties	Partly applied	LVI.
55 Geo. 3. c. 184., Part of Schedule.	,,	Repealed	XI.
Schedule of do. do.	,,	Altered	XXIV.
56 Geo. 3. c. 56.	,, (Ireland)	Applied	LVI.
59 Geo. 3. c. 12.	Relief of the Poor	Unrepealed Parts of, incorporated.	XLIII.
59 Geo. 3. c. 28.	Power to Magistrates to divide Court of Quarter Sessions.	Repealed	LXXIII.
59 Geo. 3. c. 37.	Qualification of Members of Parliament.	Repealed	XXVI.
2 Geo. 4. c. 66.	Regulation of Fur Trade and Criminal and Civil Jurisdiction within certain Parts of North America.	Partially repealed	XCIX.
4 Geo. 4. c. 64. s. 10.	Gaols and Houses of Correction	Repealed	LXVII.
6 Geo. 4. c. 87.	Salaries and Allowances of Consuls at Foreign Ports.	Applied	XCV. and CVIII.
10 Geo. 4. c. 7.	Roman Catholic Relief Act	Saved	XLVIII.
10 Geo. 4. c. 50.	Management of Woods and Forests and Land Revenues of the Crown.	Applied	XLV.

Effect of the Year's Legislation—*continued.*

Act affected.	Subject of Act affected.	How affected.	Act affecting.
			21 & 22 Vict. Cap.
2 & 3 Will. 4. c. 71. -	Shortening the Time of Prescription.	Extended to Ireland.	XLII.
3 & 4 Will. 4. c. 85. -	Government of Territories of Crown in India.	Saved - -	CVI.
3 & 4 Will. 4. c. 90. - -	Lighting and Watching of Parishes in England and Wales.	Superseded -	XCVIII.
4 & 5 Will. 4. c. 24. - -	Pensions, Compensations, &c. &c. for Loss of Civil Office.	Applied - -	CVI.
4 & 5 Will. 4. c. 61. ss. 16 to 22.	Erection of Public Bridges (Ireland)	Repealed - -	XXIII.
5 & 6 Will. 4. c. 64. s. 4. -	Stamps and Assessed Taxes - -	Applied - -	III.
5 & 6 Will. 4. c. 76. - -	Municipal Corporations - -	Explained -	XLIII.
" " - -	" " - -	Part of s. 86. repealed.	LXVII.
6 Will. 4. c. 19. - -	Separation of Palatine Jurisdiction from Bishopric of Durham.	Explained -	XLV.
6 & 7 Will. 4. c. 33. -	Erasures in Instruments of Sasine, &c. &c. (Scotland).	Applied - -	LXXVI.
6 & 7 Will. 4. c. 85. -	Marriages - - - - -	Partly repealed -	XXV.
6 & 7 Will. 4. c. 86. -	Births, Deaths, and Marriages (Registration of).	Amended and partly repealed.	XXV.
" " - -	" " " "	Applied - -	XLVI.
6 & 7 Will. 4. c. 96. -	Parochial Assessments - - -	Applied - -	XCVIII.
7 W. 4. & 1 Vict. c. 19. s. 4.	Division of Court of Quarter Sessions.	Repealed - -	LXXIII.
1 & 2 Vict. c. 48. - -	Qualification of Members of Parliament.	Repealed - -	XXVI.
2 & 3 Vict. c. 56. s. 10. -	Better ordering of Prisons - -	Repealed - -	LXVII.
2 & 3 Vict. c. 71. Part of s. 15.	Metropolitan Police Courts - -	Repealed - -	LXVII.
" " s. 18. -	" " - -	Amended - -	LXXIII.
2 & 3 Vict. c. 93. - -	Detached Parts of Counties - -	Extended - -	LXVIII.
3 & 4 Vict. c. 88. - -	Detached Parts of Counties - -	Extended - -	LXVIII.
3 & 4 Vict. c. 92. ss. 5 to 19.	Non-parochial Registers - -	Applied - -	XXV.
3 & 4 Vict. c. 110. - -	Loan Societies - - - -	Continued -	XIX.
3 & 4 Vict. c. 113. - -	Act to confirm Fourth Report of Ecclesiastical Commissioners.	Explained -	XLV.
4 & 5 Vict. c. 35. s. 11. -	Copyhold Act, 1841 - - -	Partly repealed	XCIV.
5 & 6 Vict. c. 38. s. 4. -	Jurisdiction of Justices in Quarter Sessions.	Repealed - -	LXXIII.
5 & 6 Vict. c. 100. - -	Copyright of Designs Act, 1842 -	Amended - -	LXX.
5 & 6 Vict. c. cv. - -	Toxteth Park - - - -	Explained -	X.
5 & 6 Vict. c. 108. - -	Ecclesiastical Leasing Act - -	Partly repealed and amended.	LVII.
6 & 7 Vict. c. 37. - -	Spiritual Care of populous Parishes	Saved - -	LVII.
7 & 8 Vict. c. 32. - -	Bank Act - - - - - -	Suspended temporarily.	I.
7 & 8 Vict. c. 85. - -	Regulation of Railways - -	Amended - -	LXXV.
7 & 8 Vict. c. 101. s. 11. -	Poor Law Amendment - - -	Repealed - -	LXVII.
8 & 9 Vict. c. 19. - -	Lands Clauses Consolidation (Scotland).	Incorporated -	XL.
8 & 9 Vict. c. 42. - -	Carriage of Goods by Canal Companies.	Amended - -	LXXV.
9 & 10 Vict. c. 39. - -	Chelsea Bridge Act - - -	Amended and partly repealed.	LXVI.
9 & 10 Vict. c. 52. - -	Relief of Persons of Jewish Religion appointed to Municipal Offices.	Extended - -	XLVIII.
9 & 10 Vict. c. 95. - -	County Court Act - - - -	Applied - -	LXX.
" " s. 19. -	" " - - -	Repealed - -	LXXIV.
10 & 11 Vict. c. 74. - -	Public Baths and Washhouses -	Applied conditionally.	XCVIII.

Effect of the Year's Legislation—*continued.*

Act affected.	Subject of Act affected.	How affected.	Act affecting.
			21 & 22 Vict. Cap.
10 & 11 Vict. c. 82. Part of s. 11.	Trial of Juvenile Offenders - -	Repealed - -	LXVII.
10 & 11 Vict. c. 96. - -	Better securing Trust Funds -	Applied - -	LXXII.
10 & 11 Vict. c. 98. - -	Ecclesiastical Jurisdiction - -	Continued -	L.
11 & 12 Vict. c. 36. - -	Amendment of Law of Entail (Scotland).	Applied - -	LXXVI.
11 & 12 Vict. c. 43. s. 22.	Performance of Duties of Justices out of Sessions.	Explained -	LXXIII.
" " - -	" " "	Applied - -	CI.
11 & 12 Vict. c. 63. - -	Public Health - - - -	Incorporated -	X.
" " - -	" " - - - -	Incorporated as amended, and partly repealed.	XCVIII.
11 & 12 Vict. c. 68. - -	Better securing of Trust Funds (Ireland).	Applied - -	LXXII.
11 & 12 Vict. c. 92. - -	Protection of Salmon and other Fisheries in Ireland.	Excepted - -	C.
11 & 12 Vict. c. 107. -	Prevention of Contagion among Sheep, &c.	Continued -	LXII.
12 & 13 Vict. c. 68. - -	Marriages of British Subjects resident abroad.	Operation of, extended.	XLVI.
12 & 13 Vict. c. 100. -	County Courts - - - -	Applied - -	LXX.
13 Vict. c. 35 - - -	Returns of Expenditure on Highways, &c.	Applied - -	XCVIII.
13 & 14 Vict. c. 2. - -	Judgments in Ireland, Amendment of Laws relating to.	Amended and explained.	CV.
13 & 14 Vict. c. 60. - -	Trustees - - - - - -	Applied - -	LXXII.
14 & 15 Vict. c. 43. - -	Disafforesting the Forest of Hainault in Essex.	Saved - -	XXXVII.
14 & 15 Vict. c. 53. - -	Copyhold and Inclosure Commission and Tithe Commutation (Consolidation).	Partly continued	LIII.
14 & 15 Vict. c. 57. - -	Civil Bills, &c. (Ireland) - -	Amended - -	LXXXVIII.
14 & 15 Vict. c. 68. - -	Medical Charities and Relief of the Poor (Ireland).	Amended - -	LXIV.
14 & 15 Vict. c. 70. - -	Railways (Ireland) - - -	Continued -	XXXIV.
14 & 15 Vict. c. 72. - -	Erection and Endowment of Churches, Chapels, &c. (Ireland).	Amended and explained.	LIX.
14 & 15 Vict. c. 85. - -	Constabulary Force (Ireland) -	Applied - -	CIII.
14 & 15 Vict. c. 93. - -	The Petty Sessions (Ireland) Act, 1851.	Incorporated as partly repealed.	C., CI., and CIII.
14 & 15 Vict. c. 104. -	Management, &c. of Episcopal and Capitular Estates in Scotland.	Saved - -	LVII.
" " -	" " "	Provisionally applied.	XCIV.
15 & 16 Vict. c. 28. - -	Act to vest Courts of Justice in Edinburgh in Commissioners of Works and Buildings.	Applied - -	XL. s. 7.
15 & 16 Vict. c. 51. - -	Copyhold Act, 1852 - - -	Amended and partly repealed.	XCIV.
15 & 16 Vict. c. 55. - -	Trustees - - - - -	Applied - -	LXXII.
15 & 16 Vict. c. 81. s. 51. -	County Rates - - - -	Explained -	XXXIII.
16 & 17 Vict. c. 57. - -	Amendment of Copyhold Acts -	Repealed - -	XCIV.
16 & 17 Vict. c. 64. - -	Sale and Transfer of Incumbered Estates in Ireland.	Applied - -	LXXII.
16 & 17 Vict. c. 72. - -	Prevention of Contagion among Sheep, &c.	Continued -	LXII.
16 & 17 Vict. c. 89. - -	Lay Chairs in the Universities of Scotland.	Excluded - -	LXXXIII.
16 & 17 Vict. c. 94. - -	Act to extend Law of Entail (Scotland).	Applied - -	LXXVI.
16 & 17 Vict. c. 95. - -	Government of India - - -	Partly repealed -	CVI.

EFFECT OF THE YEAR'S LEGISLATION—*continued.*

Act affected.	Subject of Act affected.	How affected.	Act affecting.
			21 & 22 Vict. Cap.
16 & 17 Vict. c. 100. -	Vaccination - - - -	Partly repealed -	XXV.
16 & 17 Vict. c. 107. -	Customs - - - - -	Explained -	XXXV.
16 & 17 Vict. c. 137. -	Charitable Trusts - - -	Partly continued	LI.
17 & 18 Vict. c. 23. ss. 16, 17, 18, 19.	Exchequer Bonds - - -	Applied - -	XIV.
17 & 18 Vict. c. 77. - -	Acts of the Crown in India, and Powers of Governor General.	Amended - -	CVI.
17 & 18 Vict. c. 102. -	Corrupt Practices Prevention Act, 1854.	Continued and amended.	LXXXVII.
17 & 18 Vict. c. 114. -	University of London Medical Graduates Act, 1854.	Saved - -	XC.
17 & 18 Vict. c. 117. -	West Indian Incumbered Estates Act, 1854.	Incorporated as partly repealed.	XCVI.
17 & 18 Vict. c. 125. s. 3. -	Common Law Procedure Act, 1854	Repealed - -	LXXIV.
18 Vict. c. 22. - - -	Excise Duties - - - -	Altered - -	XV.
18 & 19 Vict. c. 1. - -	Service of Militia out of United Kingdom.	Revived and continued.	LXXV.
18 & 19 Vict. c. 4. - -	Service in the Army - - -	Revived and continued.	LV.
18 & 19 Vict. c. 18. - -	For raising a Sum of 16,000,000*l.* by Annuities.	Partly repealed -	XXXVIII.
18 & 19 Vict. c. 42. - -	Power to Consuls at Foreign Ports to administer Oaths, &c.	Applied - -	XCV., CVIII.
18 & 19 Vict. c. 63. - -	Consolidation of Friendly Societies Acts.	Extended as repealed.	CI.
18 & 19 Vict. c. 116. -	Diseases Prevention Act, 1855 -	Powers of, incorporated.	XCVII.
18 & 19 Vict. c. 119. -	Passengers Act, 1855 - -	Saved - -	XC.
18 & 19 Vict. c. 120. -	Local Management of the Metropolis.	Extended and applied.	CIV.
18 & 19 Vict. c. 124. -	Charitable Trusts Amendment -	Partly continued	LI.
19 & 20 Vict. c. 6. - -	For raising 5,000,000*l.* by Annuities	Partly repealed -	XXXVIII.
19 & 20 Vict. c. 21. - -	For raising a further Sum of 5,000,000*l.* by Annuities.	Partly repealed -	XXXVIII.
19 & 20 Vict. c. 34. - -	Excise Duties - - - -	Deferred - -	XV.
19 & 20 Vict. c. 36. - -	Preservation of the Peace (Ireland)	Continued for a Year.	XXVIII.
19 & 20 Vict. c. 62. - -	Navigations and Drainage (Ireland)	Time extended -	XLI.
19 & 20 Vict. c. 88. - -	University of Oxford, &c. (Power to sell and exchange Lands).	Repealed - -	XLIV.
19 & 20 Vict. c. 95. - -	University of Cambridge, &c. (Good Government, &c.)	Repealed - -	XLIV.
19 & 20 Vict. c. 108. s. 43.	County Courts Act Amendment -	Amended - -	LXXIV.
19 & 20 Vict. c. 120. -	Leases and Sales of Settled Estates	Applied - -	LXXII.
" " -	" " "	Amended - -	LXXVII.
20 & 21 Vict. c. 14. - -	Joint Stock Companies Act, 1857 -	Amended - -	LX.
20 & 21 Vict. c. 41. - -	Loan Societies - - - -	Deferred - -	XIX.
20 & 21 Vict. c. 49. - -	Joint Stock Banking Companies Act, 1857.	Partly repealed and amended.	XCI.
20 & 21 Vict. c. 71. - -	Lunatics and Lunatic Asylums (Scotland).	Amended - -	LXXXIX.
20 & 21 Vict. c. 72. - -	Police in Counties and Boroughs (Scotland).	Amended and s. 8. repealed.	LXV.
20 & 21 Vict. c. 77. - -	Court of Probate Act, 1857 -	Extended and s. 54. repealed.	XCV.
20 & 21 Vict. c. 81. - -	Amendment of the Burial Acts -	Applied conditionally.	XCVIII.
20 & 21 Vict. c. 82. - -	Militia Embodiment - - -	Continued -	IV., LXXXII.
20 & 21 Vict. c. 85. - -	Divorce and Matrimonial Causes -	Incorporated -	XCIII.
" " -	" " "	Amended - -	CVIII.

THE

STATUTES at Large, &c.

Anno Regni VICTORIÆ, Britanniarum Reginæ, Vicesimo Secundo.

'AT the Parliament begun and holden at *Westminster*, the Thirtieth Day of *April*, *Anno Domini* '1857, in the Twentieth Year of the Reign of our Sovereign Lady *Victoria*, by the Grace of God, 'of the United Kingdom of *Great Britain* and *Ireland*, Queen, Defender of the Faith: And from 'thence continued, by several Prorogations, to the Third Day of *February* 1859; being the Third 'Session of the Seventeenth Parliament of the United Kingdom of *Great Britain* and *Ireland*.'

CAP. I.

An Act more effectually to prevent Danger to the Public Health from Places of Burial. [25th *March* 1859.]

'WHEREAS by Section Twenty-three of an Act passed in the Session holden in the Twentieth and 'Twenty-first Years of Her Majesty, Chapter Eighty-one, "to amend the Burial Acts," it was 'enacted that it should be lawful for Her Majesty, upon the Representation of One of Her Majesty's 'Principal Secretaries of State, by and with the Advice of Her Privy Council, from Time to Time to 'order such Acts to be done by or under the Directions of the Churchwardens or such other Persons as 'might have the Care of any Vaults or Places of Burial, for preventing them from becoming or continuing dangerous or injurious to the Public Health; and such Churchwardens or other Persons 'should do or cause to be done all Acts ordered as aforesaid, and the Expenses incurred in and about the 'doing thereof should be paid out of the Poor Rates of the Parish: And whereas it is expedient to 'amend the said Enactment as herein-after mentioned;' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: 20 & 21 Vict. c. 81.

I. Where it appears to One of Her Majesty's Principal Secretaries of State, on the Representation of any Person authorized by him to inspect any Vaults or Place of Burial in relation to which an Order in Council has been or shall have been issued under the said recited Enactment, that any Acts which by such Order in Council are ordered to be done by or under the Direction of Persons other than Churchwardens having the Care of such Vaults or Place of Burial are not done or performed within a reasonable Time, and according to the Intent of such Order in Council, it shall be lawful for such Secretary of State, by Writing under his Hand, to authorize and direct the Churchwardens of the Parish in which such Vaults or Place of Burial may be situate forthwith to do or complete the Acts in such Order in Council mentioned, or such of them as remain undone, and such Order of the Secretary of State shall be obeyed by such Churchwardens, and they and all Persons acting under their Direction shall have the same Power of entering and doing all such Acts upon the Premises to which the Order in Council relates as if the said Acts had by the Order in Council been directed to be done by such Churchwardens, and such Vaults or Place of Burial had been under their Care; and any Person who shall obstruct such Churchwardens or any others acting under their Direction in relation to the Premises, or remove or interfere with the Works done by such Churchwardens, shall be guilty of a Misdemeanor. Where Persons having the Care of a Place of Burial neglect to comply with Order in Council, the Churchwardens may act in their Stead.

II. This Act shall be read together with the said Act of the Twentieth and Twenty-first Years of Her Majesty and the Burial Acts therein mentioned as One Act. This and recited Act to be as One.

CAP. II.

An Act to repeal certain Acts and Parts of Acts which relate to the Observance of the Thirtieth of *January* and other Days. [25th *March* 1859.]

'WHEREAS Her Majesty has been graciously pleased, in pursuance of Addresses of both Houses 'of Parliament, to issue Her Royal Warrant for the Discontinuance of the Forms of Prayer and 'Service made for the Thirtieth Day of *January*, the Twenty-ninth Day of *May*, and the Fifth Day of '*November*,

'*November*, and it is expedient that the Enactments requiring the Observance of those Days, and (in '*Ireland*) the Twenty-third Day of *October*, as Anniversary Days, should be repealed:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Enactments for the Observance of the 30th January, 29th May, 5th November, and 23d October, repealed.

I. The several Acts and Parts of Acts mentioned in the Schedule to this Act, and every other Enactment now in force which may be read or construed as requiring the Observance of the Thirtieth Day of *January*, the Twenty-ninth Day of *May*, the Fifth Day of *November*, and the Twenty-third Day of *October* respectively, as Anniversary Days, or the Use of any special Services of the Church for those Days respectively, shall be and the same are hereby repealed.

SCHEDULE.

Date of Act.	Title.	Extent of Repeal.
	ACTS OF THE PARLIAMENT OF ENGLAND.	
3 Jac. 1. c. 1.	An Act for a Public Thanksgiving to Almighty God every Year on the Fifth Day of November.	The whole Act.
12 Car. 2. c. 14.	An Act for a perpetual Anniversary Thanksgiving on the Nine-and-twentieth Day of May.	The whole Act.
12 Car. 2. c. 30.	An Act for the Attainder of several Persons guilty of the horrid Murther of His late Sacred Majesty King Charles the First.	So far as it enacts that every Thirtieth Day of January, unless it falls out to be upon the Lord's Day, and then the Day next following, should be set apart to be kept and observed as an Anniversary Day as therein mentioned.
13 Car. 2. c. 7.	An Act for confirming Public Acts.	So far as it confirms the Enactment hereinbefore mentioned of the 12 Car. 2. c. 30.
13 Car. 2. c. 11.	An Act for confirming of Three Acts therein mentioned.	So far as it confirms the Act 12 Car. 2. c. 14.
	ACT OF THE PARLIAMENT OF GREAT BRITAIN.	
24 G. 2. c. 23.	An Act for regulating the Commencement of the Year, and for correcting the Calendar now in use.	So far as it requires the keeping and observing of the Thirtieth Day of January, the Twenty-ninth Day of May, and the Fifth Day of November, as therein mentioned.
	ACTS OF THE PARLIAMENT OF IRELAND.	
14 & 15 Car. 2. Sess. 4. c. 1.	An Act for a perpetual Anniversary Thanksgiving on the Nine-and-twentieth Day of May in this Kingdom.	The whole Act.
14 & 15 Car. 2. Sess. 4. c. 23.	An Act for keeping and celebrating the Twenty-third of October as an Anniversary Thanksgiving in this Kingdom.	The whole Act.

CAP. III.

An Act to authorize the Inclosure of certain Lands in pursuance of a Report of the Inclosure Commissioners for *England* and *Wales*. [25th *March* 1859.]

'WHEREAS the Inclosure Commissioners for *England* and *Wales* have, in pursuance of "The 'Acts for the Inclosure, Exchange, and Improvement of Land," issued their Provisional Orders 'for and concerning the proposed Inclosures mentioned in the Schedule to this Act, and have in their 'Fourteenth Annual General Report certified their Opinion that such Inclosures would be expedient; 'but the same cannot be proceeded with without the previous Authority of Parliament:' Be it enacted, &c. &c.

Inclosures in Schedule to be proceeded with.

I. That the said several proposed Inclosures mentioned in the Schedule to this Act be proceeded with.

II. In

II. In citing this Act in other Acts of Parliament and in legal Instruments it shall be sufficient to use either the Expression "The Annual Inclosure Act, 1859," or "The Acts for the Inclosure, Exchange, and Improvement of Land." Short Title.

SCHEDULE to which this Act refers.

Inclosure.	County.	Date of Provisional Order.
Snape	Suffolk	13th May 1858.
Botley Common	Southampton	3d June 1858.
Cathedine	Brecon	3d June 1858.
Skelwith Common	Lancaster	17th July 1858.
Ashreigney	Devon	25th June 1858.
Lydney	Gloucester	3d July 1858.
Osmotherley	Lancaster	8th July 1858.
Mexbrough	York	22d July 1858.
Fulbrook, Shipton-under-Wychwood, and Taynton	Oxford	5th August 1858.
Asthall, Whichwood, and Fulbrook	Oxford	5th August 1858.
Moseley Common	Hereford	20th August 1858.
Kirkby Ireleth	Lancaster	21st October 1858.
Ramsden	Oxford	28th October 1858.
Docking	Norfolk	11th November 1858.
Drayton	Oxford	9th December 1858.
Elton Meadow and Stroud Field	Gloucester	13th January 1859.
Dibden	Southampton	13th January 1859.
Clunbury Hill	Salop	28th October 1858.
Clavering	Essex	5th January 1859.
Pembridge	Hereford	23d December 1858.
Chithurst	Sussex	15th January 1859.
Oathall Manor	Sussex	19th January 1859.
Rhandirisa	Carmarthen	19th January 1859.

CAP. IV.

An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters. [25th *March* 1859.]

[§§ 7 *and* 9. *These are extended to British Columbia and Vancouver's Island.* §§ 53 *and* 105 *of the Act of last Year are omitted. Several verbal Alterations occur throughout the Act in consequence of the Transfer to the Crown of the East India Forces in accordance with* 21 & 22 *Vict. c.* 106. *In other respects, except as to Dates and the Sections and Part of Schedule here inserted, this Act is the same as* 21 & 22 *Vict. c.* 9.]

'WHEREAS the raising or keeping a Standing Army within the United Kingdom of *Great Britain* and *Ireland* in Time of Peace, unless it be with the Consent of Parliament, is against Law: And whereas it is adjudged necessary by Her Majesty and this present Parliament that a Body of Forces should be continued for the Safety of the United Kingdom, the Defence of the Possessions of Her Majesty's Crown; and the Preservation of the Balance of Power in *Europe*, and that the whole Number of such Forces should consist of One hundred and twenty-two thousand six hundred and fifty-five Men, exclusive of Fifteen thousand and five Officers and Men, being the Depôts of Regiments in *India* stationed in *Great Britain*, and exclusive of the Officers and Men belonging to the Regiments and other Corps employed in Her Majesty's *East Indian* Possessions, but including the Officers and Men of the Troops and Companies recruiting for those Regiments and Corps: And whereas no Man can be forejudged of Life or Limb, or subjected in Time of Peace to any Kind of Punishment within this Realm, by Martial Law, or in any other Manner than by Judgment of his Peers, and according to the known and established Laws of this Realm; yet nevertheless it being requisite, for the retaining all the before-mentioned Forces in their Duty, that an exact Discipline be observed, and that Soldiers who shall mutiny or stir up Sedition, or shall desert Her Majesty's Service, or be guilty of Crimes and Offences to the Prejudice of good Order and Military Discipline, be brought to a more exemplary and speedy Punishment than the usual Forms of the Law will allow:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: Numbers, 122,655 Men.

Persons subject to this Act.

II. All the Provisions of this Act shall apply to all Persons who are or shall be commissioned or in Pay as an Officer, or who are or shall be listed or in Pay as a Non-commissioned Officer or Soldier, other than Officers and Soldiers belonging to Her Majesty's *Indian* Forces, and to all Persons employed on the Recruiting Service receiving Pay in respect of such Service, and also to the Officers and Soldiers belonging to Her Majesty's *Indian* Forces while such Officers or Soldiers shall be in any Part of the United Kingdom, and to the Officers and Persons who are or shall be serving and hired to be employed in the Royal Artillery and Field Train, and to Master Gunners, and Gunners, and Conductors of Stores, and to all Officers and Persons who are or shall be serving in the Regiment of Royal Engineers or the Corps of Royal Sappers and Miners, or in the Corps of Royal Military Surveyors and Draftsmen, or in the Field Train or Medical Staff Corps, or Hospital Corps, or Military Train, or serving as Army Schoolmasters, Probationary Armourers, and Armourer Serjeants, and to all Officers and Persons who are or shall be serving on the Commissariat Staff and in the Commissariat Corps, and to Persons in the War Department, who are or shall be serving with any Part of Her Majesty's Army at home or abroad, under the Command of any Officer having Commission from Her Majesty or from His late Majesty King *William* the Fourth, and to all Storekeepers and all Civil Officers who are or shall be employed by or act under the War Department at any of Her Majesty's Establishments in the Islands of *Jersey*, *Guernsey*, *Alderney*, *Sark*, and *Man*, and the Islands thereto belonging, or at Foreign Stations; provided that nothing in this Act contained shall extend to affect any Security which has been or shall be given by any Storekeeper, Barrack Master, or other Officer, or their Sureties, for the due Performance of their respective Offices, but that all such Securities shall be and remain in full Force and Effect.

Colonial and Foreign Troops in Her Majesty's Pay to be subject to Provisions of this Act.

IV. All Officers and Soldiers of any Troops mustered and in Pay, which shall be raised and serving in any of Her Majesty's Dominions abroad, or in Places in possession of or occupied by Her Majesty's Subjects under the Command of any Officer having any Commission immediately from Her Majesty (other than Officers and Soldiers belonging to Her Majesty's *Indian* Army when out of the United Kingdom), shall be subject to the Provisions of this Act and of Her Majesty's Articles of War, in like Manner as Her Majesty's other Forces are; and if such Officers and Soldiers, having been made Prisoners, be sent into *Great Britain* or *Ireland*, although not allowed to serve therein, all the Provisions of this Act in regard to billeting Soldiers shall apply to such Officers and Soldiers.

As to Courts-martial composed of Officers of One or more of the Services.

XII. Where it is necessary or expedient, a Court-martial composed exclusively of Officers of Her Majesty's Army or of Her Majesty's *Indian* Army, or a Court-martial composed of Officers of both the above Services, or of either or both together, with Officers of Her Majesty's Royal Marines, whether the Commanding Officer by whose Order such Court-martial is assembled belongs to the Land or to the Marine Forces, may try a Person belonging to either of the above Three Services; provided that when the Person to be tried shall belong to Her Majesty's Army, or shall belong to Her Majesty's *Indian* Army, and be within the United Kingdom, then the Proceedings of such Court shall be regulated, to all Intents and Purposes, as if the Court was composed of Officers of Her Majesty's Army only, and the Provisions of this Act, and the Oaths hereby prescribed, shall be applicable to the Proceedings of such Court; but where the Person to be tried shall belong to Her Majesty's Royal Marines, then the Provisions of such Act as shall be in Force for the Regulation of Her Majesty's Royal Marine Forces while on shore, and the Oaths therein prescribed, shall be applicable; and where the Person to be tried shall belong to Her Majesty's *Indian* Army, and be out of the United Kingdom, the Provisions of such Act as shall be in force for the Amendment of the Laws for punishing Mutiny and Desertion of Officers and Soldiers in Her Majesty's *Indian* Army shall be applicable.

As to Presidents of Courts-martial.

XIII. The President of every Court-martial shall be appointed by or under the Authority of the Officer convening such Court, and shall in no Case be the confirming Officer or the Officer whose Duty it has been to investigate the Charges on which the Prisoner is to be arraigned; nor in the Case of a General Court-martial under the Degree of a Field Officer, unless a Field Officer cannot be had; nor in any Case whatever under the Degree of a Captain, save in the Case of a Detachment General Court-martial holden out of Her Majesty's Dominions, or of a Regimental or Detachment Court-martial holden on the Line of March, or on board any Transport Ship, Convict Ship, Merchant Vessel, or Troop Ship not in Commission, or on any Foreign Station where a Captain cannot be had: Provided always, that in the Case of a Detachment General Court-martial holden out of Her Majesty's Dominions, the Officer convening such Court may be the President thereof.

Previous Convictions may be put in Evidence before passing Sentence.

XVI. After any Person subject to this Act has been found guilty of any Charge or Charges, the Court before which any such Person shall have been tried may, before passing Sentence on such Person, and for the Purpose only of awarding Punishment, receive in Evidence against him any previous Convictions by Courts-martial, and in like Manner and for the like Purpose the Court may receive in Evidence any previous Conviction of any such Person, not being a Commissioned Officer, by a Court of ordinary Criminal Jurisdiction; and in the Case of Convictions by Courts-martial, duly confirmed, the Court-martial Book, or the Defaulter Book of the Regiment, Corps, Troop, or Company, and when none of those Books can conveniently be produced, a Certificate, which shall purport to contain a Copy of the Entry of such Convictions in any of such Books, and which shall be signed by the Adjutant or other Officer having the Custody of the Court-martial Book or of the Defaulters Book of the Regiment,

Corps,

Corps, Troop, or Company to which the Prisoner belongs, shall be sufficient Evidence of such Conviction; and it shall not be necessary to prove the Signature or official Character of the Person appearing to have signed such Certificate; nor, if the Court be satisfied from all the Circumstances of the Case that the Prisoner under Trial is the Person mentioned in any such Certificate, shall it be necessary to give other Proof of the Identity of the Person of the Offender; and in the Case of a Conviction by a Court of ordinary Criminal Jurisdiction, any Certificate transmitted as herein-after provided to the Officer commanding a Regiment or other Corps by the Clerk of any such Court, or other Officer having Custody of the Records of such Court, or the Deputy of such Clerk, setting forth the Offence of which the Prisoner was convicted, together with the Judgment of the Court thereon, and purporting to be signed by such Clerk or other Officer, or by the Deputy of such Clerk, or if such Certificate cannot conveniently be obtained, a Copy thereof, duly certified by the Officer producing it, shall be sufficient Evidence of such last-mentioned Conviction; and it shall not be necessary to prove the Signature or official Character of the Person appearing to have signed such last-mentioned Certificate, nor, if the Court be satisfied from all the Circumstances of the Case that the Prisoner under Trial is the Person mentioned in such Certificate, shall it be necessary to give other Proof of the Identity of the Person of the Offender: Provided always, that before any such Evidence shall be received it shall be proved to the Satisfaction of the Court that the Prisoner had previously to his Trial received Notice of the Intention to produce such Evidence against him; provided also, that the Court shall in no Case award to him any other Punishment or Punishments than may by this Act and by the Articles of War be awarded for the Offence of which he shall be so found guilty.

Report of Proceedings of General and District Courts-martial to be transmitted to Judge Advocate General.

XVII. Every Judge Advocate, or Person officiating as such at a General Court-martial, and the President of every District or Garrison Court-martial, where the Offender shall be a Non-commissioned Officer or Soldier belonging to Her Majesty's Army, are required to transmit, with as much Expedition as may be, the original Proceedings and Sentence thereof to the Judge Advocate General in *London*, in whose Office they shall be carefully preserved; and any Person tried by a General Court-martial, or any Person on his Behalf, shall be entitled, on Demand, to a Copy of such Proceedings and Sentence (paying for the same at the Rate of Fourpence *per* Folio of Seventy-two Words), whether such Sentence shall be approved or not, at any Time not sooner than Six Months after the Trial, if the same took place at *Gibraltar* or in the *Mediterranean*, Three Months if at any other Station within Europe, and Twelve Months if elsewhere in Her Majesty's Dominions; provided that such Demand as aforesaid shall have been made within the Space of Three Years from the Date of the Approval or other final Decision upon the Proceedings before such General Court-martial: Provided also, that the Proceedings of District and Garrison Courts-martial need not be preserved after the Expiration of a Period of Twelve Years from the Date of their Deposit in the Office of the Judge Advocate General.

Power to inflict Corporal Punishment.

XXV. Any Court-martial may sentence any Soldier to Corporal Punishment not extending to Life or Limb for Desertion or for disgraceful Conduct as herein-after mentioned, Misbehaviour, or Neglect of Duty; provided that no such Sentence of Corporal Punishment exceed Fifty Lashes.

Forfeiture of Pay on being found guilty of Desertion, &c., or on Conviction for Felony.

XXIX. Every Soldier who shall be found guilty by a Court-martial of Desertion, of wilfully maiming or injuring himself or any other Soldier, whether at the Instance of such other Soldier or not, or of causing himself to be maimed or injured by any other Person, with Intent thereby to render himself or such other Soldier unfit for Service, or of tampering with his Eyes, with Intent thereby to render himself unfit for Service, such Finding having been confirmed, or of Felony in any Court of ordinary Criminal Jurisdiction in *England* or *Ireland*, or of any Crime or Offence in any Court of Criminal Judicature in any Part of the United Kingdom, or in any Dominion, Territory, Colony, Settlement, or Island belonging to or occupied by Her Majesty out of the United Kingdom, which would, if committed in *England*, amount to Felony, shall thereupon forfeit all Advantage as to additional Pay, Good-conduct Pay, and to Pension on Discharge, which might have otherwise accrued from the Length of his former Service, in addition to any Punishment which such Court may award; and every Soldier who may be so convicted, or who may be sentenced to Penal Servitude, or discharged with Ignominy, shall thereupon likewise forfeit all Medals which he may be in possession of, whether for Field Service or for Good Conduct, together with the Annuity or Gratuity thereto appertaining; and any Serjeant reduced to the Ranks by Sentence of Court-martial may by the Order of the same Court be made to forfeit the Annuity and Medal for meritorious Service which may have been conferred upon him.

Marking Deserters.

XXXV. On the first and on every subsequent Conviction for Desertion the Court-martial, in addition to any other Punishment, may order the Offender to be marked Two Inches below and One Inch in rear of the Nipple of the Left Breast with the Letter D, such Letter not to be less than an Inch long, and to be marked upon the Skin with some Ink or Gunpowder, or other Preparation, so as to be visible and conspicuous, and not liable to be obliterated.

Apprehension of Deserters in the United Kingdom.

XLVI. Upon reasonable Suspicion that a Person is a Deserter it shall be lawful for any Constable, or if no Constable can be immediately met with, then for any Officer or Soldier in Her Majesty's Service, or other Person, to apprehend or cause to be apprehended such suspected Person, and forthwith to bring him or cause him to be brought before any Justice living in or near the Place where he was so apprehended and acting for the County or Borough wherein such Place is situate or for the County adjoining such first-mentioned County or such Borough; and such Justice is hereby authorized and required

required to inquire whether such suspected Person is a Deserter, and from Time to Time to defer the said Inquiry and to remand the said suspected Person in the Manner prescribed by an Act passed in the Eleventh and Twelfth Years of the Reign of Her present Majesty, Chapter Forty-two, Section Twenty-one, and subject to every Provision therein contained, and if it shall appear to the Satisfaction of such Justice by the Testimony of One or more Witnesses, taken upon Oath, or by the Confession of such suspected Person, confirmed by some corroborative Evidence upon Oath, or by the Knowledge of such Justice, that such suspected Person is a Deserter, such Justice shall forthwith cause him to be conveyed in civil Custody to the Head Quarters or Depôt of the Regiment or Corps to which he belongs, if stationed within a convenient and easily accessible Distance from the Place of Commitment, or if not so stationed then to the nearest or most convenient public Prison (other than a Military Prison set apart under the Authority of this Act) or Police Station legally provided as a Lock-up House for temporary Confinement of Persons taken into Custody, whether such Prison or Police Station be in the County or Borough in which such suspected Person was apprehended or in which he was committed, or not; or if the Deserter has been apprehended by a Party of Soldiers of his own Regiment or Corps in charge of a Commissioned Officer, such Justice may deliver him up to such Party, unless the Officer shall deem it necessary to have the Deserter committed to Prison for safe Custody; and such Justice shall transmit an Account of the Proceedings, in the Form prescribed in the Schedule annexed to this Act, to the Secretary-at-War, specifying therein whether such Deserter was delivered to his Regiment or Corps, or to the Party of his Regiment or Corps, in order to his being taken to the Head Quarters or Depôt of his Regiment or Corps, or whether such Deserter was committed to Prison, to the end that the Person so committed may be removed by an Order from the Office of the said Secretary-at-War, and proceeded against according to Law; and such Justice shall also send to the Secretary-at-War a Report stating the Names of the Persons by whom or by or through whose Means the Deserter was apprehended and secured; and the Secretary-at-War shall transmit to such Justice an Order for the Payment to such Persons of such Sum not exceeding Forty Shillings as the Secretary-at-War shall be satisfied they are entitled to according to the true Intent and Meaning of this Act; and for such Information, Commitment, and Report as aforesaid the Clerk of the said Justice shall be entitled to a Fee of Two Shillings and no more; and every Gaoler and other Person into whose Custody any Person charged with Desertion is committed shall immediately upon the Receipt of the Person so charged into his Custody pay such Fee of Two Shillings, and also upon the Production of a Receipt from the Medical Practitioner who, in the Absence of a Military Medical Officer, may have been required to examine such suspected Person, a Fee of Two Shillings and Sixpence, and shall notify the Fact to the Secretary-at-War, and transmit also to the Secretary-at-War a Copy of the Commitment, to the end that such Secretary-at-War may order Repayment of such Fees; and when any Person shall be apprehended and committed as a Deserter in any of Her Majesty's Colonies the Justice shall forthwith cause him to be conveyed to some public Prison, if the Regiment or Corps to which he is suspected to belong shall not be in the Colony, or, if the Regiment or Corps be in the Colony, the Justice may deliver him into Custody at the nearest Military Post if within reasonable Distance, although the Regiment to which such Person is suspected to belong may not be stationed at such Military Post; and such Justice shall in every Case transmit to the General or other Officer commanding in the Colony a Descriptive Return in the Form prescribed in the Schedule to this Act annexed, to the end that such Person may be removed by Order of such Officer, and proceeded against according to Law.

In the Colonies.

Further Offences connected with Enlistment.

LVII. Any Recruit who shall have enlisted into and been attested for Her Majesty's Army or for Her Majesty's *Indian* Army, and who shall be discovered to be incapable of active Service by reason of any Infirmity concealed or not declared by such Recruit before the Justice at the Time of his Attestation, may be transferred to any Garrison or Veteran or Invalid Battalion or Company, notwithstanding he shall have enlisted for any particular Regiment or Corps, and shall be entitled to receive such Proportion or Residue of Bounty only as Her Majesty may allow in that Behalf, instead of the Bounty upon which such Recruit shall have been enlisted, anything in any Act or Acts, or any Rules and Regulations relating to Soldiers, to the contrary notwithstanding; and it shall be lawful for any Two Justices acting for the County, District, City, Burgh, or Place where any such Recruit shall at any Time happen to be when any such Recruit shall be brought before them, and shall be proved upon Oath to have concealed his having been a Soldier and discharged, or to have concealed his having been discharged upon any prior Enlistment, or to have concealed any such Infirmity, or to have designedly made any false Representation, before or at the Time of receiving Enlisting Money or before the Justice at the Time of his Attestation, to adjudge such Recruit, if in *England*, to be a Rogue and Vagabond, and to sentence him to such Punishment as by any Law in force may be inflicted upon Rogues and Vagabonds, and to adjudge such Recruit, if in *Scotland* or *Ireland*, to be imprisoned, with Hard Labour, in any Prison or House of Correction for any Period not exceeding Three Months; and any Recruit who shall designedly make any false Representation of any Particular contained in the Declarations, Oaths, and Certificates in the Schedule to this Act annexed, before or at the Time of receiving Enlisting Money, or before the Justice, at the Time of his Attestation, and shall obtain any Enlisting Money or Bounty for entering into Her Majesty's Service, or any other Money, shall be deemed guilty of obtaining Money under false Pretences, within the true Intent and Meaning, if in *England*, of an Act passed in the Seventh and Eighth Years of

of His Majesty King *George* the Fourth, intituled *An Act for consolidating and amending the Laws in* England *relative to Larceny and other Offences connected therewith*, and, if in *Ireland*, of an Act passed in the Ninth Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act for consolidating and amending the Laws in* Ireland *relative to Larceny and other Offences connected therewith*, and such Recruit, if in *Scotland*, shall be deemed guilty of Falsehood, Fraud, and wilful Imposition; and any attested Recruit who shall in any Part of Her Majesty's Dominions or elsewhere have committed any of the before-mentioned Offences regarding Enlistment may be summarily punished or prosecuted, tried and convicted, for any such Offence, at any Time during the Continuance of the Service for which he shall have enlisted, and in any County or Place where he may happen to be when such summary Proceeding or Prosecution shall be instituted; and the Production of the Declaration in the Schedule to this Act annexed, made by the Recruit on his Attestation, and of the Certificate then signed by the Justice before whom the Recruit was attested, certifying that the Questions and Answers contained in the Attestation were in his Presence put to and given by such Recruit, shall, in the Absence of Proof to the contrary, be deemed and taken to be sufficient Evidence of such Recruit having represented the several Particulars as stated in the Declaration made by him; and Proof upon Oath that the Person so prosecuted hath voluntarily acknowledged that at the Time of his Enlistment he belonged to any Regiment or Corps in Her Majesty's Service, or to Her Majesty's Navy or Marines, or to Her Majesty's *Indian* Forces, shall be deemed and taken as Evidence of the Fact so by him acknowledged without Production of any Roll or other Document to prove the same; and the Proof of such Acknowledgment shall be certified to the Secretary-at-War by the Justice before whom such Proof shall have been given; and any Man having been enrolled as a Volunteer under the Act Fifteenth and Sixteenth *Victoria*, Chapter Fifty, or any subsequent Acts, to serve in the Militia, who at the Time of offering to enlist into Her Majesty's Army or Marines, or into Her Majesty's *Indian* Forces, or to enter into Her Majesty's Navy, shall deny that he is a Militia Man then actually enrolled and engaged to serve in the Militia, and who shall not have completed his Engagement by Attestation or by being entered on the Books of the Navy, shall, upon Conviction thereof before any Justice of the Peace in the United Kingdom, either upon the Oath of One Witness or upon his own Confession, be committed to the Common Gaol or House of Correction for any Time not exceeding Fourteen Days; and any Man enrolled as aforesaid who may have denied or shall hereafter deny, or who may have confessed or shall hereafter confess, to the Justice before whom he shall have been or shall be attested for the Army or Marine Forces, or for Her Majesty's *Indian* Forces, or who may have denied or shall hereafter deny, or who may have confessed or shall hereafter confess, on or after the Completion of his Engagement to enter the Navy, that he belongs to the Militia, shall not be liable to Imprisonment for such Offence, but shall, upon Conviction thereof before any One Justice in the United Kingdom, or before a Regimental Court-martial or Naval Court of Inquiry, either upon his own Confession or upon the Oath of One Witness, forfeit all Militia Bounty which would have become payable to him during the Period of his belonging to Her Majesty's Forces, or to Her Majesty's *Indian* Forces, or to the Royal Navy, if he had not therein enlisted or entered, and be subjected to a Stoppage of One Penny a Day from his Pay for Eighteen Calendar Months, to be applied as the Secretary-at-War shall direct; or if enrolled in the Militia as a balloted Man or Substitute shall, if convicted before any One Justice as aforesaid, be committed to the Common Gaol or House of Correction for any Time not exceeding Six Calendar Months over and above any Penalty or Punishment to which such Person so offending may be otherwise liable; and such Person, whether he shall have been enrolled as a Volunteer or as a balloted Man or Substitute, shall, from the Day on which his Engagement to serve in the Militia shall end, and not sooner, belong as a Soldier to the Corps of Her Majesty's Forces, or of Her Majesty's *Indian* Forces, into which he shall have so enlisted, or to the Navy into which he shall have entered: Provided always, that every such Person so enlisted shall be liable to serve within the United Kingdom of *Great Britain* and *Ireland* or elsewhere in any Regiment, Battalion, or Corps of Her Majesty's Forces, or of Her Majesty's *Indian* Forces, in which he has so enlisted, and shall be subject to all the Provisions of this Act, or if he had entered the Navy to the Rules and Regulations by which that Force is governed, and liable to be apprehended and dealt with and punished as a Deserter from the Corps in which he shall have so enlisted, or from the Navy, if he shall neglect or refuse to join and serve in such Corps, or in the Navy as aforesaid.

7 & 8 G. 4. c. 29.

9 G. 4. c. 55.

LIX. 'And whereas it is expedient that Provision should be made for enlisting and attesting Soldiers 'desirous of re-enlisting or of enlisting abroad:' Be it enacted, That it shall be lawful for Her Majesty, by any Warrant signed by the Secretary-at-War in that Behalf, to authorize the Governors of Colonies, and of the several Presidencies in *India*, to appoint any Person, not being a General Officer nor holding any Regimental Commission, to enlist and attest, or for any Justice of the Peace or Magistrate acting for the Place of such Enlistment, and not being a General Officer nor holding any Regimental Commission, to enlist and attest, out of *Great Britain* or *Ireland*, any Soldiers or Persons desirous of enlisting or re-enlisting into Her Majesty's Army or into Her Majesty's *Indian* Army; and any Person so appointed shall have the same Powers in that Behalf as are by this or any other Act of Parliament given to Justices in the United Kingdom for all such Purposes of Enlistment and Attestation; and all such Appointments, past and future, and everything done or to be done under them, shall be valid and of full Effect, notwithstanding the Expiration of this Act or of any other Act of Parliament; and any Person so enlisted or re-enlisted

Enlistment and Re-enlistment abroad.

re-enlisted shall be deemed to be an attested Soldier; and as often as any Corps shall be relieved or disbanded at any Station beyond the Seas it shall be lawful for any Officers thereunto authorized by the Officer commanding in chief at such Station to receive as Transfers as many of the Soldiers belonging to the Corps leaving the Station as shall be willing and fit for Service for any Corps appointed to remain or for Her Majesty's *Indian* Forces; and every Soldier so transferred is hereby deemed to be discharged from his former Corps, and an attested Certificate of Transfer shall be delivered to the Soldier; any Soldier attested for the Infantry and at his own Request transferred to the Cavalry, Artillery, or Engineers shall be bound to serve for the full Term of such Service as if originally enlisted therein, but any Soldier at his own Request transferred from either of such before-mentioned Services to the Infantry shall be liable to serve for the Term of his original Enlistment.

Removal of Doubts as to Attestation of Soldiers.

LXIV. It is hereby enacted, That no Person who shall for Six Months and upwards, and either before or after the passing of this Act, have received Pay and been borne on the Strength and Pay List of any Regiment or Corps, or Depôt or Battalion of a Regiment or Corps (of which the last Quarterly Pay List, if produced, shall be conclusive Evidence), shall be entitled to claim his Discharge on the Ground of Error or Illegality in his Enlistment or Attestation, or on any other Ground whatsoever; but, on the contrary, every such Person shall be deemed to have been legally and regularly and properly enlisted and attested.

Allowance to Innkeepers.

LXXI. The Innholder or other Person on whom any Soldier is billeted in *Great Britain* shall, if required by such Soldier, furnish him for every Day of the March, and for a Period not exceeding Two Days when halted at the intermediate Place upon the March, and for the Day of the Arrival at the Place of final Destination, with One hot Meal in each Day, the Meal to consist of such Quantities of Diet and Small Beer as may be fixed by Her Majesty's Regulations, not exceeding One Pound and a Quarter of Meat previous to being dressed, One Pound of Bread, One Pound of Potatoes or other Vegetables, and Two Pints of Small Beer, and Vinegar, Salt, and Pepper, and for such Meal the Innholder or other Person furnishing the same shall be paid the Sum of Tenpence, and Twopence Halfpenny for a Bed; and all Innholders and other Persons on whom Soldiers may be billeted in *Great Britain* or *Ireland*, except when on the March in *Great Britain* and entitled to be furnished with the hot Meal as aforesaid, shall furnish such Soldiers with a Bed and with Candles, Vinegar, and Salt, and shall allow them the Use of Fire, and the necessary Utensils for dressing and eating their Meat, and shall be paid in consideration thereof the Sum of Fourpence *per Diem* for each Soldier; and the Sum to be paid to the Innholder or other Person on whom any of the Horses belonging to Her Majesty's Forces shall be billeted in *Great Britain* or *Ireland*, for Ten Pounds of Oats, Twelve Pounds of Hay, and Eight Pounds of Straw, shall be One Shilling and Ninepence *per Diem* for each Horse; and every Officer or Non-commissioned Officer commanding a Regiment, Detachment, or Party, shall every Four Days, or before they shall quit their Quarters if they shall not remain so long as Four Days, settle and discharge the just Demands of all Victuallers or other Persons upon whom such Officers, Soldiers, or Horses are billeted, out of the Pay and Subsistence of such Officers and Soldiers before any Part of the said Pay or Subsistence be distributed to them respectively; and if any such Officer or Non-commissioned Officer shall not pay the same as aforesaid, then, upon Complaint, and Oath made thereof by any Two Witnesses before Two Justices of the Peace for the County, Riding, Division, Liberty, City, Borough, or Place where such Quarters were situated, sitting in Quarter or Petty Sessions, the Secretary-at-War is hereby required (upon Certificate of the Justices before whom such Oath was made of the Sum due upon such Accounts, and the Persons to whom the same is owing,) to give Orders to the Agent of the Regiment or Corps to pay the Sums due to such Victuallers or other Persons as aforesaid, and to charge the same against such Officers; and in case any Soldier be suddenly ordered to march, and the respective Commanding Officers or Non-commissioned Officers are not enabled to make Payment of the Sums due for the Lodging or Victualling of the Men and Stabling or Forage for the Horses, every such Officer or Non-commissioned Officer shall, before his Departure, make up the Account with every Person upon whom such Soldier may have been billeted, and sign a Certificate thereof; which Account and Certificate shall be transmitted by such Officer or Non-commissioned Officer to the Agent of the Regiment or Corps, who is hereby required to make immediate Payment thereof, and to charge the same to the Account of such Officer or Non-commissioned Officer.

Definition of Terms.

LXXII. All the Powers and Provisions in this Act contained relating to Her Majesty's Army or Her Majesty's Forces shall be construed to apply to Her Majesty's Land Forces other than the *Indian* Forces of Her Majesty, and the Powers and Provisions relating to Her Majesty's *Indian* Forces shall be construed to apply to Her Majesty's *Indian* Land Forces, and the Powers and Provisions relating to *England* shall be construed to extend to *Wales* and to the Town of *Berwick-upon-Tweed;* and all Powers and Provisions relating to the *British* Isles shall be construed to extend to *Guernsey, Jersey, Alderney, Sark,* and *Man,* and all Isles thereto and to *Great Britain* and *Ireland* belonging; and all Powers and Provisions relating to Soldiers shall be construed to extend to Non-commissioned Officers, unless when otherwise provided; and all Powers and Provisions relating to Justices shall be construed to extend to all Magistrates authorized to act as such in their respective Jurisdictions, and to Chief Magistrates of exclusive local Jurisdictions; and all the Powers given to and Regulations made for the Conduct of Constables in relation to the billeting of Officers and Soldiers, and all Penalties and Forfeitures for any

Powers and Regulations as to Billets.

Neglect

Neglect thereof, shall extend to all Tithingmen, Headboroughs, and such like Officers and to all Inspectors or other Officers of Police, and to High Constables and other Chief Officers and Magistrates of Cities, Towns, Villages, Hamlets, Parishes, and Places in *England* and *Ireland*, and to all Justices of the Peace, Magistrates of Burghs, Commissioners of Police, and other Chief Officers and Magistrates of Cities, Towns, Villages, Parishes, and Places in *Scotland*, who shall act in the Execution of this Act in relation to billeting; and all Powers and Provisions for billeting Officers and Soldiers in Victualling Houses shall extend and apply to all Inns, Hotels, Livery Stables, Alehouses, and to the Houses of Sellers of Wine by Retail, whether *British* or Foreign, to be drunk in their own Houses, or Places thereunto belonging, and to all Houses of Persons selling Brandy, Spirits, Strong Waters, Cider, or Metheglin, by Retail, in *Great Britain* and *Ireland*; and in *Ireland*, when there shall not be found sufficient Room in such Houses, then to billeting Soldiers in such Manner as has been heretofore customary; Provided that no Officer or Soldier shall be billeted in *Great Britain* in any private Houses, or in any Canteen held or occupied under the Authority of the War Department, or upon Persons who keep Taverns only, being Vintners of the City of *London* admitted to their Freedom of the said Company in right of Patrimony or Apprenticeship, notwithstanding such Persons who keep such Taverns only have taken out Victualling Licences, nor in the House of any Distiller kept for distilling Brandy and Strong Waters, nor in the House of any Shopkeeper whose principal Dealing shall be more in other Goods and Merchandise than in Brandy and Strong Waters, so as such Distillers and Shopkeepers do not permit tippling in such Houses, nor in the House of Residence in any Part of the United Kingdom of any Foreign Consul duly accredited as such.

Exemptions from Billets.

LXXVI. It shall be lawful for the Justices of the Peace assembled at their Quarter Sessions to direct the Treasurer to pay, without Fee, out of the Public Stock of the County or Riding, or if such Public Stock be insufficient then out of Monies which the said Justices shall have Power to raise for that Purpose, in like Manner as for County Gaols and Bridges, such reasonable Sums as shall have been expended by the Constables within their respective Jurisdictions for Carriages and Vessels, over and above what was or ought to have been paid by the Officer requiring the same, regard being had to the Season of the Year and the Condition of the Ways by which such Carriages and Vessels are to pass; and in *Scotland* such Justices shall direct such Payments to be made out of the Rogue Money and Assessments directed and authorized to be assessed and levied by an Act of the Twentieth and Twenty-first Years of the Reign of Her present Majesty, Chapter Seventy-two.

Justices empowered to reimburse Constables for Sums expended by them.

XCI. Any Person who shall knowingly detain, buy, exchange, or receive from any Soldier or Deserter or any other Person acting for or on his Behalf on any Pretence whatsoever, or who shall solicit or entice any Soldier, or shall be employed by any Soldier, knowing him to be such, to sell any Arms, Ammunition, Medals for good Conduct or for Distinguishment or other Service, Clothes, or Military Furniture, or any Provisions, or any Sheets or other Articles used in Barracks provided under Barrack Regulations, or Regimental Necessaries, or any Article of Forage provided for any Horses belonging to Her Majesty's Service, or who shall have in his or her Possession or Keeping any such Arms, Ammunition, Medals, Clothes, Furniture, Provisions, Spirits, Articles, Necessaries, or Forage, and shall not give a satisfactory Account how he or she came by the same, or shall change the Colour of any Clothes as aforesaid, shall forfeit for every such Offence any Sum not exceeding Twenty Pounds, together with treble the Value of all or any of the several Articles of which such Offender shall so become or be possessed; and if any Person having been so convicted shall afterwards be guilty of any such Offence, he shall for every such Offence forfeit any Sum not exceeding Twenty Pounds but not less than Five Pounds, and the Treble Value of all or any of the several Articles of which such Offender shall have so become possessed, and shall in addition to such Forfeiture be committed to the Common Gaol or House of Correction, there to be imprisoned, with or without Hard Labour, for such Term not exceeding Six Calendar Months as the convicting Justice or Justices shall think fit; and upon any Information against any Person for a Second or any subsequent Offence, a Copy of the former Conviction, certified by the proper Officer having the Care or Custody of such Conviction, or any Copy of the same proved to be a true Copy, shall be sufficient Evidence to prove such former Conviction; and if any credible Person shall prove on Oath before a Justice of the Peace, or Person exercising like Authority according to the Laws of the Part of Her Majesty's Dominions in which the Offence shall be committed, a reasonable Cause to suspect that any Person has in his or her Possession, or on his or her Premises, any Property of the Description herein-before described, on or with respect to which any such Offence shall have been committed, such Justice may grant a Warrant to search for such Property, as in the Case of stolen Goods; and if upon such Search any such Property shall be found, the same shall and may be seized by the Officer charged with the Execution of such Warrant, who shall bring the Offender in whose Possession the same shall be found before the same or any other Justice of the Peace, to be dealt with according to Law: Provided always, that it shall be lawful for the Legislature of any of Her Majesty's Foreign Dominions on the Recommendation of the Officer or Officers for the Time being administering the Government thereof but not otherwise, to make Provision by Law for reducing such pecuniary Penalty, if not exceeding Twenty Pounds, to such Amount as may to such Legislature appear to be better adapted to the Ability and pecuniary Means of Her Majesty's Subjects and others inhabiting the same, which reduced Penalty shall be sued for and recovered in such and the same Manner as the

Penalty on purchasing Soldiers Necessaries, Stores, &c.

full Penalty hereby imposed: Provided also, that it shall be competent to Her Majesty, or to the Person or Persons administering the Government of any such Foreign Dominions as aforesaid, to exercise, in respect of the Laws so to be passed as aforesaid, all such Powers and Authorities as are by Law vested in Her Majesty or in any such Officer or Officers as aforesaid in respect of any other Law made or enacted by any such Legislature.

Attestation of Accounts.

C. All Muster Rolls and Accounts and Pay and Pension Lists which are required to be verified by Declaration shall be so verified and attested free of Stamp Duty and without Fee or Reward paid for such Declaration or Attestation.

Commissaries, &c. to attest their Accounts.

CI. All Commissaries, Regimental Paymasters, and all other Accountants for Military Services, Storekeepers, and Barrack Masters, upon making up their Accounts, and all Commissaries and Storekeepers upon returning from any Foreign Service, shall severally make the respective Declarations described in the Schedule to this Act annexed; which Declarations, if made in any Part of the United Kingdom, shall be made before some Justice, or other Person authorized to administer Oaths and Declarations, and if made on Foreign Service, shall be made before the Officer commanding in chief, or the Second in Command, or the Quartermaster or Deputy Quartermaster General or any Assistant Quartermaster General of the Army who shall respectively have Power to administer and receive the same.

Administration of Oaths.

Perjury.

CII. All Oaths and Declarations which are authorized and required by this Act may be administered (unless where otherwise provided) by any Justice of the Peace, or other Person having Authority to administer Oaths and Declarations; and any Person taking a false Oath or Declaration where an Oath or Declaration is authorized or required by this Act shall be deemed guilty of wilful and corrupt Perjury, or of wilfully making a false Declaration, and being thereof duly convicted shall be liable to such Pains and Penalties as by Law any Person convicted of wilful and corrupt Perjury is subject and liable to; and every Commissioned Officer convicted before a General Court-martial of Perjury, or of wilfully making a false Declaration, shall be cashiered, and every Soldier or other Person amenable to the Provisions of this Act found guilty thereof by a General or other Court-martial shall be punished at the Discretion of such Court.

Duration of this Act.

CV. This Act shall be and continue in force within *Great Britain* from the Twenty-fifth Day of *April* One thousand eight hundred and fifty-nine inclusive until the Twenty-fifth Day of *April* One thousand eight hundred and sixty; and shall be and continue in force within *Ireland*, and in *Jersey*, *Guernsey*, *Alderney*, *Sark*, and *Isle of Man* and the Islands thereto belonging, from the First Day of *May* One thousand eight hundred and fifty-nine inclusive until the First Day of *May* One thousand eight hundred and sixty; and shall be and continue in force within the Garrison of *Gibraltar*, the *Mediterranean*, and in *Spain* and *Portugal*, from the First Day of *August* One thousand eight hundred and fifty-nine inclusive until the First Day of *August* One thousand eight hundred and sixty; and shall be and continue in force in all other Parts of *Europe* where Her Majesty's Forces may be serving, and in the *West Indies* and *America*, from the First Day of *September* One thousand eight hundred and fifty-nine inclusive to the First Day of *September* One thousand eight hundred and sixty; and shall be and continue in force within the *Cape of Good Hope*, the *Isle of France* or *Mauritius* and its Dependencies, *Saint Helena*, and the Settlements on the Western Coast of *Africa*, from the First Day of *January* One thousand eight hundred and sixty inclusive until the First Day of *January* One thousand eight hundred and sixty-one; and shall be and continue in force within *British Columbia* and *Vancouver's Island*, from the Date of the Promulgation thereof in General Orders there inclusive until the First Day of *January* One thousand eight hundred and sixty-one; and shall be and continue in force in all other Places from the First Day of *February* One thousand eight hundred and sixty-one inclusive until the First Day of *February* One thousand eight hundred and sixty-two: Provided always, that this Act shall, from and after the Receipt and Promulgation thereof in General Orders in any Part of Her Majesty's Dominions or elsewhere beyond the Seas, become and be in full Force, anything herein stated to the contrary notwithstanding.

SCHEDULE.

FORM of DECLARATION of ATTESTATION of a COMMISSARY'S ACCOUNTS.

I do solemnly and sincerely declare, That I have not applied any Monies or Stores or Supplies under my Care or Distribution to my own Use, or to the private Use of any other Person by way of Loan to such Person or otherwise, or in any Manner applied them, or knowingly permitted them to be applied, to any other than Public Purposes, according to the Duty of my Office.

Declared before me by the within-named
this Day of

Justice of the Peace of or,
Commander in Chief, or *Second in Command*,
et cætera, the Army serving in
et cætera [*as the Case may be*].

FORM

FORM of DECLARATION of ATTESTATION of a STOREKEEPER'S ACCOUNTS.

I , Storekeeper at , do hereby solemnly and sincerely declare, That I have charged myself in this Account with the several Sums drawn for or received by me on Imprests, or for Rents, Sale of old Stores, or for any other Article or Service; that they are just and true, and include every Sum for which I am accountable during the Period stated. I also solemnly declare, that I have not, directly or indirectly, received any Profit, Fee, Emolument, or Advantage whatever beyond my Salary and authorized Allowances, except the trifling Advantage which may have arisen in respect to the fractional Parts of a Penny in the Totals of the Pay Lists, as sanctioned by the Regulations of 19th December 1832 $\frac{8}{1176}$ (See Art. 246, at Page 65, of Home Regulations); and I further solemnly declare, that the several Sums of Money for which I have taken credit as Disbursements in this Account, amounting to , have been actually and bonâ fide paid by me for the respective Services, without any Deductions, to the several Persons entitled to the same, and that the Receipts which accompany this Account have been actually signed and witnessed by the Persons stated therein; and I make this Declaration, conscientiously believing the same to be true.

, *Storekeeper at* .

Declared before me at
this Day of , 18 .

, *Magistrate for* .

FORM of DECLARATION of ATTESTATION of a BARRACK MASTER'S ACCOUNTS.

I , Barrack Master of the Barracks at , do hereby solemnly and sincerely declare, That I have charged myself in this Account with the several Sums drawn for or received by me on Imprests, or for Rents, Damages, and Deficiencies, washing Sheets, or for any other Article or Service; that they are just and true, and include every Sum for which I am accountable during the Period stated. I also solemnly declare that I have not, directly or indirectly, received any Profit, Fee, Emolument, or Advantage whatever from or on account of the Purchase or Issue of any of the Articles for the Service of the said Barracks, nor have I any Property in Lands, Houses, Tenements, or any Article used or employed in the Service of the War Department; and I further solemnly declare, that the several Sums of Money for which I have taken Credit as Disbursements in this Account, amounting to , have been actually and bonâ fide paid by me for the respective Services, without any Deductions, to the several Persons entitled to the same, and that the Receipts which accompany this Account have been actually signed and witnessed by the Persons stated therein; and I make this Declaration, conscientiously believing the same to be true.

, *Barrack Master at* .

Declared before me at
this Day of , 18 .

, *Magistrate for* .

FORM of DECLARATION of ATTESTATION of a PAYMASTER'S ACCOUNTS.

I do solemnly and sincerely declare, That the foregoing Pay List of the Regiment of , for the Period ended 185 , contains Charges of Pay for only such Non-commissioned Officers, Drummers, Fifers, Buglers, and Privates as were effective and entitled to Pay during, and regularly mustered at, the Periods set against their Names; that all those Men who were not present at the respective Musters taken by me on the , the , and the have the true Reasons of their Absence stated against their Names; and that every Absence affecting the Pay or Allowances of such Men which occurred between the respective Musters is properly accounted for.

Also, that the List of Commissioned Officers prefixed to the said Pay List contains a true and just Statement of the Names of all the Commissioned Officers who have been effective and entitled to Pay as belonging to the said Regiment for the Periods therein set down against their respective Names; also, that all the Remarks opposite to their Names on the Muster Roll have been correctly copied therein; and that the Sum debited in the general State of this Pay List for the Pay of Officers has been actually received by me and paid to them respectively.

Also, that the whole of the Sums debited in this Pay List and Account, amounting to , have been actually and bonâ fide disbursed by me in conformity with the established Regulations, and that the total Sum received, drawn for, or required to be remitted for the several Services therein

charged, including every Receipt whatever, for which I am required to give Credit in these Accounts, is

Also, that the Statement at the Foot of this Page contains a full and correct List of all Abstracts of Examination, and of all Decisions on Abstracts of Examination, of the Pay List of this Regiment received between the of 185 (the Date of the last Pay List transmitted to the War Office being that for the Period ended the 185) and the of 185 , the Date of this Pay List.

Also, that the total Amount of the Sums disallowed in the said Decisions is credited in this Pay List, in conformity with Article 21 of the explanatory Directions, dated the 1st July 1848.

Also, that, to the best of my Knowledge and Belief, both my Sureties are now living; that the Property of each is at least double that for which he is Surety; and that they respectively reside at the Places under-mentioned.

Names of Sureties.	Places of Residence.

Declared and subscribed before me at this Day of 185 .

_____ *Paymaster.*

_____ *Justice of the Peace for* _____.

Witnesses { _____ *Commanding Officer.*

_____ *Adjutant.*

CAP. V.

An Act for the Regulation of Her Majesty's Marine Forces while on shore. [25th *March* 1859.]

[§§ 8 & 9. *These are extended to British Columbia and Vancouver's Island.* § 63 *is a new Provision.* § 68 *is in lieu of* § 67 *of the Act of last Year. A few verbal Alterations occur in the Act and in the Schedules, in consequence of the Transfer to the Crown of the East India Forces, in accordance with* 21 & 22 *Vict. c.* 106. *In other respects, except as to Dates and the Sections here inserted, this Act is the same as* 21 & 22 *Vict. c.* 7.]

Marines to be subject to the Discipline of the Navy while on board Ship.

VI. All of Her Majesty's Royal Marine Forces shall, during the Time they shall be respectively borne on the Books of or be on board any of Her Majesty's Ships or Vessels in Commission, either as Part of the Complement or as Supernumeraries, or otherwise, be subject and liable in every respect to the Laws for the Government of Her Majesty's Forces by Sea and to the Rules and Discipline of the Royal Navy for the Time being, and shall and may be proceeded against and punished for Offences committed by them whilst so borne or on board, in the same Manner as the Officers and Seamen employed in the Royal Navy may be tried or punished; except when and so long as any Marine Officers or Marines shall be landed from any of Her Majesty's Ships, and be employed in Military Operations on shore, and when on such Occasions the senior Naval Officer present shall deem it expedient to issue an Order declaring that such Marine Officers and Marines shall during such Employment on shore be subject to the Regulations of this Act, in which Cases, and while such Order shall remain in force, they shall be subject to such Regulations, and be tried and punished under this Act accordingly, for any Offences to be committed by them while so on shore; and with or without any Commission or Warrant from the said Lord High Admiral or the said Commissioners for that Purpose, the Officer commanding in chief or commanding for the Time being any such Marine Officers or Marines shall have Power and Authority to convene, and to authorize any Officer to convene, Courts-martial under this Act, as Occasion may require for the Trial of Offences committed by any of the Royal Marine Forces, whether the same shall have been committed before or after such Officer shall have taken upon himself such Command: Provided always, that if any Marine Officer or Marine so borne on the Books of any of Her Majesty's Ships or otherwise shall commit any Offence for which he shall not be amenable to a Naval Court-martial, he may be tried and punished for the same in the same Manner as other Officers or Marines may be tried and punished for the like Offences under the Authority of this Act; or if the Commissioners for executing the Office of Lord High Admiral aforesaid so direct, he may be so tried and punished for any Offence committed by him on shore, whether he be or be not amenable to a Naval Court-martial for the same.

Lord High Admiral, &c. may grant Commissions for holding General Courts-martial, &c.

VII. It shall be lawful for the said Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral aforesaid, from Time to Time to grant Commissions or Warrants under the Hand of the said Lord High Admiral, or under the Hands of any Two or more of the said Commissioners, for the holding of General and other Courts-martial within the United Kingdom of *Great Britain* and *Ireland*, and elsewhere out of the same, in like Manner as has been heretofore used, and for bringing offenders against this Act and the Articles of War to Justice, and to erect and constitute Courts-martial, as well within the said United Kingdom and the *British* Isles as in any of Her Majesty's Garrisons

Garrisons or Dominions or elsewhere beyond the Seas, and to grant Commissions or Warrants to the Officer or Officers commanding in chief or commanding for the Time being any of Her Majesty's Royal Marine Forces, as well within the said United Kingdom as Her Majesty's other Dominions, and in any Foreign Parts out of the same Dominions, for convening, as well as for authorizing any Officer to convene, Courts-martial, as occasion may require, for the Trial of Offences committed by any of the Royal Marine Forces, whether the same shall have been committed before or after such Officer shall have taken upon himself such Command, or before or after any such Commission or Warrant shall be granted, provided that the Officer so authorized be not below the Degree of a Field Officer except in detached Situations beyond Seas, where a Captain may be authorized to convène District or Garrison Courts-martial; and any Person subject to this Act who shall, in any of Her Majesty's Dominions or elsewhere, commit any of the Offences for which he may be liable to be tried by Court-martial by virtue of this Act or of the Articles of War, may be tried and punished for the same in any Part of Her Majesty's Dominions, or other Place where he may have come or be after the Commission of the Offence, as if the Offence had been committed where such Trial shall take place.

Previous Convictions to be put in Evidence.

XVIII. After any Person subject to this Act has been found guilty of any Charge or Charges the Court before which any such Person shall have been tried, before passing Sentence on such Person, and for the Purpose only of awarding Punishment, may receive in Evidence against him any previous Convictions by Courts-martial; and in like Manner and for the like Purpose the Court may receive in Evidence any previous Conviction of any such Person, not being a Commissioned Officer, by a Court of ordinary Criminal Jurisdiction; and in the Case of Convictions by Courts-martial, duly confirmed, the Court-martial Book or the Divisional or Company's Defaulters Book, and when none of those Books can conveniently be produced, a Certificate, which shall purport to contain a Copy of the Entry of such Convictions in any of such Books or any of them, and which shall be signed by the Adjutant or other Officer having the Custody of the Court-martial Book or of the Defaulters Book of the Division or Company to which the Prisoner belongs, shall be sufficient Evidence of such Conviction; and it shall not be necessary to prove the Signature or official Character of the Person appearing to have signed such Certificate, nor, if the Court be satisfied from all the Circumstances of the Case that the Prisoner under Trial is the Person mentioned in any such Certificate, shall it be necessary to give other Proof of the Identity of the Person of the Offender; and in the Case of a Conviction by a Court of ordinary Criminal Jurisdiction, any Certificate transmitted as herein provided to the Officer commanding by the Clerk of any such Court or other Officer having Custody of the Records of such Courts, or the Deputy of such Clerk, setting forth the Offence of which the Prisoner was convicted, together with the Judgment of the Court thereon, and purporting to be signed by such Clerk or other Officer, or by the Deputy of such Clerk, or if such Certificate cannot conveniently be obtained, a Copy thereof duly certified by the Officer producing it, shall be sufficient Evidence of such last-mentioned Conviction; and it shall not be necessary to prove the Signature or official Character of the Person appearing to have signed such last-mentioned Certificate, nor, if the Court be satisfied from all the Circumstances of the Case that the Prisoner under Trial is the Person mentioned in such Certificate, shall it be necessary to give other Proof of the Identity of the Person of the Offender: Provided always, that before any such Evidence shall be received it shall be proved to the Satisfaction of the Court that the Prisoner had previously to his Trial received Notice of the Intention to produce such Evidence against him; and provided also, that the Court shall in no Case award to him any other Punishment or Punishments than may by this Act and by the Articles of War be awarded for the Offence of which he shall be so found guilty.

Report of Proceedings of Courts-martial.

XIX. Every Judge Advocate, or Person officiating as such, at a General Court-martial, and the President of every District or Garrison Court-martial, are required to transmit, with as much Expedition as may be, the original Proceedings and Sentence thereof to the Secretary of the Admiralty for the Time being; and any Person tried by a General Court-martial, or any Person on his Behalf, shall be entitled, on Demand, to a Copy of such Proceedings and Sentence (paying for the same at the Rate of Fourpence *per* Folio of Seventy-two Words), whether such Sentence shall be approved or not, at any Time not sooner than Six Months after the Trial, if the same took place at *Gibraltar* or in the *Mediterranean*, Three Months if at any other Station within *Europe*, and Twelve Months if elsewhere in Her Majesty's Dominions; provided that such Demand as aforesaid shall have been made within the Space of Three Years from the Date of the Approval or other final Decision upon the Proceedings before such General Court-martial: Provided also, that the Proceedings of District and Garrison Courts-martial need not be preserved after the Expiration of a Period of Twelve Years from the holding of the Court.

Power to inflict Corporal Punishment.

XXVIII. Any Court-martial may sentence any Marine to Corporal Punishment, not extending to Life or Limb, for Desertion or for disgraceful Conduct as herein-after mentioned, Misbehaviour, or Neglect of Duty, provided that no such Sentence of Corporal Punishment exceed Fifty Lashes.

Forfeiture of Pay on Conviction of Desertion or Felony

XXXII. Every Marine who shall be found guilty by a Court-martial of Desertion, of wilfully maiming or injuring himself or any other Marine, whether at the Instance of such other Marine or not, or of causing himself to be maimed or injured by any other Person, with Intent thereby to render himself or such other Marine unfit for Service, of tampering with his Eyes with Intent thereby to render

render himself unfit for Service, such Finding having been confirmed, or of Felony in any Court of ordinary Criminal Jurisdiction in *England* or *Ireland*, or of any Crime or Offence in any Court of Criminal Judicature in any Part of the United Kingdom, or in any Dominion, Territory, Colony, Settlement, or Island belonging to or occupied by Her Majesty out of the United Kingdom, which would, if committed in *England*, amount to Felony, shall thereupon forfeit all Advantage as to additional Pay, Good-conduct Pay, and to Pension on Discharge which might have otherwise accrued from the Length of his former Service, in addition to any Punishment which such Court may award; and every Marine who may be so convicted, or who may be sentenced to Penal Servitude, or discharged with Ignominy, shall thereupon likewise forfeit all Medals which he may be in possession of, whether for Sea or Field Service or for Good Conduct, together with any Annuity or Pension or Gratuity, if any, thereto appertaining; and any Sergeant reduced to the Ranks by Sentence of Court-martial may, by the Order of the same Court, be made to forfeit any Annuity or Pension and Medal for meritorious Service, or any or either of them, which may have been conferred upon him.

Marking Deserters.

XXXVIII. On the first and on every subsequent Conviction for Desertion the Court-martial, in addition to any other Punishment, may order the Offender to be marked Two Inches below and One Inch in rear of the Nipple of the Left Breast with the Letter D, such Letter not to be less than an Inch long, and to be marked upon the Skin with some Ink or Gunpowder or other Preparation, so as to be visible and conspicuous, and not liable to be obliterated.

Imprisonment of Offender already under Sentence for previous Offence.

XL. Whenever Sentence shall be passed by a Court-martial on an Offender already under Sentence, either of Imprisonment or of Penal Servitude, passed upon him by a Court-martial for a former Offence, the Court may award Sentence of Imprisonment or Penal Servitude for the Offence for which he is under Trial to commence at the Expiration of the Imprisonment or Penal Servitude to which he shall have been so previously sentenced, although the aggregate of the Terms of Imprisonment or Penal Servitude respectively may exceed the Term for which either of those Punishments could be otherwise awarded.

Term and Place of Imprisonment.

XLI. Save as herein specially provided, every Term of Penal Servitude or Imprisonment under the Sentence of a Court-martial, whether original or revised, shall be reckoned as commencing on the Day on which the original Sentence and Proceedings shall be signed by the President; and the Place of Imprisonment under the Sentences of Courts-martial shall be appointed by the Court or the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, or the Commanding Officer of the Divison to which the Offender belongs or is attached, or the Officer commanding the District, Garrison, Island, or Colony.

Apprehension of Deserters.

L. Upon reasonable Suspicion that a Person is a Deserter it shall be lawful for any Constable, or if no Constable can be immediately met with, then for any Officer or Marine or Soldier in Her Majesty's Service, or other Person, to apprehend or cause to be apprehended such suspected Person, and forthwith to bring him or cause him to be brought before any Justice living in or near the Place where he was so apprehended, and acting for the County or Borough wherein such Place is situate, or for the County adjoining such first-mentioned County or such Borough; and such Justice is hereby authorized and required to inquire whether such suspected Person is a Deserter, and from Time to Time to defer the said Inquiry, and to remand the said suspected Person, in the Manner prescribed by an Act passed in the Eleventh and Twelfth Years of the Reign of Her present Majesty, Chapter Forty-two, Section Twenty-one, and subject to every Provision therein contained; and if it shall appear to the Satisfaction of such Justice, by the Testimony of One or more Witnesses taken upon Oath, or by the Confession of such suspected Person confirmed by some corroborative Evidence upon Oath or by the Knowledge of such Justice, that such suspected Person is a Deserter, such Justice shall forthwith cause him to be conveyed in Civil Custody to the Head Quarters or Depôt of the Division to which he belongs, if stationed within a convenient and easily accessible Distance from the Place of Commitment, or if not so stationed then to the nearest or most convenient public Prison (other than a Military Prison) or Police Station legally provided as the Lock-up House for temporary Confinement of Persons taken into Custody, whether such Prison or Police Station be in the County or Borough in which such suspected Person was apprehended or in which he was committed, or not; or if the Deserter has been apprehended by a Party of Marines in charge of a Commissioned Officer, such Justice may deliver him up to such Party, unless the Officer shall deem it necessary to have the Deserter committed to Prison for safe Custody; and such Justice shall transmit an Account of the Proceedings, in the Form prescribed in the Schedule annexed to this Act, to the Secretary of the Admiralty, specifying thereon whether such Deserter was delivered to a Party of Marines in order to his being taken to the Head Quarters or Depôt of his Division, or whether such Deserter was committed to Prison, to the end that the Person so committed may be removed by an Order from the said Lord High Admiral or the said Commissioners for executing the Office of Lord High Admiral, and proceeded against according to Law; and such Justice shall also send to the Secretary of the Admiralty a Report stating the Names of the Persons by whom or by or through whose Means the Deserter was apprehended and secured, and the Secretary of the Admiralty shall transmit to such Justice an Order upon the proper Department for the Payment of the Sum of Twenty Shillings as a Reward to the Person so certified to be entitled thereto; and for such Information, Commitment, and Report as aforesaid the Clerk of the said Justice shall be entitled to a Fee of Two Shillings and

and no more; and every Gaoler and other Person into whose Custody any Person charged with Desertion is committed shall, immediately upon the Receipt of the Person so charged into his Custody, pay such Fee of Two Shillings, and also, upon the Production of a Receipt from the Medical Practitioner who may have been required to examine such suspected Person, a Fee of Two Shillings and Sixpence, and shall notify the Fact to the Secretary of the Admiralty, and transmit also to the Secretary of the Admiralty a Copy of the Commitment, to the end that the Secretary of the Admiralty may order Repayment of such Fees; and that when any Person shall be apprehended and committed as a Deserter in any of Her Majesty's Colonies, the Justice shall forthwith cause him to be conveyed to some public Prison, if the Detachment to which he is suspected to belong shall not be in the Colony, or if the Detachment be in the Colony, the Justice may deliver him into Custody at the nearest Military Post although the Detachment to which such Person is suspected to belong may not be stationed at such Military Post, if within reasonable Distance; and such Justice shall in every Case transmit to the Officer commanding in the Colony a Descriptive Return in the Form prescribed in the Schedule to this Act annexed, to the end that such Person may be removed by the Order of such Officer, and proceeded against according to Law.

Extension of Furlough in case of Sickness.

LV. When there shall not be any Officer of Her Majesty's Land or Marine Forces of the Rank of Captain or of a superior Rank, or any Adjutant of Militia, within convenient Distance of the Place where any Non-commissioned Officer or Marine, not borne on the Books of any of Her Majesty's Ships or Vessels in Commission as aforesaid, and who shall be on Furlough, shall be detained by Sickness or other Casualty rendering necessary an Extension of such Furlough, it shall be lawful for any Justice who shall be satisfied of such Necessity to grant an Extension of Furlough for a Period not exceeding One Month; and the said Justice shall immediately certify such Extension, and the Cause thereof, to the Commanding Officer of the Division or Detachment to which the Man belongs, if known, and if not, then to the Secretary of the Admiralty, in order that the necessary Allowance of Pay and Subsistence may be remitted to the Marine, who shall not during the Period of such Extension of Furlough be liable to be treated as a Deserter: Provided always, that nothing herein contained shall be construed to exempt any Marine from Trial and Punishment according to the Provisions of this Act for any false Representation made by him in that Behalf to the said Officer or Justice so extending the Furlough, or for any Breach of Discipline committed by him in applying for and obtaining the said Extension of Furlough.

Enlisting and swearing of Recruits.

LIX. Every Person who shall receive Enlisting Money (knowing it to be such) to serve in the Royal Marines from any Person employed in the Recruiting Service, and being an Officer, Non-commissioned Officer, or attested Marine, shall be deemed to be enlisted as a Marine in Her Majesty's Service, and while he shall remain with the Recruiting Party shall be entitled to be billeted; and every Person who shall enlist any Recruit shall first ask the Person offering to enlist whether he does or does not belong to the Militia, and shall, within Twelve Hours after the Receipt of the Enlisting Money, cause to be taken down in Writing the Name and Place of Abode of such Recruit, and, if such Recruit shall not reside in or in the Vicinity of the Town or Place where he offered to enlist, the Place also at which he shall declare that he intends to sleep, in order that within Forty-eight Hours, but not sooner than Twenty-four Hours, (any intervening *Sunday*, *Christmas Day*, or *Good Friday* not included,) after his having received the Enlisting Money, Notice of his having so enlisted may be given to the Recruit in the Form prescribed in the Schedule to this Act annexed, or left at his usual Place of Abode, or at the Place where he stated that it was his Intention to sleep; and when any Person shall be enlisted as a Marine he shall within Ninety-six Hours, (any intervening *Sunday*, *Christmas Day*, or *Good Friday* not included,) but not sooner than Twenty-four Hours, after such enlisting, unless he shall voluntarily have absented himself or absconded, appear, together with some Person employed in the Recruiting Service of the Party with which he shall have enlisted, before a Justice, not being an Officer in the Marines, residing in the Vicinity of the Place or acting for the Division or District or Place where such Recruit shall have been enlisted, or where the Head Quarters of the Recruiting Party shall be stationed, and if such Recruit shall declare that he voluntarily enlisted, the said Justice shall put to him the several Questions contained in the Schedule to this Act annexed, and shall then and there in the Presence of the said Recruit record or cause to be recorded in Writing his Answers thereto; and the said Justice is hereby required forthwith to read over, or cause his Clerk in his Presence to read over, to such Recruit, the several Articles of War against Mutiny and Desertion, and to administer to such Recruit the Declaration and Oath in the Schedule to this Act annexed applicable to the Case of a Recruit, and no other Declaration or Oath, anything in any Act to the contrary notwithstanding; and the Fee for administering the Declaration and Oath shall be One Shilling and no more; and the said Justice is hereby required to give, under his Hand, the Certificate in the Schedule to this Act annexed; and if any such Recruit so to be certified shall refuse to make the Declaration and take the Oath in the Schedule to this Act annexed before the said Justice, it shall be lawful for the Justice, at the Request of the Officer or Non-commissioned Officer with whom he enlisted, to detain and confine such Person until he shall make such Declaration and take the said Oath of Fidelity.

Offences connected with Enlistment.

LXI. If any Recruit shall receive Enlisting Money, knowing it to be such, from any Person employed in the Recruiting Service and authorized to enlist Recruits, and shall abscond or refuse to go before such Justice, or shall after his Enlistment absent himself from the Recruiting Party or Person with whom he enlisted,

enlisted, and shall not voluntarily return to go before some Justice within such Period of Ninety-six Hours as aforesaid, such Recruit shall at the Expiration of such Period of Ninety-six Hours be deemed to be enlisted and a Private in Her Majesty's Royal Marine Forces as fully to all Intents and Purposes as if he had been duly attested, and may be apprehended and punished as a Deserter, or for being absent without Leave, under any Articles of War made for the Punishment of Mutiny and Desertion; and such Recruit shall not be discharged by any Justice of the Peace after the Expiration of such Ninety-six Hours as aforesaid, unless it shall be proved to the Satisfaction of such Justice that the true Name and Residence of the Recruit were disclosed and known to the Recruiting Party, and that no Notice was given to the Recruit, or left at his usual Place of Abode, of his having so enlisted, or that the true Name and Residence of the Recruit were not taken down in Writing: Provided always, that in every Case wherein any Recruit shall have received Enlisting Money, and shall have absconded so that it shall not be possible immediately to apprehend and bring him before a Justice, the Officer or Non-commissioned Officer commanding the Party shall produce to the Justice before whom the Recruit ought regularly to have been brought for Attestation a Certificate of the Name and Place of Residence of such Recruit; and the Justice to whom such Certificate shall be produced shall, after satisfying himself that the Recruit who had so absconded cannot be found and apprehended, transmit a Duplicate thereof to the Secretary of the Admiralty, in order that, in the event of such Recruit being afterwards apprehended and reported as a Deserter, the Facts of his having received Enlisting Money, and having absconded after having been enlisted, may be ascertained before he shall be finally adjudged to be a Deserter; and it shall be lawful for any Two Justices acting for the County, Division, District, or Place where any such Recruit shall at any Time happen to be when any such Recruit shall be brought, and shall be proved upon Oath before them to have concealed his belonging or having belonged to any Regiment, or to the Marines, Ordnance, Militia, or Navy, or the Forces of the late *East India* Company, or Her Majesty's *Indian* Forces, and discharged, or to have deserted therefrom, or to have concealed his having been discharged on any prior Enlistment, or to have wilfully concealed any Infirmity, or designedly made any false Representation at or previously to the Time of receiving Enlisting Money or upon being attested, to adjudge such Recruit, if in *England*, to be a Rogue and Vagabond, and to sentence him to such Punishment as by any Law may be inflicted on Rogues and Vagabonds, and to adjudge such Person, if in *Scotland* or *Ireland*, to be imprisoned with Hard Labour in any Prison or House of Correction for any Period not exceeding Three Months; and any Recruit who shall designedly make any false Representation of any Particular contained in the Oath, Declaration, and Certificates in the Schedule to this Act annexed before or at the Time of receiving Enlisting Money, or before the Justice at the Time of his Attestation, and shall obtain any Enlisting Money, or any Bounty for entering into Her Majesty's Service, or any other Money, shall be deemed guilty of obtaining Money under false Pretences, within the true Intent and Meaning, if in *England*, of an Act passed in the Session holden in the Seventh and Eighth Years of His Majesty King *George* the Fourth, intituled *An Act for consolidating and amending the Laws in* England *relative to Larceny and other Offences connected therewith*, and, if in *Ireland*, of an Act passed in the Ninth Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act for consolidating and amending the Laws in* Ireland *relative to Larceny and other Offences connected therewith*, and such Recruit, if in *Scotland*, shall be deemed guilty of Falsehood, Fraud, and wilful Imposition; and any attested Recruit who shall in any Part of Her Majesty's Dominions or elsewhere have committed any of the before-mentioned Offences regarding Enlistment may be summarily punished, or prosecuted, tried, and convicted, for any such Offence, at any Time during the Continuance of the Service for which he shall have enlisted, and in any County or Place where he may happen to be when such summary Proceeding or Prosecution shall be instituted; and the Production of the Declaration in the Schedule to this Act annexed made by the Recruit on his Attestation, and the Certificate signed by the Justice before whom the Recruit was attested, certifying that the Questions and Answers contained in the Attestation were in his Presence put to and given by such Recruit, shall, in the Absence of Proof to the contrary, be deemed and taken to be sufficient Evidence of such Recruit having represented the several Particulars as in the Declaration made by him; and Proof by the Oath of One or more credible Witnesses that the Person so prosecuted hath voluntarily acknowledged that at the Time of his Enlistment he belonged to the Militia, or to any Regiment or Corps in Her Majesty's Service, or to Her Majesty's Navy or Marine, or to the Forces of the late *East India* Company, or Her Majesty's *Indian* Forces, that he designedly made any false Representation of any Particular contained in the said Oath, Declaration, and Certificates, or either of them, before the Justice at the Time of the Attestation of the Person being prosecuted, shall be deemed and taken as Evidence of the Fact so by him acknowledged, without Production of any Roll or other Document to prove the same; and such Proof of such Acknowledgment shall be certified to the Secretary of the Admiralty by the Justice before whom such Proof shall have been given; and any Man having been enrolled as a Volunteer under the Act Fifteenth and Sixteenth *Victoria*, Chapter Fifty, or any subsequent Acts, to serve in the Militia, who at the Time of offering to enlist into Her Majesty's Forces, Army, or Marines, or into Her Majesty's *Indian* Forces, or to enter into Her Majesty's Navy, shall deny that he is a Militia Man then actually enrolled and engaged to serve in the Militia, and who shall not have completed his Engagement by Attestation or by being entered on the Books of the Navy, shall upon Conviction thereof before any One Justice of the

7 & 8 G. 4. c. 29.

9 G. 4. c. 55.

Peace

Peace in the United Kingdom, either upon the Oath of One Witness or upon his own Confession, be committed to the Common Gaol or House of Correction for any Time not exceeding Fourteen Days; and any Man enrolled as aforesaid who may have denied or shall hereafter deny, or who may have confessed or shall hereafter confess, to the Justice before whom he shall have been or shall be attested for the Army or Marine Forces, or for Her Majesty's *Indian* Forces, or who may have denied or shall hereafter deny, or who may have confessed or who shall hereafter confess, on or after the Completion of his Engagement to enter the Navy, that he belongs to the Militia, shall not be liable to Imprisonment for such Offence, but shall, upon Conviction thereof before any One Justice of the United Kingdom, or before a Divisional or Naval Court of Inquiry, either upon his own Confession or upon the Oath of One Witness, forfeit all Militia Bounty which would have become payable to him during the Period of his belonging to Her Majesty's Forces, Army, or Marines, or to Her Majesty's *Indian* Forces, or to the Royal Navy, if he had not therein enlisted or entered, and be subjected to a Stoppage of One Penny a Day from his Pay for Eighteen Calendar Months, to be applied as the Secretary of the Admiralty shall direct, or if enrolled in the Militia as a balloted Man or a Substitute shall, if convicted before any One Justice as aforesaid, be committed to the Common Gaol or House of Correction for and during any Time not exceeding Six Calendar Months, over and above any Penalty or Punishment to which such Person so offending may be otherwise liable, and such Person, whether he shall have been enrolled as a Volunteer or as a balloted Man or Substitute, shall from the Day on which his Engagement to serve in the Militia shall end, and not sooner, be and serve as a Marine of the Division of Her Majesty's Royal Marine Forces into which he has so enlisted or in the Navy into which he shall have entered: Provided also, that every such Person so enlisted shall be liable to serve in Her Majesty's Royal Marine Forces in which he has so enlisted, and shall be subject to all the Provisions of this Act, or, if he had entered the Navy, to the Law, Rules, Regulations, and Customs by which the Navy is governed, and be liable to be apprehended and dealt with and punished as a Deserter from the Marines or from the Navy if he shall neglect or refuse to join and serve in the Marines or in the Navy as aforesaid.

As to Re-enlistment abroad.

LXIII. 'And whereas it is expedient that Provisions should be made for re-enlisting Marines abroad:' Be it enacted, That it shall be lawful for the Officer commanding any Ship or Vessel of Her Majesty on the Books of which any Marine may be borne, or on board of which any such Marine may be, to enlist and attest out of *Great Britain* or *Ireland* any Marine desirous of re-enlisting into Her Majesty's Royal Marine Forces, if such Marine be considered by such Commanding Officer a fit Person to continue in Her Majesty's Service, and every such Commanding Officer shall have the same Powers in that Behalf as are by this or any other Act of Parliament given to Justices of the Peace in the United Kingdom for all such Purposes of Enlistment and Attestation, and any Marine so re-enlisted shall be deemed to be an attested Marine.

Removal of Doubts as to Attestation of Marines.

LXVIII. No Person who shall for Six Months and upwards, and either before or after the passing of this Act, have received Pay and be borne on the Strength and Pay List of any Division of Her Majesty's Royal Marine Forces, of which the last Quarterly Pay List (if produced) shall be conclusive Evidence, or been borne as a Marine on the Books of any of Her Majesty's Ships in Commission, shall be entitled to claim his Discharge on the Ground of Error or Illegality in his Enlistment or Attestation, or on any other Ground whatsoever, but, on the contrary, every such Person shall be deemed to have been legally and regularly and properly enlisted and attested.

Allowance to Innkeepers.

LXXI. The Innholder or other Person on whom any Marine is billeted in *Great Britain* shall, if required by such Marine, furnish him for every Day on the March, and for a Period not exceeding Two Days, when halted at any intermediate Place upon the March, and for the Day of the Arrival at the Place of final Destination, with One hot Meal in each Day, the Meal to consist of such Quantities of Diet and Small Beer as may be fixed by Her Majesty's Regulations, not exceeding One Pound and a Quarter of Meat previously to being dressed, One Pound of Bread, One Pound of Potatoes or other Vegetables, and Two Pints of Small Beer, and Vinegar, Salt, and Pepper, and for such Meal the Innholder or other Person furnishing the same shall be paid the Sum of Tenpence, and Twopence Halfpenny for a Bed; and all Innholders and other Persons on whom Marines may be billeted in *Great Britain* or *Ireland*, except when on the March in *Great Britain*, and entitled to be furnished with the hot Meal as aforesaid, shall furnish such Marines with a Bed and with Candles, Vinegar, and Salt, and shall allow them the Use of Fire, and the necessary Utensils for dressing and eating their Meat, and shall be paid in consideration thereof the Sum of Fourpence *per Diem* for each Marine; and the Sum to be paid to the Innholder or other Person on whom any of the Horses belonging to Her Majesty's Royal Marine Forces shall be billeted, in *Great Britain* or *Ireland*, for Ten Pounds of Oats, Twelve Pounds of Hay, and Eight Pounds of Straw, shall be One Shilling and Ninepence *per Diem* for each Horse; and every Officer or Non-commissioned Officer commanding a Division, Detachment, or Party, shall every Four Days, or before they shall quit their Quarters if they shall not remain so long as Four Days, settle and discharge the just Demands of all Victuallers or other Persons upon whom such Officers, Marines, or Horses are billeted, out of the Pay and Subsistence of such Officers and Marines, before any Part of the said Pay or Subsistence be paid or distributed to them respectively; and if any such Officer or Non-commissioned Officer shall not pay the same as aforesaid, then, upon Complaint and Oath made thereof by any Two Witnesses before Two Justices of the Peace for the County, Riding, Division, Liberty,

Liberty, City, Borough, or Place where such Quarters were situate, sitting in Quarter or Petty Sessions, the Secretary of the Admiralty is hereby required, upon Certificate of the Justices before whom such Oath shall be made of the Sum due to Complainant, to order Payment of the Amount which shall be charged against such Officer; and in case of any Marines being suddenly ordered to march, and of the Commanding Officer or Non-commissioned Officer not being enabled to make Payment of the Sums due on account of Billets, every such Officer or Non-commissioned Officer shall before his Departure make up the Account with every Person upon whom any such Marines may have been billeted, and sign a Certificate thereof; which Account and Certificate, on being transmitted to the Secretary of the Admiralty, shall be immediately paid, and charged to the Account of such Officer or Non-commissioned Officer.

Justices of Peace to direct Payment of Sums expended for Carriages, &c.

LXXV. It shall be lawful for the Justices of the Peace assembled at their Quarter Sessions to direct the Treasurer to pay, without Fee, out of the Public Stock of the County or Riding, or if such Public Stock be insufficient then out of Monies which the said Justices shall have Power to raise for that Purpose, in like Manner as for County Gaols and Bridges, such reasonable Sums as shall have been expended by the Constables within their respective Jurisdictions for Carriages and Vessels, over and above what was or ought to have been paid by the Officer requiring the same, regard being had to the Season of the Year and the Condition of the Ways by which such Carriages and Vessels are to pass; and in *Scotland* such Justices shall direct such Payments to be made out of the Rogues Money and Assessments directed and authorized to be assessed and levied by an Act passed during the Session holden during the Twentieth and Twenty-first Years of the Reign of Her present Majesty, Chapter Seventy-two.

Exemption from Tolls.

LXXVII. All Officers and Marines being in proper Uniform, Dress or Undress, and their Horses and Baggage, (but not when passing in any private or hired Vehicle,) and all Recruits marching by Route, and all Prisoners under Military Escort, and all Carriages and Horses belonging to Her Majesty or employed in Her Service under the Provisions of this Act, or in any of Her Majesty's Colonies, when employed in conveying any such Persons as aforesaid or their Baggage or returning from conveying the same, shall be exempted from the Payment of any Duties and Tolls on embarking or disembarking from or upon any Pier, Wharf, Quay, or Landing Place, or in passing along or over any Turnpike or other Roads or Bridges, otherwise demandable by virtue of any Act already passed or hereafter to be passed, or by virtue of any Prescription, Grant, or Custom, or by Virtue of any Act or Ordinance, Order or Direction, of any Colonial Legislature or other Authority in any of Her Majesty's Colonies; and if any Toll Collector shall demand or receive Toll from any Marine Officer or Marine who shall be in proper Uniform, Dress or Undress, or for their Horses, and who by this Act is exempted from Payment thereof, or from any Recruits marching by Route, or from any Prisoners under Military Escort, or for any Carriages or Horses belonging to Her Majesty or employed in Her Service under the Provisions of this Act, when conveying Persons or Baggage, or returning therefrom, every such Collector shall for every such Offence be liable to a Penalty not exceeding Five Pounds; provided that nothing herein contained shall exempt any Boats, Barges, or other Vessels employed in conveying the said Persons, Horses, Baggage, or Stores along any Canal from Payment of Tolls in like Manner as other Boats, Barges, and Vessels are liable thereto, except when employed in Cases of Emergency as herein mentioned; and that when any Officers or Marines on Service shall have Occasion in the March by Route to pass regular Ferries in *Scotland*, the Officer commanding shall be at liberty to pass over with his Marines as Passengers, paying for himself and each Marine One Half only of the ordinary Rate payable by Passengers, or he shall be at liberty to hire the Ferry Boat for himself and his Party, debarring all others for that Time, and shall in such Case pay only Half the ordinary Rate for such Boat.

Administration of Oaths.
Perjury.

XCI. All Oaths and Declarations which are authorized or required by this Act may be administered (unless where otherwise provided) by any Justice of the Peace or other Person having Authority to administer Oaths and Declarations; and any Person giving false Evidence or taking a false Oath or Declaration where an Oath or Declaration is authorized or required to be taken by this Act, and being thereof duly convicted, shall be deemed guilty of wilful and corrupt Perjury, and shall be liable to such Pains and Penalties as Persons convicted of wilful and corrupt Perjury are or may be subject and liable to; and every Commissioned Officer convicted before a General Court-martial of Perjury shall be cashiered, and every Marine or other Person amenable to the Provisions of this Act found guilty thereof by a General or other Court-martial shall be punished at the Discretion of such Court.

Duration of Act.

XCIV. This Act shall be in force within *Great Britain* from the Twenty-fifth Day of *April* One thousand eight hundred and fifty-nine until the Twenty-fifth Day of *April* One thousand eight hundred and sixty inclusive; and within *Ireland*, and in *Jersey*, *Guernsey*, *Alderney*, *Sark*, and the *Isle of Man*, and the Islands thereto belonging, from the First Day of *May* One thousand eight hundred and fifty-nine until the First Day of *May* One thousand eight hundred and sixty inclusive; and within the Garrison of *Gibraltar*, and in *Spain* and *Portugal*, from the Twenty-fifth Day of *July* One thousand eight hundred and fifty-nine until the Twenty-fifth Day of *July* One thousand eight hundred and sixty inclusive; and in all other Parts of *Europe* where Royal Marine Forces may be serving, and the *West Indies* and *North America*, and *Cape of Good Hope*, from the Twenty-fifth Day of *September* One

One thousand eight hundred and fifty-nine until the Twenty-fifth Day of *September* One thousand eight hundred and sixty inclusive; and in all other Places from the Twenty-fifth Day of *November* One thousand eight hundred and fifty-nine until the Twenty-fifth Day of *November* One thousand eight hundred and sixty inclusive.

CAP. VI.

An Act to apply the Sum of One million two hundred twenty-two thousand three hundred and eighty-three Pounds Eight Shillings and Ninepence out of the Consolidated Fund to the Service of the Year ending the Thirty-first Day of *March* One thousand eight hundred and fifty-nine. [25th *March* 1859.]

CAP. VII.

An Act to apply the Sum of Eleven Millions out of the Consolidated Fund to the Service of the Year One thousand eight hundred and fifty-nine. [25th *March* 1859.]

CAP. VIII.

An Act to repeal the Thirty-second Section of the Act "for the more easy Recovery of Small "Debts and Demands in *England*," and to make further Provision in lieu thereof." [25th *March* 1859.]

'WHEREAS it is provided by the Thirty-second Section of the Act passed in the Session of 'Parliament holden in the Ninth and Tenth Years of Her Majesty, Chapter Ninety-five, that, 'until Parliament should otherwise direct, the High Bailiff of *Westminster* should have the Execution 'of all Process issuing out of any of the Courts holden under that Act the Jurisdiction of which should 'include the City and Liberty of *Westminster* or any Part thereof, and should be deemed the High 'Bailiff of such Courts, and the High Bailiff of *Southwark* should have the Execution of all Process 'issuing out of any of the said Courts the Jurisdiction of which should include the Borough of '*Southwark* or any Part thereof, and should be deemed the High Bailiff of such last-mentioned Courts, 'and no other High Bailiff should be appointed for such Courts: And whereas under the Provisions of 'the said Act a Court was established, and called the *Westminster* County Court of *Middlesex*, and the 'High Bailiff of *Westminster* had the Execution of all Process which issued thereout, and was deemed 'the High Bailiff thereof, and another Court was established, and called the *Southwark* County Court 'of *Surrey*, and the High Bailiff of *Southwark* had the Execution of all Process which issued thereout, 'and was deemed the High Bailiff thereof: And whereas the Persons for whose Benefit the said 'Thirty-second Section was enacted are deceased, and it is expedient that Provision be now made by 'Parliament for the Performance of the Duties of the Office of High Bailiff of these Courts by Persons 'who will be able to devote their whole Time thereto:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. The Thirty-second Section of the said Act is hereby repealed, and on the passing of this Act any Person who may be deemed to be the High Bailiff of either of the said Courts, under the Provisions of the said Section, shall cease to be deemed and to be the High Bailiff of the said Court; and High Bailiffs for the *Westminster* County Court of *Middlesex* and the *Southwark* County Court of *Surrey* respectively, and for any other Courts holden under the said Act of which the High Bailiffs of *Westminster* and *Southwark* respectively would have been deemed High Bailiffs under the said Section, shall be from Time to Time appointed, and shall be liable to be removed, in the same Manner as now by Law provided concerning the Appointment and Removal of the High Bailiffs of other Courts holden under the said recited Act.

Section 32. of 9 & 10 Vict. c. 95. repealed, and other Provisions made as to Appointments of High Bailiffs of Westminster and Southwark.

CAP. IX.

An Act to effect an Exchange of Ecclesiastical Patronage between Her Majesty the Queen and Miss *Sophia Broadley*. [25th *March* 1859.]

'WHEREAS the Queen's most Excellent Majesty in right of the Crown is seised or entitled to 'Herself, Her Heirs and Successors, of or to the perpetual Advowson of the Vicarage of *Welton-with-Melton* in the Archdeaconry of the East Riding of *Yorkshire* and Diocese of *York*, which 'Living is of the yearly Value of Five hundred and eighty-five Pounds: And whereas *Sophia* '*Broadley* of *Welton House* in the County of *York*, Spinster, is seised in Her Demesne as of Fee to 'her and her Heirs of the perpetual Advowson of the Rectory of *Ecton* in the County of *Northampton* 'and Diocese of *Peterborough*, which Living is of the yearly Value of Seven hundred Pounds: And 'whereas the yearly Value of the said Rectory of *Ecton* being greater than the yearly Value of the 'said Vicarage of *Welton-with-Melton*, the said *Sophia Broadley* has proposed to give to Her Majesty 'the Advowson of the said Rectory of *Ecton* in exchange for the Advowson of the said Vicarage of '*Welton-with-Melton*, and as the proposed Exchange, by reason of the greater Value of the said

'Rectory of *Ecton*, would be for the Benefit of the Crown, Her Majesty has been graciously pleased to 'approve thereof: And whereas the Most Reverend *Thomas* Lord Archbishop of *York*, the Diocesan 'of the said Vicarage of *Welton-with-Melton*, and the Right Reverend *George* Lord Bishop of *Peter-* 'borough, the Diocesan of the said Rectory of *Ecton*, consent to the proposed Exchange: And whereas 'there being no Provision by Law for the Exchange of Ecclesiastical Patronage between Her Majesty 'seised in right of Her Crown and any of Her Majesty's Subjects, such Exchange cannot be effected 'without the Aid and Authority of Parliament:' May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Advowson of Rectory of Ecton vested in Her Majesty.

I. Upon and from the passing of this Act, the perpetual Advowson, Donation, Right of Patronage and Presentation, of, in, and to the Rectory of *Ecton* in the County of *Northampton* and Diocese of *Peterborough*, shall become and be the Property and Estate of and vested in Her Majesty the Queen, Her Heirs and Successors, in right of Her Crown, freed and discharged from all Claims and Demands whatsoever by or on behalf of the said *Sophia Broadley*, her Heirs or Assigns.

Advowson of Vicarage of Welton-with-Melton vested in Sophia Broadley.

II. Upon and from the passing of this Act, the perpetual Advowson, Donation, Right of Patronage and Presentation, of, in, and to the Vicarage of *Welton-with-Melton* in the Archdeaconry of the East Riding of *Yorkshire* and Diocese of *York*, shall become and be the Property and Estate of and be vested in the said *Sophia Broadley* and her Heirs, and she shall thereupon by virtue of this Act be and become seised thereof in her Demesne as of Fee, to her, her Heirs and Assigns, freed and discharged from all Title, Claim, or Demands whatsoever for or on behalf of Her Majesty, Her Heirs or Successors.

If Her Majesty evicted from Advowson of Ecton, the Advowson of Welton to revest in Her.

III. Provided always, That if Her Majesty, Her Heirs, Successors, or Assigns, shall at any Time hereafter be evicted from the said Advowson of *Ecton* through any Defect in the Title of the said *Sophia Broadley* thereto, then and immediately thereupon Her Majesty, Her Heirs, Successors, or Assigns, shall be remitted and restored to the Possession and Enjoyment of the said Advowson of *Welton-with-Melton* as of Her and their former Estate, and in as full and ample a Manner as if this Act had not been passed, together with all Augmentations and Additions which subsequently to the passing of this Act shall have been made to the said Living of *Welton-with-Melton* previously to the Advowson thereof so reverting to Her Majesty, Her Heirs or Successors.

If Miss Broadley evicted from Advowson of Welton the Advowson of Ecton to revest in her.

IV. Provided also, That if the said *Sophia Broadley*, her Heirs or Assigns, shall at any Time hereafter be evicted from the said Advowson of *Welton-with-Melton* through any Defect in the Title of Her Majesty thereto, then and immediately thereupon the said *Sophia Broadley*, her Heirs or Assigns, shall be remitted and restored to the Possession and Enjoyment of the said Advowson of *Ecton* as of her and their former Estate, and in as full and ample a Manner as if this Act had not been passed, together with all Augmentations and Additions which subsequently to the passing of this Act shall have been made to the said Living of *Ecton* previously to the Advowson thereof so reverting to the said *Sophia Broadley*, her Heirs or Assigns.

Act not to affect present Incumbents.

V. Nothing in this Act contained shall disturb or prejudicially affect the present Incumbents of the said Rectory or Vicarage respectively in the Enjoyment of their respective Incumbencies.

General Saving.

VI. Saving always to all Persons, Bodies Politic and Corporate, and their respective Heirs, Successors, Executors, and Administrators, (other than the Queen's most Excellent Majesty, Her Heirs and Successors, and the said *Sophia Broadley*, her Heirs, Executors, Administrators, and Assigns, the Lord Archbishop of *York* and his Successors for ever, and the Lord Bishop of *Peterborough* and his Successors for ever,) all such Estate, Right, Title, Interest, Trust, Claim, and Demand whatsoever, in, to, or out of the said Advowsons and other Premises hereby respectively vested and settled as aforesaid respectively, as they or any of them had before the passing of this Act, or could have had in case this Act had not been passed.

CAP. X.

An Act to settle the Form of Affirmation to be made in certain Cases by Quakers and other Persons by Law permitted to make an Affirmation instead of taking an Oath.

[8th *April* 1859.]

'WHEREAS it is expedient to alter the Form of Affirmation to be taken by Persons of the 'Persuasion of the People called Quakers and by other Persons by Law permitted to make a 'solemn Affirmation or Declaration instead of taking an Oath in the Cases herein-after mentioned:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Form of Affirmation to be made by Quakers and other Persons

I. Instead of the Form of Affirmation directed to be made and subscribed by Persons of the Persuasion of the People called Quakers and other Persons by Law permitted to make a solemn Affirmation or Declaration instead of taking an Oath in and by an Act of the Twenty-second Year of Her present Majesty, intituled *An Act to substitute One Oath for the Oaths of Allegiance, Supremacy, and Abjuration; and for the Relief*

Relief of Her Majesty's Subjects professing the Jewish Religion, every Person of the Persuasion of the People called Quakers, and every other Person now by Law permitted to make his solemn Affirmation or Declaration instead of taking an Oath, shall be permitted to make his solemn Affirmation in the following Words; namely,

by Law permitted to make an Affirmation instead of taking an Oath as in 21 & 22 Vict. c. 48.

'I *A.B.* do solemnly, sincerely, and truly declare and affirm, That I will be faithful and bear true 'Allegiance to Queen *Victoria*, and to Her will be faithful against all Conspiracies and Attempts 'whatever which shall be made against Her Person, Crown, or Dignity; and I will do my utmost 'Endeavour to disclose and make known to Queen *Victoria*, Her Heirs and Successors, all Treasons 'and traitorous Conspiracies which I shall know to be formed against Her or Them; and I will be true 'and faithful to the Succession of the Crown, which Succession, by an Act intituled "An Act for the '"further Limitation of the Crown, and better securing the Rights and Liberties of the Subject," is 'and stands limited to the Princess *Sophia* Electress of *Hanover*, and the Heirs of Her Body being 'Protestants, hereby utterly renouncing and refusing any Obedience or Allegiance unto any other 'Person claiming or pretending a Right to the Crown of this Realm; and I do declare that no Foreign 'Prince, Person, Prelate, State, or Potentate hath or ought to have any Jurisdiction, Power, 'Superiority, Pre-eminence, or Authority, Ecclesiastical or Spiritual, within this Realm:'

And the making and subscribing of such Affirmation by a Person herein-before authorized to make and subscribe the same shall have the same Force and Effect as the taking and subscribing by other Persons of the Oath appointed by the said Act of the Twenty-second Year of Her present Majesty.

II. Where in the Affirmation hereby appointed the Name of Her present Majesty is expressed or referred to, the Name of the Sovereign of this Kingdom for the Time being, by virtue of the Act "for "the further Limitation of the Crown, and better securing the Rights and Liberties of the Subject," shall be substituted from Time to Time, with proper Words of Reference thereto.

The Name of the Sovereign for the Time being to be substituted for the Name of Her Majesty.

CAP. XI.

An Act to enable the Secretary of State in Council of *India* to raise Money in the United Kingdom for the Service of the Government of *India*. [8th *April* 1859.]

'WHEREAS, in consequence of the recent Disturbances in *India*, it is expedient that the Secretary 'of State in Council of *India* should be enabled to raise Money in the United Kingdom on the 'Credit of the Revenues of *India*:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. It shall be lawful for the Secretary of State in Council of *India*, at any Time or Times before the Thirtieth Day of *April* One thousand eight hundred and sixty, or, if Parliament be then sitting, before the End of the then Session of Parliament, to raise in the United Kingdom for the Service of the Government of *India* any Sum or Sums of Money not exceeding in the whole Seven Millions as herein-after provided.

Secretary of State in Council of India may raise any Sum not exceeding Seven Millions.

II. It shall be lawful for the said Secretary of State in Council from Time to Time to borrow upon Bonds to be issued under the Hands of Three Members of the Council of *India*, and countersigned by the Secretary of State for *India*, or One of his Under Secretaries or his Assistant Under Secretary, all or any Part of the Money hereby authorized to be raised as aforesaid; such Bonds to be for such respective Amounts, payable after such Notice, and at such Rate or Rates of Interest as the said Secretary of State in Council may think fit.

Money may be raised on Bonds under the Hands of Three Members, &c.

III. For raising all or any Part of the Money by this Act authorized to be raised which may not be borrowed on Bond as aforesaid, it shall be lawful for the said Secretary of State in Council to issue from Time to Time Debentures under the Hands of Three Members of the said Council, and countersigned as aforesaid, for such respective Amounts, and at such Rate or Rates of Interest, as the said Secretary of State in Council may think fit; such Debentures to be issued at or for such Prices and on such Terms as may be determined by the said Secretary of State in Council.

When Money not borrowed on Bond, Debentures may be issued.

IV. All Debentures issued under the Authority of this Act shall be paid off at par at a Time or Times to be mentioned in such Debentures respectively; and the Interest on all such Debentures shall be payable half-yearly, on such Days as shall be mentioned therein; and the Principal Moneys and Interest secured by such Debentures shall be payable at the Treasury of the said Secretary of State in Council in *London*.

As to Payment of Principal and Interest on Debentures.

V. All or any Number of the Debentures issued under the Authority of this Act, and all Right to and in respect of the Principal Moneys secured thereby, and all Interest due and accruing thereon, shall be transferable either by the Delivery of such Debentures respectively, or, at the Discretion of the Secretary of State in Council, by Deed.

Debentures transferable by Delivery or Deed.

VI. The whole Amount of Principal Moneys to be secured by Bonds or Debentures, or by Bonds and Debentures, to be issued under this Act, shall not exceed Seven Millions, and no Money shall be raised or secured under the Authority of this Act after the said Thirtieth Day of *April* One thousand eight hundred and sixty, or, if Parliament be then sitting, after the End of the then Session of Parliament, save for or upon the Repayment of Principal Moneys previously secured under this Act, as herein-after provided.

The whole Amount secured by Bonds, &c. not to exceed Seven Millions.

VII. Upon

Power to raise Money for Repayment of Principal Moneys.

VII. Upon or for the Repayment of the Principal Money secured under the Authority of this Act, or any Part of such Money, the said Secretary of State in Council may at any Time borrow or raise by Bonds or Debentures as aforesaid all or any Part of the Amount of Principal Money repaid or to be repaid, and so from Time to Time, as all or any Part of any Principal Money for the Time being secured under this Act may require to be repaid; but the Amount to be secured by new Securities shall not in any Case exceed the Principal Money required to be repaid.

Securities to be charged on Revenues of India.

VIII. All Bonds and Debentures to be issued under this Act, and the Principal Moneys and Interest thereby secured, shall be charged on and payable out of the Revenues of *India*, in like Manner as other Liabilities incurred on account of the Government of the said Territories.

Provision as to Composition for Stamp Duties on Bonds and Debentures.

IX. The Provisions contained in Section Four of the Act of the Session holden in the Fifth and Sixth Years of King *William* the Fourth, Chapter Sixty-four, with respect to the Composition and Agreement for the Payment by the *East India* Company of an annual Sum in lieu of Stamp Duties on their Bonds, and the Exemption of their Bonds from Stamp Duties, shall be applicable with respect to the Bonds and Debentures to be issued under the Authority of this Act, as if such Provisions were here repeated and re-enacted with reference thereto.

How Forgery of Debentures to be punishable.

X. All Provisions now in force in anywise relating to the Offence of forging, or altering, or offering, uttering, disposing of, or putting off, knowing the same to be forged or altered, any *East India* Bond, with Intent to defraud, shall extend and be applicable to and in respect of any Debenture issued under the Authority of this Act, as well as to and in respect of any Bond issued under the same Authority.

Returns to be annually prepared of Moneys raised on Loan, &c., and presented to Parliament.

XI. Provided always, That on or before the First Day of *February* in each Year the said Secretary of State in Council shall prepare or cause to be prepared a Return of all Moneys raised on Loan under the Provisions of this Act; also, a Return of all Stocks, Loans, Debts, and Liabilities then chargeable on the Revenues of *India* at home and abroad, up to the latest Period of Time to which such Return can be made out: That all such Returns shall be presented to both Houses of Parliament on or before the First Day of *February* in each Year, if Parliament is then sitting; and if Parliament is not sitting, then such Returns shall be presented within Ten Days of the First Meeting of Parliament after the First Day of *February* in each Year.

Saving Powers of the Secretary of State in Council.

XII. This Act shall not prejudice or affect any Power of raising or borrowing Money vested in the said Secretary of State in Council at the Time of the passing thereof.

CAP. XII.

An Act to make further Provision for the Purchase of Common and other Rights by Her Majesty's Principal Secretary of State for the War Department, and in relation to Land vested in or taken by such Secretary of State. [8th *April* 1859.]

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Powers of 17 & 18 Vict. c. 67. and 18 & 19 Vict. c. 117. extended to Rights of Common, &c. over any Lands the Soil of which is vested in the Secretary of State for War.

I. The Powers now vested in Her Majesty's Principal Secretary of State for the War Department under the Act of the Session holden in the Seventeenth and Eighteenth Years of Her Majesty, Chapter Sixty-seven, and the Act of the Session holden in the Eighteenth and Nineteenth Years of Her Majesty, Chapter One hundred and seventeen, for the Purpose of ascertaining, making, and paying Compensation for and extinguishing all Rights of Common, Commonable and other Rights, in, over, or affecting Lands the Soil of which has been purchased by the principal Officers of Her Majesty's Ordnance under the Act of the Session holden in the Fifth and Sixth Years of Her Majesty, Chapter Ninety-four, or has been or may be purchased by the said Secretary of State under the last-mentioned Act and the said Act of the Eighteenth and Nineteenth Years of Her Majesty, shall extend to all Rights of Common, Commonable and other Rights, in, over, or affecting any Lands the Soil of which is for the Time being vested in the said Secretary of State on behalf of Her Majesty, and all the Provisions of the said Act of the Seventeenth and Eighteenth Years of Her Majesty shall apply to and in the Case of the Purchase of such Rights as aforesaid in or over any such Lands as last aforesaid in like Manner as such Provisions are applicable to and in the Case of the Purchase of such Rights in or over any Lands purchased as therein mentioned.

Conveyances of Land to Secretary of State for War, as in Sched. (A.)

II. Conveyances of Land in *England* and *Ireland* to be purchased by the said Secretary of State may be according to the Form in the Schedule (A.) to this Act, or as near thereto as the Circumstances of the Case admit, and all Conveyances so made shall be effectual to vest the Land thereby conveyed in the said Secretary of State and his Successors, and shall operate to bar and destroy all such Estates Tail, and other Estates, Rights, Titles, Remainders, Reversions, Limitations, Trusts, and Interests whatsoever of and in the Land comprised in such Conveyances as have been purchased or compensated for by the Consideration given on the Purchase, but this Enactment shall not in anywise interfere with or affect Section Eight of the said Act of the Fifth and Sixth Years of Her Majesty.

Conveyances to the Secretary of State for War of Land

III. Feus and Conveyances of Lands and Heritages in *Scotland* to be purchased by the said Secretary of State may be according to the Form in the Schedule (B.) to this Act, or as near thereto as the Circumstances of the Case admit, which Feus and Conveyances being duly executed and being registered

in

in the Particular Register of Sasines kept for the County, Burgh, or District in which the Lands and Heritages are locally situated, or in the General Register of Sasines for *Scotland* kept at *Edinburgh*, within Sixty Days from the last Date thereof, which the respective Keepers of the said Registers are hereby authorized and required to do, shall give and constitute a good and undoubted Right, and complete and valid feudal Title in all Time coming, to the said Secretary of State and his Successors, to the Lands and Heritages therein described or referred to and intended to be thereby conveyed, any Law or Custom to the contrary notwithstanding: Provided always, that it shall not be necessary for the said Secretary of State to record in any Register of Sasines any Feus or Conveyances in their Favour which shall contain a Procuratory of Resignation or Precept of Sasine, or which may be completed by Infeftment; and the Title of the said Secretary of State under such last-mentioned Feus or Conveyances shall be regulated by the ordinary Law of *Scotland* until the said Feus or Conveyances or the Instruments of Sasine thereon shall have been recorded in a Register of Sasines; provided also, that the Rights and Titles to be granted in manner herein mentioned in and to any Lands and Heritages in *Scotland* shall, unless otherwise specially provided for, in nowise affect or diminish the Right of Superiority in the same, which shall remain entire in the Person granting such Rights and Titles; but in the event of such Lands and Heritages being a Part or Portion of other Lands and Heritages held by the same Owner under the same Titles, the said Secretary of State, his Successors and Assigns, shall not be liable for any Feu Duties or Casualties to the Superiors thereof, or be bound to enter with the said Superiors.

in Scotland, as in Sched. (B.)

IV. The Proviso at the End of Section Nineteen of the said Act of the Fifth and Sixth Years of Her Majesty shall not extend to prevent the Erection of Barracks on any Lands taken as therein mentioned, and being within any Fortress or Garrison Town or appurtenant to any Fortification, or to prevent any Buildings on any such Lands being used as or for Barracks.

Provision as to Erections on Lands taken compulsorily.

V. Where any Lease or Agreement of or concerning Land in *England* vested in the said Secretary of State on behalf of Her Majesty is determined by Expiration, Notice, or Forfeiture (except for Nonpayment of Rent), Possession of such Land may be recovered by or on behalf of the said Secretary of State under the Act of the Session holden in the First and Second Years of Her Majesty, Chapter Seventy-four, as in Cases therein provided for, although the Term or Interest of the Lessee or Tenant may have exceeded Seven Years, and the Rent may have exceeded the Rate of Twenty Pounds a Year, or such Possession may be recovered with Rent or Mesne Profits, or both, under the Act of the Session holden in the Nineteenth and Twentieth Years of Her Majesty, Chapter One hundred and eight, as in Cases provided for in Section Fifty of such Act, and other Provisions auxiliary thereto, although the Value of the Premises and the Rent which may have been payable in respect thereof may have exceeded Fifty Pounds by the Year; and in proceeding under the said Act of First and Second Years of Her Majesty for Recovery of Possession of any Land which may have been holden under any such Lease or Agreement as aforesaid, the Notice of Intention to apply to Justices to recover Possession may require such Possession to be given on or before the Expiration of Seven clear Days from the Service of the Notice, and the Form of Notice shall be varied accordingly; and the Justices by the said Act authorized to issue a Warrant for giving Possession of the Premises may by such Warrant authorize the Entry and Delivery of Possession of the Premises, either forthwith, or on or before such Day as the Justices may think fit to name; and in proceeding under the said Act of the Nineteenth and Twentieth Years of Her Majesty for the Recovery of Possession as aforesaid it shall not be necessary to prove the yearly Value and Rent as thereby required.

Recovery of Possession of Land in England from Tenants.

1 & 2 Vict. c. 74.

19 & 20 Vict. c. 108.

VI. When any Lease or Agreement of or concerning Land in *Ireland* vested in the said Secretary of State on behalf of Her Majesty is determined by Expiration, Notice, or Forfeiture (except for Nonpayment of Rent), Possession of such Land may be recovered by or on behalf of the said Secretary of State either as provided by Section Seventy-two of the Act of the Session holden in the Fourteenth and Fifteenth Years of Her Majesty, Chapter Fifty-seven, in the Case of Lands holden by a Tenant at a Rent not exceeding Fifty Pounds *per Annum*, and the Tenant's Interest wherein is determined, notwithstanding the Rent payable under such Lease or Agreement may exceed that Amount, and the Provisions of the said Act shall be applicable accordingly, or as provided by Section Fifteen of "The "Summary Jurisdiction (*Ireland*) Act, 1851," for the Recovery of Possession of Houses in certain Towns and Villages; and such last-mentioned Provision shall be applicable in all Cases to the Recovery of Land in *Ireland* holden under any such Lease or Agreement as aforesaid where such Lease or Agreement is determined as aforesaid, wherever such Land may be situate, and at and for whatever Rent and Term the same may be holden; and notwithstanding anything to the contrary in the said Provision, the Justices authorized to issue a Warrant for giving Possession may by such Warrant authorize such Possession to be given forthwith, or on or before such Day as the Justices may think fit to name, and may, if they think fit, issue such Warrant notwithstanding the Tenant may be willing to give such Undertaking as therein mentioned.

Recovery of Possession of Land in Ireland from Tenants.

14 & 15 Vict. c. 57.

14 & 15 Vict. c. 92. s. 15.

VII. Nothing in this Act shall extend to take away, lessen, or prejudice any Powers, Rights, or Authorities which would or might have been vested in or exercised by the said Secretary of State if this Act had not been passed.

Nothing to lessen Powers of Secretary of State for War.

VIII. In the Construction of this Act the Style or Title "Her Majesty's Principal Secretary of State for the War Department," and any Expression referring to such Secretary of State, shall mean Her Majesty's

Construction of "Secretary of State."

Majesty's Principal Secretary of State for the Time being to whom Her Majesty shall think fit to intrust the Seals of the War Department.'

SCHEDULE (A.)

Form of Conveyance.

I of in consideration of the Sum of paid to me by Her Majesty's Principal Secretary of State for the War Department, do hereby convey to the said Secretary of State, and his Successors, all the Lands and Hereditaments set forth in the Schedule hereto, together with all Ways, Rights, and Appurtenances thereto belonging, and all such Estate, Right, Title, and Interest in and to the same as I am or shall become seised or possessed of, or am by Law empowered to convey, to hold the Premises to the said Secretary of State and his Successors for ever on behalf of Her Majesty.

In witness whereof I have hereunto set my Hand and Seal, the Day of in the Year of our Lord

The Schedule:

SCHEDULE (B.)

Form of Conveyance.

I of in consideration of the Sum of Pounds paid to me by Her Majesty's Principal Secretary of State for the War Department, do hereby sell, alienate, dispone, convey, assign, and make over from me, my Heirs and Successors, to the said Secretary of State, and his Successors for ever, all the Lands and Heritages set forth in the Schedule hereto, together with all Rights and Pertinents thereto belonging, and all such Right, Title, and Interest in and to the same as I and my aforesaids are or shall become possessed of or are empowered to convey [*here insert the Condition (if any) of the Conveyance, and a Registration Clause for Preservation and Diligence, and a testing Clause, according to the Form of the Law in Scotland*].

The Schedule:

CAP. XIII.

An Act to amend the Law concerning Patents for Inventions with respect to Inventions for Improvements in Instruments and Munitions of War. [8th *April* 1859.]

'WHEREAS in some Cases of Inventions for Improvements in Instruments or Munitions of War it may be important to the Public Service that the Nature of the Invention should not be 'published, and it is therefore expedient to amend the Law concerning Letters Patent for Inventions:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Improvements in Instruments or Munitions of War may be assigned by Inventors to Secretary of State for War.

I. Any Inventor of any Improvement in Instruments or Munitions of War, or the Executors, Administrators, or Assigns of such Inventor, may, for valuable Consideration or without, assign to Her Majesty's Principal Secretary of State for the War Department, on behalf of Her Majesty, all the Benefit of the Invention, and of all Letters Patent obtained or to be obtained for the same, and such Secretary of State may be a Party to the Assignment, and such Assignment shall be effectual to vest the Benefit of such Invention and of such Letters Patent in the said Secretary of State for the Time being, on behalf of Her Majesty, at Law and in Equity; and the Benefit of such Invention and of such Letters Patent shall be deemed Property acquired by the said Secretary of State on behalf of Her Majesty; and all Covenants and Agreements contained in such Assignment for giving full Effect thereto, and for keeping the Invention secret, and otherwise in relation thereto, shall be valid and effectual (notwithstanding any Want of valuable Consideration), and may be enforced and proceeded upon by the said Secretary of State for the Time being accordingly, and all Actions, Suits, and Proceedings in relation thereto may be instituted and conducted by such Secretary of State for the Time being, who shall have all such Rights, Privileges, and Prerogatives in relation thereto as by Law provided in the Case of Actions, Suits, and Proceedings concerning Property under his Care, Control, and Disposition.

Foregoing Enactment to extend to Assignments already made.

II. The foregoing Enactment shall extend to render valid and effectual, and be otherwise applicable to and in respect of any such Assignment as aforesaid made before the passing of this Act, and the Covenants and Agreements contained in such Assignment, as well as any such Assignment to be made thereafter, and the Covenants and Agreements therein contained.

Secretary of State for War may certify to

III. Where any such Assignment as aforesaid has been made to the said Secretary of State he may, at any Time before the filing of the Petition for the Grant of Letters Patent for the Invention, or after

after the filing of such Petition and before Publication of the Provisional Specification (if any), if he think it for the Benefit of the Public Service that the Particulars of the Invention, and of the Manner in which the same is performed, should be kept secret, certify the Fact of such Assignment having been so made, and his Opinion to the Effect aforesaid, in Writing under his Hand to the Commissioners of Patents for Inventions. Commissioners of Patents that the Invention should be kept secret.

IV. Where the said Secretary of State certifies as aforesaid the Petition for Letters Patent for the Invention, the Declaration accompanying such Petition, and the Provisional Specification or Complete Specification (as the Case may be) filed or left therewith, and any Specification to be filed in pursuance of the Condition of any Letters Patent for such Invention, and all Disclaimers and Memoranda of Alterations to be filed in relation to such Letters Patent, and any Drawings accompanying any of the Documents aforesaid, and any Copies of any such Documents or Drawings, or, where the said Secretary of State so certifies after the said Petition has been filed, such of the said Documents and Drawings as may be filed after his so certifying, and the Copies thereof shall, in lieu of being filed or left in the ordinary Manner in the Office of the Commissioners, or in the Office appointed for that Purpose under "The Patent Law Amendment Act, 1852," be delivered to the Clerk of the Patents in a Packet sealed with the Seal of the said Secretary of State. Where the Secretary of State for War has so certified, Petition for Letters Patent, &c. to be left with the Clerk of the Patents in a Packet under Seal of Secretary of State.

V. Such Packet shall at all Times after the Delivery thereof to the Clerk of the Patents, until the Expiration of the Term or any extended Term for which Letters Patent for the Invention may be granted, be kept by him sealed up as aforesaid, or under the Seal of the Commissioners, save when it may be necessary to have Access to the Documents therein contained, or any of them, for the Purpose of recording and endorsing the Day of the filing thereof, or for the Purpose of any Reference to One of the Law Officers, either in relation to the same or any other Invention; but in any such Case as aforesaid the Clerk of the Patents shall not part with the Care or Custody of the said Packet, or any of the said Documents, save as may be required by One of the Law Officers for the Purposes of any such Reference, and shall use such Precautions as may be necessary to prevent the Contents or Particulars of any such Documents being improperly disclosed. Such Packet to be kept so sealed, or under the Seal of the Commissioners;

VI. Such sealed Packet shall be delivered at any Time during the Continuance of any such Letters Patent to the said Secretary of State, or to any Person having Authority to receive the same on his Behalf, on Demand in Writing under the Hand of the said Secretary of State, or to such Person as the Lord Chancellor may order, and shall, if and when the same is returned to the Commissioners, be again sealed up and kept under Seal as aforesaid. and to be delivered to Secretary of State, &c.;

VII. Such sealed Packet as aforesaid shall, at the End of the Term or extended Term for which any Letters Patent for the Invention to which the Documents in such Packet relate, be delivered up to the said Secretary of State or to any Person having Authority to receive the same on his Behalf. and on Expiration of Term to Secretary of State.

VIII. Where the said Secretary of State certifies as aforesaid after the filing of the Petition, and before the Publication of the Provisional Specification (if any), such Petition, and the Declaration accompanying such Petition, and the Provisional Specification and Drawings relating to the Invention which may have been filed or left in any such Office as aforesaid, and all Copies thereof in any such Office, shall be forthwith placed in a Packet sealed with the Seal of the Commissioners; and every such Packet shall be subject to all the Provisions of this Act concerning any sealed Packet delivered to the Clerk of the Patents. Where Secretary of State certifies after filing of Petition, Documents to be put into a sealed Packet.

IX. No Copy of any Specification, or other Document or Drawing by this Act required to be kept under Seal, shall be transmitted to *Scotland* or *Ireland*, or be printed, published, or sold, or be open to the Inspection of the Public; but, save as in this Act otherwise directed, the Provisions of the Patent Law Amendment Act, 1852, and any Act amending the same, shall extend and be applicable to and in respect of every such Specification and other Document and Drawing as aforesaid, and the Letters Patent and Invention to which the same relates, and this Act and the Patent Law Amendment Act, 1852, shall be construed together as One Act. Copy of Specification, &c. not to be published, but otherwise Provisions of Patent Acts to apply.

X. It shall not be lawful for any Person to take Proceedings by Scire facias or otherwise to repeal any Letters Patent for any Invention in relation to which the said Secretary of State has certified as aforesaid. No Scire facias to be brought.

XI. The Secretary of State may, at any Time by Writing under his Hand, waive the Benefit of this Act with respect to any particular Invention, and the Documents and Matters relating thereto shall be thenceforth kept and dealt with in the ordinary Way. Benefit of Act may be waived.

XII. The Communication of any Invention for any Improvement in Instruments or Munitions of War to the said Secretary of State, or to any Person or Persons authorized by him to investigate the same or the Merits thereof, shall not, nor shall anything done for the Purposes of the Investigation, be deemed Use or Publication of such Invention so as to prejudice the Grant or Validity of any Letters Patent for the same. Communication of Invention, &c. not to prejudice Letters Patent.

XIII. In the Construction of this Act "Her Majesty's Principal Secretary of State for the War Department" shall mean Her Majesty's Principal Secretary of State for the Time being to whom Her Majesty shall think fit to intrust the Seals of the War Department. Construction of "Secretary of State."

CAP. XIV.

An Act for the Abolition of Manor Courts and the better Recovery of Small Debts in *Ireland*. [19th *April* 1859.]

'WHEREAS the continued Existence of Manor Courts in *Ireland* has been found prejudicial to 'the proper Administration of Justice: And whereas it is expedient that such Manor Courts 'should be abolished:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Manor Courts abolished, but certain Manorial Rights preserved.

I. From and after the passing of this Act all the said several Manor Courts in *Ireland* shall be abolished, and from and after the passing of this Act no Action or Suit shall be commenced in any of the said Courts: Provided always, that the Abolition of such Manor Courts shall not alter or affect any other Franchise or Manorial Right, or any Right to Head Money, Leet Money, or Leet Silver, or any other Right appertaining to any Manor which now by Law may be exercised or exists, except where the Seneschal is the Returning Officer of any Borough within the said Manor, in which Case it is hereby enacted that the Sheriff for the Time being of the County in which such Borough may be situated shall henceforth be the Returning Officer in lieu of the said Seneschal; provided also, that all Proceedings commenced in the said Manor Courts before the passing of this Act shall be continued until Decree or Dismissal pronounced, as if they had been commenced and finally determined before this Act passed.

Existing Judgments, &c. valid, to be enforced in County Courts by Chairman of Quarter Sessions.

II. All Judgments, Orders, or Decrees obtained in any of the Courts hereby abolished shall, notwithstanding the passing of this Act, be valid and effectual, and capable of being enforced by the Process of the several Courts in *Ireland* held by the Chairmen of Quarter Sessions, in the same Manner and by the same Process as the Decrees pronounced in the said Courts are now by Law enforced; and the Records, Muniments, and Writings of the several Courts abolished by this Act shall, as soon as conveniently may be after the passing of this Act, be placed under the Charge and Superintendence of the Clerk of the Peace, and be deposited and kept by him with the other Records of the County.

Powers to renew Decrees founded on Orders of Seneschals, and Stewards.

III. It shall be lawful for the respective Chairman of Quarter Sessions of the several Counties in *Ireland*, and the Recorders of *Dublin*, *Cork*, *Galway*, and *Londonderry*, within the Limits of their respective Jurisdictions, to renew all Decrees and Dismisses made and pronounced by the several Seneschals or Stewards of the said Manor Courts hereby abolished prior to this Act receiving the Royal Assent, and every such renewed Decree or Dismiss shall be deemed a Renewal, Decree, or Dismiss of the said Chairman and Recorders, as the Case may be, and may be executed as such.

Power to award Compensation to existing Seneschals, Stewards, &c.

IV. Every Seneschal, Steward, or Registrar or Marshal of any Manor Court hereby abolished, in which Proceedings have been had according to the Course of the Court within One Year before the First Day of *January* One thousand eight hundred and fifty-nine, and who shall show that he is legally entitled to such Office, shall be entitled to make a Claim for Compensation to the Commissioners of Her Majesty's Treasury within Six Calendar Months after the passing of this Act; and it shall be lawful for the said Commissioners, in such Manner as they shall think fit, to inquire what was the Nature of the Office, and what was the Tenure thereof, and what were the lawful Fees actually received in respect of which such Compensation should be allowed, and the Commissioners shall in each Case award such gross or yearly Sum, and for such Time, as they shall think just, to be awarded, upon the Consideration of the special Circumstances of each Case, and all such Compensation shall be paid out of such Moneys as may be provided by Parliament for the Purpose.

Power to Justices at Petty Sessions to hear and determine Cases for Recovery of Debts not exceeding Two Pounds.

V. 'And whereas it is enacted by the Fourteenth and Fifteenth *Victoria*, Chapter Ninety-two, that 'it shall be lawful for any Justice or Justices at Petty Sessions to hear and determine certain Disputes 'concerning any Sums due for Wages, or for Hire of any Horse, or for Tuition, and to make such Order 'as they shall see fit for Payment, provided the Sum shall not exceed Ten Pounds: And whereas by 'Seventeenth Section of the said Act Justices are authorized to make Awards as to Disputes at Sales 'in Fairs and Markets where the Value does not exceed Five Pounds: And whereas it might be useful 'and beneficial to extend the said Powers, and to authorize any Justice or Justices at Petty Sessions in 'like Manner to hear and determine Disputes concerning any Sums of Money which shall be due for 'Small Debts between Party and Party:' Be it therefore enacted, That it shall be lawful for the Justice or Justices at Petty Sessions to hear and determine Causes for the Recovery of Debts between Party and Party under the Value of Two Pounds, where the Right to recover such Debts shall have accrued within Twelve Calendar Months before the Day of the Date of the Process herein-after mentioned, and having heard what each Party shall have had to say, and the Evidence adduced by each, shall either make an Order for the Payment of the Sum claimed, or shall dismiss the Complaint, either upon the Merits or without Prejudice, and with or without Costs, not exceeding Five Shillings, in the Form in Schedule A., and shall direct Execution by the Seizure and Sale of the Defendant's or Plaintiff's Goods:

Power to appeal to Quarter Sessions.

Provided always, that it shall be lawful for either Party to appeal from such Order or Decision of such Justice or Justices to the Chairman of the Quarter Sessions in the Civil Court at the next General Quarter Sessions held in the same Division and District of the County, the said Sessions being held next immediately after such Decision at Petty Sessions by such Justice or Justices when the Order shall be made

made by the Justice or Justices in any Petty Sessions Districts, or to the Recorder at his next Sessions when the Order shall be made by the Divisional Justices in the Police District of *Dublin* Metropolis, or to the Recorder of any Corporate or Borough Town: Provided always, that no such Right of Appeal shall exist unless Three clear Days shall elapse between the Time when such Order shall be made and such Appeal can be heard; and if Three Days do not elapse the Appeal shall be made to and heard at the next succeeding Sessions for the Division and District, which Appeal the said Justice or Justices are hereby required to receive, and stop all Proceedings on such Order at Petty Sessions, the Party appealing, if a Defendant, first lodging with the Clerk at Petty Sessions the Amount ordered to be paid by the said Justice or Justices, or entering into a Recognizance of Appeal in manner prescribed by the Summary Jurisdiction (*Ireland*) Act, 1851, Section Twenty-four, and if a Plaintiff, to deposit the Sum of Five Shillings as and for Costs on the Hearing of such Appeal; and such Chairmen and Recorders are hereby respectively required and empowered to hear such Appeal, and to issue a Decree and Execution thereon, in like Manner and Form as if such Appeal had been brought before such Chairman and Recorders as an original Civil Bill under the Fourteenth and Fifteenth *Victoria*, Chapter Fifty-seven, and with the like Costs, but without further Appeal.

Forms of Process as those in Schedule A.

VI. The Process to be served upon the Defendant in all Cases, requiring him to appear before the Justice or Justices at Petty Sessions, and the Orders made thereon, shall be in the Form One and Two in the Schedule A. to this Act annexed, or as near thereto as the Nature of the Case will permit, and it shall not be necessary that such Process shall be signed by any Attorney, but it shall be sufficient if the same be signed by the Complainant, or any Person on behalf of such Complainant; and the said Forms shall be severally subject to the following Stamp Duties payable to Her Majesty; that is to say,

	s.	*d.*
For every original Process - - - -	0	6
For every Copy thereof served - - - -	0	6
For every Certificate on Appeal - - - -	1	0

Stamps to be used in lieu of Fees at Petty Sessions, and to be accounted for as provided by 21 & 22 Vict. c. 100.

VII. Every Paper or Document in respect of which any Fee shall be payable at Petty Sessions, under the Provisions of this Act, shall bear an impressed or adhesive Stamp denoting the Amount or Value of such Fee, as the same is specified in Schedule (C.) of this Act; and such impressed or adhesive Stamps shall be supplied and accounted for in the like Manner, and shall be subject to the like Provisions, Rules, and Regulations, so far as the same are applicable, as are provided in respect of stamped Forms or adhesive Stamps by an Act passed in the Twenty-first and Twenty-second Years of the Reign of Her Majesty, Chapter One hundred.

Duties granted by this Act to be deemed Stamp Duties, and the Provisions of the Stamp Acts to apply thereto.

VIII. The Duties by this Act granted shall be denominated and deemed to be Stamp Duties, and shall be under the Care and Management of the Commissioners of Inland Revenue for the Time being; and all Powers, Provisions, Clauses, Regulations, and Directions, Fines and Penalties, contained in or imposed by the several Acts of Parliament relating to Duties of the same Kind or Description in force at the Time of the passing of this Act shall respectively be of full Force and Effect with respect to the Duties by this Act granted, so far as the same are or may be applicable, as fully and effectually to all Intents and Purposes as if the same had been herein repeated and specially enacted with reference to the Duties by this Act granted.

Process to be served by Process Server authorized by Justices at Petty Sessions.

IX. The Process to appear shall in all Cases be served by a Process Server, duly authorized by the Justice or Justices at Petty Sessions to serve Summons, Three clear Days before the First Day of the Petty Sessions at which the Case shall be heard, and in no Case whatsoever shall any Process be served on *Sundays*, *Good Friday*, or *Christmas Day*, and Service on any of the said Days shall be absolutely void; and any such Summons Server shall be entitled to be paid by the Complainant or Person for whom he may be employed such Sum not exceeding the Sum of Sixpence for the Service of each Process upon each Party as the Justice or Justices shall fix and determine.

Defendant not to be sued, or obliged to appear, except within District of Petty Sessions in which he resides. Occupation of House, &c. deemed a Residence.

X. No Defendant shall be liable to be sued or proceeded against at Petty Sessions under this Act, or obliged to appear in any Cause to be heard and determined at any Petty Sessions held in any other Part of the Country than at the Petty Sessions held within the County and within the Petty Sessions District of such County in which the Defendant or Defendants reside or resides: Provided always, that if any Defendant or Defendants shall have and occupy any House, Warehouse, Counting-house, Shop, Factory, or Office for the Sale of Goods, or for carrying on any Business, within the District of such Petty Sessions District, he shall be deemed to have a Residence within such Petty Sessions District. The several Fees as set forth in Schedules B. and C. shall be the proper Fees payable on any Proceedings under the Provisions of this Act.

SCHEDULE A.

1.

Process.

Date.

Petty Sessions District of County of

A.B. Complainant. *C.D.* Defendant.

The Defendant is hereby required personally to appear before the Justice [*or* Justices] assembled at the Petty Sessions of on the Day of next, to answer

answer the Plaintiff's Bill in an Action for the Sum of , for that the Defendant is indebted to the said Plaintiff in the said Sum for [*Goods sold, Money lent, settled Account, &c. &c.*], and in default of such Appearance the said Justices will be required to proceed as to Justice shall appertain.

(Signed) *A.B.* Plaintiff.

2.

Decree founded on Order.

Date.

A.B. Complainant. *C.D.* Defendant.

By the Justices assembled at Petty Sessions held for the District of : It appearing to the Court that Process to appear at this present Sessions was duly served on the Defendant [*or* Defendants], and that the Defendant [*or* Defendants] is [*or* are] justly indebted to the Plaintiff [*or* Plaintiffs] in the Sum of Pounds [*here state Cause of Action*], it is therefore ordered by the Court that the Plaintiff do recover the Sum of Pounds, with Costs, and that in default of Payment thereof, and the said Defendant not having appealed from such Order, we order that the Sum of Pounds and Pounds be levied of the Goods of the said

(Signed) *A.B.* } Justices.
C.D. }
or
E.F. Justice.

Form of Certificate of Appeal.

Petty Sessions District of County of

A.B. Plaintiff. *C.D.* Defendant.

Whereas an Order having this Day been made that the Defendant shall pay to the Plaintiff the Sum of Pounds [*or* that the Plaintiff be dismissed, *as the Case may be*], and the said Plaintiff [*or* Defendant, *as the Case may be,*] has appealed from such Order, I certify that the said Plaintiff [*or* Defendant, *as the Case may be,*] paid into Court the Sum of Pounds [*the Sum ordered to be paid, or Five Shillings on the Dismiss*], in compliance with the said Act of

A.B. Clerk of Petty Sessions.

SCHEDULE B.

	s.	d.
To Plaintiff's Attorney, for attending and taking Instructions for and attending the Hearing	2	6
To Defendant's Attorney, for attending Hearing	2	6
To Plaintiff's Attorney, for attending the Hearing of every Appeal under this Act	2	6
To Defendant's Attorney, for same	2	6
To Clerk of the Peace, upon the Entry of every Appeal	0	6
For signing the Decree or Dismiss on such Appeal	0	6

SCHEDULE C.

On the Entry of every Process at Petty Sessions	0	6
On the Entry of every Order of the Magistrates in Petty Sessions Book	0	6
On every Certificate of Appeal	0	6

CAP. XV.

An Act to indemnify such Persons in the United Kingdom as have omitted to qualify themselves for Offices and Employments, and to extend the Time limited for those Purposes respectively. [19th *April* 1859.]

CAP. XVI.

An Act to enable the Judges to appoint Commissioners within Ten Miles of *London* and in the *Isle of Man* and the *Channel Islands* to administer Oaths in Common Law, and to authorize the taking in the Country of Bail in Error, and Recognizances and Bail on the Revenue Side of the Exchequer. [19th *April* 1859.]

'WHEREAS Commissions to administer Oaths in Proceedings in the Superior Courts of Common 'Law are granted by the Judges, under the Authority of an Act passed in the Twenty-ninth 'Year of the Reign of King *Charles* the Second, Chapter Five, intituled *An Act for taking Affidavits* 'in the Country, to be made use of in the Courts of King's Bench, Common Pleas, and Exchequer, but 'such Commissions are not granted to Persons residing within Ten Miles of the City of *London*, except 'to the Clerks of the Judges of the said Courts: And whereas the Convenience of Suitors and Witnesses

'or Deponents would be much promoted, Expense saved, and the Business of the Courts expedited and 'facilitated, by authorizing a certain Number of Attorneys of the said Courts practising in different 'Parts of *London* and its Neighbourhood, and other fit and proper Persons, to administer Oaths in 'Proceedings in such Courts:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Power to Judges to appoint Commissioners to administer Oaths within Ten Miles of London.

I. It shall be lawful for the Lord Chief Justice and other the Justices of the Court of Queen's Bench for the Time being, or any Two or more of them, (whereof the Lord Chief Justice for the Time being shall be One,) and the Lord Chief Justice of the Court of Common Pleas and the rest of the Justices there for the Time being, or any Two or more of them, (whereof the Lord Chief Justice of the same Court shall be One,) and the Lord Chief Baron and the other Barons of the Court of Exchequer for the Time being, or any Two or more of them, (whereof the Lord Chief Baron for the Time being shall be One,) by One or more Commission or Commissions under the several Seals of the said respective Courts, from Time to Time, as Need shall require, to appoint and empower as many Persons as they shall think fit and necessary, such Persons being Attorneys of the said Courts respectively, and practising within Ten Miles of *Serjeant's Inn* Hall, or other fit and proper Persons, to administer Oaths, and take and receive all and every such Affidavit and Affidavits, Declarations or Affirmations, as any Person or Persons shall be willing and desirous to make before any of the Persons so empowered, in or concerning any Cause, Matter, or Thing depending or hereafter to be depending or anywise concerning any of the Proceedings in the said respective Courts: Provided always, that nothing in this Act contained shall in any way prejudice or affect the Power of the Judges of the said Courts respectively to issue Commissions to the Clerks of the Judges of the said Courts, as has been heretofore practised, and all such Commissions as last aforesaid, already or hereafter to be issued, shall and are hereby declared to be valid and effectual.

Style of Commissioners.

Power to take Fees.

II. The Persons so appointed or empowered shall be styled "*London* Commissioners to administer "Oaths in Common Law," and they shall be entitled to charge and take a Fee of One Shilling and Sixpence for every Oath administered by them, subject to any Order of the said Courts respectively varying or annulling the same.

Power to Judges to appoint Commissioners for the Isle of Man and the Channel Islands.

III. It shall also be lawful for the said Lord Chief Justices and Lord Chief Baron and the other Judges and Barons of the said Courts respectively from Time to Time to appoint and empower, in manner aforesaid, any Person or Persons duly admitted as Attorneys in any of the Superior Courts at *Westminster*, and other fit and proper Persons in the *Isle of Man* or in the *Channel Islands*, or any of them, to administer Oaths and take Declarations or Affirmations in the said Courts of Common Law, and such Persons shall be styled "Commissioners to administer Oaths in Common Law for the *Isle of Man*," or "for the *Channel Islands*," (as the Case may be,) and they shall be entitled to charge and take the same Fees as the said *London* Commissioners.

Affidavits, &c. to be read and made use of as other Affidavits.

IV. All Affidavits, Declarations, or Affirmations taken or made before any Commissioner appointed or empowered as aforesaid shall be read and made use of in the said Courts respectively, to all Intents and Purposes, as other Affidavits, Declarations, or Affirmations taken or made in the said Courts now are; and all and every Person and Persons forswearing him, her, or themselves in such Affidavit or Affidavits, or falsely declaring or affirming in such Declarations or Affirmations, shall incur and be liable to the same Penalties, and be deemed guilty of Perjury, as if such Affidavit or Affidavits, Declarations or Affirmations, had been made or taken in open Court, and may be prosecuted for the same, where such Perjury was committed or where such Person or Persons shall be apprehended on such a Charge.

Provisions of 4 W. & M. c. 4. as to Bail in Error, and to Recognizances on the Revenue Side of the Exchequer, extended.

V. 'And whereas it is also desirable to extend the Provisions of an Act passed in the Fourth Year of 'the Reign of King *William* and Queen *Mary*, intituled *An Act for taking Special Bails in the Country 'upon Actions and Suits depending in the Courts of King's Bench, Common Pleas, and Exchequer at* 'Westminster, to the taking Bail in Error upon Proceedings commenced in the said Courts respectively, 'and to Proceedings on the Revenue Side of the Court of Exchequer:' Be it therefore further enacted, That the said recited Act, and all and every the Provisions therein contained, and also all Commissions heretofore issued in pursuance thereof, and now in force, shall apply and extend to and authorize the taking of Bail in Error, and the Recognizances of Bail in Error, in all Actions and Suits commenced in either of the said Courts, in like Manner as in the Case of Special Bail in Actions and Suits depending in either of the said Courts, to all Intents and Purposes whatsoever; and the said Act, and all and every the Provisions therein contained, and also all Commissions heretofore issued in pursuance thereof under the Seal of the Court of Exchequer, shall also apply and extend to and authorize the taking of all Recognizances of every Kind, and all Bail as well in Error as otherwise, on the Revenue Side of the Court of Exchequer.

CAP. XVII.

An Act to continue an Act of the Eleventh and Twelfth Years of Her present Majesty, for amending the Laws relating to Savings Banks in *Ireland*. [19th *April* 1859.]

[11 & 12 *Vict. c.* 133. *continued till 1st January 1861, and from thence until the End of the next Session of Parliament.*]

CAP.

CAP. XVIII.

An Act for amending and confirming a Scheme of the Charity Commissioners for Sir *Thomas White*'s Charity, and the Free Grammar School in the Town of *Nottingham*.

[19th *April* 1859.]

Third Report of Charity Commissioners, dated 28th Feb. 1856.

'WHEREAS the Charity Commissioners for *England* and *Wales*, in their Report to Her Majesty of their Proceedings during the Year One thousand eight hundred and fifty-five, reported that they had provisionally approved and certified (among other Schemes for the Application and Management of Charities) a Scheme for Sir *Thomas White*'s Charity, and the Free Grammar School in the Town of *Nottingham*, and such Scheme is set out in the Appendix to the said Report: And whereas it is expedient to amend the said Scheme: And whereas it is expedient that the said Scheme, as the same is set out in the Schedule to this Act, shall take effect:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Scheme confirmed.

I. The Scheme set out in the Schedule to this Act shall be established and take effect.

SCHEDULE.

SCHEME for the Application and Management of the Charities in the Town of Nottingham, called SIR THOMAS WHITE'S CHARITY (so far as relates to the Nottingham Branch thereof), and the FREE GRAMMAR SCHOOL of the Foundation of AGNES MELLERS.

Charities to be administered by trustees as heretofore, subject to provisions of scheme.

1. The above-mentioned Charities and their respective estates, income, and property, shall continue to be managed, received, and administered by the present trustees thereof, and their legal successors, in the same manner and with the same powers as heretofore, subject and according to the provisions of this scheme.

Future regulations of loans from Sir Thomas White's Charity.

2. The loans to be granted in future out of the funds of the above-mentioned branch of Sir Thomas White's Charity by the trustees thereof shall be confined to persons of good character, being resident inhabitants of the town of Nottingham; and the trustees of the said last-mentioned Charity, with the sanction and approval of the Board of Charity Commissioners for England and Wales, shall forthwith make and prescribe suitable rules and regulations in relation to the amount and duration of the loans to be granted out of the funds of the same Charity, and the nature of the security to be required for such loans, and the mode and period of their repayment, either by periodical instalments or otherwise, and the conditions and qualifications to be observed or required by or from the persons to whom such loans shall be granted, and for ensuring due publicity in relation to such loans by advertising and other suitable means, and generally with respect to the conduct and management of the same Charity, and may from time to time with the like sanction or approval vary such rules and regulations, provided that no such rules or regulations shall be at variance with the main objects and provisions of this scheme; and such rules and regulations when made shall not be varied or added to without three calendar months notice in two or more of the local newspapers in most general circulation in the town of Nottingham, stating the nature of such proposed variations and additions.

Provision for fresh regulations.

3,000*l.* debt extinguished.

3. The debt of 3,000*l.* now due to Sir Thomas White's Charity from the Grammar School Charity is hereby extinguished.

Alterations and additions in school buildings.

4. The trustees, with the sanction of the Court of Chancery or of the said Board of Charity Commissioners for England and Wales, may sell, exchange, or otherwise dispose of the present master's house, and school buildings and appurtenances attached or belonging to the grammar school aforesaid, which premises shall from henceforth be freed and discharged from the present payment of two shillings per annum to the Corporation of Nottingham, and may erect and fit upon another suitable site, to be appropriated or acquired by the trustees for that purpose, in or near the town of Nottingham, other buildings, masters residences, schoolrooms, playgrounds, and premises suitable for the new school hereby contemplated, and the funds to be required for the above purposes may be provided or raised by the trustees in such manner as the said Court or Board may authorize or direct.

Trustees, with sanction of Court of Chancery or Charity Commissioners may establish rules for government of school.

5. The present grammar school shall be transferred to the new school buildings when erected and fitted up as aforesaid, and such school shall be called "The Nottingham High School of the Foundation of Agnes Mellers," and the object of such school shall be to provide for the sons of inhabitants of the town of Nottingham a sound classical, commercial, and generally useful education at a moderate cost; and the said trustees, with the sanction and approval of the said board, shall make and establish proper rules and regulations with regard to the nature of the instruction to be given at the same school, and for dividing the same, if found necessary or proper, for the purposes of convenient instruction, into separate departments or sections, and for the appointment of such masters, teachers, and instructors as may be required for the same school, and generally for the constitution, government, and conduct of the school and the masters and scholars thereof, and also, whenever practicable and expedient, for the establishment and payment of suitable exhibitions or scholarships to be connected therewith, and, with the like sanction and approval, may from time to time vary or modify such rules and regulations, or any of them.

CAP. XIX.

An Act to make further Provision for enabling the Commissioners of Her Majesty's Works to acquire a Site for additional Offices for the Public Service near *Whitehall* and Her Majesty's Palace at *Westminster*. [19th *April* 1859.]

'WHEREAS by "The *Downing Street* Public Offices Extension Act, 1855," the Commissioners of Her Majesty's Works and Public Buildings were empowered to provide a Site for additional Offices for the Public Service in or near *Downing Street, Westminster:* And whereas, with a view to further facilitate the Despatch of the Public Business of Her Majesty, it is expedient that several of the principal Offices in which such Business has been heretofore and is now carried on should be concentrated, and that a Site of adequate Extent and conveniently situated for the Erection of Public Offices thereon should be provided, and that certain Land of Her Majesty and divers of Her Majesty's Subjects situate near *Whitehall* and Her Majesty's Palace of *Westminster*, described in the Schedule to this Act, should be acquired and appropriated by the Commissioners of Her Majesty's Works and Public Buildings, herein-after called "the Commissioners," as herein-after mentioned for the Purpose aforesaid: And whereas a Map or Plan describing the Land to be acquired by the said Commissioners under the Authority of this Act has been prepared under the Direction of the Commissioners: May it therefore please Your Majesty that it may be enacted;' and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: 18 & 19 Vict. c. 95.

Commissioners incorporated for the Purposes of this Act.

I. The Persons who for the Time being, under the Provisions of the Act passed in the Session of Parliament Fourteenth and Fifteenth *Victoria*, Chapter Forty-two, shall be Commissioners of Her Majesty's Works and Public Buildings, shall, for the Purposes of this Act, be and are hereby constituted a Corporation, by the Name and Style of "The Commissioners of Her Majesty's Works and Public Buildings," and by that Name shall have perpetual Succession and use a Common Seal, to be by them from Time to Time altered as they think fit.

Commissioners of Works to carry this Act into execution.

II. It shall be lawful for the Commissioners, and they are hereby authorized, out of any Monies which have been or which may from Time to Time be appropriated by Parliament and put at their Disposal for that Purpose, to purchase as after provided the Land in the Parish of *St. Margaret, Westminster*, in the County of *Middlesex*, mentioned in the Schedule to this Act, and to pull down and remove the Buildings thereon when so purchased, and to appropriate the Sites of the said Buildings and all the Land mentioned in the Schedule to this Act, whether now used as Streets, Ways, Yards, Pleasure Grounds, vacant Ground, or otherwise, as a Site for the Erection thereon of Offices and Buildings for the Public Service and the necessary Accesses and Approaches to such Offices and Buildings, and to carry the Purposes of this Act into execution in manner herein mentioned.

Land to be vested in Commissioners for the Public Service.

III. All Land purchased by the Commissioners under the Authority of this Act shall be vested in them for the Public Service, and shall be subject to the Provisions of an Act passed in the Session of Parliament holden in the Fifteenth Year of the Reign of Her present Majesty, Chapter Twenty-eight, and in all respects as if the same had been acquired under the Provisions of that Act.

Plan to be deposited in the Office of Works, &c., and be open for Inspection.

IV. The said Map or Plan describing the Land, or any Part thereof, to be acquired by the Commissioners under the Authority of this Act shall, when signed by the Commissioners for executing the Office of Lord High Treasurer, be deposited at the Office of the Commissioners of Her Majesty's Works and Public Buildings, and shall remain at the said Office, to the end that all Persons may at all seasonable Times have Liberty to inspect and peruse the same at their Will and Pleasure, paying the Sum of One Shilling for every such Inspection.

Power to stop up Streets and Ways.

V. It shall be lawful for the Commissioners to stop up and wholly discontinue any Ways, Paths, Streets, or Passages which now lead into or pass through or by the Side of the Land and Premises herein-before mentioned, and the Ground and Soil of such Ways, Paths, Streets, or Passages as shall be so stopped up and discontinued, and the Fee Simple and Inheritance thereof, shall be and are hereby vested in the Commissioners and their Successors for the Purposes of this Act.

Streets may be raised or lowered.

VI. The Commissioners are hereby empowered to raise or lower the Ground of any Streets or Ways which shall communicate with the Buildings so to be erected as aforesaid, or any Part thereof respectively, making Compensation to the Owners of Houses injured by such Alterations, as shall be agreed on between the Parties.

Power to take Land.

VII. For the Purposes of this Act it shall be lawful for the Commissioners to take and use any Land, and pull down and remove any Houses or Buildings thereon, at any Time after the Expiration of Six Calendar Months Notice in Writing from the Commissioners, or their Agent duly authorized, of their Intention to take or use the same, shall either be given to the Principal Officer of the Body Politic, Corporate, or Collegiate, or to the Person who shall be the Owner and Occupier of such Land, or, in case he cannot be found or ascertained, left at the usual or last known Place of his Abode, or with the Tenant or Occupier of the said Land, or shall be affixed upon the Premises; and for the Purposes of this Act the Owner shall be any Person hereby capacitated to sell.

No Land to be taken without Consent, unless as in Schedule.

VIII. Provided always, That no Land shall be taken for the Purposes of this Act, except such as is mentioned in the Schedule to this Act, without the Consent in Writing of the Owner thereof being first obtained.

IX. It

Premises may be taken notwithstanding Errors in the Schedule.

IX. It shall be lawful for the Commissioners to purchase, take down, and use for the Purposes of this Act, any of the Tenements described on the said Plan as intended to be taken for the Purposes of this Act, although such Tenements, or the Name or Names of the Owner or Occupier thereof, may happen to be erroneously stated or omitted in the said Schedule, in case it shall appear to any Two or more of the Justices of the Peace for the City and Liberty of *Westminster*, and be certified under their Hands, that such Error or Omission proceeded from Mistake or erroneous Information.

Power to Commissioners, &c. to enter upon Land for surveying or valuing.

X. It shall be lawful for the Commissioners, and for their Surveyors, Officers, and Workmen, at all reasonable Times in the Daytime, upon giving Notice in Writing for the First Time Twenty-four Hours, and afterwards from Time to Time Twelve Hours, previous Notice to enter into and upon all or any of the Land authorized to be taken and used as aforesaid for the Purpose of surveying or valuing the same.

Power to Commissioners to treat for Purchases.

XI. It shall be lawful for the Commissioners to agree for the Purchase of any Land which they may deem necessary to be taken for the Purposes of this Act, and of any Interest therein or Charges thereon, or such of them, or such Part or Parts thereof, as the Commissioners shall think proper, and to enter into any Contract in respect of the Premises which they may think fit.

Conveyance of Land purchased.

XII. The Land which may be purchased in pursuance of this Act shall be conveyed to the Commissioners of Her Majesty's Works and Public Buildings and their Successors, or to such Person as they shall direct, in trust for the Purposes of this Act; and the Rents and Profits of the said Land shall be received and applied by the said Commissioners for the Purposes of this Act.

Limitation of Time for compulsory Purchase.

XIII. If the Commissioners shall not within the Space of Three Years from the passing of this Act purchase or take the Land, or Parts thereof, which they are hereby empowered to purchase, then the compulsory Powers hereby granted to them for such Purpose shall cease.

Bodies Politic, Trustees, and other Persons empowered to sell and convey.

XIV. It shall be lawful for all Bodies politic, corporate, or collegiate, ecclesiastical or lay, aggregate or sole, and for all Trustees and Feoffees in trust for charitable and other Purposes, and all Executors and Administrators, not only for and on behalf of themselves, their Successors, Heirs, Executors, and Administrators respectively, but also for and on behalf of their respective Cestuique Trusts, whether Infants, Femes Covert, Idiots, Lunatics, or Persons not born or not ascertained, or any other Person or Persons whomsoever, and to and for all Tenants for Life, or for Years absolute or determinable on any Life or Lives, and every Person having any other partial or qualified Estate or Interest not only for and on behalf of themselves, their Heirs, Executors, Administrators, and Issue, but also for and on behalf of the Person or Persons entitled in remainder, reversion, expectancy, or contingency, or for any other future Estate or Interest where such Person or any of such Persons, whether entitled to the next or any subsequent Estate or Interest, or any Part thereof, shall not be ascertained, or shall be incapable of contracting for, selling, or conveying the same, and to and for all Guardians, whether of the Person or Estate, on behalf of their Wards, Husbands on behalf of their Wives, Committees on behalf of the Persons of whose Estates they shall be Committees, and the Heirs, Executors, and Administrators, and Issue of such Wards, Wives, or Persons respectively, and to and for all Femes Covert entitled in their own Right, and notwithstanding any Restraint from Alienation, to any such Land, or to Dower or other Interest therein, on behalf not only of themselves but also of their respective Heirs, Executors, Administrators, and Issue, and also where such Wards, Wives, Persons, or Femes Covert respectively shall be Tenants for Life or in Tail or for Years, or have any other partial or qualified Estate or Interest, to and for such Guardians, Husbands, Committees, and Femes Covert on behalf of the Person or Persons on behalf of whom such Wards, Wives, Persons, or Femes Covert respectively, if of full Age, unmarried, and of sound Mind, might have contracted for, sold, and conveyed the same Land, and to and for every other Person whomsoever who is or shall be seised or possessed of or interested in any of the said Land which by the Commissioners shall be thought necessary for any of the Purposes of this Act, to contract for, sell, and convey the same and every or any Part thereof to the Commissioners and their Successors, or to such Person as the Commissioners shall direct for the Purposes of this Act; and all Contracts and Assurances which shall be made by such Bodies Politic, Corporate, or Collegiate, Trustee or Trustees, or other Person or Persons as aforesaid, shall be valid and effectual in the Law; and all Bodies Politic, Corporate, or Collegiate, and all Persons whomsoever contracting or conveying as aforesaid, are hereby indemnified for or in respect of any such Sale which they or any of them shall respectively make by virtue of this Act.

Satisfaction to be made and may be accepted.

XV. Every Body and Person herein capacitated to contract for, sell, and convey any such Land as aforesaid, and any other Owner or Owners of any such Land, or any Share, Estate, or Interest therein or Charge thereon, may accept such Satisfaction for the Value thereof; and such Bodies or Persons, and also any Tenant, or other Occupier of any such Premises entitled to any Compensation for Tenants Fixtures and for any other Injury or Damage as shall be sustained on account of the Execution of this Act, may accept such Sum of Money in respect thereof as shall be agreed upon between him and the Commissioners, and in case they cannot agree as to the Amount the same shall be ascertained by a Jury in manner herein-after directed.

Parties to deliver a Statement of their Claims.

XVI. On or before the Expiration of One Month next after Notice in Writing from the Commissioners, or their Agent duly authorized, of their Intention to take or use any Land or any Part thereof for the Purposes of this Act, shall have been given, left, or affixed as herein-before is mentioned, every Body

Body or Person authorized by this Act to accept Satisfaction or Recompence for the Value of the same, or any Estate, Share, or Interest therein or Charge thereon, or having or claiming to be entitled to any Compensation for any Goodwill or Improvements, or for Fixtures, or for any Injury or Damage sustained on account of the Execution of this Act, shall deliver to the Commissioners or leave at their Office a Statement in Writing of the Particulars of the Estate, Share, Interest, or Charge which such Body or Person claims to be entitled to or to be authorized to receive Satisfaction or Recompence for, and of the Goodwill, Improvements which may be lost, and of the Fixtures, and of the Injury or Damage sustained, and of the Amount of the Money which such Body or Person may be willing to receive in satisfaction or recompence for the Value of such Estate, Share, Interest, or Charge, and also the Amount of the Sum or Sums of Money which such Body or Person may be willing to receive as Compensation for such Goodwill and Improvements and Fixtures, and for such Injury or Damage respectively.

If Parties refuse to treat or shall not agree, a Jury to be summoned.

XVII. If any Body or Person seised, possessed of, or interested in any Land, or in any Share, Estate, or Interest therein or Charge thereon, which the Commissioners are hereby empowered to purchase, take, and use for the Purposes aforesaid, shall neglect or refuse to treat, or shall not agree in the Premises, or by reason of Absence or Disability shall be prevented from treating with the Commissioners for the Sale and Disposal of his Estate and Interest therein, or cannot be found or known, or shall not produce a clear Title to the Premises he may be in possession of or to the Interest he shall claim therein to the Satisfaction of the Commissioners, then and in every or any such Case the High Bailiff of the City and Liberty of *Westminster* or his Deputy, or in case such High Bailiff or his Deputy shall be in anywise interested in the Matter in question then some One of the Coroners of the County of *Middlesex* not interested therein, shall, upon the Warrant of the Commissioners in manner herein-after mentioned, and he is hereby required and authorized to cause it to be inquired into and ascertained upon the Oaths of a Jury of Twelve indifferent Men of the said City of *Westminster*, which Oaths the said High Bailiff or his Deputy or Coroner is hereby empowered and required to administer, what Damages will be sustained by and what Recompence and Satisfaction shall be made to such Owners, Occupiers, or other Person or Persons interested, for the Value of such Land, and of the proportionable Value of the respective Estates and Interests of every Person seised or possessed thereof or interested therein, or of or in any Part thereof, and assess the Money to be paid for the Purchase of such Land, and of such Estates and Interests therein, and also for Goodwill, Improvements, or any Injury or Damage whatsoever that may affect any such Person or Party, provided such Goodwill shall be estimated by what in the Opinion of such Jury the same would have been worth in case the Alterations or Improvements intended by this Act had not been in contemplation, and also for and on account of the taking of such Land for the Purposes of this Act; and the said Jury, in estimating such Recompence and Satisfaction, shall take into their Consideration the Increase in Value of the Residue of any Property of which such Land shall form Part, and in order thereto the said High Bailiff, Deputy, or Coroner is hereby empowered and required from Time to Time as Occasion shall require to summon and call before the said Jury and examine upon Oath all Persons whomsoever whom it shall be thought necessary to examine as Witnesses touching or concerning the Premises, which Oath the said High Bailiff, Deputy, or Coroner is hereby empowered to administer, and such High Bailiff, Deputy, or Coroner respectively shall order and cause the said Jury to view the Places in question, if there be Occasion, and use all other lawful Ways and Means as well for his own as for the said Jury's better Information in the Premises as the said High Bailiff, Deputy, or Coroner shall think fit; and after the said Jury shall have settled such Damage and Satisfaction, the said High Bailiff, Deputy, or Coroner shall thereupon order the Sum or Sums of Money so assessed by the said Jury to be paid by the Commissioners to the said Parties interested therein, according to such Verdict of the Jury, which said Verdict shall be final as against all Parties interested, and all other Persons whomsoever; and for the summoning and returning of such Jury the Commissioners are hereby empowered to issue their Warrant or Warrants to the said High Bailiff, Deputy, or Coroner to summon, empannel, and return, at some convenient Place in the said City of *Westminster*, a Jury of not less than Thirty-six nor more than Forty-eight honest and indifferent Men, qualified according to Law to be returned for Trials of Issues in Her Majesty's Courts of Record at *Westminster*, to appear before the said High Bailiff, Deputy, or Coroner at such Time and Place as in such Warrant shall be appointed; and Fourteen Days Notice at the least in Writing, under the Corporate Seal of the Commissioners, of the Time and Place at which such Jury are so required to be returned shall be given to such Person interested in the Premises before the Time of meeting of the said Jury, by leaving such Notice at the Dwelling House of such Persons, or of the Head Officer of any Body or Bodies Politic, Corporate, or Collegiate, or with some Tenant or Occupier of the Premises respectively intended to be valued; and the said High Bailiff, Deputy, or Coroner is and are hereby empowered to empannel, summon, and return such Number accordingly, and out of the Persons so empannelled, summoned, and returned, or out of such of them as shall appear upon such Summons, the said High Bailiff, Deputy, or Coroner shall swear or cause to be sworn Twelve, who shall be the Jury for the Purposes aforesaid; and in default of a sufficient Number of Jurymen the said High Bailiff, Deputy, or Coroner shall return other honest and indifferent Men of the Standers-by, or that can be speedily procured to attend that Service (being qualified as last aforesaid), to the Number of Twelve;

and it shall be lawful for all Persons concerned, by themselves, their Counsel, Solicitors, and Agents, to attend and be heard and to adduce Evidence before the said High Bailiff, Deputy, or Coroner respectively, and such Persons shall also have their lawful Challenges against any of the said Jurymen when they come to be sworn, but shall not challenge the Array.

Where Part of an Estate is taken, the Remainder to be valued.

XVIII. If the Owner, Lessee, or Occupier of any Land authorized to be taken by virtue of this Act shall not be inclined to sell or part with the whole thereof, or of his Interest in the whole thereof, and it shall not be found necessary to take the whole for the Purposes of this Act, and the said Parties cannot agree as to the Sum of Money to be paid for the Part which the Commissioners, or any Person authorized by them, shall not think it necessary to purchase, then the Jury shall assess the Value of the whole Premises according to the Condition in which they are at the Time of taking the View, and also the Value of that Part of the Premises which shall remain after the Commissioners, or the Person authorized by them, have taken away so much as they shall think necessary for the Purposes of this Act; and in such last Valuation the said Jury shall take into their Consideration the Improvement or Depreciation which the Remainder of the Premises is likely to receive or sustain from the Alteration intended to be made; and the Jury having made these Two Valuations, the Difference between them shall be the Price to be paid by the Commissioners for that Part which they shall have occasion for, and such Price shall be recorded as the Verdict of the Jury for the Value of the same.

Notice to be given of the Compensation claimed.

XIX. No Jury to be summoned by virtue of this Act shall be allowed to award any Sum or Sums of Money to any Body or Person by way of Compensation for Goodwill or Improvements alleged to have been lost, or Tenants Fixtures, or any Injury or Damage alleged to have been sustained by reason or Means of this Act, or anything which shall or may be done in the Execution thereof, unless such a Statement as herein-before is mentioned of the Particulars of every such Claim, and how and in what Manner the Amount thereof is made out and computed, shall have been given to the Commissioners or left at their Office as aforesaid, by and on behalf of such Person Ten Days at least before the Time of the Meeting of such Jury.

Penalty on High Bailiff, Jury, and Witnesses for Neglect of Duty.

XX. If the High Bailiff, Deputy, or Coroner so directed to summon and return a Jury as aforesaid shall make default in the Premises, he shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds to the Party who shall be prejudiced or injured thereby, to be recovered with full Costs of Suit by Action of Debt or on the Case in any of Her Majesty's Courts of Record at *Westminster;* and if any Person so summoned and returned as aforesaid upon such Jury shall not appear, or appearing shall refuse to be sworn or to give his Verdict, or shall in any other Matter wilfully neglect his Duty, contrary to the true Intent and Meaning of this Act, or if any Person so summoned as a Witness shall not appear, or appearing refuse to be examined or to give Evidence, any Person so offending, having no reasonable Excuse to be allowed by the Justices herein-after mentioned, shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds, which several and respective Penalties shall and may be levied by virtue of any Warrant under the Hand and Seal of One of Her Majesty's Justices of the Peace for the City and Liberty of *Westminster*, by Distress and Sale of the Goods and Chattels of the Person so offending, the Person making such Distress and Sale rendering to him the Overplus of the Money thereby produced, if any, after such Penalty and the Charges of such Distress and Sale shall be deducted, and all such Fines shall be paid to the Commissioners to be applied for the Purposes of this Act.

Jury may assess Value of Fee Simple, and then apportion Values of respective Interests therein.

XXI. In all Cases in which a Verdict shall be given for the Value of any Land, or Share therein, the Jury shall, if required so to do, by or on behalf of the Commissioners, inquire of, assess, and ascertain the Value of the Fee Simple of the Entirety of the said Premises, and shall afterwards apportion and divide the Value so ascertained between and among all the different Shares and Charges which shall be claimed therein, and also between different Parts of the said Land alleged to be held under different Titles: Provided always, that the Verdict of any Jury shall not defeat or prejudice any Contract or Sale which shall have previously been made of any Share or Charge, although the Value of the same may be ascertained to be different from the Amount of the Price, Recompence, or Satisfaction agreed to be paid for the same.

Value of Land to be ascertained distinct from Goodwill or other Damages.

XXII. The Jury so to be summoned as aforesaid shall award all Determinations, Judgments, and Verdicts which they shall make and give in execution of the Powers hereby vested in them concerning the Value of Land, or of any Share, Estate, or Interest therein, or any Charge thereon, separately and distinctly from the Consideration of any Loss of Goodwill to which the Occupier may personally be entitled, or any other Loss or Damage to be sustained by any Person in consequence of the Execution of any of the Powers of this Act, and shall distinguish the Value set upon the Land or Share, Estate, or Interest therein or Charge thereon, and the Money assessed or adjudged for such Goodwill, Loss, or Damage as aforesaid separately and apart from each other; and when any Money shall be assessed or adjudged for such Goodwill, Loss, or Damage as aforesaid, the Jury shall, if required by the Commissioners, declare whether the Statement delivered by the Claimant of the Manner in which any Amount of the Money which shall have been demanded as a Compensation for the same has been computed and made up gave sufficient Particulars to enable the Commissioners to make a proper Offer.

Provision relating to

XXIII. In case any Jury to be summoned and sworn pursuant to the Authority of this Act shall give in a Verdict or Assessment for more Money as a Recompence, Compensation, or Satisfaction for the

the Rights, Interests, or Property of any Person in any such Land, or for any such Goodwill, Improvements, Injury, or Damage, as aforesaid, than shall have been agreed to be given and offered for the same in the aggregate by the Commissioners before the summoning and returning of such Jury, or where, by reason of Absence in Foreign Countries, or other Incapacity or Disability as aforesaid, there shall not be found any Person legally capacitated to enter into any Contract with the Commissioners, then and in every such Case all the reasonable Costs, Charges, and Expenses of causing and procuring such Recompence, Compensation, or Satisfaction to be assessed by a Jury shall be settled by the High Bailiff, Deputy, or Coroner before whom such Claim shall have been tried, and shall be paid by the Commissioners; but in every Case in which any Jury so summoned and sworn as aforesaid shall be of opinion that the Statement delivered by the Claimant of the Manner in which any Amount of Money which shall have been demanded as a Compensation has been computed and made up did not give sufficient Particulars to enable the Commissioners to make a proper Offer, and in every other Case in which any such Jury shall give in a Verdict or Assessment for no more or for less Money, as such Recompence, Compensation, or Satisfaction as aforesaid, than shall have been agreed to and offered by the Commissioners in the aggregate for the same before the summoning and returning of the said Jury, or in case no Damages shall be given by the Verdict where the Dispute is for Damages only, or where the causing or procuring such Jury to be summoned shall have arisen from a Refusal to treat or agree with the Commissioners by any Body or Person who is by the Provisions of this Act or otherwise legally empowered to treat, then (except where by reason of Absence such Person shall be prevented from treating with the Commissioners) all such Costs, Charges, and Expenses to be settled by such High Bailiff, Deputy, or Coroner in manner aforesaid shall be paid to the Commissioners by the said Body or Person so claiming such Compensation or refusing to treat and agree as before mentioned respectively (save only where by reason of Absence or other like Cause any Person shall have been prevented from treating or agreeing as aforesaid), in which Case no Costs, Charges, or Expenses shall be allowed to either Party as against the other, and all Costs, Charges, and Expenses hereby directed to be paid to the Commissioners shall be deducted and retained by them out of the Money so assessed to be paid by them as so much Money advanced to and for the Use of the Person entitled to such Money so adjudged, and Payment or Tender of the Remainder of such Money shall be taken to be a Payment or Tender of the whole Sum so assessed, or in case no Money or no sufficient Sum of Money shall be assessed to be paid by the Commissioners whereout such Costs, Charges, and Expenses can be deducted, then the same shall be recovered by virtue of any Warrant under the Hand and Seal of One of Her Majesty's Justices of the Peace for the City and Liberty of *Westminster*, by Distress and Sale of the Goods and Chattels of the Person liable to the Payment of the same, the Party making such Distress and Sale rendering to such Person as aforesaid the Overplus of the Money thereby produced (if any) after such Costs, Charges, and Expenses, and the Charges of such Distress and Sale, shall be deducted.

Expenses of Juries.

XXIV. A Minute or Docket of all the said Verdicts shall be recorded in the Office of the Commissioners, and all such Judgments and Verdicts shall be afterwards deposited with the Clerk of the Peace of the said City and Liberty of *Westminster*, to be preserved by him amongst the Records of the Quarter Sessions of the said City and Liberty, and shall be deemed to be Records to all Intents whatsoever; and the same, or true Copies thereof, shall be allowed to be good Evidence in all Courts whatsoever; and all Persons shall have Liberty to inspect the same, paying for such Inspection the Sum of One Shilling, and to take Copies thereof, paying for every Copy the Sum of Sixpence for every Seventy-two Words, and so in proportion for any less Number of Words.

Verdicts to be recorded.

XXV. If in any Case the Owner of any Land, Part only of which shall at any Time be required by the Commissioners to be applied for the Purposes aforesaid, shall be unwilling to sell such Part only as shall be required by the Commissioners, the Commissioners are hereby required, at the Option of any Owner of any such Land, to purchase of and from the said Owner the whole or such Part thereof, over and above such Part thereof as may be wanted for the Purposes of this Act, as such Owner shall think fit, and to apply so much and such Part thereof as they the Commissioners, with such Consent as aforesaid, shall see fit for the Purposes aforesaid; and if such Owner shall not or cannot agree with the Commissioners for the Price to be paid for the Purchase of the whole or such Part thereof as aforesaid, then the Value thereof shall be ascertained by a Jury in such Manner as the Price for any Premises to be taken in pursuance of this Act is directed to be ascertained; and all such other Proceedings shall take place respecting the said Premises as are herein-before mentioned and directed with respect to the Premises the Value of which shall be ascertained by a Jury in the Manner aforesaid.

Commissioners empowered to purchase the whole of the Land if Owners are unwilling to sell a Part.

XXVI. In all Cases in which any Person shall claim any Satisfaction or Compensation for or in respect of any unexpired Term or Interest which he shall claim to be possessed of or entitled unto in any Land intended to be taken or used under the Authority of this Act, under or by virtue of any Demise or Lease, or Agreement for Demise or Lease or Grant thereof, the Commissioners are hereby authorized to require such Person to produce or show the Demise or Lease, or Agreement for Demise or Lease or Grant, in respect of which such Claim to Satisfaction or Compensation shall be made, or the best Evidence thereof in his Power; and if such Demise or Lease, or Agreement for Demise or Lease or Grant, or such best Evidence thereof as aforesaid, shall not be produced or shown within Twenty-one Days

Persons holding under Leases to produce the same.

Days after Demand made by the Commissioners, or any Person by them authorized, the Person claiming such Satisfaction or Compensation shall be considered and treated as holding only from Year to Year.

For settling Disputes as to Damages of small Amount.

XXVII. In case any Difference shall arise between the Commissioners and any of the Owners of the Property to be taken or used for the Purposes of this Act as to the Amount or Value of the Damages done by the Commissioners, their Agents or Workmen, to such Property in the Execution of any of the Powers of this Act, and such Difference cannot be adjusted, the same shall, in case the Amount of Damages claimed does not exceed the Sum of Fifty Pounds, be determined by some Two or more Justices of the Peace for the City of *Westminster*, who, upon Application made to them by both or either of the said Parties, shall examine into the Matter in dispute, and shall determine the Amount of Compensation which shall be payable by the Commissioners, and such Justices may examine Witnesses and administer Oaths in all respects and with the same Consequences as to false Swearing as if the same were a judicial Matter brought before them on which they were by Law entitled to adjudicate.

Commissioners not to take possession until the Purchase Monies are tendered or paid.

XXVIII. Provided always, That all Sums of Money, or other Consideration, Recompence, or Satisfaction to be made or paid pursuant to any such Agreement or Verdict as aforesaid shall be paid or tendered to the Party entitled to the same, or into the Bank of *England*, as herein mentioned, before the Commissioners, or any Person authorized by them, shall proceed to take possession of any Tenement or to pull down any House or other Erection or Building comprised in or affected by such Agreement or Verdict respectively, or to use the same for any of the Purposes of this Act.

Commissioners empowered to take possession on Payment of Purchase Money into the Bank of England.

XXIX. If any Body or Person seised or possessed of or interested in any such Land, or Share, Estate, or Interest therein or Charge thereon, as aforesaid, cannot be found, or shall not be known or ascertained, or shall not be able to make a good Title to the Premises to the Satisfaction of the Commissioners (whose Opinion in the Premises shall be final), or shall refuse to execute a Conveyance thereof, then and in every such Case, upon Payment of such Sum or Sums of Money as shall have been contracted and agreed, or shall have been assessed and awarded by any Jury, in manner aforesaid, to be paid for the Purchase of or for the Value of the same Premises into the Bank of *England*, as herein-after directed and required (in case the same shall be requisite), for the Use of such Person so interested in or entitled as aforesaid, such Land, or Parts, Shares, Estates, Interests, or Charges, and the Fee Simple and Inheritance thereof, together with the yearly Profits thereof, and all the Estate, Right, Title, Interest, Use, Trust, Property, Claim, and Demand, in Law and Equity, of the Body or Person or unknown Person to whose Credit such Money shall be paid in, to, and out of the Land to be purchased as aforesaid, shall from thenceforth vest in the Commissioners and their Successors, who shall be deemed in Law to be in the actual Seisin and Possession thereof to all Intents and Purposes, freed and discharged from all former and other Estates, Rights, Titles, and Interests, Claims and Demands, as fully and effectually as if every Body or Person having any Estates in the Premises had actually conveyed the same by Release, Bargain, and Sale enrolled, and with the Assent of any Protector of the Settlement whose Assent might be necessary, or Feoffment with Livery of Seisin, or any such Conveyance or Assurance whatsoever; and such Payment shall not only bar all Right, Title, Interest, Claim, and Demand of the Body or Person or unknown Person of, in, and to the same Premises to whose Credit such Payment or Tender shall have been made, but also shall extend to and be deemed and construed to bar the Dower of the Wife of such Person, and all Estates Tail and other Estates in possession, reversion, remainder, expectancy, or contingency, and the Issue and Issues of such Person and every other Person whomsoever; and the same Premises shall and may thereupon be pulled down, made use of, and employed for the Purposes aforesaid, according to the Direction of the Commissioners.

Application of Purchase Money when amounting to 200*l.*

XXX. If any Money shall be agreed or assessed to be paid for any Land, or Part thereof, or Share, Estate, or Interest therein or Charge thereon, or for any other Right, Matter, or Interest, of what Nature or Kind soever, purchased, taken, or used by virtue of this Act, which shall belong to any Body or Person under any Disability or Incapacity, or not legally entitled absolutely to dispose of the Premises by the Sale of which such Money shall be produced, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Chancery, to be placed to the Account there of such Accountant General *ex parte* the said Commissioners, pursuant to the Method prescribed by any Act for the Time being in force for regulating Monies paid into the said Court; and such Money shall be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon Petition to be preferred in a summary Way by the Body or Person who would have been entitled to the Rents and Profits of the said Land in the Purchase or Redemption of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrances or Part thereof, as the said Court shall authorize to be paid, affecting the same Land or Part thereof, or Share, Estate, or Interest therein or Charge thereon, or affecting other Land standing settled therewith to the same or the like Uses, Trusts, Intents, or Purposes, or where such Money shall not be so applied then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Land, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner, as the Land which shall be so purchased, taken, or used as aforesaid stood settled or limited, or such of them as at the Time of making such Conveyance or Settlement shall be existing undetermined and capable of taking effect; and in the meantime,

meantime, until such Purchase shall be made, the said Money shall, by Order of the said Court, upon Application thereto, be invested by the said Accountant General, in his Name, in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the meantime, and until the Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid by Order of the said Court to the Body or Person who would for the Time being have been entitled to the Rents and Profits of the Land so hereby directed to be purchased, in case such Purchase or Settlement were made.

When less than 200*l.* and amounting to 20*l.*

XXXI. Provided, That if any Money so agreed or assessed to be paid for any Land or Part thereof, or Share, Estate, or Interest therein or Charge thereon, purchased, taken, or used for Purposes aforesaid, belonging to any Corporation or to any Person under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall amount to or exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Body or Person for the Time being entitled to the Rents and Profits of the Land, or Parts, Shares, Estates, Interests, or Charges so purchased, taken, or used, or of his Guardian or Committee in case of Infancy or Lunacy, to be signified in Writing under his Hand, to be paid into the Bank of *England* in the Name and with the Privity of the said Accountant General of the Court of Chancery, and to be placed to his Account as aforesaid, in order to be applied in manner herein-before directed; or otherwise the same shall be paid at the like Option to Two or more Trustees to be nominated by the Body or Person making such Option and approved of by the Commissioners, such Nomination and Approbation to be signified in Writing under the Hands and Seals of the nominating Parties and the Common Seal of the Commissioners, in order that such Principal Money and the Dividends arising thereon may be applied in manner herein-before directed, so far as the Case may be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court of Chancery.

When less than 20*l.*

XXXII. Provided always, That where such Money so agreed or assessed to be paid as herein-before mentioned shall be less than Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Body or Person who would for the Time being have been entitled to the Rents and Profits of the Land, Parts, Shares, Estates, Interests, and Charges so purchased, taken, or used for the Purposes of this Act in such Manner as the Commissioners shall think fit, or in case of the Infancy or Lunacy of such Person then such Money shall be paid to his Guardian or Committee to and for the Use and Benefit of such Person so entitled.

In case of not making out Titles.

XXXIII. In case the Body or Person to whom any Sum of Money shall be agreed to be paid, or shall be awarded by any Jury, for the Purchase of any Land, or any Parts, Shares, Estates, or Interest therein or Charge thereon, to be purchased, taken, or used by virtue of this Act, shall not be able to make a good Title to the Premises to the Satisfaction of the Commissioners (whose Opinion in the Premises shall be final), or shall refuse to execute a Conveyance or Assignment thereof, or in case the Person to whom such Sum or Sums of Money shall be so agreed or awarded to be paid as aforesaid cannot be found, or if the Person entitled to such Land, Parts, Shares, Estates, Interests, or Charges be not known or discovered, then and in every such Case it shall be lawful for the Commissioners to pay the said Sum or Sums of Money so awarded or agreed to be paid as aforesaid into the Bank of *England* in the Name and with the Privity of the Accountant General of the said Court of Chancery, to be placed to his Account to the Credit of the Party, if known, who shall be interested in the said Land, Parts, Shares, Estates, Interests, or Charges (describing such Land); but if such Party shall not be known, to the Credit of the said Commissioners, subject to the Order, Control, or Disposition of the said Court, which said Court, on the Application of any Body or Person making Claim to any Sum of Money or any Part thereof by Motion or Petition, shall be and the same is hereby empowered in a summary Way of proceeding, or otherwise as to the same Court shall seem meet, to order the same to be laid out and invested in the Public Funds, or to order Distribution thereof or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest, of the Body or Bodies, Person or Persons, making Claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier of the Bank of *England* who shall receive such Sum of Money is hereby required to give a Receipt for such Sum or Sums of Money, mentioning and specifying for what the same is or are received, to such Person as shall pay any such Sum of Money into the Bank as aforesaid.

Where any Question shall arise touching the Title, the Person in possession shall be deemed entitled until the contrary be shown.

XXXIV. Provided always, where any Question shall arise touching the Title of any Body or Person to any Money to be paid into the Bank of *England* as aforesaid, in pursuance of this Act, for the Purchase of any Land, or Part thereof, or of any Estate, Right, Title, Charge, or Interest into or upon any Land to be purchased or taken in pursuance of this Act, or to any Bank Annuities to be purchased with any such Money, or to the Dividends of any such Bank Annuities, the Body or Person who shall have been in possession of such Land, Parts, Shares, Estates, Interests, or Charges at the Time of such Purchase, and every Body or Person claiming under such Body or Person, or under the Possession of such Body or Person, shall be taken to have been lawfully entitled to such Land, Parts, Shares, Estates, Interests, or Charges, according to such Possession, until the contrary shall be shown to the Satisfaction of the said Court; and the Dividends of the Bank Annuities to be purchased with such Money, and also the

the Capital of such Bank Annuities, shall be paid accordingly, unless it shall be made to appear to the said Court that such Possession was a wrongful Possession, and that some other Person was lawfully entitled to such Land, or Part thereof, or to some Estate or Interest therein or Charge thereon.

Court of Chancery may order Expenses of Purchases to be paid by the Commissioners.

XXXV. Provided also, That where by reason of any Disability or Incapacity of the Body or Person entitled to any Land, or Part thereof, or Share, Estate, or Interest therein or Charge thereon, to be purchased or taken under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the Bank of *England* as aforesaid, to be applied in the Purchase of other Land to be settled to the like Uses in pursuance of this Act, it shall be lawful for the said Court to order the Expenses of the Purchases to be made in pursuance of this Act, or so much of such Expenses as the said Court shall deem reasonable, to be paid by the Commissioners, who shall pay such Sum or Sums of Money out of the Monies appropriated and applicable to the Purposes of this Act, as the said Court shall direct: Provided always, that the Costs of One Application only for Re-investment in Land shall be allowed, unless it shall appear to the said Court that it is for the Benefit of the Parties interested in the said Monies that the same should be invested in the Purchase of Lands in different Sums and at different Times, in which Case it shall be lawful for the Court, if it think fit, to order the Costs of any such Investments to be paid by the Commissioners.

Where the Title is defective by reason of a Rent payable out of other Land, as well as Land required for the Purposes of this Act, the Money paid into the Bank to be laid out in the Purchase of other Land which shall be subject to the Rent in the same Manner.

XXXVI. Where the Money awarded to be paid for any Land which shall be taken for the Purposes of this Act shall be paid into the Bank of *England* in manner herein-before directed, in consequence of a good Title not having been made to such Land to the Satisfaction of the Commissioners, or any Person authorized by them, by reason of the same Land being subject, together with other Land not required for the Purposes of this Act, to a Rent payable to some Body or Person unable or unwilling to release therefrom the Land so to be taken, then and in every or any such Case the Land for the Value of which the Money to be paid into the Bank, together with the Money (if any) to be retained for Costs and Charges under the Authority of this Act, shall be assessed to be paid, shall be for ever discharged from such Rent and all Claims and Demands in respect thereof; and the Money to be paid into the Bank of *England* shall be laid out and invested under the Direction of the Court of Chancery, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Body or Person who would have been entitled to the Rents and Profits of the Land for the Value of which such Money respectively shall have been paid as aforesaid, in the Purchase of other Land which shall be conveyed and settled, subject, together with such other Land, to such Rent, to the like Uses, Trusts, Intents, and Purposes, and in the same Manner, as the Land so to be taken as aforesaid stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined or capable of taking effect; and in the meantime and until such Purchase shall be made the said Money shall, by Order of the said Court, upon Application thereto, be invested by the Accountant General of the said Court, in his Name, in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the meantime, and until the Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of the said Bank Annuities shall from Time to Time be paid by Order of the said Court to the Body or Person who would for the Time being have been entitled to the Rents and Profits of the said Land hereby directed to be purchased in case such Purchase and Settlement were made; and the Land so to be purchased and settled shall be subject to the Rent to which the same shall be declared as aforesaid in the Conveyance and Settlement thereof to be subject, in the same Manner to all Intents and Purposes as the Land taken or to be taken for the Purposes of this Act as aforesaid were subject thereto; and the Body or Person to whom such Rent shall be payable shall have such and the same Powers and Remedies for enforcing the Payment thereof or of any Part thereof, out of or upon the Land to be comprised in such Conveyance and Settlement, and declared to be subject thereto, as he would have been entitled to if such Rent had originally been reserved out of or charged upon the same instead of the Land to be taken for the Purposes of this Act, and in the same Manner to all Intents and Purposes as such Rent was reserved out of or charged upon such last-mentioned Land together with the other Land subject thereto; and in the meantime and until such Purchase shall be made it shall be lawful for the said Court, if it shall think proper, upon Application thereto, to order any Part of the Dividends and annual Produce of the Bank Annuities in which the said last-mentioned Money shall be invested to be paid from Time to Time to the Body or Person for the Time being entitled to the said Rent, in discharge thereof or Part thereof, as the Case may be.

Power to purchase the Release of Land wanted from Rents charged thereon.

XXXVII. Where any Land purchased or wanted or intended to be purchased by the Commissioners shall be subject, solely or jointly with other Land not intended or wanted to be purchased, to or with any Rent Service, Rentcharge, or Chief Rent, or other Rent, Payment, or Incumbrance, it shall be lawful for the Commissioners to agree for the Release of the Land so purchased or wanted or intended to be purchased, from such Rent, Payment, or Incumbrance, and also (where necessary or convenient) for an Apportionment of such Rent, Payment, or Incumbrance, for such gross Sum as shall be agreed upon between the Commissioners and the Party who, under the Provisions of this Act, shall agree to sell or apportion the same, and which Agreement may be entered into by any Person and Corporation by this Act authorized and empowered to sell or convey Land; and the Monies to be paid shall be paid and applied in manner herein-before directed with regard to the Purchase Money on the Sale of Land; and

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in case any Difference shall arise respecting the Value of such Rent, Payment, or Incumbrance, or respecting the Apportionment thereof, the same shall be determined by a Jury, if required, in like Manner as the Price of Land is by this Act directed to be settled in case of Dispute as to the Value thereof, which Jury shall assess and determine the Value of the Rent, Payment, or Incumbrance affecting the Land purchased or wanted or intended to be purchased, and shall also (where necessary or convenient) apportion the Rent, Payment, or Incumbrance affecting the Land jointly subject to the Rent, Payment, or Incumbrance as herein-before mentioned according to the respective Values of the Land purchased or wanted or intended to be purchased, and of the Land not purchased or wanted or intended to be purchased by the Commissioners; and all Assurances which shall be made by and between or to the Commissioners and any such Party as aforesaid respecting such Release shall be valid in the Law, and shall extinguish the whole or a proportionate Part of such Rent, Payment, or Incumbrance (as the Case may be): Provided always, that where the Party entitled to such Rent, Payment, or Incumbrance shall consider the remaining Part of the Land so jointly subject, and the same shall in fact be a sufficient Security for such Rent, Payment, or Incumbrance, and shall be willing to release the Land so purchased by the Commissioners therefrom, then it shall be lawful for the Party entitled by this Act or capacitated to apportion such Rent, Payment, or Incumbrance, or to release the Land so purchased therefrom, (with the Consent of the Owner of the Land so purchased, and also of the Owner of the Land so jointly subject as aforesaid,) to release the Land so purchased as aforesaid from the Rent, Payment, or Incumbrance so affecting the same as aforesaid, jointly with other Land, on condition or in consideration of such other Land continuing or remaining wholly and exclusively subject to the whole of such Rent, Payment, or Incumbrance; provided also, that when any of the Land purchased by the Commissioners shall be released from a Part only of any Rent, Payment, or Incumbrance affecting the same jointly with other Land not purchased by the Commissioners, such last-mentioned Land shall be charged only with the Remainder of such Rent, Payment, or Incumbrance, and such Apportionment shall not prejudice the Title to the remaining Rent or the Remedies for such Remainder, but the same shall at all Times thereafter remain as effectual as if the Land not so purchased had been originally charged with that Amount only; provided also, that when a Part of any Rent, Payment, or Incumbrance shall be released, it shall be lawful for the Commissioners, on Tender for that Purpose of any Deed or Instrument creating or transferring the Remainder of such Rent, Payment, or Incumbrance, to endorse a Memorandum on such Deed or Instrument declaring what Part of the Land originally subject to such Rent, Payment, or Incumbrance shall have been purchased by virtue of this Act, and what Proportion of the said Rent, Payment, or Incumbrance shall have been released, and also declaring the Amount of the Rent, Payment, or Incumbrances which shall continue payable, and such Memorandum shall be Evidence in all Courts of the Facts therein stated, but shall not exclude any other Evidence of the same Facts.

Rents on Leases to be apportioned.

XXXVIII. In all Cases in which a Part only of any Land comprised in any Lease or Agreement for Lease for a Term of Years unexpired, or for a Life or Lives, or for a Term determinable on a Life or Lives, shall be required for the Purposes of this Act, the Rent payable in respect of any Land comprised in such Lease or Agreement for a Lease shall be apportioned between the Land required for the Purposes of this Act and the Residue of such Land; and such Apportionment shall, in case the same shall not be settled by Agreement between the Parties, be ascertained and settled by the Verdict of a Jury, if required, in like Manner as the Price of any Land to be taken in pursuance of this Act is directed to be settled in case of Dispute as to the Value thereof; and in case such Apportionment shall be settled by Agreement between the Parties, such Agreement shall be made with, and shall not be valid without, the Consent and Approbation of the Lessor from whom such Land is holden or agreed to be holden, and any Person hereby capacitated to sell who shall be a Lessor shall be capacitated to assent and to bind the Property in respect of such Assent; and after such Apportionment the Tenant or Lessee of the Land comprised in such Lease or Agreement for Lease shall, as to all future accruing Rent, be liable only to so much of the Rent reserved in such Lease or Agreement for Lease as shall have been apportioned in respect of the Land not required for the Purposes of this Act; and the Lessor of the said Land shall have all such and the same Remedies for the Recovery of the Rent so apportioned in respect of the Land not required for the Purposes of this Act as before such Apportionment he had or was entitled to in respect of the Rent reserved or agreed to be reserved in such Lease or Agreement for Lease; and such Apportionment shall not prejudice or affect any of the Covenants, Conditions, or Agreements in such Lease or Agreement for Lease, contained, so far as the same relate to the Land comprised in such Lease or Agreement for Lease, and not required for the Purposes of this Act, but the same shall, as to such last-mentioned Land, but not further, continue in full Force.

Mortgagees to convey to the Commissioners.

XXXIX. Every Body and Person having any Mortgage on any Land which shall be required to be taken for the Purposes of this Act (and whether entitled thereto in their own Right or in trust for any other Body or Person, and whether in possession of such Land by virtue of such Mortgage or not, and whether such Mortgage shall affect such Land solely or jointly with any other Land, which shall not be so required) shall, on Payment or Tender by the Commissioners, or by any Person by them authorized, of the Principal Money and Interest due on such Mortgage, and the just Costs (if any) then due, together with the Amount of Six Months Interest on the said Principal Money (which Tender and

and Payment the Commissioners are hereby authorized to make, and to deduct the same from any Sum agreed or directed to be paid for an Estate or Interest of the Party entitled to the Equity of Redemption) of and in the Land so mortgaged, in case the same shall be sufficient for the Purpose, immediately convey, assign, and transfer the respective Interests of such Mortgagees in the Land which shall be so required to the Commissioners and their Successors, or to such Person as the Commissioners shall appoint; or in case such Mortgagees shall have Notice in Writing from the Commissioners, or from the Party entitled to the Equity of Redemption of and in the same Land, that they will pay off the Principal Money and Interest which shall be due on such Mortgage at the End of Six or less Number of Months, to be computed from the Day of giving such Notice, then at the End of such Six or less Number of Months, on Payment or Tender by the Commissioners of the Principal Money and Interest which would become due at the End of Six Months from the Time of giving such Notice, together with any just Costs then due, such Mortgagees shall convey, assign, and transfer their respective Interests in the Land which shall be so required for the Purposes of this Act to the Commissioners and their Successors, or as the Commissioners shall direct; and in case any such Mortgagee shall refuse to convey, assign, or transfer as aforesaid on such Payment or Tender as aforesaid, then on Payment of such Money, Interest, and Costs into the Court of Chancery as herein-after mentioned all Interest on every such Mortgage, Debt, and all Claim and Right of every such Mortgagee thereto, shall thenceforth cease: Provided always, that in case any such Mortgagee shall, in either of the Cases aforesaid, neglect or refuse to convey, assign, or transfer as aforesaid, then upon Payment of the Principal Money and Interest, and the Costs (if any) due on any such Mortgage as aforesaid, into the Bank of *England* at or near the End of Six Months from the Day of giving such Notice as aforesaid, or as soon after as possible, or in lieu of such Notice and in addition to the said other Monies of Six Months Interest in advance for the Use of such Mortgagee at any Time after Tender of the Principal, Interest, and Costs, and Six Months Interest in advance as aforesaid, the Cashier of the said Bank shall give a Receipt for the said Money in the like Manner as is by this Act directed in Cases of other Payments into the said Bank; and thereupon, or upon such Conveyance, Assignment, or Transfer by any such Mortgagee as aforesaid, all the Estate and Interest of such Mortgagee, and of every Person in trust for him or for whom he shall be Trustee, shall vest in the Commissioners and their Successors, who shall be deemed to be in the actual Possession of the Land comprised in such Mortgage, or so much thereof as shall be required for the Purposes of this Act, to all Intents and Purposes whatsoever.

As to Cases where the Mortgage Money is more than the Value of the Land, or a Part only of the Land is taken.

XL. In all Cases in which any Land subject to any Mortgage shall be required for the Purposes of this Act, which Land shall be of less Value than the Principal Monies, Interest, and Costs secured thereon, or in which a Part only of the Land subject to any Mortgage shall be required for the Purposes of this Act, and such Part shall be of less Value than the Principal Monies, Interest, and Costs secured on such Land, and the Mortgagee thereof shall not consider the remaining Part of such Land to be a sufficient Security for the Money charged thereon, or shall not be willing to release the Part required for the Purposes of this Act from the Principal or Mortgage Money and all Interest due and to become due thereon, and all Costs, the Value of such Land, or, as the Case may be, of such Part of the said Land as shall be so required for the Purposes aforesaid, and also the Compensation (if any) for any Damage done in respect of the Parts so required, shall be settled and agreed upon by and between such Mortgagee and the Body, Trustee, or Person entitled to the Equity of Redemption of such Land, whether absolutely or for such Estate as might capacitate such Parties to convey for the Purposes of this Act on the one Part and the Commissioners on the other Part; and in case of any Difference between them, then such Value and Compensation shall be determined by the Verdict of a Jury in the same Manner as in other Cases of Difference, and the Amount of such Value and Compensation being so agreed upon or determined as aforesaid shall be paid to such Mortgagee in satisfaction of his Claim, so far as the same will extend; and such Mortgagee shall thereupon convey, assign, and transfer all his Interest in such mortgaged Land the Value whereof shall have been so agreed upon or determined as aforesaid, or in case of the Party neglecting or refusing to convey, assign, or transfer as herein-before directed, then the Amount of such Value and Compensation shall be paid into the Bank of *England* to the Credit of the said Mortgagee, as by this Act is provided in Cases of the like Nature, and such Payment to the Mortgagee or into the Bank as last aforesaid shall be accepted in satisfaction of the Claim of such Mortgagee, so far as the same will extend, and also in full Discharge and Exoneration of such Part of the mortgaged Land as shall be so taken or used from all Principal and Interest and other Money due or secured thereon, and thereupon such mortgaged Land shall become absolutely vested in the said Commissioners and their Successors, who shall be deemed to be in the actual Possession thereof to all Intents and Purposes whatsoever: Provided nevertheless, that every Mortgagee shall have the same Powers and Remedies for recovering or compelling Payment of his Mortgage Money or the Residue thereof (as the Case may be), or the Interest thereof respectively, upon and out of the Residue of the mortgaged Land not required for the Purposes aforesaid, as he would have had or been entitled to for recovering or compelling Payment thereof upon or out of the whole of the Land originally comprised in such Mortgage: Provided also, that when a Part only of the Land subject to any Mortgage shall have been taken for the Purposes of this Act as aforesaid, and the Value of the Land so taken shall, on the Assignment or Conveyance thereof to the Commissioners and their Successors,

Successors, have been paid to the Mortgagee thereof in part Satisfaction of his Mortgage Debt, a Memorandum of what shall have been so paid shall be endorsed on the Deed creating such Mortgage at the Time of executing such Assignment or Conveyance to the Commissioners, and shall be signed by such Mortgagee, and a Copy of such Memorandum shall at the same Time (if required) be furnished by the Commissioners to the Person so entitled as aforesaid to the Equity of Redemption of the Land comprised in such Mortgage Deed.

Tenants at Will or from Year to Year to quit after Notice given.

XLI. Every Tenant at Will or Lessee for a Year, or any other Person in possession of any such Land or any Part thereof which shall be purchased by virtue of this Act or vested in the Commissioners for the Purposes aforesaid, who shall have no greater Interest in the Premises than as Tenant at Will or Lessee for a Year or from Year to Year, shall, at the End of Six Months next after Notice in Writing under the Corporate Seal of the Commissioners shall have been given to him or left at the Premises which are the Subject of such Notice, and whether such Notice be given with reference to the Time of such Tenant's holding or not, quit and relinquish the said Premises unto the Commissioners or to such Person as shall be by them authorized to receive Possession thereof; and in case any such Lessee shall be compelled to quit before the Expiration of his Term or Interest in any such Premises, then and in such Case the Commissioners shall give Satisfaction and Compensation for the Loss or Damage which he shall sustain thereby, and in case of any Difference as to the Amount of such Satisfaction or Compensation the same shall or may be settled and ascertained by a Jury in the same Manner as the Sums of Money to be paid for the Purchase of any Land is herein-before directed to be ascertained, or if the Commissioners and the other Parties in Difference shall agree thereto the same may be settled by a Reference to the Award of Arbitrators and their Umpire, to be chosen by the Parties in Difference; and that all and every Person and Body in possession of any Land or any Part of any Land which shall or may be purchased in pursuance of this Act by the Commissioners or vested in them for any of the Purposes aforesaid shall, upon Payment or Tender as aforesaid of such Recompence or Satisfaction for any of his Term, Estate, or Interest in the Premises as shall be mutually agreed upon, or as shall be settled, ascertained, and awarded by any Referee or Referees or Umpire, or by Verdict or Inquisition of a Jury in manner aforesaid, quit and relinquish the said Premises so in their respective Possessions unto the Commissioners or to such Person as shall be by them authorized to receive Possession of the same, and all the Leases, Demises, Contracts, and Agreements whatsoever under or by virtue whereof any such Person or Body shall hold the said Premises, shall, at and from the End and Expiration of such Six Months or upon such Payment or Tender as aforesaid, be absolutely void and of none Effect as against the Commissioners, and if any such Tenant at Will or Lessee or other Person or Body shall refuse or neglect to deliver up the Premises at the Expiration of such Six Months, or upon such Payment or Tender as aforesaid, it shall be lawful for any Justice of the Peace for the City and Liberty of *Westminster* to issue his Precept or Warrant to the Constables of the said City and Liberty for the Time being, or any of them, or to any Person to be by such Justice appointed a Constable for that especial Purpose, commanding and requiring such Constable or Constables or any of them to cause Possession of the said Premises to be taken and afterwards delivered to such Person as shall in such Precept or Warrant be nominated to receive the same on behalf of the Commissioners, and the said Constables and every of them are and is thereupon hereby authorized and required to cause such Possession to be taken and delivered accordingly: Provided always, that nothing in this Act contained shall prevent or restrain the Commissioners, whenever they may deem it just and reasonable so to do, from granting Compensation to any Tenant at Will for giving up the Possession of the Premises under or by virtue of this Act in any Case where special Injury shall be proved to their Satisfaction.

Persons authorized to sell may refer it to Arbitrators to fix the Price.

XLII. Every Person and Body hereby capacitated to sell, and who may not agree with the Commissioners as to the Price to be paid, may, if he shall think fit, instead of having the Values ascertained by a Jury as aforesaid, agree with the Commissioners to refer it to any Person or Persons and their Umpire to ascertain the Amount to be paid, and every such Agreement and the Award to be made in pursuance thereof shall be in all respects binding and effectual, and as if the Value had been ascertained by a Jury.

Power to clear the Ground and sell old Materials.

XLIII. It shall be lawful for the Commissioners and they are hereby empowered to pull down or cause to be pulled down all Houses and other Erections and Buildings which shall be purchased by virtue of this Act, or such of them, or such Part thereof, as they shall think proper to be pulled down, and to level and clear the Ground whereon the same shall stand, and all other the Ground to be purchased by virtue of this Act, in such Manner as they shall think proper, and to sell or cause to be sold the Materials of the Houses and other Buildings to be taken down and removed pursuant to this Act, and the Monies to be produced by the Sale thereof (after deducting the Expenses of pulling down such Houses and Buildings respectively, and of such Sale or Sales), and also the Rents and Profits of such Houses and Buildings to be purchased or taken by virtue of this Act, until the same shall be pulled down or cleared, shall be received and applied by the Commissioners for the Purposes of this Act.

Purchases to be made under the Authority of the Treasury.

XLIV. No Purchase shall be made by the Commissioners for the Purposes of this Act without the Assent in Writing of the Lord High Treasurer or the Commissioners for executing the Office of Lord High Treasurer; but it shall not be necessary for any Vendor or any Purchaser from the said Commissioners to ascertain that such Assent has been given, nor shall the Commissioners be bound to produce

produce to any such Vendor or Purchaser any Evidence of such Assent: Provided nevertheless, that such Assent may be given either generally or for any particular Purchase or Purchases as to the said Lord High Treasurer or Commissioners for executing the Office of Lord High Treasurer as aforesaid shall seem meet.

Materials, &c. vested in the Commissioners.

XLV. The Right and Property of all and every the Gates, Bars, Posts, Rails, Sheds, Carts, Engines, Materials for paving, Implements, Utensils, and Things whatsoever which may be erected and set up or provided by the Commissioners, or by their Order or otherwise, belonging to and used by them for the Purposes of this Act, and also any Materials which formed Part of any Buildings which may be pulled down by the Direction of the Commissioners in pursuance of the Powers of this Act, shall be vested in the Commissioners, and they are hereby empowered to dispose of and apply the same for the Purposes of this Act as they shall think fit, and to bring any Action or Actions, and to prefer and prosecute with Effect any Bill or Bills of Indictment, against any Person or Persons who shall steal, secrete, injure, damage, or dispose of the same, or any of them respectively, to their own Use and Uses, or shall disturb them the Commissioners, or their Officers, or other Persons acting under them in the Possession thereof.

Commissioners may cause Actions to be brought for Breach of Contract.

XLVI. In case any Contract entered into in pursuance of this Act with the Commissioners, or in case all or any of the Works to be done in pursuance of this Act, shall not be well and sufficiently performed according to the Intent and Meaning of any Contract or Contracts to be entered into by the Commissioners for any of the Purposes of this Act, or shall not be completed within the Time or Times specified in such Contract, then and in every such Case the Commissioners may cause an Action to be brought in any of Her Majesty's Courts of Law at *Westminster* against any such Contractor for any Penalty contained in his Contract; and on Proof of the signing of the said Contract, and Nonperformance thereof at the Time or Times for that Purpose to be therein mentioned, the Commissioners shall be entitled to and shall recover the full Penalty contained in any such Contract, any Law, Custom, or Usage to the contrary in anywise notwithstanding, which Penalty, when recovered, shall be applied to the Purposes of this Act: Provided always, that it shall be lawful for the said Commissioners, if they think fit, to compound and agree with any such Contractor for any Penalty incurred by him for the Breach or Nonperformance of any such Contract for such Sum of Money as the said Commissioners shall think proper.

Costs and such Sum as Jury may find to be paid to Person obtaining Judgment in lieu of Lands.

XLVII. If any Proceedings shall be taken for the Recovery of the Possession of any Land so purchased or taken for the Purposes of this Act, then, within Two Months after any Judgment shall be obtained by any Person for the Recovery of the Possession of any such Premises, there shall be paid or tendered to any Person so obtaining such Judgment in lieu of such Premises his Costs on any Proceeding for the obtaining such Judgment, together with such Sum of Money as a Jury shall, in the Manner herein-after mentioned, find to have been the Value of the said Premises at the Time when the same were conveyed for the Purposes of the Act, or when Possession thereof was taken as aforesaid; and the Jury who shall try any Proceeding brought for the Recovery of the Possession of any Premises as aforesaid shall at the same Time ascertain the Value of such Premises at the Time when they were conveyed for the Purposes of this Act or when Possession was taken thereof, and the Value so found shall be certified by the presiding Judge under his Hand, and such Certificate shall be delivered to the Person seeking to recover Possession of the same Premises, and such Value shall be the Amount to be paid in lieu of the said Premises, and the same shall be paid by the Commissioners out of Monies in their Hands applicable for the Purposes of this Act; and the said Land, the Possession whereof was so sought to be recovered, shall remain vested in the Commissioners and their Successors for the Purposes of this Act, such Amount or Value being taken and accepted in lieu thereof.

Commissioners to make good to Parishes of St. Margaret and St. John the Evangelist, Westminster, Deficiencies in Rates.

XLVIII. 'And whereas by reason of taking the Land mentioned in the Schedule to this Act, and for 'the Purposes thereof, there may be Deficiencies in the Produce of the Assessments for the Relief of the 'Poor, and making certain Payments directed by Act of Parliament to be made out of the Poor's Rate, 'as also in the Produce of other Assessments directed to be raised and levied on the Persons and in 'respect of the Property by Law rateable to the Relief of the Poor of the Parishes of *Saint Margaret* 'and *Saint John the Evangelist, Westminster:* And whereas the Rates of the said Parishes have been 'mortgaged and are now charged with and subject to the Repayment of certain Sums amounting in the 'aggregate to Thirty-five thousand four hundred and three Pounds, or thereabouts, Principal Money, 'with Interest thereon, and which Charges it is calculated will be wholly paid off on or before the 'Twenty-fifth Day of *December* One thousand eight hundred and seventy-three; and it is expedient 'that Provision should be made for a Contribution for a limited Time by the said Commissioners in aid 'of the Poor Rates and other Rates to be raised and levied as herein-before mentioned:' Be it enacted, That the said Commissioners shall, from and after the Twenty-ninth Day of *September* One thousand eight hundred and fifty-nine, yearly and every Year until the Twenty-ninth Day of *September* One thousand eight hundred and seventy-three, by and out of such Monies as Parliament may from Time to Time place at their Disposal for that Purpose, pay and make good to the said Parishes such Sum or Sums of Money, not exceeding the Sum of Four hundred Pounds *per Annum*, as shall be deficient in respect of the said Rates by reason or means of taking the Land mentioned in the said Schedule for the Purposes of this Act, such Deficiencies to be calculated and ascertained with reference to the Sum of Three hundred and seventy-five Pounds, being the Amount actually collected for and in respect of such Rates

Rates made in the Year One thousand eight hundred and fifty-eight, in respect of Houses and Buildings which may be shut up or taken down, or of Ground taken and used by the Commissioners for the Purposes of this Act, an Account of which Deficiencies shall from Time to Time be made out and delivered to the Commissioners, verified by the Collector or other proper Officer of the said Parishes in such Manner and Form as the Commissioners shall direct, and no Payment shall be made until such Account has been delivered, duly verified, to the said Commissioners, and approved of by them or on their Behalf.

When First Payment to be made.

XLIX. The First Payment in respect of such Deficiencies so ascertained and verified as aforesaid to be made on the Twenty-ninth Day of *September* One thousand eight hundred and sixty, and the Receipts of the Treasurer for the Time being of the said Parishes or of the Collector for the Time being of the said Rates, shall be a good and sufficient Discharge to the Commissioners for such Payment: Provided always, that in case any Act shall be passed before the Twenty-ninth Day of *September* One thousand eight hundred and seventy-three, rendering Crown or public Property, or the Owners or Occupiers thereof, liable to be assessed to the Poor Rate and other Rates to be raised and levied as herein-before mentioned, the Contribution or Payments by this Act provided for in respect of such Deficiencies in the Poor Rates and other Rates as aforesaid shall thereupon cease, and be no longer made or paid.

Deeds, &c. not liable to Stamp Duty.

L. No Deed, Bond, or other Instrument which shall be made or executed by, to, or with the Commissioners, or otherwise, for any of the Purposes of this Act shall be subject or liable to any Stamp Duty imposed by any Act now in force, nor to any Stamp Duty to be imposed by any future Act, unless such Instruments be specially subjected and specifically charged therewith by any future Act.

Persons giving false Evidence guilty of Perjury.

LI. All Persons who upon any Examination to be taken by virtue of this Act shall wilfully and corruptly give false Evidence, or otherwise forswear themselves before any Jury, or before any Justice of the Peace acting as such in the Execution of such Act, shall and may be prosecuted for the same, and upon Conviction thereof shall be subject and liable to such and the same Pains and Penalties as Persons guilty of wilful and corrupt Perjury are by the Laws in being subject and liable to.

Plaintiff not to recover without Notice, or after Tender of Amends.

LII. No Plaintiff shall recover in any Action to be commenced against any Person for anything done in pursuance of this Act, unless Notice in Writing shall have been given to the Defendant or left at his last or usual Place of Abode Twenty-one Days before such Action shall be commenced of such intended Action, signed by the Attorney for the Plaintiff, specifying the Cause of such Action; nor shall the Plaintiff recover if Tender of good and sufficient Amends shall have been made to him or his Attorney by or on behalf of the Defendant before such Action brought, nor if such Tender of Amends shall be made at any Time after such Action brought and before the Trial thereof, with Costs of Suit to the Time of such last-mentioned Tender, but on Proof of such Tender on any Trial to be had in such Action the Plaintiff shall be nonsuited, and shall pay full Costs, to be recovered in the same Manner as any Defendant may recover Costs in any other Case by Law, or in case no Tender shall have been made it shall be lawful for the Defendant in any such Action, by Leave of the Court wherein any such Action shall depend, at any Time before Issue joined, to pay into Court such Sum of Money as he shall think fit, whereupon such Proceedings, Order, and Judgment shall be had, made, and given in and by such Court as in other Actions where the Defendant is allowed to pay Money into Court.

Limitation of Actions.

LIII. Provided always, That no Action or Suit shall be brought or prosecuted against any Person or Body for anything done in pursuance of this Act after Three Calendar Months next after the Fact committed, or in case there shall be a Continuation of Damages then after Three Months next after the doing or committing such Damage shall have ceased, and not afterwards, and every such Action or Suit shall be laid and brought in the Liberty or County where the Matter in dispute shall arise, and not elsewhere; and the Defendant in every such Action or Suit shall and may at his Election plead specially or plead the General Issue, and give this Act and the special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act; and if it shall appear to have been so done, or if any such Action or Suit shall have been brought before Twenty-one Days Notice shall have been given, or after a sufficient Satisfaction made or tendered as aforesaid, or shall be brought in any other County or Place than as aforesaid, then and in every such Case the Jury or Juries shall find for the Defendant.

For protecting the Rights of the Metropolitan Board of Works.

LIV. Provided always, That nothing in this Act contained shall prejudice, diminish, alter, or take away any of the Rights, Powers, or Authorities vested in the Metropolitan Board of Works in relation to Sewers.

Commissioners not to be personally liable.

LV. Nothing in this Act, or in any Deed or Instrument entered into or made by the Commissioners for the Purposes of this Act, shall extend to charge the Person or Persons of all or any of the Commissioners executing any such Deed or Instrument, or the Heirs, Executors, or Administrators of the same Commissioners, or any of them, or either or any of their own proper Lands, Tenements, Goods, or Chattels, with or for the Performance of all or any of the Covenants, Conditions, or Agreements in the said Deed or Instrument contained on the Part of the same Commissioners or any of them; but the Amount of all Costs, Charges, Damages, or Expenses which shall or may be recovered in any Suit or Suits at Law or in Equity against them the Commissioners or any of them, or against their or any of their Heirs, Executors, or Administrators, for or by reason or means of such last-mentioned Deed

or Instrument, or the Covenants, Conditions, or Agreements therein contained, and also all the Costs, Charges, Damages, and Expenses which the Commissioners shall bear, pay, expend, be put to, or which shall be occasioned to them for or by reason or means of any such Deed or Instrument; or any Covenant, Condition, or Agreement therein contained, or any Action or Actions, Suit or Suits, to be brought or prosecuted by or against them or any of them thereupon, shall respectively be paid and discharged by and out of the Monies applicable to the Purposes of this Act.

Monies payable to the Commissioners of Works, &c. to be paid over to the Paymaster General.

LVI. All Monies payable to the Commissioners under the Provisions of this Act from the Sale of any Materials or otherwise shall be paid to Her Majesty's Paymaster General or the Deputy Paymaster General for the Time being, or other Officer acting for the Paymaster General, whose Receipt unstamped shall be a sufficient Discharge for the same to the Persons paying the same, and such Monies so paid as aforesaid shall from Time to Time be by such Paymaster General paid over and applied as the Commissioners shall by any Order direct, and in the meantime shall be applied or invested in the Purchase of Exchequer Bills if the Commissioners shall so direct.

Contracts made by First Commissioner of Works to be valid.

LVII. All Contracts made by the First Commissioner of Her Majesty's Works and Public Buildings in the Execution of any of the Powers by this Act given to the Commissioners hereby incorporated as aforesaid shall be valid, and shall be binding on the Commissioners as if the same had been under their Corporate Seal.

Deeds to be enrolled in the Court of Exchequer.

LVIII. Every Conveyance, Assignment, or other Deed or Instrument whereby any of the Land by this Act authorized to be purchased shall be conveyed or assigned to the Commissioners of Her Majesty's Works and Public Buildings for the Purposes of this Act, shall be enrolled amongst the Records of Her Majesty's Court of Exchequer, and entered in the Books of the said Commissioners, and every such Conveyance, Assignment, or other Deed or Instrument when so enrolled shall, without any other Enrolment or Acknowledgment thereof, and without any Registry thereof, be as good and available in Law, and of the like Force and Effect in all respects and to all Intents and Purposes, as if the same or a Memorial thereof had been registered in the Office appointed for registering Deeds and other Conveyances of Land and Tenements in the County of *Middlesex*, any Act of Parliament, Law, Practice, or Usage to the contrary in anywise notwithstanding.

Short Title.

LIX. It shall be sufficient for all Purposes to cite this Act as "The Public Offices Extension Act, 1859."

The SCHEDULE referred to in the foregoing Act.

The Parish of Saint Magaret, in the City and Liberty of Westminster, in the County of Middlesex.

No. on Plan.	No. in Street.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
			Upper Crown Street.		
1	1	Dwelling House and Yard.	- - -	- - -	Daniel Pudduck and his weekly Tenants.
2	2	Dwelling House and Yard.	- - -	Daniel Pudduck.	Daniel Pudduck and his weekly Tenants.
3	3	Dwelling House and Yard.	Major General Edward Pery Buckley.	- - -	Daniel Pudduck and his weekly Tenants.
4	4	Dwelling House and Yard.		Wm. Octavius Garstin.	Daniel Pudduck and his weekly Tenants.
5	5	Dwelling House and Yard.	- - -	- -	Wm. Bennett and his weekly Tenants.
6	6	Dwelling House, Beer-shop, and Yard.	- - -	- - -	Robt. Webster and his weekly Tenants.
7	7	Dwelling House and Yard.	- - -	- - -	Wm. Findlay and his weekly Tenants.
8	8	Dwelling House and Yard.	- - -	Eliza Fitzherbert Forssteen.	Rebecca Friend and her weekly Tenants.
9	9	Dwelling House and Yard.	The Dean and Chapter of St. Peter, Westminster.	- - -	Robt. Tyler and his weekly Tenants.
10	59	Dwelling House and Yard.		- - -	John Lindsey and his weekly Tenants.
11	58	Dwelling House and Yard.	- - -	- - -	Wm. Bramwell and his weekly Tenants.
12	55	Dwelling House and Yard.	- - -	Martha Gibbons. David Gibbons.	Jane White and her weekly Tenants.
13	12	Dwelling House, Shop, and Yard.	- - -	- - -	Jane White and her weekly Tenants.

Public Offices Extension.

No. on Plan.	No. in Street.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
			Crown Court.		
14	1	Dwelling House and Yard.	Major-Genl. Edwd. Pery Buckley.	Joseph Bowley -	John Wadley and his weekly Tenants.
15	2	Dwelling House and Yard.	The Dean and Chapter of St. Peter, Westminster.	Martha Gibbons. David Gibbons.	George Sommers and his weekly Tenants.
16	3	Dwelling House, Shop, and Yard.		Eliza Fitzherbert Forssteen.	
17	4	Dwelling House and Yard.	Major-Genl. Edwd. Buckley.	Joseph Bowley -	John Wadley and his weekly Tenants.
			Lower Crown Street.		
18	13	Dwelling House and Yard.	- - -	Richard Whatley, Elizabeth Wilmot Whatley, Geo. Lucas.	George Lucas and his weekly Tenants.
19	14	Dwelling House and Yard.	The Dean and Chapter of Saint Peter, Westminster.	- - -	Geo. Lucas and his weekly Tenants.
20	15	Dwelling House and Yard.		Wm. Thos. Mackrell.	Mary Ann Thompson and her weekly Tenants.
21	16	Dwelling House and Yard.	- - -	- - -	Samuel Pettifer and his weekly Tenants.
22	17	Dwelling House and Yard.	- - -	- - -	Geo. Selman and his weekly Tenants.
23	18	Dwelling House and Yard.	- - -	Lewis Glenton.	Geo. Bowater and his weekly Tenants.
24	19	Dwelling House, Shop, and Yard.	- - -	- - -	Mary Ann King and her weekly Tenants.
25	20	Part of Public House and Yard called "The Anchor and Crown."	Wm. Thos. Mackrell.	Joseph Carter Wood.	Thomas Rourke.
26	21	Other Part of Public House and Yard.	- - -		
27	22	Dwelling House and Yard.	The Dean and Chapter of St. Peter, Westminster.	- - -	Edwd. Langley and his weekly Tenants.
28	23	Part of Dwelling House and Shop.	Edmund Wood, Emily Askew Wood, Barclay Farquharson Watson.	John Christr. Cockerell.	John Christopher Cockerell.
			King Street.		
29	16	Other Part of Dwelling House and Shop.	The Dean and Chapter of St. Peter, Westmr. Edmund Wood, Emily Askew Wood, Barclay Farquharson Watson.	- - -	John Christopher Cockerell.
30	16A	Dwelling House and Shop.		John Christr. Cockerell.	Thos. Brockington.
			Charles Street.		
31	1	Dwelling House and Shop.	- - -	Thos. White -	Thos. White, Thos. John White.
32	2	Public House, called "The Northumberland Arms."	- - - Letitia Rawlings.	John Lettsom Elliot, James Watney.	James Bishop.
33	3	Dwelling House and Shop.	- - -	- - -	Edwd. Lee and his weekly Tenants.

Public Offices Extension.

No. on Plan.	No. in Street.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
			Charles Street—continued.		
34	4	Dwelling House and Shop.	- - -	- - -	Martha Colebrook and her weekly Tenants.
35	5	Dwelling House and Shop.	Wm. Hy. Lewer.	- - -	Josh. Bowley and his weekly Tenants.
36	6	Dwelling House and Shop.	- - -	- - -	John Catton and his weekly Tenants.
37	7	Dwelling House, Shop, and Yard.	- - -	Jas. Fredk. Garrard.	Jas. Fredk. Garrard.
38	8	Dwelling House, Shop, and Yard.	Ann Gardner.	- - -	Ann Gardner and her weekly Tenants.
39	9	Dwelling House, Shop, and Yard.	- - -	Wm. Wright Larken.	Wm. Wright Larken.
40	10	Dwelling House, Shop, and Yard.	- - -	- - -	Jas. Puttick and his weekly Tenants.
41	11	Dwelling House, Shop, and Yard.	Major-Genl. Edwd. Pery Buckley.	Geo. Jas. Yonge, Chas. Crighton.	Geo. Jas. Yonge, Chas. Crighton.
42	12	Dwelling House, Shop, and Yard.	- - -	Rt. John Townsend.	Robt. John Townsend.
43	13	Dwelling House and Yard.	Arthur Hyde Dendy, Saml. Fredk. Dendy (Exors. of Saml. Dendy decd.), Henry Clutton, Receiver under the Court of Chancery.	- - -	Arthur Hyde Dendy, Amelia Assig and her weekly Tenants.
44	14	Dwelling House, Shop, and Yard.	Major-Genl. Edwd. Pery Buckley.	Martin Steele, Jno. Cracklen.	John Cracklen and his weekly Tenants.
45	15	Dwelling House and Yard.	John Edmd. Gardner.	- - -	Rebecca Lloyd and her weekly Tenants.
46	16	Dwelling House, Shop, and Yard.	- - -	Martin Steele, John Cracklen.	John Cracklen and his weekly Tenants.
47	17	Dwelling House, Shop, and Yard.	Major General Edward Pery Buckley.	Martin Steele, John Cracklen.	Martin Steele, John Cracklen and his weekly Tenants.
48	18	Dwelling House, Shop, and Yard.	- - -	Chas. Adkins -	Chas. Adkins and his weekly Tenants, Alexr. Stewart.
49	19	Dwelling House and Yard.	- - -	Robt. Franklin -	Robt. Franklin.
50	20	Dwelling House and Yard.	- - -	Henry Thomas -	Henry Thomas and his weekly Tenants.
51	21	Dwelling House and Yard.	Wm. Octavius Garstin, Exor. of Richd. Brealey, decd.	Jas. Jackson -	Jas. Jackson and his weekly Tenants.
52	22	Dwelling House and Yard.		Robt. Tyler -	Robt. Tyler and his weekly Tenants.
53	23	Dwelling House and Yard.	- - -	Peter Ballennie -	Peter Ballennie and his weekly Tenants.
54	24	Dwelling House and Yard.	- - -	Robt. Beckerson	Robt. Beckerson and his weekly Tenants.
55	25	Dwelling House and Yard.	- - -	- - -	Wm. Gregory and his weekly Tenants.
56	26	Dwelling House and Yard.	Major-Genl. Edwd. Pery Buckley.	- - -	Thos. Brockington and his weekly Tenants.
57	27	Dwelling House and Yard.	- - -	Martin Steele -	Richard Powell and his weekly Tenants.
58	28	Dwelling House and Yard.	- - -	Chas. Jones -	Chas. Jones, London Association in aid of the Moravian Missions, Robt. Webb, Secretary.

Public Offices Extension.

No. on Plan.	No. in Street.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
			Duke Street.		
59	6	Dwelling House and Offices.	- - -	Wm. Barron, Thos. Smith.	Wm. Barron, Thos. Smith.
60	7	Dwelling House, Offices, and Yard.	Caroline Molesworth, Rev. Ralph Colley Smith, Richd. Hunter, Fredk. Gwatkin.	Wm. Lee -	Wm. Lee.
61	8	Dwelling House, Offices, and Yard.		Emily Morrison	Emily Morrison.
62	9	Dwelling House, Offices, and Yard.		Wm. Yates Freebody.	Wm. Yates Freebody, Robison Wright, Alexr. Comrie, Chas. Owen Adkinson, Wm. Phillips.
			Public Streets and Ways.		
63	—	Public Street, called Upper Crown Street.	- - -	- - -	The Board of Works for the Westminster District, the Chelsea Waterworks Company, the Equitable Gas Company, the Chartered Gas Company, the London Gas Company, and the Public.
64	—	Public Street, called Lower Crown Street.	- - -	- - -	
65	—	Public Way, called Crown Court.	- - -	- - -	
66	—	Public Street, called Charles Street.	- - -	- - -	
67	—	Public Street, called Duke Street.	- - -	- - -	
68	—	Public Street, called King Street.	- - -	- - -	The Board of Works for the Westminster District, the Chelsea Waterworks Company, the Equitable Gas Company, the Chartered Gas Company, the London Gas Company, the Electric and International Telegraph Company, and the Public.
			St. James's Park.		
69	—	Steps or Way -	The Crown -	- - -	The Crown.
70	—	Gravel Road -	The Crown -	- - -	The Crown.
71	—	Enclosed Lawn -	The Crown -	- - -	The Crown.

CAP. XX.

An Act to provide for taking Evidence in Suits and Proceedings pending before Tribunals in Her Majesty's Dominions in Places out of the Jurisdiction of such Tribunals.

[19th *April* 1859.]

'WHEREAS it is expedient that Facilities be afforded for taking Evidence in or in relation to 'Actions, Suits, and Proceedings pending before Tribunals in Her Majesty's Dominions in 'Places in such Dominions out of the Jurisdiction of such Tribunals:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Order for Examination of Witnesses out of the Jurisdiction in relation to any Suit pending before any Tribunal in Her

I. Where upon an Application for this Purpose it is made to appear to any Court or Judge having Authority under this Act that any Court or Tribunal of competent Jurisdiction in Her Majesty's Dominions has duly authorized, by Commission, Order, or other Process, the obtaining the Testimony in or in relation to any Action, Suit, or Proceeding pending in or before such Court or Tribunal of any Witness or Witnesses out of the Jurisdiction of such Court or Tribunal, and within the Jurisdiction of such first-mentioned Court, or of the Court to which such Judge belongs, or of such Judge, it shall be lawful

Majesty's Possessions.

lawful for such Court or Judge to order the Examination before the Person or Persons appointed, and in Manner and Form directed by such Commission, Order, or other Process as aforesaid, of such Witness or Witnesses accordingly; and it shall be lawful for the said Court or Judge by the same Order, or for such Court or Judge, or any other Judge having Authority under this Act, by any subsequent Order, to command the Attendance of any Person to be named in such Order for the Purpose of being examined, or the Production of any Writings or other Documents to be mentioned in such Order, and to give all such Directions as to the Time, Place, and Manner of such Examination, and all other Matters connected therewith, as may appear reasonable and just, and any such Order may be enforced, and any Disobedience thereof punished, in like Manner as in case of an Order made by such Court or Judge in a Cause depending in such Court or before such Judge.

Penalty on Persons giving false Evidence.

II. Every Person examined as a Witness under any such Commission, Order, or other Process as aforesaid, who shall upon such Examination wilfully and corruptly give any false Evidence, shall be deemed and taken to be guilty of Perjury.

Payment of Expenses.

III. Provided always, That every Person whose Attendance shall be so ordered shall be entitled to the like Conduct Money, and Payment for Expenses and Loss of Time, as upon Attendance at a Trial.

Power to Person to refuse to answer Questions to criminate himself, or to produce Documents.

IV. Provided also, That every Person examined under any such Commission, Order, or other Process as aforesaid, shall have the like Right to refuse to answer Questions tending to criminate himself, and other Questions which a Witness in any Cause pending in the Court by which, or by a Judge whereof, or before the Judge by whom the Order for Examination was made, would be entitled to; and that no Person shall be compelled to produce under any such Order as aforesaid any Writing or other Document that he would not be compellable to produce at a Trial of such a Cause.

Certain Courts and Judges to have Authority under this Act.

V. Her Majesty's Superior Courts of Common Law at *Westminster* and in *Dublin* respectively, the Court of Session in *Scotland*, and any Supreme Court in any of Her Majesty's Colonies or Possessions abroad, and any Judge of any such Court, and every Judge in any such Colony or Possession who, by any Order of Her Majesty in Council, may be appointed for this Purpose, shall respectively be Courts and Judges having Authority under this Act.

Power to Judges to frame Rules, &c. for giving effect to Provisions of this Act.

VI. It shall be lawful for the Lord Chancellor of *Great Britain*, with the Assistance of Two of the Judges of the Courts of Common Law at *Westminster*, so far as relates to *England*, and for the Lord Chancellor of *Ireland*, with the Assistance of Two of the Judges of the Courts of Common Law at *Dublin*, so far as relates to *Ireland*, and for Two of the Judges of the Court of Session, so far as relates to *Scotland*, and for the Chief or only Judge of the Supreme Court in any of Her Majesty's Colonies or Possessions abroad, so far as relates to such Colony or Possession, to frame such Rules and Orders as shall be necessary or proper for giving effect to the Provisions of this Act, and regulating the Procedure under the same.

CAP. XXI.

An Act to amend the Medical Act (1858). [19th *April* 1859.]

21 & 22 Vict. c. 90.

'WHEREAS by an Act passed in the last Session of Parliament, Chapter Ninety, "The Medical Act," Provision is made for the Registration of Members of the Medical Profession, and certain Disabilities are imposed, after the First Day of *January* One thousand eight hundred and fifty-nine, on Members of that Profession who are not then registered: And whereas, by reason of the Time required for the Collection and Examination of the proper Evidence on the first Formation of "The Medical Register," it is expedient to amend the said Act as herein-after mentioned: And whereas it is expedient that Schedule D. of the aforesaid Act should be amended: And whereas in Sections Thirty-one and Forty-seven of the Medical Act (1858) the Terms "Fellow" and "Member" of the Royal Colleges of Physicians of *London* and *Edinburgh* are made use of, whilst in Schedule A. in the same Act "Fellows," "Licentiates," and "Extra Licentiates" of the said Colleges are alone entitled to be registered:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1st July 1859 to be substituted in recited Act for 1st Jan. 1859.

I. The First Day of *July* One thousand eight hundred and fifty-nine shall be substituted, in Sections Thirty-two, Thirty-four, Thirty-six, and Thirty-seven respectively of the said Act, for the First Day of *January* One thousand eight hundred and fifty-nine; and the said several Sections, and all Provisions of the said Act having reference thereto, shall be construed and take effect as if the Word *July* had been originally inserted in each of the said Sections instead of the Word *January*.

Section 33 of recited Act repealed.

II. Section Thirty-three of the said Act shall be repealed, and no Person shall by reason of the said Act be or be deemed to have been disqualified to hold such Office as mentioned in the said Section Thirty-three, or any Appointment mentioned in the said Section Thirty-six, unless he shall have failed to be registered on or before the First Day of *July* One thousand eight hundred and fifty-nine.

Part of Sched. D. repealed.

III. The Fourth Column of Schedule D. of the said Act with its Heading shall be repealed and omitted.

Amendment to Heads of Sched. A.

IV. The Term "Member" shall be added after the Term "Fellow" to the Qualifications described in the First and Second Heads of Schedule A.

V. 'And

V. 'And whereas in Schedule A. of the said Act there is a Reference to Section "Forty-five," but 'the Word "Five" is there inserted by Mistake:' Now it is hereby enacted, That the Words "Forty-six" shall be deemed to be substituted in this Schedule in the Place of the Words "Forty-five." "Forty-six" to be substituted for "Forty-five" in Sch. A.

VI. Nothing in the said Act contained shall prevent any Person not a *British* Subject who shall have obtained from any Foreign University a Degree or Diploma of Doctor in Medicine, and who shall have passed the regular Examinations entitling him to practise Medicine in his own Country, from being and acting as the Resident Physician or Medical Officer of any Hospital established exclusively for the Relief of Foreigners in Sickness: Provided always, that such Person is engaged in no Medical Practice except as such Resident Physician or Medical Officer. Any Person not a British Subject having Degree may act as Resident Physician, &c. of Hospital for Foreigners.

CAP. XXII.

An Act for raising the Sum of Thirteen million two hundred and seventy-seven thousand four hundred Pounds by Exchequer Bills, for the Service of the Year One thousand eight hundred and fifty-nine. [19th *April* 1859.]

CAP. XXIII.

An Act to apply a Sum out of the Consolidated Fund to the Service of the Year One thousand eight hundred and fifty-nine, and to appropriate the Supplies granted in this Session of Parliament. [19th *April* 1859.]

§ I. There shall be applied for the Service of the Year 1859 the Sum of £10,813,708 out of the Consolidated Fund.

II. The Treasury may cause £10,813,708 of Exchequer Bills to be made out in manner prescribed by 48 Geo. 3. c. 1., 4 & 5 Will. 4. c. 15., and 5 & 6 Vict. c. 66.

III. The Clauses, &c. in recited Acts extended to this Act.

IV. Interest on Exchequer Bills.

V. Bank of England may advance £10,813,708 on the Credit of this Act, notwithstanding 5 & 6 W. & M. c. 20.

VI. Bills prepared by virtue of this Act to be delivered to the Bank, as Security for such Advances.

VII. Monies raised by Exchequer Bills to be applied to the Services voted by the Commons.

VIII. Exchequer Bills made chargeable upon the growing Produce of the Consolidated Fund.

IX. Appropriation of Ways and Means to Services hereafter expressed.—22 Vict. cc. 6, 7, 22.

X. There shall be issued,

	£172,383	8	9	For Excess of Naval Expenditure beyond the Grants for 1857–8 and 1858–9.	
	133,383	8	9	For Excess of Naval Expenditure for 1857–8.	
	12,000	0	0	For additional Shipwrights, &c., 1858–9.	
	27,000	0	0	For Purchase of Property in the Great Harbour of Malta, 1858–9.	
XI.	6,311,723	0	0	For Navy Services; viz.	
	2,487,062	0	0	For Wages to 62,400 Seamen and Marines	For the Year ending 31st March 1860.
	995,647	0	0	For Victuals, &c. in the Navy	
	142,957	0	0	For Salaries, &c. of the Admiralty Office	
	186,057	0	0	For Coast Guard Service and Royal Naval Coast Volunteers	
	20,000	0	0	For the Navy Scientific Departments	
	50,000	0	0	For Naval Establishments at home	
	8,000	0	0	For Naval Establishments abroad	
	450,000	0	0	For Wages of Artificers, &c. at home	
	15,000	0	0	For Wages of Artificers, &c. abroad	
	700,000	0	0	For Naval Stores, &c.	
	180,000	0	0	For new Works in Naval Establishments	
	15,000	0	0	For Medicines, &c.	
	22,000	0	0	For Naval Miscellaneous Services	
	350,000	0	0	For Naval Half Pay, &c.	
	240,000	0	0	For Military Pensions	
	80,000	0	0	For Civil Pensions	
	70,000	0	0	For Freight of Ships, Conveyance of Troops, &c.	
	300,000	0	0	For Packet Service	
XII.	1,050,000	0	0	For Army Services, 1857–8.	
XIII.	3,862,546	0	0	For Army Services; viz.	
	626,153	0	0	For Wages of Artificers, &c.	From 1st April 1859 to 31st March 1860.

Consolidated Fund (Appropriation).

	£150,000	0	0	For Clothing and Necessaries - - -	For the Year ending 31st March 1860.
	1,003,604	0	0	For Provisions, Barrack Furniture, &c. - -	From 1st April 1859 to 31st March 1860.
	718,088	0	0	For Stores for Land and Sea Service - -	
	325,072	0	0	For Fortifications - - - -	
	242,507	0	0	For Works, Buildings, &c. - - -	
	797,122	0	0	For Barracks - - - - -	
	6,358,009	0	0	For other Army Services; viz.	
	3,724,474	0	0	For Forces in United Kingdom and Stations abroad (except East Indies) - - -	
	562,369	0	0	For Miscellaneous Charges at home and abroad (except India) - - - - -	
	150,000	0	0	For Embodied Militia - - - -	
	88,000	0	0	For Volunteer Corps - - - -	
	185,594	0	0	For Salaries, &c. of War Departments - -	
	359,040	0	0	For Manufacturing Departments, Military Storekeepers, Barrack Masters, &c. - - -	
	268,532	0	0	For Educational and Scientific Branches - -	
	12,000	0	0	For Rewards for Military Service - -	For the Year ending 31st March 1860.
	35,000	0	0	For Pay of General Officers - - -	
	240,000	0	0	For Reduced and Retired Officers - -	
	90,000	0	0	For Pensions to Widows, and Compassionate List, &c.	
	20,000	0	0	For Pensions, Gratuities, &c. to wounded Officers	
	13,000	0	0	For In-Pensioners of Chelsea and Kilmainham Hospitals - - - - -	
	550,000	0	0	For Out-Pensioners of Chelsea Hospital, &c. -	
	60,000	0	0	For Superannuation and Retired Allowances -	
§ XIV.	2,000,000	0	0	To pay off Exchequer Bonds of 1854.	
XV.	13,277,400	0	0	To pay off Exchequer Bills unprovided for.	
XVI.	1,125,000	0	0	For the Revenue Departments; viz.	For the Year ending 31st March 1860.
	200,000	0	0	For Salaries, &c. of the Customs Departments -	
	300,000	0	0	For Salaries, &c. of the Inland Revenue Department - - - - -	
	500,000	0	0	For Salaries, &c. of the Post Office - -	
	125,000	0	0	For Superannuations, &c. of the Three Departments - - - - -	
XVII.	1,854,000	0	0	For Civil Services; viz.	To 31st March 1860.
				CLASS I.	
				Public Works and Buildings.	
	20,000	0	0	For Royal Palaces - - - -	
	40,000	0	0	For Public Buildings - - - -	
	10,000	0	0	For Furniture of Public Offices - - -	
	30,000	0	0	For Royal Parks, Pleasure Gardens, &c. - -	
	10,000	0	0	For Probate Court and Registries - -	
	20,000	0	0	For Public Buildings (Ireland) - - -	
	10,000	0	0	For Kingstown Harbour - - - -	
				CLASS II.	
				Salaries and Expenses of Public Departments.	
	20,000	0	0	For Two Houses of Parliament, Offices - -	
	20,000	0	0	For Treasury - - - - -	
	8,000	0	0	For Secretary of State, Home Department -	
	40,000	0	0	For ditto Foreign ditto - -	
	9,000	0	0	For ditto Colonial ditto - -	
	5,000	0	0	For Privy Council Office - - - -	
	20,000	0	0	For Board of Trade - - - -	
	1,000	0	0	For Lord Privy Seal - - - -	
	2,000	0	0	For Civil Service Commission - - -	
	4,000	0	0	For Paymaster General - - - -	
	2,000	0	0	For Exchequer (London) - - - -	
	10,000	0	0	For Commissioners of Works and Public Buildings - - - - - -	

£10,000	0	0	For Commissioners of Woods, Forests, and Land Revenues - - - - -	To 31st March 1860.
10,000	0	0	For Public Records and State Paper Office -	
10,000	0	0	For Mint, including Coinage - - -	
8,000	0	0	For Inspectors of Factories, &c. - - -	
3,000	0	0	For Exchequer (Scotland) and Offices in Scotland - - - - - -	
2,000	0	0	For Household Lord Lieutenant, Ireland - -	
2,000	0	0	For Paymaster of Civil Services, Ireland - -	
1,000	0	0	For Inspectors of Lunatic Asylums, Ireland -	
7,000	0	0	For Commissioners of Public Works, Ireland -	
10,000	0	0	For Audit Office - - - -	
6,000	0	0	For Copyhold, Tithe, and Inclosure Commissioners - - - - -	
4,000	0	0	For Copyhold, Tithe, and Inclosure Commissioners, Imprest Expenses - - -	
10,000	0	0	For Registrar General, England - - -	
1,000	0	0	For ditto Ireland - - -	
2,000	0	0	For ditto Scotland - - -	
4,000	0	0	For National Debt Office - - -	
1,500	0	0	For Public Works Loan Commissioners - -	
1,000	0	0	For West India Relief Commissioners - -	
4,000	0	0	For Lunacy Commissioners - - -	
500	0	0	For Superintendent of Roads, South Wales -	
1,000	0	0	For Registrars of Friendly Societies - -	
10,000	0	0	For Secret Service - - - -	
100,000	0	0	For Printing and Stationery - - -	
30,000	0	0	For Postage of Public Departments - -	
			CLASS III.	
			Law and Justice.	
			ENGLAND.	
50,000	0	0	For Police, Counties and Boroughs, Great Britain - - - - -	
2,000	0	0	For Registrar of High Court of Admiralty -	
10,000	0	0	For Probate Court, Salaries and Expenses -	
80,000	0	0	For County Courts, Salaries and Expenses -	
8,000	0	0	For Police Courts (Metropolis), Salaries and Expenses - - - - - -	
40,000	0	0	For Metropolitan Police, Salaries and Expenses -	
1,000	0	0	For Queen's Prison, Salaries and Expenses -	
			SCOTLAND.	
1,000	0	0	For Lord Advocate and Solicitor General, Salaries - - - - -	
6,000	0	0	For Court of Session, Salaries and Expenses -	
4,000	0	0	For Court of Justiciary, Salaries and Expenses -	
1,000	0	0	For Exchequer, Queen's, and Lord Treasurer's Remembrancer, Legal Branch, Salaries and Expenses - - - - - -	
4,000	0	0	For Procurators Fiscal, Salaries - - -	
3,000	0	0	For Sheriffs Clerks, Salaries - - -	
4,000	0	0	For General Register House, Edinburgh, Salaries and Expenses of sundry Departments - -	
500	0	0	For Commissary Clerk, Edinburgh, Salaries and Expenses - - - - -	
500	0	0	For Accountant in Bankruptcy - - -	
			IRELAND.	
2,000	0	0	For Court of Chancery, Salaries and Expenses -	
1,000	0	0	For Court of Queen's Bench, Salaries and Expenses - - - - -	

Consolidated Fund (Appropriation).

£1,500	0	0	For Court of Common Pleas, Salaries and Expenses	
2,000	0	0	For Court of Exchequer, Salaries and Expenses	
2,000	0	0	For Registrars to the Judges, Salaries	
1,000	0	0	For Registrar of Judgments, Salaries and Expenses	
3,000	0	0	For Court of Bankruptcy and Insolvency	
3,000	0	0	For Court of Probate, Salaries, &c.	
500	0	0	For Police Justices, Dublin, Salaries	
12,000	0	0	For Dublin Metropolitan Police, Grant in Aid	
250,000	0	0	For Constabulary of Ireland, Pay and Allowances	
1,000	0	0	For Four Courts Marshalsea Prison, Salaries and Expenses	
7,000	0	0	For Landed Estates Court (Encumbered Estates, &c. in 1858)	
			Convict Services.	
5,000	0	0	For Inspection and General Superintendence	
50,000	0	0	For Convict Establishments at home	
20,000	0	0	For Maintenance of Prisoners in County Gaols, &c.	
5,000	0	0	For Expenses of Transportation	
50,000	0	0	For Convict Establishments in the Colonies	
			Class IV.	
			Education, Science, and Art.	
250,000	0	0	For Public Education, Great Britain	
30,000	0	0	For Science and Art Department	
80,000	0	0	For Public Education, Ireland	
1,000	0	0	For Queen's University in Ireland	
2,000	0	0	For Queen's Colleges, Ireland	To
1,000	0	0	For Belfast Theological Professors, &c.	31st March 1860.
30,000	0	0	For British Museum (Establishment)	
10,000	0	0	For ditto (Buildings)	
3,000	0	0	For ditto (Purchases)	
			Class V.	
			Colonial, Consular, and other Foreign Services.	
2,000	0	0	For Falkland Islands	
2,000	0	0	For Labuan	
80,000	0	0	For Consuls abroad, including China and Siam	
20,000	0	0	For Ministers at Foreign Courts, Extraordinary Expenses	
			Class VI.	
			Superannuation and Retired Allowances and Gratuities for Charitable and other Purposes.	
45,000	0	0	For Superannuations and Retired Allowances	
1,000	0	0	For Vaccine Establishment	
1,000	0	0	For Public Infirmaries (Ireland)	
200	0	0	For Rotunda Lying-in Hospital	
100	0	0	For Coombe Lying-in Hospital	
2,000	0	0	For House of Industry Hospitals	
1,000	0	0	For Cork Street Fever Hospital	
200	0	0	For the Meath Hospital	
50	0	0	For St. Mark's Ophthalmic Hospital	
350	0	0	For Dr. Steevens' Hospital	
100	0	0	For Expenses of Board of Superintendence	
3,000	0	0	For Concordatum Fund, and other Charities and Allowances, Ireland	
10,000	0	0	For Noncomforming and other Ministers, Ireland	

			CLASS VII.	
			Miscellaneous, Special and Temporary Objects.	
£2,000	0	0	For Local Government Board (formerly Board of Health)	To 31st March 1860.
5,000	0	0	For Charity Commissioners (England)	
7,000	0	0	For sundry Commissions (temporary)	
8,000	0	0	For Patent Office (Salaries, &c.)	
4,000	0	0	For Fishery Board (Scotland)	
1,000	0	0	For Trustees of Manufactures (Scotland)	
1,000	0	0	For Joint Stock Companies Registration	
1,000	0	0	For Designs Registration	
20,000	0	0	For Local Dues under Treaties of Reciprocity	
5,000	0	0	For Relief of distressed British Seamen and others	
1,000	0	0	For Quarantine Expenses	
6,000	0	0	For Revising Barristers (England and Wales)	
2,000	0	0	For Police at the Camps (Aldershott and Shorncliffe)	
10,000	0	0	For Treasury Chests Abroad, Freight of Specie, &c.	
500	0	0	For Boundary Survey (Ireland) Expenses	
1,000	0	0	For Agricultural Statistics (Ireland)	
4,500	0	0	For British Consulate, Constantinople	
50,000	0	0	For Civil Contingencies	

§ XVIII. Supplies to be applied only for the Purposes aforesaid.

XIX. Rules to be observed in the Application of the Sum appropriating Half Pay.

Not to prevent the receiving of Half Pay under any Act relating to the General or Local Militia, &c.

Paymaster General, by Permission of the Treasury, may issue Half Pay to Officers appointed to Civil Offices since July 1828.

An Account of the Number of Officers so receiving Half Pay to be laid before Parliament annually.

XX. Treasury may authorize Military Officers in Civil Employments to receive Half Pay in certain Cases.

XXI. Half Pay Allowances to Chaplains of Regiments not holding Ecclesiastical Benefices derived from the Crown.

XXII. Widows, &c. claiming Pensions to make required Declaration.

XXIII. Declarations to be made as specified in 5 & 6 W. 4. c. 62.

CAP. XXIV.

An Act to render valid certain Marriages in the Church of *Saint James Baldersby* in the County of *York*. [19th *April* 1859.]

'WHEREAS the Church called *Saint James Baldersby* in the Parish of *Topcliffe* in the County and Diocese of *York* was erected in or before the Year One thousand eight hundred and fifty-seven, and was duly consecrated in that Year for the Performance of Divine Service therein: And whereas divers Marriages have been solemnized in the said Church under the Opinion that according to the Terms of the Sentence of Consecration of the said Church, or otherwise, Marriages might be lawfully solemnized therein, and Entries of the said Marriages so solemnized have been from Time to Time made in the Register Books kept at the said Church, in compliance with the Provisions concerning Registry of Marriages: And whereas it is expedient, under the Circumstances aforesaid, to confirm the Marriages so solemnized: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Marriages solemnized in St. James Baldersby declared valid.

I. All Marriages heretofore solemnized in the said Church, and the Publication of Banns in such Church previous to any such Marriage, shall be and be deemed to have been as good, valid, and effectual in the Law to all Intents and Purposes whatsoever as if such Marriages had been solemnized and such Publication of Banns had taken place in the Parish Church of *Topcliffe*.

Ministers indemnified.

II. No Minister who has solemnized any of the said Marriages shall be liable to any Ecclesiastical Censures, or to any other Proceedings or Penalties whatsoever, by reason of his having so solemnized the same respectively.

Registers to be Evidence.

III. The Registers of the Marriages so solemnized, or Copies of such Registers, shall be received in all Courts of Law and Equity as Evidence of such Marriages respectively, in the same Manner as Registers of Marriages in Parishes Churches, or Copies thereof, are by Law receivable in Evidence.

CAP.

CAP. XXV.

An Act for the Government of the Convict Prisons in Her Majesty's Dominions Abroad.

[19th *April* 1859.]

'WHEREAS it is expedient to consolidate and amend the Provisions of the Acts now in force relating to the Control and Management of Offenders sent to be kept to Hard Labour in Parts of Her Majesty's Dominions out of *England:*' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Acts and Parts of Acts repealed, viz.:
5 G. 4 c. 84.
11 G. 4. & 1 W. 4. c. 39.
9 & 10 Vict. c. 26.

I. Such Parts of an Act of the Fifth Year of King *George* the Fourth, Chapter Eighty-four, "for "the Transportation of Offenders from *Great Britain*," as relate to the Control and Management of Offenders sent to be kept to Hard Labour at Places out of *England* duly appointed for the Purpose, and such Parts of an Act passed in the Session holden in the Eleventh Year of King *George* the Fourth and First Year of King *William* the Fourth, Chapter Thirty-nine, "to amend an Act passed in the "Fifth Year of His present Majesty for the Transportation of Offenders from *Great Britain*, and for "punishing Offences committed by Transports kept to Hard Labour in the Colonies," and of an Act passed in the Session holden in the Ninth and Tenth Years of Her Majesty, Chapter Twenty-six, "for "abolishing the Office of Superintendent of Convicts under Sentence of Transportation," as relate to the Appointments of Superintendent, Deputy Superintendent, and Overseer respectively, in the aforesaid Places out of *England*, are hereby repealed.

Extent of the Act.

II. This Act shall apply to the Convict Prisons or Establishments at *Bermuda* and *Gibraltar*, and in or at any other Colony or Place in Her Majesty's Dominions abroad which may hereafter be appointed by Her Majesty for the Confinement of Offenders and keeping of them to Hard Labour.

Powers of Directors of Convict Prisons vested in Governor of the Colony, &c.

III. The Governor of the Colony in which any such Convict Prison or Establishment is situated shall by virtue of his Office have, in respect of such Prison and Establishment, all the Powers of the Visiting Justices of a County Gaol in *England*, or of a Director of Convict Prisons in *England:* The same Powers may also be exercised by any Officer or Officers who may be appointed Visitors by the Governor of the Colony, with the Sanction of One of Her Majesty's Principal Secretaries of State.

Principal Officers.

IV. It shall be lawful for One of Her Majesty's Principal Secretaries of State to appoint, and at his Pleasure to remove, a Chief Officer of the Convict Prison or Establishment by the Title of Comptroller or of Superintendent of the Convict Prison or Establishment, and also a Deputy Comptroller or Superintendent, a Chaplain, a Surgeon, and One or more Assistant Chaplains or Assistant Surgeons; and it shall be lawful for the Governor of the Colony, in case he shall think it necessary so to do, to suspend any of the Officers so appointed by the Secretary of State until the Pleasure of the Secretary of State shall be known.

Subordinate Officers.

V. It shall be lawful for One of Her Majesty's Principal Secretaries of State to appoint, and at Pleasure to remove, any or all of such subordinate Officers as may be necessary for the Service and Discipline of the Prison or Establishment, or to authorize the Governor of the Colony to appoint any or all of such Officers; and it shall be lawful for the Governor of the Colony to dismiss any of these subordinate Officers, whether appointed by himself or by the Secretary of State.

Power of Comptroller.

VI. The Comptroller shall have the same Powers over the Convicts as are incident to the Office of Sheriff or Gaoler in *England*, and shall be liable to the same Punishment for Abuse of those Powers or other Misbehaviour or Negligence in the Discharge of his Office.

Power to Secretary of State to make Regulations.

VII. The Secretary of State shall have Power to establish Regulations for the Government of the Convict Prison or Establishment, and for the Conduct and Duties of the Comptroller and all other Officers, and for the Diet, Clothing, Maintenance, Employment, Discipline, and Punishment of the Convicts; and all such Regulations shall be binding both upon the Officers of the Convict Prison or Establishment and upon the Convicts.

As to Detention, Removal, and Discharge of the Prisoners.

VIII. Every Convict lawfully committed to the Custody of the Comptroller of the Convict Prison or Establishment shall continue there until he shall become entitled to his Freedom, or shall be absolutely or conditionally pardoned, or shall, by Order of One of Her Majesty's Principal Secretaries of State, be either transported to some other Colony, or removed to some other Prison, or discharged with Licence to be at large on such Conditions as in the said Order may be expressed.

Discharge of sick Convicts.

IX. No Convict who is labouring under any acute or dangerous Distemper shall be discharged unless at his own Desire.

Penalties for Introduction of Spirits and fermented Liquors into Prisons.

X. If any Officer or other Person, except for a lawful Purpose and with the written Authority or Licence of the Comptroller, bring into the Convict Prison or Establishment, or convey to any of the Convicts on their Way to or from the Public Works, or whilst employed on those Works, or attempt so to bring or convey, any spirituous or fermented Liquor, he shall for any such Offence be liable to a Penalty not exceeding Twenty Pounds, or to be imprisoned, with or without Hard Labour, for a Period not exceeding Three Months, and any such Offender may be apprehended and carried before a Justice of the Peace, and the Case be heard and determined by such Justice in a summary Way.

Penalties for the Introduction of prohi-

XI. If any Officer or other Person, except for a lawful Purpose and with the Authority or Licence of the Comptroller, bring into the Convict Prison or Establishment, or throw into it, or convey or attempt

to

to convey to any of the Convicts on their Way to or from the Public Works, or whilst employed on those Works, any Tobacco, Money, Clothing, Provisions, Letters, Papers, Books, or other Articles not expressly allowed by the Rules of such Prison or Establishment to be in the Possession of a Convict, or (by Desire of any Convict) carry any such Articles out of such Prison or Establishment, he shall for every such Offence be liable to a Penalty not exceeding Twenty Pounds, or to Imprisonment, with or without Hard Labour, for a Period not exceeding Three Months; and every such Offender may be apprehended and taken before a Justice of the Peace, and the Case be heard and determined by such Justice in a summary Way. bited Articles into Prisons.

XII. If any Person assault or violently resist any Officer of the Prison in the Execution of his Duty, or aid or excite any Person so to assault or resist any such Officer, he shall for every such Offence be liable, on summary Conviction before a Justice of the Peace as aforesaid, to a Penalty not exceeding Twenty Pounds, or to Imprisonment, with or without Hard Labour, for a Period not exceeding Three Months; or, if the Offender be One of the Convicts, he shall for every such Offence be liable, on Conviction before such Court as is herein-after mentioned, to be kept in Penal Servitude for any Term not exceeding Two Years. Punishment for Assaults upon Officers of the Prison;

XIII. Every Convict who breaks Prison, or escapes during the Time of his Conveyance to or from the Convict Prison or Establishment, or whilst on his Way to or from the Public Works, or during the Time of his Employment on those Works, shall be liable, on Conviction, to be kept in Penal Servitude for any Term not exceeding Two Years, and upon any Second or subsequent Conviction for a like Offence shall be liable to be kept in Penal Servitude for any Term not exceeding Five Years; and any Convict who attempts to break Prison or escape as aforesaid, or who forcibly breaks out of the Cell or other Place in which he is confined, or makes any Breach therein with Intent to escape, shall, on Conviction thereof, be liable to be kept in Penal Servitude for any Term not exceeding One Year. for Escape or Attempt to escape;

XIV. Every Person who rescues or attempts to rescue a Convict during the Continuance of his Sentence to be imprisoned, and every Person who aids in such Rescue or Attempt to rescue, shall be liable, on Conviction, to be sentenced to Penal Servitude for any Term not exceeding Five Years. for Rescue or Promotion of Rescue;

XV. Every Person who supplies any Arms, Tools, or Instruments, or any Means of Disguise, to facilitate the Escape of a Convict, or who in any other Manner assists any Convict to escape or attempt to escape, whether an Escape be actually made or not, shall be liable, on Conviction, to be sentenced to Penal Servitude for any Term not exceeding Five Years. for supplying Means of Escape;

XVI. Every Person having the Custody of a Convict who shall knowingly and wilfully allow him to escape shall be liable, on Conviction, to be sentenced to Penal Servitude for any Term not exceeding Five Years. for wilfully permitting Escape;

XVII. Every Person having the Custody of a Convict who, through Negligence and Carelessness, allows any such Convict to escape, shall be liable, on Conviction, to Fine and Imprisonment, at the Discretion of the Court. and for negligently permitting Escape.

XVIII. Every Term of Penal Servitude to which any Convict is made liable under this Act shall be a Term to commence from the Expiration of any unexpired Term of Transportation or Penal Servitude to which such Convict may have been sentenced, or if there be more than One such Term, then from the Expiration of the last such Term. Commencement of Term of Penal Servitude.

XIX. Every Offence under this Act (not expressly made punishable on summary Conviction) shall be inquired of, heard, and adjudged by the Court which, by the Law of the Colony or Place where the Offence is committed, has or may have Jurisdiction in Cases of Felony, or of Crimes which, if committed in *England*, would be deemed Felonies. Offences how to be tried.

XX. The Comptroller, Chaplain, and Surgeon respectively of the Convict Prison or Establishment shall, within the First Three Weeks after the Commencement of each successive Calendar Year, submit to the Governor of the Colony a General Report on such Matters relating to such Convict Prison or Establishment and the Convicts therein as One of Her Majesty's Principal Secretaries of State or the Governor of the Colony may from Time to Time direct; and such Reports shall be forwarded by the Governor of the Colony to the Secretary of State within Three Weeks next following, so that the Reports shall always be despatched within Six Weeks from the Commencement of the Year at latest, and earlier if possible. Annual Report to be made.

XXI. The Comptroller of the Convict Prison or Establishment shall make Returns specifying the Name of every Person in Custody in such Prison or Establishment, the Offence of which he was found guilty, the Court before which he was convicted, and the Sentence of such Court, together with his Age and bodily State, and his Behaviour whilst in Custody; and also the Names of such Offenders as have died whilst in such Custody, or have escaped, or have been lawfully discharged from the same; which Returns shall be made to One of Her Majesty's Principal Secretaries of State on the First Day of *January* and First Day of *July* in every Year, or oftener, if directed by the Secretary of State, and shall be attested by the Oath of the said Comptroller before a Justice of the Peace. Half-yearly Returns.

XXII. This Act may for all Purposes be cited as "The Convict Prisons Abroad Act, 1859." Short Title.

CAP. XXVI.

An Act to amend the Laws concerning Superannuations and other Allowances to Persons having held Civil Offices in the Public Service. [19th *April* 1859.]

4 & 5 W. 4. c. 24.

20 & 21 Vict. c. 37.

'WHEREAS an Act was passed in the Session holden in the Fourth and Fifth Years of King *William* the Fourth, Chapter Twenty-four, "to alter, amend, and consolidate the Laws for "regulating the Pensions, Compensations, and Allowances to be made to Persons in respect of their "having held Civil Offices in His Majesty's Service:" And whereas by an Act of the Session holden in the Twentieth and Twenty-first Years of Her Majesty, Chapter Thirty-seven, Section Twenty-seven of the first-recited Act, by which an Abatement was directed to be made from the Salaries of Civil Servants entitled to Superannuation Allowance, was repealed: And whereas it is desirable further to amend the said Act as herein-after mentioned:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Sections 10, 11, 13, 14, 15, 17, 19, and 24 of 4 & 5 W. 4. c. 24. repealed.

I. Sections Ten, Eleven, Thirteen, Fourteen, Fifteen, Seventeen, Nineteen, and Twenty-four of the said Act of the Fourth and Fifth Years of King *William* the Fourth are hereby repealed, but such Repeal shall not affect any Pension, Compensation, or Superannuation Allowance granted or Act done before the passing of this Act.

Ordinary Rate of Superannuation Allowance.

II. Subject to the Exceptions and Provisions herein-after contained, the Superannuation Allowance to be granted after the Commencement of this Act to Persons who shall have served in an established Capacity in the permanent Civil Service of the State, whether their Remuneration be computed by Day Pay, weekly Wages, or annual Salary, and for whom Provision shall not otherwise have been made by Act of Parliament, or who may not be specially excepted by the Authority of Parliament, shall be as follows; (that is to say,)

To any Person who shall have served Ten Years and upwards, and under Eleven Years, an annual Allowance of Ten Sixtieths of the annual Salary and Emoluments of his Office:

For Eleven Years, and under Twelve Years, an annual Allowance of Eleven Sixtieths of such Salary and Emoluments:

And in like Manner a further Addition to the annual Allowance of One Sixtieth in respect of each additional Year of such Service, until the Completion of a Period of Service of Forty Years, when the annual Allowance of Forty Sixtieths may be granted; and no Addition shall be made in respect of any Service beyond Forty Years:

Provided always, that if any Question should arise in any Department of the Public Service as to the Claim of any Person or Class of Persons for Superannuation under this Clause, it shall be referred to the Commissioners of the Treasury, whose Decision shall be final.

This Act to apply to Persons already in the Civil Service, but without Prejudice to existing Rights.

III. Nothing herein contained shall interfere with the Grant, to the Officers and Clerks who entered the Public Service prior to the Fifth Day of *August* One thousand eight hundred and twenty-nine, of such Superannuation Allowances as might hereafter have been granted to them under Section Nine of the said Act of the Fourth and Fifth Years of King *William* the Fourth, or shall prevent, restrict, or diminish any other Superannuation Allowance, Pension, Gratuity, or Compensation which, if this Act had not been passed, might hereafter have been granted to any Person who shall have entered the Public Service before the passing of this Act, but, except as aforesaid, the Provisions herein-after contained shall apply as well to Persons who have already entered the Public Service, whether before or after the said Fifth Day of *August* One thousand eight hundred and twenty-nine, as to those who may hereafter enter the Public Service.

Provision for computing Amount of Superannuation to Persons holding professional and other special Offices.

IV. It shall be lawful for the Commissioners of the Treasury from Time to Time, by any Order or Warrant, to declare that for the due and efficient Discharge of the Duties of any Office or Class of Offices to be specified in such Order or Warrant, professional or other peculiar Qualifications, not ordinarily to be acquired in the Public Service, are required, and that it is for the Interest of the Public that Persons should be appointed thereto at an Age exceeding that at which Public Service ordinarily begins; and by the same or any other Order or Warrant to direct that when any Person now holding or who may hereafter be appointed to such Office or any of such Class of Offices shall retire from the Public Service, a Number of Years not exceeding Twenty, to be specified in the said Order or Warrant, shall, in computing the Amount of Superannuation Allowance which may be granted to him under the foregoing Section of this Act, be added to the Number of Years during which he may have actually served, and also to direct that in respect of such Office or Class of Offices the Period of Service required to entitle the Holders to Superannuation may be a Period less than Ten Years, to be specified in the Order or Warrant; and also to direct that, in respect of such Office or Class of Offices, the Holder may be entitled to Superannuation, though he may not hold his Appointment directly from the Crown, and may not have entered the Service with a Certificate from the Civil Service Commissioners: Provided always, that every Order or Warrant made under this Enactment shall be laid before Parliament.

Allowances in Cases of bodily Injury.

V. It shall be lawful for the Commissioners of the Treasury to grant to any Person who, being the Holder of an Office in respect of which a Superannuation Allowance may be granted, but not having completed the Period which would have entitled him to a Superannuation Allowance, is compelled to quit

quit the Public Service by reason of severe bodily Injury, occasioned, without his own Default, in the Discharge of his public Duty, a Gratuity not exceeding Three Months Pay for every Two Years of Service, or a Superannuation Allowance not exceeding Ten Sixtieths of the annual Salary and Emoluments of his Office.

Power to Treasury to grant Gratuities in case of short Service.

VI. It shall be lawful for the Commissioners of the Treasury to grant to any Person who, being the Holder of an Office in respect of which a Superannuation Allowance may be granted, is constrained, from Infirmity of Mind or Body, to leave the Public Service before the Completion of the Period which would entitle him to a Superannuation Allowance, such Sum of Money by way of Gratuity as the said Commissioners may think proper, but so as that no such Gratuity shall exceed the Amount of One Month's Pay for each Year of Service.

Power to Treasury to grant Allowances on Abolition of Offices.

VII. It shall be lawful for the Commissioners of the Treasury to grant to any Person retiring or removed from the Public Service in consequence of the Abolition of his Office, or for the Purpose of facilitating Improvements in the Organization of the Department to which he belongs, by which greater Efficiency and Economy can be effected, such special annual Allowance by way of Compensation as on a full Consideration of the Circumstances of the Case may seem to the said Commissioners to be a reasonable and just Compensation for the Loss of Office; and if the Compensation shall exceed the Amount to which such Person would have been entitled under the Scale of Superannuation provided by this Act if Ten Years were added to the Number of Years which he may have actually served, such Allowance shall be granted by special Minute, stating the special Grounds for granting such Allowance, which Minute shall be laid before Parliament, and no such Allowance shall exceed Two Thirds of the Salary and Emoluments of the Office.

Condition of Grant of full Superannuations to public Servants not Heads of Departments.

VIII. It shall not be lawful for the Commissioners of the Treasury to grant the full Amount of Superannuation Allowance which can be granted under this Act to any Person not being the Head Officer or One of the Head Officers of a Department, unless upon Production of a Certificate (signed by the Head Officer of the Department, or by Two Head Officers, if there be more than One) that he has served with Diligence and Fidelity to the Satisfaction of such Head Officer or Officers; and in every Case in which any Superannuation Allowance is granted, after the Refusal of such Certificate, the Minute granting it shall state such Refusal and the Grounds on which the Allowance is granted.

Power to Treasury to grant Allowances for special Services,

IX. Provided, That it shall be lawful for the Commissioners of the Treasury to grant to any Person any Superannuation, Compensation, Gratuity, or other Allowance of greater Amount than the Amount which might be awarded to him under the foregoing Provisions, when special Services rendered by such Person, and requiring special Reward, shall appear to them to justify such Increase, but so that such Allowance shall in no Case exceed the Salary and Emoluments enjoyed by the Grantee at the Time of Retirement, and the Grounds of every such Increase shall be stated in a Minute of the Treasury, which shall be laid before Parliament; and it shall be lawful for the said Commissioners to grant to any Person any such Allowance of less Amount than otherwise would have been awarded to him where his Defaults or Demerit in relation to the Public Service appear to them to justify such Diminution.

and for Demerits in individual Cases.

Evidence of Infirmity of Persons under Sixty.

X. It shall not be lawful to grant any Superannuation Allowance under the Provisions of this Act to any Person who shall be under Sixty Years, unless upon Medical Certificate to the Satisfaction of the Commissioners of the Treasury that he is incapable, from Infirmity of Mind or Body, to discharge the Duties of his Situation, and that such Infirmity is likely to be permanent.

Persons superannuated under Sixty may be required to serve again.

XI. Every Person to whom a Superannuation or Compensation Allowance shall have been granted before he shall have attained the Age of Sixty Years shall, until he has attained that Age, be liable to be called upon to fill, in any Part of Her Majesty's Dominions in which he shall before have served, any Public Office or Situation under the Crown for which his previous public Services may render him eligible; and if he shall decline, when called upon to do so, to take upon him such Office or Situation, or shall decline or neglect to execute the Duties thereof satisfactorily, being in a competent State of Health, he shall forfeit his Right to the Compensation or Superannuation Allowance which had been granted to him.

Persons to retain Right to Superannuation on Transfer to other Employment under the Crown.

XII. 'And whereas it will be for the Advantage of the Public Service that Officers holding Employments entitling them to Superannuation Allowances under this or other Acts shall be eligible for other Public Employments at home and abroad, without forfeiting their Claims to such Allowances:'

Every Officer already or hereafter to be transferred from Employment entitling him to Superannuation Allowance to Public Employment under the Crown not so entitling him shall be entitled, on his ultimate Retirement from the Public Service, to the same Allowance as if he had continued to hold the vacated Appointment and at the same Rate of Salary as when the same was vacated, subject nevertheless to the Conditions which would in that Case have been applicable with respect to the Grant of such Allowance; provided that it shall be lawful for the Commissioners of the Treasury, in the Case of Officers transferred to Governorships and Lieutenant-Governorships of Colonies, and other high Offices abroad, conferred for a limited Period, to grant such Superannuation Allowance to such Officers on the Expiration of such Term of Service without a Renewal of Public Employment; but any Officer to whom such Grant is made while under the Age of Sixty Years shall be subject to the same Liability to be called upon to fill Office under the Crown, as herein provided concerning other Persons under that Age to whom like Allowances are granted.

Orders, &c., when to be laid before Parliament.

XIII. All Orders, Warrants, and Minutes by this Act directed to be laid before Parliament shall be laid before both Houses of Parliament within Fourteen Days after the making thereof if Parliament be sitting, and if Parliament be not sitting then within Fourteen Days after the next Meeting thereof.

To whom 57 G. 3 c. 65. s. 6. shall apply.

XIV. No Pension shall be granted under the Provisions of Section Six of the Act of the Fifty-seventh Year of King *George* the Third, Chapter Sixty-five, to any Person who shall not have had a Seat in One of the Houses of Parliament during the Period or One Half of the Period for which he has held Office, as in the said Section is mentioned.

Acts in Schedule to be construed as referring to this Act.

XV. The several Sections mentioned in the Schedule hereto of the several Acts of Parliament, also therein mentioned, shall be construed as if this Act, instead of the said Act of the Fourth and Fifth Years of the Reign of King *William* the Fourth, had been referred to in the said Sections; and such other Enactments as refer to the Scale of Superannuation Allowance established by the Provisions hereby repealed of the said Act of King *William* the Fourth shall be construed as if the Scale established by this Act had been referred to.

Allowances to be paid free from Taxes.

XVI. All Superannuations, Compensations, Gratuities, and other Allowances granted or hereafter under this Act to be granted shall be paid to the Persons entitled to receive the same without any Abatement or Deduction in respect of any Taxes or Duties whatever at present existing, except the Tax upon Property or Income.

Who to be deemed Civil Servants.

XVII. For the Purposes of this Act, no Person hereafter to be appointed shall be deemed to have served in the permanent Civil Service of the State unless such Person holds his Appointment directly from the Crown, or has been admitted into the Civil Service with a Certificate from the Civil Service Commissioners; nor shall any Person, already appointed to any Office, be held to have served in the permanent Civil Service as aforesaid, unless such Person belong to a Class which is already entitled to Superannuation Allowance, or to a Class in which, if he had been appointed thereto subsequently to the passing of this Act, he would, as holding his Appointment directly from the Crown, or as having been admitted into the Civil Service with such Certificate as aforesaid, have become entitled to such Allowance; and no Person shall be entitled to any Superannuation Allowance under this Act, unless his Salary or Remuneration has been provided out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, or out of Monies voted by Parliament.

4 & 5 W. 4. c. 24. and this Act to be as One.

XVIII. So much of the said Act of the Fourth and Fifth Years of King *William* the Fourth, Chapter Twenty-four, as is now in force and not hereby repealed, and this Act, shall be construed together as One Act.

Short Title.

XIX. It shall be sufficient, in citing this Act, to use the Expression "The Superannuation Act, 1859."

SCHEDULE A.

5 & 6 W. 4. c. 42. s. 1.	15 & 16 Vict. c. 73. s. 15.
7 W. 4. & 1 Vict. c. 30. s. 21.	15 & 16 Vict. c. 87. s. 46.
8 & 9 Vict. c. 100. ss. 5. 10.	17 & 18 Vict. c. 78. s. 22.
13 & 14 Vict. c. 89. s. 39.	19 & 20 Vict. c. 110. s. 9.

CAP. XXVII.

An Act to facilitate Grants of Land to be made near populous Places for the Use of regulated Recreation of Adults, and as Playgrounds for Children. [19th *April* 1859.]

'WHEREAS the Want of open public Grounds for the Resort and Recreation of Adults, and of 'Playgrounds for Children and Youth, is much felt in the Metropolis and other populous Places 'within this Realm, and by reason of the great and continuous Increase of the Population and 'Extension of Towns such Evil is seriously increasing, and it is desirable to provide a Remedy for the 'same:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Lands may be conveyed to Trustees to be held by them as public Grounds, &c.

I. Any Lands may be lawfully conveyed to Trustees, to be held by them as open public Grounds for the Resort and Recreation of Adults, and as Playgrounds for Children and Youth, or either of such Purposes, and for any Estate, and subject to any Reservation, Restrictions, and Conditions which the Donor or Grantor may think fit: But this Enactment shall not extend to authorize any Lands to be so conveyed for any greater Estate or Interest than the Donor or Grantor would, independently of this Act, have Power to dispose of.

Form of Conveyance.

II. Any such Conveyance of Land to Trustees may be in the following Form, subject to any Modification thereof which the Case may require:

'I *A.B.* do hereby convey and grant to , as Trustees for public Ground for the Parish 'of [*or* Parishes] of [*here describe the Lands conveyed or granted*], to be held by 'them as public Ground for the Purposes of "The Recreation Grounds Act, 1859."'

And it is hereby enacted, That the Grant or Conveyance of such Lands shall not require Enrolment, nor to be by Indenture, and shall be valid, although the Donor or Grantor shall die within Twelve

Calendar

Calendar Months after the making of such Grant, any of the Provisions of the Act passed in the Ninth Year of the Reign of King *George* the Second, Chapter Thirty-six, to the contrary notwithstanding.

III. With respect to Lands belonging to any Municipal Corporation, such Grant may be lawfully made by the Body Corporate, with the Consent of the Commissioners of Her Majesty's Treasury, signified by their executing the Deed of Conveyance. *As to Grants by Municipal Corporations.*

IV. With respect to Lands belonging to any Parish, such Grant may and shall be made by the Trustees or Feoffees (if there shall be such), or otherwise by the Churchwardens and Overseers of the Parish, in pursuance of a Resolution for that Purpose of the Vestry or other Body having the Management of the Affairs of such Parish, passed in Meeting duly assembled for the Purpose, and with the Approbation of the Poor Law Board, to be testified by their Seal being affixed to the Deed of Conveyance. *How Grants of Lands belonging to Parishes may be made.*

V. With respect to the Appointment of Trustees for holding any such Grounds for the Purpose aforesaid, the Lord of any Manor, or the Churchwardens of any Parish, or the Overseers of the Poor of any Parish or Township, or all or any of such Persons to whom Lands shall have been conveyed as aforesaid, shall be a Body Corporate for taking, holding, and disposing of such Grounds, and instituting, maintaining, and defending any Proceedings relating thereto; but the Management and Direction of the same shall be and remain in such Persons as may be named in the Deed of Conveyance thereof; and in case no such Persons shall be so named, or there shall be a Failure of such Managers and Directors, the Charity Commissioners for *England* and *Wales* shall have Power to settle a Scheme for the Appointment of the Managers and Directors. *Appointment of Trustees.*

VI. The Managers and Directors may from Time to Time make and enforce any such Byelaws, Orders, and Regulations for the Management, Preservation, Disposition, and Care of the said Grounds, and the Government of all Persons using or frequenting the same, as shall be approved by the said Commissioners and in accordance with the Conditions of the Grant; and no Byelaws, Orders, or Regulations in any Manner restricting the public Use or Enjoyment of the said Grounds shall be valid unless sanctioned with such Approbation. *Managers may make Byelaws, &c., subject to Approval of said Commissioners.*

VII. It shall be lawful for any Person to bequeath any Personal Property, not exceeding One thousand Pounds in Amount, for the Purpose of defraying the Expenses of purchasing, preparing, maintaining, and preserving such Grounds for the Purposes aforesaid, and ornamenting the same. *Personal Property may be bequeathed.*

VIII. This Act shall extend to *England* and *Ireland* only, and may be cited for all Purposes by the Title of "The Recreation Grounds Act, 1859." *Extent of Act and Short Title.*

CAP. XXVIII.

An Act to continue the Act for the Regulation of the Annuities and Premiums of the Naval Medical Supplemental Fund Society. [19th *April* 1859.]

[11 & 12 *Vict. c.* 58. *continued for Ten Years from passing of this Act, and from thence until the End of the next Session of Parliament.*]

CAP. XXIX.

An Act to continue the Act for charging the Maintenance of certain Paupers upon the Union Funds. [19th *April* 1859.]

'WHEREAS by the Act of the Twentieth Year of Her Majesty, Chapter Eighteen, certain Provisions made by the several Acts therein referred to for charging upon the Common Fund of the Union the Costs of the Relief and of the Burial of certain poor Persons, in those several Acts described, and the Costs of removing and maintaining certain Lunatic Paupers, were continued until the Thirtieth Day of *September* in last Year, and to the End of the then ensuing Session of Parliament; and it is expedient that such Provisions should be further continued for a limited Time:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. That all the said temporary Provisions continued by the said Act of the Twentieth Year of Her Majesty, Chapter Eighteen, shall further continue in full Force until the Thirtieth Day of *September* One thousand eight hundred and sixty, and to the End of the then next Session of Parliament. *Temporary Provisions of recited Act further continued.*

CAP. XXX.

An Act to amend the "Confirmation and Probate Act, 1858." [19th *April* 1859.]

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. All Persons and Corporations who, in reliance upon any Instrument purporting to be a Confirmation granted under the "Confirmation and Probate Act, 1858," and all Persons and Corporations who, in *Persons, &c. making Payments upon*

Confirmations and Probates under Act, 1858, to be indemnified.

in reliance upon any such Instrument which may be sealed under the Authority of the said Act with the Seal of the Principal Court of Probate in *England* or of the Court of Probate in *Dublin*, and all Persons or Corporations who, in reliance upon any Instrument purporting to be a Probate or Letters of Administration granted by the Court of Probate in *England* or Court of Probate in *Dublin*, and having endorsed or written thereon a Certificate by the Commissary Clerk of *Edinburgh*, in the Form in the said Confirmation and Probate Act prescribed, shall have made or permitted to be made, or shall make or permit to be made, any Payment or Transfer *bonâ fide* upon any such Confirmation, Probate, or Letters of Administration, shall be indemnified and protected in so doing, notwithstanding any Defect or Circumstance whatsoever affecting the Validity of such Confirmation, Probate, or Letters of Administration.

Short Title.

II. This Act may be cited as the "Confirmation and Probate Amendment Act, 1859."

CAP. XXXI.

An Act to confirm certain Provisional Orders under the Local Government Act (1858).

[19th *April* 1859.]

'WHEREAS the Secretary of State for the Home Department, being One of Her Majesty's 'Principal Secretaries of State, has, under the Provisions of the Local Government Act, 1858, 'duly made certain Provisional Orders in the Schedule to this Act annexed; and it is provided by the 'aforesaid Local Government Act, that no such Orders shall be of any Validity whatever until they 'shall have been confirmed by Parliament; and it is expedient that the said Orders should be so 'confirmed, and further Provision made in relation thereto;' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Provisional Orders in Schedule confirmed.

I. The Provisional Orders contained in the Schedule hereunto annexed shall, from and after the passing of this Act, be absolute, and be as binding, and of the like Force and Effect, as if the Provisions of the same had been expressly enacted in this Act.

Separation of Kirkmanshulme from Newton Heath District.

II. The detached Portion of the Township of *Newton Heath* in the County Palatine of *Lancaster* known as *Kirkmanshulme* shall, for all Purposes whatever relating to the Highways within the Limits thereof, be considered and treated as not forming Part of *Newton Heath* aforesaid, but be considered and treated as a separate and distinct Township within the Parish of *Manchester* for all such Purposes, and be liable to repair its own Highways accordingly.

Act incorporated with 21 & 22 Vict. c.98.

III. This Act shall be deemed to be incorporated with the Local Government Act, 1858, and shall be as if this Act and the said Local Government Act were One Act.

Short Title.

IV. In citing this Act in any other Act of Parliament, or in any Proceeding, Instrument, or Document whatsoever, it shall be sufficient to use the Words and Figures "The Local Government Supplemental Act, 1859."

SCHEDULE.

Provisional Order authorizing the borrowing of 8,500*l.* *by the Worthing Local Board of Health, and the reborrowing of so much of their present Debt of* 15,000*l.* *as is still owing by the said Board.—Local Government Act,* 1858, *Sec.* 78.

Whereas the Local Board of Health in and for the District of Worthing in the County of Sussex, to which the Public Health Act, 1848, was duly applied by Provisional Order bearing date the Seventeenth day of January 1852, and confirmed by the First Public Health Supplemental Act, 1852, have, under the powers of the Public Health Act, 1848, executed Works of Sewerage and Water Supply, and the cost of such Works has exceeded one year's assessable value of the premises assessable within the said District, to wit, the sum of 16,585*l.* 3*s.* 4*d.*

And whereas, under the powers of the Public Health Act, 1848, and of the First Public Health Supplemental Act, 1852, the said Local Board have borrowed of the Provident Life Office the sum of 8,500*l.*, and of the Globe Insurance Company the sum of 6,500*l.*, on the credit of the Special District Rates authorized to be made or collected under the said first-mentioned Act, and have since paid off and discharged portions of the principal of the said monies.

And whereas it may be desirable and expedient for the said Local Board to consolidate the two debts now remaining due to the said Provident Life Office and Globe Insurance Company; and in case either of the said Companies shall advance the sum of money hereby authorized to be raised under the powers of the "Local Government Act, 1858," to consolidate such new loan with the subsisting debts owing to the said Provident Life Office and Globe Insurance Company, or either of them.

And whereas the said Local Board have, in pursuance of the Local Government Act, 1858, presented a Petition, bearing date the Second day of November 1858, to the Right Honourable Spencer Horatio Walpole, as one of Her Majesty's then Principal Secretaries of State, praying for power to borrow, under the provisions of the said Local Government Act, for the purpose of the said works, the sum of 8,500*l.*, and to reborrow, under the powers of the same Act, so much of the sum of 15,000*l.* already borrowed by the said Board as is still due and owing by the said Board.

And

And whereas the whole amount so sought to be borrowed and reborrowed does not exceed two years assessable value of the premises assessable under the said Public Health Act and Local Government Act within the said District.

And whereas inquiry has been directed by the said Secretary into the subject of the said Petition, in the manner directed by the said Local Government Act.

And whereas it appears expedient that the powers sought by the said Petition should be granted, but this cannot be done without the authority of Parliament.

Now, therefore, in pursuance of the power vested in me by the said Local Government Act, as one of Her Majesty's Principal Secretaries of State, I do, by this Provisional Order, under my hand, direct:— That, from and after the passing of any Act of Parliament confirming this Order—

Power to reborrow the Amount already owing by the Local Board of Health.

1.—The said Local Board may reborrow, and take up at Interest, on the credit of the General District Rates authorized to be made and collected under "The Local Government Act, 1858," all or any part of the principal sum and sums of money which at the time of such reborrowing shall be due and owing to the said Provident Life Office and Globe Insurance Company, or either of them, for the purpose of redeeming the securities existing for the said original loans, and of consolidating the principal monies remaining due to the said Provident Life Office and Globe Insurance Company, or of consolidating such principal monies, or either of them, with the new loan authorized by this Provisional Order to be borrowed, and may mortgage and assign to the person or persons by or on behalf of whom such sums are advanced the said General District Rates for securing the repayment of any sum or sums so to be reborrowed and borrowed as aforesaid, together with such interest as aforesaid. And the respective Mortgagees shall be entitled to a proportion of the Rates comprised in their respective mortgages, according to the sums in such mortgages mentioned to have been advanced. And each Mortgagee shall be repaid the sum so advanced, with interest, without any preference over the others of them by reason of any priority of advance or the date of his mortgage. The money authorized by this Section to be reborrowed may be borrowed for such period, not exceeding fifty years, as the said Local Board and the person or persons lending the same shall mutually agree and determine upon. And, subject as aforesaid, the said Local Board may either pay off the monies so reborrowed or borrowed, with the interest thereon, by equal annual instalments, or they may, in every year, set apart as a sinking fund, and accumulate in the way of compound interest, by investing the same in the purchase of Exchequer Bills or other Government securities, such sum as will be sufficient to pay off the monies so reborrowed or borrowed, or a part thereof, as the said Local Board may determine.

Power to borrow 8,500*l.*

2.—The Local Board may, from time to time, or at any one time, borrow and take up at interest on the credit of the General District Rates authorized to be made or collected under "The Local Government Act, 1858," any sum or sums of money not exceeding in the whole the sum of 8,500*l.*, for the purpose of defraying any costs, charges, and expenses incurred, or to be incurred by them in the execution of the said Public Health Act, 1848, or of the First Supplemental Act, 1852, or of the said Local Government Act, 1858, or any Provisional Order under the said Acts, or any of them. And for the purpose of securing the repayment of any sum or sums of money so borrowed, together with such interest as aforesaid, the said Local Board may mortgage and assign over to the persons by or on behalf of whom such sum or sums are advanced, the said General District Rates. And the respective Mortgagees shall be entitled to a proportion of the Rates comprised in their respective mortgages, according to the sums in such mortgages mentioned to have been advanced. And each Mortgagee shall be repaid the sum so advanced, with interest, without any preference over the others of them by reason of any priority of advance, or the date of his mortgage. The said money may be borrowed for such time, not exceeding Fifty years, as the said Local Board and the persons lending such money shall mutually agree and determine upon. And, subject as aforesaid, the said Local Board may either pay off the monies so borrowed, with the interest thereon, by equal annual instalments; or they may, in every year, set apart as a sinking fund, and accumulate in the way of compound interest, by investing the same in the purchase of Exchequer Bills or other Government securities, such sum as will be sufficient to pay off the monies so borrowed, or a part thereof, as the said Local Board may determine.

Given under my Hand this First day of April 1859.

(Signed) T. Sotheron-Estcourt.

Provisional Order for extending the Borrowing Powers of the Nantwich Local Board of Health.

Local Government Act, 1858.

Whereas by an Order of Her most Gracious Majesty in Council, bearing date the Twenty-fourth day of September 1850, the Public Health Act, 1848, was duly applied to the Township of Nantwich, in the County of Chester, and the said Township was thereby constituted a District under that Act.

And whereas the said Local Board have borrowed under that Act, and with the authority of the General Board of Health, sums, amounting in the whole to Eleven thousand six hundred and seventeen Pounds

Pounds One Shilling and Sixpence, to defray the expense of a portion of the works for the drainage of and supply of water to the said District, which said sums equalled, at the time they were sanctioned to be borrowed, the assessable value for one year of the premises assessable under that Act within such District, but were not sufficient to defray the remainder of the cost of the aforesaid works.

And whereas the said Board have now, under the authority of the 78th Section of the Local Government Act, 1858, petitioned the Right Honourable Spencer Horatio Walpole, being one of Her Majesty's then Principal Secretaries of State, for powers to borrow a further sum or sums, not exceeding in the whole one-quarter of the yearly assessable value of the premises assessable within such District; the said further sum or sums to be repaid within a period of thirty years.

And whereas the said Secretary of State, after due inquiry and report by William Ranger, Esquire, the Inspector appointed for the purpose, and after the assent of the ratepayers of the aforesaid District in public meeting assembled, is of opinion that the prayer of such Petition should be granted; but the same cannot be done without the consent of Parliament.

Now, therefore, in pursuance of the power now vested in me as one of Her Majesty's Principal Secretaries of State, I do hereby, by this Provisional Order under my Hand, direct as follows:—

That, from and after the passing of any Act of Parliament confirming this present Order—

1.—The Local Board of Health for the District of Nantwich, in the County of Chester, shall have power and authority to borrow, for the execution and completion of works of sewage and water supply within such District, and on mortgage of the rates leviable by them under the Local Government Act, 1858, a further amount not exceeding a quarter of one year's assessable value of the premises assessable under such Act within the aforesaid District, to be repaid with interest thereon, within a period of thirty years from the date of the borrowing thereof.

Given under my Hand this First day of April 1859.

(Signed) T. Sotheron-Estcourt.

Provisional Order repealing and altering Parts of a Local Act in force within the District of the Worthing Local Board of Health.—Local Government Act, 1858, *Sec.* 77.

Whereas the Local Board of Health in and for the District of Worthing, in the County of Sussex, to which the Public Health Act, 1848, was duly applied by Provisional Order bearing date the Seventeenth day of January 1852, and confirmed by the First Public Health Supplemental Act, 1852, have, in pursuance of the Local Government Act, 1858, presented a Petition to me, as one of Her Majesty's Principal Secretaries of State, praying for alteration of the said Provisional Order, and also for the alteration and partial repeal of a certain Local Act of Parliament in force within the said District having relation to the purposes of the said Local Government Act, and not conferring powers or privileges upon any corporation, company, undertakers, or individuals for their own pecuniary benefit, that is to say, an Act passed in the Second year of the reign of King George the Fourth, intituled "An "Act to repeal two Acts made in the forty-third and forty-ninth years of His late Majesty for paving "the Town of Worthing, in the County of Sussex, and establishing a Market therein, and for making "other provisions in lieu thereof, for erecting groyns, for laying a duty on coals imported into the said "Town, and for other purposes relating to the improvement of the said Town."

And whereas, in pursuance of the said Local Government Act, inquiry has been directed in the said District in respect of the several matters mentioned in the said Petition.

And whereas it appears to me expedient to issue a Provisional Order in relation to the said matters, but no such Order can be valid without confirmation by Parliament.

Now, therefore, in pursuance of the powers vested in me by the said Local Government Act, I, as Her Majesty's Principal Secretary of State for the Home Department, do, by this Provisional Order, under my hand, direct that from and after the passing of any Act of Parliament confirming this Order—

Repeal of Sections in Local Act.

1.—The parts of the said Local Act specified in the Schedule hereunto annexed shall be repealed.

Byelaws as to Boats, &c.

2.—The said Local Board, from and after the day aforesaid, may, in addition to the Byelaws already made under the provisions of the said Act, make Byelaws for the licensing, regulation, and management of boats or vessels let to hire for the purpose of sailing or rowing for pleasure, and the persons attending the same, and the fares and prices to be received and taken by the watermen or sailors attending and conducting such boats, and for the situation of capstans on the beach, in the same way and subject to the same conditions as if such Byelaws were framed under the powers and for the purposes of the Local Government Act, 1858.

As to Offences under the Towns Police Clauses Act, 1847.

3.—Any constable or other officer appointed by virtue of the Act of the 19th and 20th Victoria, chapter 69, shall within the District of Worthing have all the powers conferred by the Towns Police Clauses Act, 1847, upon the constables referred to in that Act.

Byelaws as to Esplanade, &c.

4.—From and after the day aforesaid it shall be lawful for the said Local Board, and they are hereby empowered to extend, enlarge, alter, and protect from the sea the existing public walk or esplanade in front of the sea, and the public lawns and walks adjoining thereto, as they may think fit, and to make Byelaws for the use, order, and management of the same, and of the beach adjoining the same. Provided always, that nothing herein, or in any Byelaw to be made in pursuance of this Provisional Order, shall affect or impair any public, private, or prescriptive right

right to dig, remove or take away any sea-weed, stones, boulders, flints, marl, sand, or gravel, within the limits of the said District, or any prescriptive right of the fishermen to mend and dry their nets on the beach within the same District.

Consolidation and Repayment of old Commissioners Debt.

5.—The said Local Board may from time to time borrow and take up at interest, on the credit of the General District Rates authorized to be made and collected under the "Local Government Act, 1858," all or any part of the sum of 9,022*l.* now due and owing by the said Local Board as Commissioners acting in execution of the said Local Act, and for the purpose of redeeming the existing securities for the same, upon due notice given to the present Mortgagees or their legal representatives, and may mortgage and assign over to the persons or person by or on behalf of whom such sums are advanced the said General District Rate for securing the repayment of any sum or sums so to be borrowed as last aforesaid, together with such Interest as aforesaid; and the respective Mortgagees shall be entitled to a proportion of the rates comprised in their respective mortgages, according to the Sums in such mortgages mentioned to have been advanced. And each Mortgagee shall be repaid the sum so advanced, with interest, without any preference over the others of them by reason of any priority of advance or the date of his mortgage, and the said money may be borrowed for such time not exceeding fifty years as the said Local Board and the persons lending such money shall mutually agree and determine upon; and, subject as aforesaid, the said Local Board may either pay off the monies so borrowed, with the interest thereon, by equal annual instalments, or they may in every year set apart as a sinking fund, and accumulate in the way of compound interest by investing the same in the purchase of Exchequer Bills or other Government securities, such sum as will be sufficient to pay off the monies so borrowed, or a part thereof, as the said Local Board may determine.

Given under my Hand this First day of April 1859.

(Signed) T. SOTHERON-ESTCOURT.

Schedule to which this Order refers.

The parts of the Local Act referred to in this Order to be repealed are as follows; that is to say,

The sections numbered respectively in the copies of the said Act printed by the King's Printers, 30, 61, 62, 63, 124, 125, 137, 138, 139, and 140.

Provisional Order for altering the Boundaries of the District of Newton Heath, in the County Palatine of Lancaster, as constituted for the purposes of the Public Health Act, 1848.

Whereas by an Order of Her most Gracious Majesty in Council, bearing date the Twenty-ninth Day of December 1853, the Public Health Act, 1848, was duly applied to the Township of Newton, commonly called Newton Heath, in the County Palatine of Lancaster.

And whereas it appeared to the General Board of Health appointed for the purposes of the Public Health Act, 1848, that the boundaries of the said District, as determined by the said Order, should be altered and amended in the manner prescribed by the said Act.

And whereas the said General Board, in pursuance of the provisions of the said Act, directed Alfred Lamerte Dickens, a Superintending Inspector appointed for the purposes of the said Act, to visit the said District, and to make public inquiry, and to examine witnesses as to the boundaries, not being the boundaries of the said Township, which might be most advantageously adopted for the purposes of the said Act; and the said Superintending Inspector having previously given the requisite notices, proceeded upon the said inquiry as directed by such Act and reported thereon in writing, and copies of that Report have been published and deposited, but the proposed alteration of the boundaries for the said District cannot be effected without the authority of Parliament.

And whereas the proceedings and things mentioned in the last two paragraphs were begun or made before the coming into operation of the Local Government Act, 1858.

And whereas it is enacted by the Local Goverment Act, 1858, that all proceedings, contracts, matters, and things respectively begun or made under any section of the Public Health Act, 1848, repealed by the aforesaid Act, may respectively be proceeded with and enforced as if no such repeal had taken place.

Now, therefore, in pursuance of the power now vested in me, as one of Her Majesty's Principal Secretaries of State, I do hereby, by this Provisional Order under my Hand, order and direct as follows, that is to say:

That from and after the passing of any Act of Parliament confirming this present Order—

1.—The provisions of the Public Health Act, 1848, and of the Local Government Act, 1858, shall apply to and be in force within the Township of Newton, commonly called Newton Heath, in the County Palatine of Lancaster, except the detached portion of such Township, known as Kirkmanshulme, (which is shown by a dotted line on the map accompanying Mr. Rawlinson's first Report on Newton Heath, addressed to the General Board of Health in February 1852, and described on such map as "the detached part not to be included under the powers of the Act;") and the aforesaid detached portion of such Township, called Kirkmanshulme, shall thence-

thenceforward be excluded from the area of the District of the Newton Heath Local Board of Health.

2.—The present Local Board of Health for the time being for the said District, as originally constituted by the herein-before recited Order in Council, shall, from and after the passing of the Act of Parliament confirming this Order, be the Local Board of Health for the District as constituted by this Order and the Act of Parliament confirming the same.

3.—At every election of members of the said Local Board which shall take place after the passing of the Act of Parliament confirming this Order, the members to be elected shall be elected for the whole of the District as constituted by this Order, and by the votes of owners of, and ratepayers in respect of, property situate within the District so constituted; and any person residing therein, or within seven miles thereof, may be elected a Member of the said Local Board; but the number and qualification of such members and the day of such election shall remain as fixed by the herein-before recited Order in Council, bearing date the Twenty-ninth of December 1853.

Given under my Hand this First day of April 1859.

(Signed) T. SOTHERON-ESTCOURT.

CAP. XXXII.

An Act to amend the Law concerning the Remission of Penalties. [19th *April* 1859.]

'WHEREAS Penalties which under Penal Statutes are made payable to Parties other than the Crown cannot be remitted or pardoned by the Crown where no express Provision has been made by the Statute for that Purpose, and it is expedient that the Law as to the Remission of such Penalties should be amended and made uniform:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; that is to say,

Penalties for Offences may be remitted by the Crown although payable to Parties other than the Crown.

I. It shall be lawful for Her Majesty (or in *Ireland* for the Lord Lieutenant or other Chief Governor or Governors of *Ireland*) to remit in whole or in part any Sum of Money which under any Act now in force or hereafter to be passed may be imposed as a Penalty or Forfeiture on a convicted Offender, although such Money may be in whole or in part payable to some Party other than the Crown, and to extend the Royal Mercy to any Person who may be imprisoned for Nonpayment of any Sum of Money so imposed, although the same may be in whole or part payable to some Party other than the Crown.

CAP. XXXIII.

An Act to enable Coroners in *England* to admit to Bail Persons charged with Manslaughter. [19th *April* 1859.]

'WHEREAS in many Cases Inconvenience and Expense have been occasioned by the Inability of Coroners in *England* to admit to Bail Persons charged by the Verdict of a Coroner's Jury with the Offence of Manslaughter:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

In Cases of Manslaughter the Coroner may admit Persons charged to Bail.

I. In every Case in which a Coroner's Jury shall have found a Verdict of Manslaughter against any Person or Persons it shall be lawful for the Coroner or Deputy Coroner before whom the Inquest was taken to accept Bail, if he shall think fit, with good and sufficient Sureties, for the Appearance of the Person so charged with the Offence of Manslaughter at the next Assize and General Gaol Delivery to be holden in and for the County within which the Inquest was taken; and thereupon such Person if in Custody of any Bailiff or other Officer of the Coroner's Court, or in any Gaol under a Warrant of Commitment issued by such Coroner, shall be discharged therefrom.

Recognizances to be taken.

II. In every Case in which any Coroner or Deputy Coroner shall admit any Person to Bail, he shall cause Recognizances to be taken in the Form given in the Schedule to this Act, and give a Notice thereof to every Person so bound, and shall return such Recognizances to the then next ensuing Assizes, and such Coroner or Deputy Coroner shall be entitled to such Fees and Charges as the Clerks of Justices of the Peace are by Law entitled to on admitting Persons charged to Bail.

Persons against whom Verdicts of Manslaughter found to have Depositions.

III. At any Time after all the Depositions of Witnesses shall have been taken, every Person against whom any Coroner's Jury may have found a Verdict of Manslaughter shall be entitled to have from the Person having Custody thereof Copies of the Depositions on which such Verdict shall have been found, on Payment of a reasonable Sum for the same, not exceeding the Rate of Three Halfpence for every Folio of Ninety Words.

SCHEDULE.

BE it remembered, That on the Day of in the Year of our Lord *A.B.* of [Labourer], *L.M.* of , [Grocer], and *N.O.* of [Butcher],

[Butcher], personally came before me, One of Her Majesty's Coroners for the [County] of , and severally acknowledged themselves to owe to our Lady the Queen the several Sums following; that is to say, the said *A.B.* the Sum of and the said *L.M.* and *N.O.* the Sum of each, of good and lawful Money of Great Britain, to be made and levied of their Goods and Chattels, Lands and Tenements respectively, to the Use of our said Lady the Queen, Her Heirs and Successors, if he the said *A.B.* fail in the Condition endorsed.

Taken and acknowledged the Day and Year first above mentioned, at , before me,

J. S.,
Coroner for the [County] of

Condition endorsed.

The Condition of the within-written Recognizance is such, That whereas a Verdict of Manslaughter has been found against the said *A.B.* by a Jury empannelled to inquire how and by what Means came by [his] Death; if therefore the said *A.B.* shall appear at the next Court of Oyer and Terminer and General Gaol Delivery to be holden in and for the [County] of , and there surrender himself into the Custody of the Keeper of the Gaol there, and plead to such Inquisition, and take his Trial upon the same, and not depart the said Court without Leave, then the said Recognizance shall be void, or else the same shall stand in full force and virtue.

CAP. XXXIV.

An Act to amend and explain an Act of the Sixth Year of the Reign of King *George* the Fourth, to repeal the Laws relating to the Combination of Workmen, and to make other Provisions in lieu thereof. [19th *April* 1859.]

'WHEREAS an Act was passed in the Sixth Year of the Reign of King *George* the Fourth, intituled *An Act to repeal the Laws relating to the Combination of Workmen, and to make other Provisions in lieu thereof:* And whereas different Decisions have been given on the Construction of the said Act:' Be it therefore declared and enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: 6 G. 4. c. 129.

Agreements in certain Cases not to be deemed "Molestation" or "Obstruction," within the Meaning of the recited Act.

I. That no Workman or other Person, whether actually in Employment or not, shall, by reason merely of his entering into an Agreement with any Workman or Workmen, or other Person or Persons, for the Purpose of fixing or endeavouring to fix the Rate of Wages or Remuneration at which they or any of them shall work, or by reason merely of his endeavouring peaceably, and in a reasonable Manner, and without Threat or Intimidation, direct or indirect, to persuade others to cease or abstain from Work, in order to obtain the Rate of Wages or the altered Hours of Labour so fixed or agreed upon or to be agreed upon, shall be deemed or taken to be guilty of "Molestation" or "Obstruction," within the Meaning of the said Act, and shall not therefore be subject or liable to any Prosecution or Indictment for Conspiracy: Provided always, that nothing herein contained shall authorize any Workman to break or depart from any Contract or authorize any Attempt to induce any Workman to break or depart from any Contract.

CAP. XXXV.

An Act to amend the Law relating to Municipal Elections. [19th *April* 1859.]

'WHEREAS it is expedient that the Law relating to Municipal Elections in *England* and *Wales* should be amended:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Division of Boroughs into Wards.

The Division of Boroughs into Wards may be altered.

I. If Two Thirds in Number of the Council of any Borough shall agree to petition and the Council shall thereupon petition Her Majesty for the Division of such Borough into Wards, or for the Alteration of the Number and Boundaries of the Wards into which any Borough is or from Time to Time shall be divided, it shall be lawful for Her Majesty from Time to Time, if She shall think fit, by Advice of Her Privy Council, to fix the Number of Wards into which such Boroughs shall be divided; and every Borough shall be divided into the Number of Wards mentioned in the Order in Council made on such Petition: Provided nevertheless, that Notice of every such Petition, and of the Time when it shall please Her Majesty to order that the same be taken into consideration by Her Privy Council, shall be published in the *London Gazette* One Month at least before such Petition shall be so considered.

Barrister may be appointed to set out Boundaries of Wards.

II. The senior Judge, or, in case of his Absence from the Kingdom, the next Judge in the Commission of Assize for the Summer Circuit next after any such Order in Council shall have been made, shall appoint a Barrister for the Purpose of determining the Boundaries of such Wards, and apportioning the Number of Councillors of the Borough among such Wards as herein-after mentioned.

Municipal Elections.

Power to set out Boundaries of Wards.

III. The Provisions of Sections Thirty-nine, Forty, and Forty-two, and so much of Section Forty-three as remains unrepealed, of the Act of the Fifth and Sixth Years of the Reign of King *William* the Fourth, Chapter Seventy-six, shall extend to any such Division of a Borough into Wards, or to any such Alteration of the Number and Boundaries of the Wards into which any Borough is or may be from Time to Time divided, and the same Sections, and also the Provisions of the Tenth Section of the Act of the Seventh Year of the Reign of His late Majesty King *William* the Fourth and First of Her Majesty Queen *Victoria*, Chapter Seventy-eight, and of the Tenth Section of the Act of the Sixteenth and Seventeenth Years of the Reign of Her Majesty Queen *Victoria*, Chapter Seventy-nine, shall apply to every Election after such Division or Alteration; and the Barrister so to be appointed as aforesaid shall have all the Powers, Rights, and Privileges mentioned in Sections Thirty-nine, Forty, and Forty-two of the said Act of the Fifth and Sixth Years of the Reign of His late Majesty King *William* the Fourth, Chapter Seventy-six; and the Costs and Expenses thereby occasioned shall be paid and discharged, and such Barrister shall be remunerated at the Rate of Five Guineas for every Day he shall be so employed, over and above his travelling and other Expenses, out of the Borough Fund.

Provision for First Election after Division, &c.

IV. After the Declaration of the First *November* Election of Councillors after such Division or Alteration, all the Councillors for the Borough so divided, or for the Wards so altered, as the Case may be, shall go out of Office, and their whole Powers and Duties shall cease; provided nevertheless, that any of the Persons so going out of Office shall be eligible to be re-elected; and in the First Year after such Election of Councillors for the Borough so divided, or for the Wards so altered, as the Case may be, those who shall go out of Office shall be the Councillors who were elected by the smallest Number of Votes at such Election, and in the next Year those who shall go out of Office shall be the Councillors who were elected by the next smallest Number of Votes at such Election, the Majority of the whole Council always determining, where the Votes for any such Persons shall have been equal, or when there was no Poll, who shall be the Persons so to go out of Office.

Notice of Election.

Town Clerk to publish Notice.

V. Seven Days at least before the Day fixed for the Election of any Councillor or Councillors, the Town Clerk shall prepare, sign, and publish a Notice in the Form contained in Schedule (B.) to this Act annexed, or to the like Effect, by causing the same to be placed on the Door of the Town Hall and in some other conspicuous Parts of the Borough or Ward for which any such Election is to be held.

Election of Councillors.

Nomination of Candidates.

VI. At any Election of Councillors to be held for any Borough or Ward any Person entitled to vote may nominate for the Office of Councillor himself (if duly qualified), or any other Person or Persons so qualified (not exceeding the Number of Persons to be elected for the Borough or Ward, as the Case may be), and every such Nomination shall be in Writing, and shall state the Christian Names and Surnames of the Persons nominated, with their respective Places of Abode and Descriptions, and shall be signed by the Party nominating, and sent to the Town Clerk at least Two whole Days (*Sunday* excluded) before the Day of Election; and the Town Clerk shall at least One whole Day (*Sunday* excluded) before the said Day of Election cause the Christian Names and Surnames of the Persons so nominated, with such Statement of their respective Places of Abode and Descriptions, and with the Names of the Party nominating them, respectively to be printed and placed on the Door of the Town Hall, and in some other conspicuous Parts of the Borough or Ward for which such Election is to be held.

Nomination Papers.

VII. Any Nomination Paper may be in the Form contained in the Schedule to this Act annexed, or to the like Effect; and the Town Clerk shall provide so many Nomination Papers as may be required, and, at the Request of any Person entitled to nominate, shall fill up a Nomination Paper in due Form: Provided nevertheless, that such Paper shall be signed by the Person nominating.

Election of Councillors.

VIII. At any Election of Councillors to be held for any Borough or Ward:

1. If the Number of Persons so nominated shall exceed the Number to be elected,
   The Councillors to be elected shall be elected from the Persons so nominated, and from them only:
2. If the Number of Persons so nominated shall be the same as the Number to be elected,
   Such Persons shall be deemed to be elected; and the Mayor or Alderman and Two Assessors, as the Case may be, shall publish a List of the Names of the Persons so elected, not later than Eleven of the Clock in the Morning of the said Day of Election:
3. If the Number of Persons so nominated shall be less than the Number to be elected,
   Such Persons shall be deemed to be elected: Such of the retiring Councillors highest on the Poll at their Election, or, if the Poll were equal, or there were no Poll, such as shall be nominated by the Mayor, shall be deemed to be re-elected to make up the Number required to be elected: And the Mayor or Alderman and Two Assessors, as the Case may be, shall publish a List of the Names of all the Persons so elected respectively, not later than Eleven of the Clock in the Morning of the said Day of Election:

4. If no Persons be so nominated,

The retiring Councillors shall be deemed to be re-elected, and the Mayor or Alderman and Two Assessors, as the Case may be, shall publish a List of the Names of all the Persons so elected, not later than Eleven of the Clock in the Morning of the said Day of Election.

Penalty for Personation of Voters.

IX. If, pending or after any Election of Councillors, Auditors, or Assessors, any Person shall personate or induce any other Person to personate any Person entitled to vote at such Election or whose Name is on the Burgess Roll then in force, or falsely assume to act in the Name or on behalf of any Person so entitled to vote, or wilfully make a false Answer to any of the Questions mentioned in Section Eighteen of this Act, he shall for every such Offence be liable, on Conviction before Two Justices in Petty Sessions, to be imprisoned in the Common Gaol or House of Correction for any Period not exceeding Three Months, with or without Hard Labour.

Penalty for forging Nomination or Voting Papers.

X. If, before, pending, or after any Election of Councillors, Auditors, or Assessors, any Person shall wilfully fabricate, in whole or in part, alter, deface, destroy, abstract, or purloin, any Nomination or Voting Paper after the same shall have been duly filled up, he shall for every such Offence be liable, on Conviction before Two Justices in Petty Sessions, to be imprisoned in the Common Gaol or House of Correction for any Period not exceeding Three Months, with or without Hard Labour.

Penalty on Persons guilty of Bribery at Elections.

XI. If any Person at any Election of Mayor, Councillors, Auditors, or Assessors for any Borough shall be guilty of Bribery, he shall for every such Offence forfeit the Sum of Forty Shillings to any Person who shall sue for the same in the County Court, with full Costs of Suit; and any Person offending in any Case in which, under the Act or Acts for the Time being in force with respect to the Election of Members to serve in Parliament for Boroughs in *England* and *Wales*, the Name of the Offender may be expunged from the List of Voters, being lawfully convicted thereof, shall for the Term of Six Years be disabled to vote in any Election in such Borough, or in any Municipal or Parliamentary Election whatever, in any Part of the United Kingdom, and shall for such Term be disabled to hold, exercise, or enjoy any Office or Franchise to which he then shall or at any Time afterwards may be entitled as a Burgess of such Borough, as if such Person were naturally dead.

Definition of Bribery.

XII. The Word "Bribery" shall include anything committed or done before, at, after, or with respect to the Election of any Mayor, Councillors, Auditors, or Assessors, which, if committed or done before, at, after, or with respect to any Election of any Member to serve in Parliament, would render the Person committing or doing the same liable to any Pains, Penalties, Forfeitures, or Conviction for Bribery, Treating, undue Influence, corrupt Practices, or other Offence, under any Act or Acts for the Time being in force with respect to the Election of Members to serve in Parliament for Boroughs in *England* and *Wales*.

Appeal.

XIII. If any Person shall think himself aggrieved by any Conviction under this Act, he may appeal therefrom to the next Quarter Sessions of the Peace in and for the County within which is situate the City or Borough in which such Conviction took place, first giving reasonable Notice to the Mayor and Justice or Justices of the Peace, as the Case may be, of his Intention so to do, and entering into Recognizance to pay such Costs as may be awarded against him.

Time limited for Proceedings.

XIV. All Proceedings for enforcing any Pains, Penalties, Forfeitures, or Convictions under this Act shall be commenced within Six Calendar Months from the Time when the Matter of such Proceedings arose.

Title and Extent of Act.

Short Title.

XV. This Act may be cited for any Purpose as "The Municipal Corporation Act, 1859."

Extent of Act.

XVI. This Act shall apply to every City, Borough, and Town Corporate specified in the Schedules to the said first-mentioned Act, and to every Municipal Corporation in *England* and *Wales* erected after the passing of that Act, and whether erected by Charter under that Act or otherwise, and shall be construed and executed as if its Provisions formed Part of that Act, and the Acts from Time to Time in force amending or extending that Act.

SCHEDULES.

SCHEDULE A.

ELECTION of Councillors for the [Ward of in the] Borough of to be held on the Day of A.D.

Nomination Paper.

Christian Name and Surname of Person nominated.	Place of Abode of Person nominated.	Description of Person nominated.	Christian Name and Surname of Nominator.	Address of Nominator.

Dated the Day of A.D.

(Signed)

SCHEDULE B.

Borough of
in the County of } to wit.

Election of Councillors for the [Ward of in the] Borough of in the County of

Take notice.

1. That an Election of [*Three*] Councillors will be held for the said Ward [*or* Borough] on the Day of A.D. in the said Ward [*or* Borough].

2. That any Person entitled to vote may nominate for the said Office himself (if duly qualified), or any other Person or Persons so qualified, not exceeding [*Three*] in Number.

3. That every such Nomination must be in Writing, and must state the Christian Names and Surnames of the Persons nominated, with their respective Places of Abode and Descriptions.

4. That any Nomination Paper must be signed by the Party nominating, and may be in the following Form or to the like Effect [*set out Form as given in Schedule*].

5. That all Nomination Papers must be delivered to the Town Clerk on or before the Day of next.

Dated this Day of , A.D.

(Signed) *A.B.*, Town Clerk.

LOCAL ACTS.

[For the full Titles, see Table of Titles at the Commencement of the Volume.]

Cap. i.

"*Shepton Mallet* Waterworks Act, 1859."

Incorporates Companies, Lands, and Waterworks Clauses Acts, § 2.
Company incorporated, § 3.
Capital 2,400*l.* in 5*l.* Shares, §§ 4, 5.
Power to borrow 600*l.*, §§ 6, 7.
Meetings; Directors, §§ 8 to 12.
Lands; Power to purchase on Grants in perpetuity, §§ 13 to 18.
Two Years for compulsory Purchases, § 19.
Four Years for Completion of Works, § 20.
Limit of Pressure for Supply, § 21.
Reservoir Provisions, §§ 22 to 30.
Rates; Supply of Water, §§ 31 to 34.
Saving Rights of Duchy of Cornwall, § 35.

Cap. ii.

"*Swansea Vale* Railway Act, 1859."

Recites Incorporation by 18 & 19 Vict. c. lx., with a Capital of 147,000*l.* in 35*l.* Shares, and Power to borrow 49,000*l.*; and Power by 19 & 20 Vict. c. xcv. to accept Surrenders of Shares and to issue new Shares; that they have raised 88,396*l.* on their Shares and 43,252*l.* by borrowing; that they have no Preference Shares, nor have any Shares been forfeited.
Power to raise additional Capital of 33,000*l.* by Shares, with or without a Preference not exceeding 6*l.* per Cent., §§ 4 to 12.
Power to borrow further Sum of 11,000*l.*, §§ 13 to 15.
Incorporates Parts of Companies Clauses Act, § 16.
Parts of 19 & 20 Vict. c. xcv. applied, § 17.

Cap. iii.

"The *Wimbledon and Dorking* and *Epsom and Leatherhead* Railways (*Epsom* Joint Station) Act, 1859."

Recites 19 & 20 Vict. c. xcii. (incorporating the Epsom and Leatherhead Railway Company) and 20 & 21 Vict. c. lxxii. (incorporating the Wimbledon and Dorking Railway Company); proposes to erect a Joint Station at Epsom.
Incorporates Parts of Lands Clauses Act, § 2.
Power to Two Companies to construct Joint Station, § 3.
Power to enter into Agreements, § 4.
Settlement of Disputes, § 5.
Management of Station by a Joint Committee, §§ 6 to 14.
Two Years for compulsory Purchases, § 15.
Power to each Company to apply Corporate Funds, § 16.
Saving Rights of London and South-western Railway Company, § 19.

Cap. iv.

"The *Kirkwall* Harbour Act, 1859."

Recites and proposes to repeal 9 Geo. 4. c. 58.
Repeal of recited Act, § 1.
Incorporation of Commissioners, Lands (Scotland), and Harbours Clauses Acts, §§ 4 to 6.
Saving Rights and Liabilities, §§ 7 to 15.
Trustees; Qualification; Meetings, §§ 16 to 24.
Harbour; new Works; Admiralty Provisions, §§ 25 to 34.
Reclamation of Crown Lands, § 35.
Five Years for compulsory Purchases, § 37.
Limits of Harbour, §§ 38, 39.
Rates; Composition for and leasing of, §§ 40 to 44.
Licensing of Meters and Weighers and of Pilots, §§ 45, 46.
Power to borrow 12,000*l.*; Sinking Fund, §§ 47 to 52.
Application of Rates and borrowed Money, § 53.
Power to Trustees of Orkney Roads to contribute 300*l.* towards making Roads of Access, § 54.
Part of 8 & 9 Vict. c. 41. made applicable, § 55.
Proceedings against Offenders, §§ 56, 57.
Accounts; Auditor, §§ 58 to 60.
Saving Rights of Crown, § 61.
Schedules; Rates and Forms.

Cap. v.

"*Weymouth and Melcombe Regis* Markets and Pier Amendment Act, 1859."

Recites Act of 1854; that the Corporation have raised and expended 10,000*l.* upon the general Market House and Fish Market; that it is expedient to alter the latter; that they are constructing the Pier, but have not yet raised any of the authorized Sum of 12,000*l.* on Credit of the Pier Rates; proposes to raise further Moneys for all the Purposes of the Act, and to extend Time for Completion of Pier.
Power to alter Fish and general Market Houses, §§ 4 to 7.
Provision for Fish Market until Removal, § 8.
Application of Moneys arising from Sale of Fish Market, § 9.
Time for Completion of Pier extended for Two Years, § 11.
Power to borrow further Sum of 1,500*l.* on Security of Market Tolls, § 12.
Power to borrow further Sum of 5,000*l.* on Security of Pier Rates, § 13.
Provisions of Act of 1854 applied to borrowing Powers, § 14.
Clerical Error in Act of 1854 corrected, § 15.
Saving Rights of Corporation, § 17.

Cap. vi.

"The *Sunderland and South Shields* Waterworks Amendment Act, 1859."

Recites their Act of 1852, and the Arrangement of Share Capital (since amalgamated) under it; a Power to borrow

17,500*l.* and also 10,000*l.* for the Purchase of the South Shields Waterworks, to be paid in Seven Years; that all their Share Capital of 109,000*l.* is paid up except 6,870*l.*; and the Two Sums of 17,500*l.* and 10,000*l.* have been borrowed; proposes to extend Works and to raise further Sums of Money, and alter Scale of Rates.
Incorporates Lands and Waterworks (except Sect. 70) Clauses Acts, § 1.
Waterworks; saving Lands of Rev. G. T. Fox, §§ 4, 5.
Five Years for Completion of Works, § 6.
Power to raise 141,000*l.* in Shares; 10,000*l.* to be applied in paying off Mortgages to that Amount, §§ 7 to 12.
Power to borrow further Sum of 32,500*l.*, §§ 14 to 17.
Certain Provisions of Companies Clauses Act incorporated, § 16.
Regulations as to Supply and preventing Waste of Water, §§ 18 to 22.
Water Rate on Houses exceeding 50*l.* annual Value, § 23.

Cap. vii.

"The *Londonderry* Bridge Act, 1859."

Recites Acts of 1852 and 1854; proposes to repeal them and to construct other Works; and to authorize Agreements between the Commissioners, the Londonderry Port and Harbour Commissioners, the Londonderry and Enniskillen and the Londonderry and Coleraine Railway Companies.
Repeal of Acts; Saving of Rights and Liabilities, §§ 3 to 12.
Incorporates Lands and Railways Clauses and Railways (Ireland) Acts, and Parts of Commissioners Clauses Act, §§ 13, 14.
Commissioners; Meetings; Auditors, §§ 15 to 28.
Temporary Maintenance of existing Bridge, § 29.
Power to borrow 90,000*l.*, and Application of Moneys, §§ 30, 31.
New Bridge and Works, §§ 32 to 37, to be completed in Seven Years, § 39.
Three Years for compulsory Purchases, § 38.
Communications; laying of Water and Gas Pipes, §§ 40, 41.
Admiralty Provisions as to Height, Span, Lights, passing Vessels, and Survey, §§ 42 to 48.
Protecting Londonderry and Enniskillen Railway, §§ 50 to 53.
Lighting of Bridge, §§ 54, 55.
Sale or Lease of superfluous Lands, § 56.
New Roads to become public Streets, § 58.
Repeals Sect. 21 of Londonderry and Enniskillen Railway Act, 1854, respecting the Access from Foyle Street to the River Foyle, § 59.
Penalties; Toll Houses; Tolls; Leasing of Tolls; Weighing, §§ 60 to 78.
Power to receive Money to rebuild Bridge, or to free the same from Toll; Accounts; Application of Money, §§ 79 to 81.
Reduction of Tolls, § 82.
Saving Rights of Irish Society and of the Crown, §§ 83, 84.

Cap. viii.

"The *Findhorn* Railway Act, 1859."

Incorporates Companies, Lands, and Railways Clauses (Scotland) Acts, § 1.
Incorporation of Company, § 4.
Capital 9,000*l.* in 10*l.* Shares, §§ 5, 6.
Power to borrow 3,000*l.*, §§ 10, 11.
Meetings; Directors, §§ 12 to 20.
Railway, §§ 21, 22, to be completed in Three Years, §§ 37, 60.
Board of Trade and Admiralty Provisions, §§ 23 to 30.
Power to purchase on Feu Duties, §§ 32 to 35.
Compulsory Powers to be exercised within Two Years, § 36.
Communications with Inverness and Aberdeen Junction Railway, §§ 38 to 41.
Agreements with Inverness and Aberdeen Junction Railway, §§ 51 to 59.
Tolls, §§ 42 to 50.
Reclaimed Lands not to be taken without Consent of Commissioners of Woods and Forests, § 61.
Saving Rights of Crown, § 62.

Cap. ix.

"The *Glasgow* Corporation Waterworks Amendment Act, 1859."

Recites Act of 1855, proposes to raise further Moneys and to amend Act.
Incorporates Part of Commissioners Clauses Act, § 3.
Power to borrow 200,000*l.* on Mortgage or on Cash Account, and to fund Debt, §§ 4 to 9.
Transmission of Mortgages, §§ 10 to 13.
Balancing of Water Account; Auditor, §§ 14, 15.
Recovery of Charges for Supplies of Water for Purposes not domestic, § 16.
Supply and Repair of Apparatus, Pipes, &c. &c., §§ 17, 18.

Cap. x.

"The *Tralee and Killarney* Railway Act, 1859."

Recites the Acts relating to the Company, and extends the Time for Completion of Railway until 15th August 1860, subject to a Penalty of 20*l.* for every Day during which the Railway is unopened after that Date.

Cap. xi.

"The *Aberdeen and Turriff* Railway Amendment Act, 1859."

Recites Incorporation in 1855 with a Capital of 120,000*l.* in 10*l.* Shares and Power to borrow 40,000*l.*; that 3,778 Shares are paid up only to the Extent of 3,799*l.*, and are liable to be forfeited, and that the Company have incurred other Liabilities; proposes to issue Preference Shares in lieu of those to be forfeited, to convert Debt into Debenture Stock, and to change the Name of the Company.
Power to cancel forfeited Shares, § 1.
Power to issue new Shares in lieu of forfeited Shares, with or without a Preference not exceeding 5*l.* per Cent., §§ 2 to 5.
Power for Great North of Scotland Railway Company to subscribe, § 6.
Power to create Debenture Stock in lieu of Debt at not exceeding 5*l.* per Cent. Interest, §§ 7 to 11.
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Change of Corporate Name, § 13, and of Title of Act, § 20.
Saving of Rights and Liabilities, §§ 14, 15.

Cap. xii.

"The *Formartine and Buchan* Railway (Deviation) Act, 1859."

Recites Act of 1858, and proposes to make a Deviation and abandon Branch.

Incorporates Lands and Railways Clauses (Scotland) Acts, § 1.
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Admiralty Provision, § 9.
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Repeals Provision respecting the balancing of Books, § 15.

Cap. xiii.

"The *Great Western and Brentford* Railway Leasing Act, 1859."

Recites Incorporation of Great Western and Brentford Company in 1855, with Power to raise 90,000*l.* and to borrow 30,000*l.*, and by an Act of 1857 to raise a further Sum of 45,000*l.* and to borrow 15,000*l.*; that their Share Capital is nearly all paid up, and their Works nearly completed, but their Funds are insufficient; proposes to confirm Agreement for Lease to Great Western Railway Company, and to raise further Moneys.
Incorporates Parts of Companies, Railways, and Harbours Clauses Acts, §§ 2, 3.
Limits of Harbour Master, § 4.
Confirmation of Byelaws by, and Saving Rights of Conservators of Thames, §§ 5, 6.
Agreement confirmed; Leasing Provisions, §§ 7 to 13.
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Schedule (Agreement).

Cap. xiv.

"The *Whitehaven* Town and Harbour Act, 1859."

Proposes to repeal certain Provisions of the Acts contained in the Schedule, to alter the Mode of electing Trustees, and of levying Rates and Assessments.
Acts in Schedule continued in force, § 1.
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Launching Places to be provided at new Dock, §§ 36, 37.
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Incorporates Parts of Harbours, Docks, and Piers Clauses Act, § 39.
Power to levy Rates for paving Streets, &c., §§ 40, 43, 44.
Power to include new Limits within the Wards, § 41.
Incorporates Parts of Towns Improvement Clauses Act, § 42.
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B. Description of Wards.
C. Harbour Duties on Imports.
D. Harbour Duties on Exports.

Cap. xv.

"City of *Norwich* Waterworks Act, 1859."

Recites Incorporation in 1850, with Power to raise 60,000*l.* and to borrow 20,000*l.*, and by an Act of 1853 to raise a further Sum of 30,000*l.* and to borrow 8,000*l.*; that they have exercised their Powers and incurred further Liabilities to the Amount of 5,000*l.*; proposes to raise further Moneys, and to regulate Capital and Borrowing Powers.
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Capital and Borrowing Powers extinguished, § 4.
Definition of Capital, § 6.
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Power to borrow 40,000*l.* inclusive of present Debt, §§ 26 to 28.
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Power to issue Debenture Stock at not exceeding 5*l.* per Cent., §§ 30 to 37.
Disposal of Shares or Stock by Auction, §§ 38 to 40.
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Cap. xvi.

"The *Falmouth* Docks Act, 1859."

Incorporates Companies, Lands, and Harbours Clauses Acts, §§ 1, 2.
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Cap. xvii.

"The *Glasgow* Public Parks Act, 1859."

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Cap. xviii.

"The *Kingstown* Waterworks Act, 1859."

Incorporates Companies, Lands, and Waterworks Clauses, and the Railways Act (Ireland) 1851, §§ 3, 4.
Company incorporated, with a Capital of 32,000*l.* in 5*l.* Shares, and Power to borrow 8,000*l.*, §§ 5 to 9.

Meetings; Directors, §§ 10 to 15.
Lands and Works, § 16, to be completed in Four Years, § 19.
Supply of Water to Dublin and Wicklow Railway Company, § 17.
Three Years for compulsory Purchases, § 18.
Supply of Water; Rates; Penalties, §§ 20 to 38.
Reservoir Provisions, §§ 39 to 47.

Cap. xix.

"The *York* Improvement (*Foss* Abandonment) Act, 1859."

Recites 33 Geo. 3. c. xcix., incorporating the Foss Navigation Company; 41 Geo. 3. c. cxv.; the Transfer of the Undertaking to the Corporation of York under 16 & 17 Vict. c. lvi.; proposes to abandon Part of the Navigation, and to alter recited Acts.
Execution of Act by Town Council, § 4.
Incorporates Lands and Parts of Commissioners Clauses Acts, §§ 5, 6.
Discontinuance of Navigation above Union Workhouse, §§ 7 to 9.
Purchase and Exchange of Lands; Compensation, §§ 10 to 12.
Stopping up of public Footpaths, §§ 13 to 16, 20.
Sale of Parts of Navigation not required, §§ 17, 18.
Drains, §§ 19, 21.
Power to apply Moneys raised under York Improvement Act of 1853, § 22.
Application of Moneys arising from Sale of superfluous Lands, § 23.
Recited Acts not to apply to abandoned Portions of Navigation, § 24.
Notices; Penalties, §§ 25 to 27.

Cap. xx.

"The *Mersey* Docks (Money) Act, 1859."

Recites that by the Mersey Docks and Harbour Act, 1857, being an Act for consolidating the Docks at Liverpool and Birkenhead into One Estate, and for vesting the Control and Management of them in One Public Trust, and for other Purposes, the Mersey Docks and Harbour Board were incorporated for the Purposes therein mentioned; and by the 22d Section of "The Mersey Dock Acts Consolidation Act, 1858," being an Act passed for consolidating and amending the Provisions of the several Acts relating to the Liverpool and Birkenhead Docks and the Port and Harbour of Liverpool, it was provided that, subject to the Provisions of such Act, the Board might purchase such Lands, and might construct, complete, and erect and maintain all such Docks, Piers, and other Works of every Nature authorized to be purchased, constructed, or erected by any of the Acts thereby repealed, as had not then been purchased, constructed, erected, or completed (save only as was otherwise directed by an Act of the same Session of Parliament relating to Works at Birkenhead); and by Section 281 of the same Act it was provided that the Board might borrow at Interest, on the Security of the Rates, (exclusive of any Sum or Sums required for the Completion of the Birkenhead Docks and Works, or for the Purposes specially provided for by "The Mersey Docks and Harbour Act, 1857,") a further Sum not exceeding 266,000*l.*, which Sum of 266,000*l.*, with the Sum of 6,134,000*l.*, borrowed under the Authority of the Acts therein referred to previously to the 1st Day of January 1858, would amount to the Sum of 6,400,000*l.*, and such Sum of 6,400,000*l.*, exclusive of the Moneys which the Board was authorized to borrow by "The Mersey Docks and Harbour Act, 1857," should be the Extent of the Debt authorized to be due and owing at any one and the same Period of Time on the Security of the Rates, and that the said Sum of 266,000*l.* should be applied exclusively towards certain Objects therein particularly mentioned in connexion with the Liverpool Docks; that, owing to the rapidly increasing Trade of the Port of Liverpool, and the very urgent Requirements of Traders resorting thereto for further Dock Accommodation at Liverpool, it is expedient that the Board should be authorized to take up at Interest a further Sum of Money, not exceeding the Sum of 300,000*l.*, for the Purpose of enabling them to construct and complete some of the Docks and other Works which by the aforesaid 22d Section of "The Mersey Dock Acts Consolidation Act, 1858," they are authorized to construct and complete on the East or Liverpool Side of the River Mersey, and not being any of the Objects or Works referred to in or contemplated by the aforesaid 281st Section of the same Act.

III. The Board may borrow at Interest, on the Security of the Rates, (exclusive of any Sum or Sums of Money required for the Completion of the Birkenhead Docks and Works, and for the Purposes specially provided for by the "Mersey Docks and Harbour Act, 1857,") a further Sum not exceeding Three hundred thousand Pounds, which Sum of Three hundred thousand Pounds, with the Sum of Six million four hundred thousand Pounds, the Amount of Debt authorized by "The Mersey Dock Acts Consolidation Act, 1858," will amount to the Sum of Six million seven hundred thousand Pounds, and such Sum of Six million seven hundred thousand Pounds (exclusive of such other Moneys as aforesaid) shall be the Extent of the Debt authorized to be due and owing at any one and the same Period of Time on the Security of the Rates, and such Sum of Three hundred thousand Pounds shall be applied exclusively in or towards the Construction and Completion, upon Land now vested in the Board, of some or all of the following Objects in connexion with the Liverpool Docks, that is to say, a Branch Dock from and out of and being an Enlargement of the Huskisson Dock, at the South-east Corner thereof, a Half-tide Basin at the North End of and communicating with the existing Canada Dock and Canada Basin, Two narrow or Canal-shaped Docks, running eastwardly from the Half-tide Basin, and a Lock on the North Side of such last-mentioned Basin, together with such Jetties, Cranes, and other Works as may be necessary for the Transport, Loading, and Discharge of Timber to, from, into, and in the Space proposed to be used as a Timber Pond or Ponds to the Northward of the said Half-tide Basin, and generally for increasing the Public Accommodation in connexion with the existing Docks and Works at Liverpool.

IV. In order to make Provision for the Repayment of the Principal Moneys which have already been borrowed or which may hereafter be borrowed by the Board, under the Authority of Parliament, be it enacted, That after Payment in each Year of all Charges and Expenses attending the Collection of Rates, or incidental thereto or to the Recovery thereof, and after Payment of all Interest accruing due on Moneys for the Time being forming a Charge upon such Rates, and of the Dock Annuities authorized to be granted by the Board, and after Payment of all Charges and Expenses of supporting, maintaining, and repairing the Works authorized to be erected,

established, and maintained by the Board, and of the general Management of the Mersey Dock Estate, and of all reasonable Expenses necessary for conducting, securing, preserving, improving, amending, maintaining, and protecting the same, the Board shall, yearly and every Year subsequent to the Twenty-fourth Day of June One thousand eight hundred and sixty, apply the Surplus, if any, of the Rates which shall remain in their Hands after such Payments as aforesaid, to the Extent of One hundred thousand Pounds, or such less Amount as the said Surplus shall be equal to, in or towards the Repayment of some or any of the Principal Moneys which shall then be due and owing on the Security of the Rates, and which shall then have become due and payable, and in the purchasing up and extinguishing of the Mersey Dock Annuities which may be then existing, according to the respective Priorities of such Moneys and Annuities, until all Principal Moneys due on the Security of the Rates shall have been repaid, and all Mersey Dock Annuities shall have been purchased up and extinguished; and, subject to the Provisions herein contained, all Rates and other Moneys which shall be collected, levied, borrowed, and raised, or received, under or by virtue of the said recited Acts or either of them, or of this Act, the Application of which may not be otherwise expressly directed, shall and may be applied by the Board according to the Provisions for that Purpose contained in Section Two hundred and eighty-four of the "Mersey Dock Acts Consolidation Act, 1858."

V. In case the Board shall at any Time possess any such Surplus as aforesaid applicable towards paying off borrowed Moneys, or redeeming or extinguishing Mersey Dock Annuities, it shall be lawful for them to apply all or so much of the Surplus applicable as aforesaid as they shall deem expedient in or towards any Purposes for which they have Power to borrow Moneys on the Security of the Rates under this or any previous Act.

VI. When and as often as any of the surplus Moneys shall have been applied by the Board under the above Provisions in Repayment of any Moneys borrowed on the Security of the Rates or in the Purchase or Extinguishment of any Dock Annuity, or in or towards any Purposes for which Moneys might otherwise have been borrowed on the Security of the Rates, the Borrowing Powers of the Board to the Extent of the Moneys so applied shall be extinguished.

Cap. xxi.

"The *Poole* Waterworks Act, 1859."

Incorporates Companies, Lands, and Waterworks Clauses Acts, §§ 3, 4.
Company incorporated, with a Capital of 12,000*l.* in 10*l.* Shares, and Power to borrow 3,000*l.*, §§ 5 to 10.
Meetings; Directors, §§ 11 to 19.
Works and Reservoir Provisions, §§ 20 to 24.
Five Years for Completion of Works, § 25.
Rates; Water Supply; Penalties, §§ 27 to 42.

Cap. xxii

"The Accidental Death Insurance Company's Act, 1859."

Recites the Formation in 1849 of "The Accidental Death Insurance Company," and of the "Railway Assurance Company" in 1850; their Amalgamation by 15 & 16 Vict. c. lvi.; the Formation in 1854 of the "Travellers and Marine Insurance Company;" proposes to dissolve the amalgamated Companies, and to transfer their Business to the Travellers and Marine Insurance Company, to be henceforth called "The Accidental Death Insurance Company."
Change of Name, § 4.
Dissolution of amalgamated Companies, § 5.
Company to represent dissolved Companies, § 6.
Saving of Rights and Liabilities, §§ 7 to 10.
Company to continue under Deed of Settlement, §§ 11, 12.
Assurance Tickets, &c., &c. of Company to be deemed Policies of Assurance, § 13.
Children under Twelve not to be assured, § 14.
Saving Rights under 9 & 10 Vict. c. 93.,—§ 15.

Cap. xxiii.

"*Cork and Kinsale Junction* Railway Act, 1859."

Incorporates Companies and Railways Clauses Acts, and Railways Acts (Ireland), § 1.
Company incorporated, with Capital of 45,000*l.* in 10*l.* Shares, and Power to borrow 15,000*l.*, §§ 3 to 9.
Meetings; Directors, §§ 10 to 15.
Railway and Works, §§ 16 to 18, to be completed in Five Years, §§ 30, 31.
Locomotives not to be used upon Branch Railway or Tramway, § 19.
Board of Trade Provisions as to level Crossings, §§ 20 to 22.
Communications with Cork and Bandon Railway, §§ 24 to 26.
Three Years for compulsory Purchases, § 28.
Consent of Secretary for War to User of Crown Lands, § 29.
Tolls, §§ 32 to 39.
Traffic Arrangements with Cork and Bandon Railway Company, §§ 40 to 46.

Cap. xxiv.

"The *Fishguard* Harbour Act, 1859."

Incorporates Companies, Lands, and Harbours, &c. Clauses Acts, with certain Exceptions, § 3.
Limits of Harbour, § 4.
Company incorporated, with Capital of 3,000*l.*, and Power to borrow 1,000*l.*, §§ 5 to 10.
Meetings; Directors, §§ 11 to 15.
Limitation of Dividends, § 17.
Harbour and Works, § 18.
Reclaimed Land not to be taken without Consent of Commissioners of Woods and Forests, § 19.
Admiralty Provisions, §§ 20 to 22.
Rates and Leasing of Rates, §§ 23 to 26.
Saving Rights of Crown and of Lord of the Manor, §§ 27, 28.
Schedules.

Cap. xxv.

"The *European* Assurance Society's Act, 1859."

Recites that the People's Provident Assurance Society are established and regulated by a Deed of Settlement, dated 2d September 1854, with a Capital of 200,000*l.*, with Power to increase the same to any Amount, and the Objects for which they are established comprise, in addition to Life Assurance, Endowment, Annuity, Fire Insurance, and other Business, the guaranteeing and becoming Security or Surety to such Extent or within such Limits as the Directors for the Time being of the Society deem expedient, for the Integrity, Honesty, and Fidelity, and the Absence of Negligence, Defaults, and Irregularities in the Conduct of Persons holding or about to enter into Offices or Situations of pecuniary Trust or Confidence, and the guaranteeing against Loss of Persons bound as Sureties, or otherwise responsible for others holding such Offices or Situations, and generally the transacting of every Description of Business ordinarily transacted or capable of being transacted by an Assurance or Guarantee Company or Society, or appertaining or in-

cidental thereto, and the uniting and combining together of those several Objects or Purposes, and to that Intent the making or granting of Assurances, of any Kind or Description, respectively dependent or contingent or conditional upon the Integrity, Honesty, or Fidelity, or the Absence of Negligence, Defaults, or Irregularities in the Conduct of Persons in or about to enter into Offices or Situations of pecuniary Trust or Confidence, and for whose Honesty, Fidelity, or Integrity or the Absence of Negligence, Defaults, or Irregularities in whose Conduct the Society might be, or be about to become directly or indirectly responsible; that the Society obtained a Certificate of complete Registration under the Act for the Registration, Incorporation, and Regulation of Joint Stock Companies, and became and are incorporated thereunder accordingly; that the Society have acquired the Business and Goodwill of the European Life Insurance and Annuity Company; that by a Resolution of the Shareholders of the Society, dated the 12th November 1855, the Capital of the Society was authorized to be increased, and the subscribed Capital of the Society now amounts to 221,860*l.*, whereof 58,152*l.* are paid up, and the Assets of the Society, irrespective of their unpaid Capital, exceed 250,000*l.*, and their yearly Income exceeds 110,000*l.*, and the Number of their Shareholders exceeds 650; that the Society are desirous, and it is expedient that Provision be made for their Guarantee being taken instead of other Security required to be given by Persons in Public Offices and Employments; and to change their Name.

Name of Society changed to "The European Assurance Society," § 3.
Society to continue under their Deed of Settlement, § 4.
Saving of Rights notwithstanding Change of Name, §§ 5 to 8.
Society to be liable for Policies, &c. issued by the Society and the European Company, § 9.
Guarantee of Society may be taken instead of other Security required from Persons in Public Offices and Employments, § 10.
Bonds or Policies for such Guarantee, § 11.
Evidence in case of Forfeiture of Bond or Policy, § 12.
Guarantee of Society may be taken instead of Security required from Persons administering the Poor Laws, §§ 13, 14.
Public Officers not personally liable for anything done under the Act, § 15.
Guarantee of Society may be taken instead of Security required from Officers of Savings Banks, &c., § 17.
Reserved Fund to meet Guarantees under Act to be formed by Society, § 18.
Investment of Reserved Fund, § 19.
Application of Reserved Fund, § 20.
Limit of Amount of Guarantee by Society, § 21.
In a certain Event Treasury may suspend Powers of Act for effecting Guarantees, § 22.
List of Shareholders and Balance Sheet, &c., to be sent annually to the Lords of the Treasury, § 23.
Treasury may appoint an Inspector to inspect the Accounts of the Society, § 24.
Act not to discharge Society from Liability, § 25.
Society to make Returns to Registrar of Joint Stock Companies, § 26.

Cap. xxvi.

"The *Scarborough* Gas Act, 1859."

Recites Incorporation by 14 & 15 Vict. c. xiv., that their Share Capital is 20,000*l.* fully paid up, and that they have borrowed 3,330*l.*; proposes to increase Capital and amend recited Act.
Incorporates Parts of Companies Clauses Act, § 1.
Power to issue new Shares, to be disposed of by Auction or otherwise, to the Amount of 30,000*l.*, with or without a Preference not exceeding 6*l.* per Cent., §§ 2 to 13.
Limitation of Dividend, § 14.
Power to borrow to the Amount of One Fourth of new Capital, §§ 16 to 20.
Price and Quality of Gas, §§ 21, 22.
Mode of testing Quality of Gas, §§ 22 to 25.

Cap. xxvii.

"*Standard* Life Assurance Company's Act, 1859."

Recites 2 Will. 4. c. lxxxi., and 8 & 9 Vict. c. lxxv., and proposes to repeal Portions of those Acts.
Repeal of Parts of Act of 2 Will. 4.,—§ 2.
Time for Annual General Meeting, § 4.
Regulations as to Directors, §§ 5 to 8.
Company not bound by Trusts affecting Shares, § 9.
Company may pay on Receipt of Trustee of Policy or Annuity, § 10.
Arrestment of Shares, &c. to be loosed, &c. within Twelve Months, or Share to be sold by Directors, § 11.
Bankrupt Shareholder to cease to exercise Rights of Shareholder, § 12.
Executors, &c. of deceased Shareholders, and Assignees, &c. of bankrupt, &c. Shareholders, to sell Shares within Two Years, § 13.
Executors, &c. not to be Shareholders till registered, and Assignees, &c. not to be Shareholders, § 14.
Directors may sell under first-recited Act Shares not transferred or claimed within Two Years, § 15.
Transfers of Shares, &c., §§ 16 to 22.
Form of Certificate of Share, § 24.
Period for closing Transfer Books, § 25.
Extent of Business of Company, § 26.
Power for Directors to allow Time for Payment of Premiums, § 27.
Power to undertake Business of other Companies, &c., § 28.
Local Boards and Local Agents, §§ 29, 30.
Powers of Attorney for acting abroad on behalf of Company, § 31.
Act not to incorporate the Company, § 32.

Cap. xxviii.

"*East Suffolk* Railway Act, 1859."

Recites that by "The East Suffolk Railway Companies Amalgamation Act, 1858," their Capital is 620,000*l.*, with Power to borrow to Extent of One Third; that by the "East Suffolk Railway (Branch and Capital) Act, 1858," they have Power to raise 360,000*l.* by new Shares and 120,000*l.* by borrowing; proposes to construct another Branch Railway, to raise further Moneys, and to amend Acts.
Incorporates Lands and Railways Clauses Acts, §§ 2, 3.
Extension Railway; Board of Trade Provisions, §§ 4 to 10.
Two Years for compulsory Purchases, § 11.
Three Years for Completion of Works, §§ 12, 13.
Power to raise 40,000*l.* by new Shares, §§ 14 to 17.
Power to borrow not exceeding 340,000*l.* in all, § 18.
Borrowing Provisions of Companies Clauses Act and Sections 26 to 35 of the first-recited Amalgamation Act, applied to Moneys borrowed, §§ 19 to 21.
Tolls, §§ 23, 24.
Saving Rights of Crown, § 28,

Cap. xxix.

"*Victoria* (*London*) Docks Act, 1859."

Recites the Works authorized by Company's Acts of 1850, 1853, and 1857; proposes to extend Time, and to obtain Protection against Claims or Liens for Freight.
Extension of Time till 4th August 1862, § 2.
Company not to be responsible for Validity of Claims made for Freight, § 3.
Publication of Rates, § 4.

Cap. xxx.

"The *Commercial* Docks Acts Amendment Act, 1859."

Power to detain Goods for Freight, § 1.
Deposit to be considered as made in Payment of Claims for Freight, § 2.
Declaration by Owner or Consignee of Goods as to Amount in dispute, § 3.
Notice to retain Deposit to be void, unless Proceedings instituted within Thirty Days, § 4.
Notice to detain for Freight not to be available against Warrants issued by Company unless given within Seven Days after landing of Goods, § 5.
If no Deposit within Ninety Days after Notice to detain, Goods may be sold by Company, § 6.
Ten Days Notice by Post or Advertisement before Sale, § 7.
Company not to be affected by Excess or Invalidity of Claim, § 8.

Cap. xxxi.

"The *Ballymena and Portrush* (*Coleraine* Junction) Railway Act, 1859."

Recites 16 & 17 Vict. c. lxxx.; proposes to make a Junction with the Londonderry and Coleraine Railway.
Incorporates Lands and Railways Clauses Acts, and the Railways (Ireland) Acts, § 2.
Railway and Works, §§ 3 to 6; to be completed in Three Years, §§ 8, 9.
Two Years for compulsory Purchases, § 7.
Communication with Londonderry and Coleraine Railway, §§ 10 to 13.
Admiralty Provisions as to crossing River Bann, §§ 14 to 21.
Tolls, §§ 22, 23.
Power to raise 15,000*l.* by new Shares, with or without a Preference not exceeding 5*l.* per Cent., §§ 24 to 28.
Power to borrow 2,000*l.*, §§ 29, 30.
Saving Rights of the Irish Society, § 35.

Cap. xxxii.

'*King's Lynn* Waterworks and Borough Improvement Act, 1859."

Recites 10 Geo. 4. c. v. (Waterworks Act), 43 Geo. 3. c. xxxvii., and 46 Geo. 3. c. xxi. (Paving Acts); that by the Waterworks Act the Corporation of the Borough of King's Lynn were authorized to borrow Money on Mortgage of their Waterworks and Water Rents, and they borrowed Moneys accordingly; but the whole of the Money so borrowed has been paid off, and there is not now any Sum charged on their Waterworks and Water Rents; that the existing Waterworks are insufficient for affording a proper Supply of Water to the Inhabitants of the Borough and adjacent Districts, and it is expedient that Provision be made for the Extension of such Supply and for the cleansing of the Aqueducts called respectively the "Gaywood River," which belongs to the Corporation, and the Grimstone River respectively, by which Aqueducts Water is brought to the Waterworks; and for authorizing the Corporation to supply Water within the Parish of Gaywood (which adjoins the Borough) and other adjacent Districts, and to levy Water Rates, and to borrow Money for the Purposes of the Waterworks and the Markets respectively, and that the Powers of the Corporation and the Provisions of the Waterworks Act be in other respects amended, and in order thereto that the Waterworks Act, so far as it relates to Supply of Water and Regulation of Markets, and Part of the Second Paving Act, be repealed and Parts thereof be re-enacted; that it is expedient that the Corporation be authorized to purchase Land (within the Borough) for the Purposes of the present Cattle Market, and that further Provision be made for the Regulation of the Markets and Fairs, and of Buildings within the Borough, and for the Amendment and Extension of recited Acts.
Limits of Act for Corporation and for Paving Commissioners, §§ 3, 4.
Execution of Act by Corporation and by Paving Commissioners, §§ 5, 6.
Repeal of Part of Waterworks Act and Second Paving Act, § 7.
Corporation to remain entitled to their Waterworks, Markets, and other Property, § 8.
Gaywood River to remain vested in the Corporation, § 9.
Corporation to continue entitled to Powers under other Acts, § 10.
General Saving of Rights under Waterworks Act and Second Paving Act, §§ 11 to 20.
Incorporation of Lands Clauses Act, § 22.
Power for Corporation to purchase, &c. by Agreement, Lands, &c., § 23.
Lands, &c. of Corporation under Act to be Part of their Corporate Estate, § 24.
Incorporation of Waterworks Clauses Act, 1847, § 26.
Waterworks Committee of Corporation, § 27.
Waterworks Committee to execute Acts as to Waterworks, §§ 28 to 30.
Corporation may maintain their present Waterworks, § 31.
Corporation may take Water from Gaywood and Grimstone Rivers, &c., § 32.
For Protection of the Grimstone River, § 33.
Drains not to be made in Gaywood River without Consent of Corporation, § 34.
Arrangements for Drainage into Grimstone River, § 35.
Depth for laying Water Pipes, § 36.
Relaying Water Pipes, § 37.
Communication Pipes, § 38.
Ground to be opened where Water escapes, § 39.
Power for Corporation to collect and supply Water, § 40.
Regulations as to Water Supply, §§ 41 to 50.
For preventing fouling of Water, § 51.
Provision as to laying Gas Pipes, § 52.
Power for Corporation to levy Water Rate within the Borough for Supply for domestic Purposes, § 54.
Provision for Reduction and Increase of Water Rates, § 55.
Provision as to Supply for other Purposes not domestic, § 56.
Limit of Rates for Supply by Meter, and for certain Engines, § 57.
Provision for Supply of Meters and Fittings, §§ 58 to 60.
Penalty for Non-supply, § 61.
Power to lease Water Rates, § 63.
Byelaws of Corporation as to Waterworks, § 64.
Incorporation of Parts of Markets and Fairs Clauses Act, 1847, § 65.

Markets Committee of the Corporation, § 66.
Markets Committee to execute Act as to Markets and Fairs, §§ 67 to 69.
Market and Fair Days, § 70.
Regulation of Markets, § 71.
Regulations as to Fairs, § 72.
For maintaining present Markets, &c., § 73.
Corporation to provide Places for Cattle Market, § 74.
Corporation may provide Market Houses, § 75.
Discontinuance of Market Houses, &c. when others provided, § 76.
Power to stop up, &c. Streets, § 77.
Corporation may provide Weighing and Measuring Houses, § 78.
Prohibiting Sales elsewhere than in Market, § 79.
Penalty for Nuisances in Market Places, § 80.
Power to lease Stalls, &c., § 81.
Stallages and Tolls for Markets and Fairs, § 82.
Tolls for Cattle Market, § 83.
Stallages and Tolls, &c., §§ 84 to 86.
Corporation may lease Markets, § 87.
Incorporation of Commissioners Clauses Act, 1847, for Purposes of Waterworks and Markets, § 88.
Power for Corporation to borrow 12,000*l.*, for Waterworks, § 89. 5,000*l.* for Markets, § 90.
Sinking Fund, § 91.
Receiver for Mortgagees, § 93.
Corporation or Paving Commissioners not bound by Trusts affecting Mortgages, § 94.
Publication of Waterworks Accounts, § 95.
Waterworks Fund, §§ 96, 97.
Markets Fund, §§ 98, 99.
Repeal of Sections of Paving Acts, § 101.
Notice of Meetings, § 102.
Term of Contracts with Paving Commissioners, § 103.
Security for Contracts with Paving Commissioners, § 104.
Purchase by Paving Commissioners of Lands for Sewers, § 105.
Powers of Paving Commissioners as to Streets, &c., extended to Courts, &c., not Thoroughfares, § 106.
Interpretation of the Word "Pavement" in Paving Acts, § 107.
Provisions of Paving Acts as to Buildings to apply to all but specified Buildings, § 108.
Extension of Provision of First Paving Act as to carrying Nightsoil, § 109.
Penalty for Offences against Paving Acts, § 110.
Proceedings by Paving Commissioners under Paving Acts, § 111.
Incorporation of Parts of Towns Improvement Clauses Act, 1847, § 112.
Incorporation of Parts of Towns Police Clauses Act, 1847, § 113.
Construction of Privies and Drains, § 114.
Penalties for Offences in Borough, §§ 115 to 120.
Saving Rights of the Crown, of the Duchy of Cornwall, of Mayor and Corporation as to Markets, &c., and of the Corporation and Paving Commissioners, §§ 123 to 126.
Schedules of Rates and Tolls.

Cap. xxxiii.

"The *Tavistock* Markets Act, 1859."

Recites that the Duke of Bedford is Owner of the greatest Part of the Property in the Town, and is entitled to hold the Markets and Fairs, and to receive the Rents and Tolls, and that the present Market Accommodation is insufficient, and that the Duke is willing to provide improved Market Houses and Slaughter-houses, &c.
Incorporates Lands, and Markets (except Sect. 50) Clauses Acts, § 1.
Limits of Act, § 4.
Power to make Market Places, to stop up old and make new Streets, and to purchase Lands, §§ 5 to 7.
Holding of Markets, §§ 8, 9.
Slaughter-houses, §§ 10, 11.
Tolls, §§ 12 to 20.
Lands not required vested in Duke of Bedford, § 21.
Repair of new Streets by Tavistock Turnpike Trustees, § 22.
Penalties, §§ 23, 24.
Three Years for compulsory Purchases, § 25.
Five Years for Completion of Works, § 26.
Schedules. (Tolls.)

Cap. xxxiv.

"The *Leominster and Kington* Railway Amendment Act, 1859."

Recites Incorporation under 17 & 18 Vict. c. cxliv., and Power to raise 80,000*l.* in 8,000 Shares; that only 5,889 have been issued, representing 58,890*l.*; proposes to issue remaining Shares with a Preference, to obtain further Powers with respect to forfeited Shares, and to confirm certain level Crossings.
Power to maintain level Crossings, §§ 1, 2.
Power to issue unissued Shares at a Preference not exceeding 5*l.* per Cent., §§ 3, 4.
Cancelling of forfeited Shares, and Reissue, §
Quorum of Meetings, § 6.

Cap. xxxv.

"The *Great Northern* Railway Act, 1859."

Preamble recites that it is expedient to enable the Great Northern Railway Company to improve the Means of Communication between their Railway and the North London Railway, and also to enable them to purchase certain Lands in the Parishes of Saint Mary, Islington, and of Saint Pancras, in Middlesex, in order to improve Access to their Station, and, for the Purposes aforesaid, to alter the Level of a Portion of York Road, formerly Maiden Lane, in the same Parishes; that by "The Great Northern Railway Act "(No. 1), 1851," Power was given to the Company to raise 750,000*l.* by Shares, and to attach to the Shares a preferential Dividend, upon such Terms as a Meeting of the Company might prescribe; and in pursuance of the said Powers the Company have created and issued Stock and have received Capital to the Amount of 745,850*l.*, upon condition that the same Stock shall be entitled to a preferential Dividend at the Rate of 5*l.* per Centum per Annum, and that the same Stock may be redeemable by the Company upon giving Six Months Notice in Writing to the Proprietors thereof, and upon Repayment to the said Proprietors of the Amounts paid by them severally, together with a Premium of 10*l.* per Centum on the Amounts so paid; and by a subsequent Act of the same Year, which Act is called "The Great Northern Railway (Communication with "the Manchester, Sheffield, and Lincolnshire Railway) Act, "1851," the Company was authorized to raise 60,000*l.* by Shares, and in like Manner to attach to the same Shares a preferential Dividend; and "The Great Northern Rail-

"way Company (Increase of Capital) Act, 1853," contains Powers to the Company to raise a Preference Stock, bearing a Dividend not exceeding 4*l.* per Centum per Annum, for the Purpose of paying off the Preference Shares authorized to be created under the Powers of the said Two recited Acts of 1851, but the Powers contained in the said Act of 1853 have not been acted on; and are insufficient; that by the same Act of 1853 the Company were authorized to raise another and additional Sum of 750,000*l.*; and it was enacted that the Capital so to be raised should "receive Dividends at the Rate of 4*l.* 10*s.* per Centum per Annum, in preference to the Payment of Dividends on the ordinary Shares of the Company, subject to a Power in the Company to redeem the same upon Six Months Notice at a Premium of 10*l.* per Centum;" and in pursuance of the Powers contained in the said Act, and of the secondly-recited Act of 1851 (14 & 15 Vict. c. cxiv.), the Company has created Stock and received Capital to the Amount of 804,950*l.*, bearing a preferential Dividend of 4*l.* 10*s.* per Centum per Annum, subject to the same Conditions for the Redemption thereof as are herein-before mentioned with relation to the said Capital Sum of 745,850*l.*; that by "The Great Northern Railway Act, 1855," Power was given to the Company to raise in Shares a further Sum not exceeding 1,000,000*l.*; and it was enacted that "the Holders of the said Shares shall be entitled to the Payment of fixed Dividends thereon, or on so much thereof as may from Time to Time be paid up at the Rate of 5*l.* per Centum per Annum, in preference to the Payment of Dividends on the ordinary Shares of the Company;" and it is provided "that it shall be lawful for the Company at any Time, after giving to the Holders thereof Six Months Notice of the Intention to redeem the same, so to redeem the said Shares by repaying to the Holders thereof the Amount paid thereon, together with a Sum by way of Premium of 5*l.* per Centum on the Amount so paid;" and in pursuance of the same Powers the Company have created Stock to the Amount of 1,000,000*l.*, and have received Payments thereon to the Amount of 600,000*l.*; but they have not called up any Part of the remaining Sum of 400,000*l.*; that it is expedient that further Provision should be made for redeeming the Stocks created under the Powers of the Two first-recited Acts, and that the Provision herein-after contained should be made for redeeming the Stocks created under the Acts of 1853 and 1855; and it is also expedient to extend to the Debt due by the East Lincolnshire Railway Company, on Mortgage or Bond (for which Debt the Great Northern Railway Company are liable during the Subsistence of the Lease to them for 1,000 Years of the East Lincolnshire Railway), the Provisions contained in the said Act of 1853 for the Conversion of Mortgage Debt into Debenture Stock; that by "The Great Northern Railway Act, 1846," it is enacted that the Number of Directors should be Thirty-six, and that it should be lawful for the Company to reduce that Number, provided that the reduced Number should be not less than Sixteen, and that the Quorum should not be less than Six; and the Number of Directors has been reduced to Sixteen accordingly; and it is expedient that Power should be given to the Company still further to reduce the Number of their Directors, and in that Case to reduce the Number forming a Quorum of the Board.

Incorporates 8 & 9 Vict. cc. 18 & 19,—§ 1.

Interpretation, § 2.

Power to construct new Works according to deposited Plans, § 3.

Describing Works, § 4.

For preventing Stoppages or Obstruction to the Traffic in Maiden Lane, § 5.

Power also to take Lands for Station, § 6.

Reserving certain Powers for North London Railway Company, § 7.

For Preservation of Sewers, § 8.

Saving Rights of Metropolitan Board of Works and Vestry of Islington, § 9.

Two Years for Purchase of Lands and for the Completion of the Works, § 10, 11.

If Railway not opened for public Traffic within Two Years, Payment of Dividends on ordinary Shares to be suspended, § 12.

Tolls upon new Line of Railway, 13 & 14 Vict. c. lxi.,—§§ 13, 14.

Company may apply their Funds towards Purposes of Act, § 15.

Providing Means for redeeming Preference Stocks, § 16.

Stocks to be redeemed accordingly, § 17.

Extent of preferential Dividends, § 18.

As to Payment of half-yearly Dividend on ordinary Stock, § 19.

Conversion of Debt into Debenture Stock, § 20.

Saving Mortgages and Bonds; Debenture Stock to extinguish Debt, § 21.

Votes of Holders of Debenture Stock, and Transfer and Registry of Stock, § 22.

Arrears of Dividend may be enforced by Appointment of a Receiver, §§ 23, 24.

Power to reduce Number of Directors, § 25.

Previous Notice to be given by Candidates for Office of Director, § 26.

PRIVATE ACT,

PRINTED BY THE QUEEN'S PRINTERS,

AND WHEREOF THE PRINTED COPY MAY BE GIVEN IN EVIDENCE.

N.B.—*To this Act is annexed a Clause in the Form following:*

"This Act shall not be a Public Act, but shall be printed by the several Printers to the Queen's most Excellent Majesty "duly authorized to print the Statutes of the United Kingdom, and a Copy thereof so printed by any of them shall be "admitted as Evidence thereof by all Judges, Justices, and others."

Cap. 1.

An Act to authorize *Charles Frederick Clifton* Esquire and the Lady *Edith Maud* his Wife, and their Issue, to assume and bear the Surnames of "*Abney Hastings*" in lieu of the Surname of *Clifton*, and to bear the Arms of "*Abney*" and "*Hastings*," in compliance with the Condition contained in a Settlement made by Sir *Charles Abney Hastings* Baronet, deceased, of certain Estates in the Counties of *Derby* and *Leicester*.

TABLES

SHOWING THE EFFECT OF THE LEGISLATION OF SESSION 1, 1859.

TABLE I.

[In Order of Cap.]

22 Vict.	Effect.	Act affected.	Subject of Act affected.
Cap. I. - -	Amends -	20 & 21 Vict. c. 81. s. 23.	Act to amend the Burial Acts.
II. - -	Repeals - -	3 Jac. 1. c. 1. - -	Observance of 5th Day of November.
	„ -	12 Car. 2. c. 14. - -	Observance of 29th Day of May.
*	Partly repeals -	12 Car. 2. c. 30. -	Act of Attainder of Persons guilty of the Murder of King Charles I.
	„ -	13 Car. 2. c. 7. - -	An Act for confirming Public Acts.
	„ -	13 Car. 2. c. 11. -	An Act for confirming Three Acts therein mentioned.
	„ -	24 Geo. 2. c. 23 - -	Act for regulating the Commencement of the Year and for correcting the Calendar.
	Repeals - -	14 & 15 Car 2. Sess. 4. c. 1. (Ireland) -	Observance of 29th Day of May.
	„ -	„ „ c. 23.	Observance of 23d Day of October.
VIII. - -	Repeals - -	9 & 10 Vict. c. 95. s. 32.	County Courts.
X. - -	Amends - -	21 & 22 Vict. c. 48. -	Oaths.
XI. s. 9. - -	Applies - -	5 & 6 Will. 4. c. 64. s. 4.	Stamps and Assessed Taxes.
XII. s. 1. - -	Extends -	17 & 18 Vict. c. 67. -	An Act to facilitate the Purchase of Common and other Rights by Principal Officers of Her Majesty's Ordnance.
		18 & 19 Vict. c. 117. -	An Act for transferring to One of Her Majesty's Principal Secretaries of State the Powers and Estates vested in the Principal Officers of the Ordnance.
s. 2. -	Saves - -	5 & 6 Vict. c. 94. s. 8. -	Act to consolidate and amend the Laws relating to the Services of the Ordnance Department.
s. 4. -	Amends - -	„ „ s. 19. -	
s. 5. -	Applies -	1 & 2 Vict. c. 74. - -	Act to facilitate the Recovery of Possession of Tenements on due Determination of Tenancy.
		19 & 20 Vict. c. 108. -	County Courts Act Amendment.
s. 6. -	Applies - -	14 & 15 Vict. c. 57. -	Civil Bills and Courts of Quarter Sessions in Ireland.
		14 & 15 Vict. c. 92. s. 15.	Summary Jurisdiction of Justices in Ireland.
XIII. - -	Amends - -	15 & 16 Vict. c. 83. -	Patent Law Amendment Act, 1852.

* See Schedule to the Act for the Extent of these Repeals.

Effect of the Legislation of Session 1, 1859—*continued.*

22 Vict. Cap.	Effect.	Act affected.	Subject of Act affected.
XIV. s. 5.	Extends and Applies	14 & 15 Vict. c. 92.	Summary Jurisdiction (Ireland).
		14 & 15 Vict. c. 57.	Civil Bills (Ireland).
s. 7	Applies	21 & 22 Vict. c. 100.	Petty Sessions (Ireland) Clerk Act, 1858.
s. 8.	Applies	The Stamp Acts.	
XVI.	Amends and extends	29 Car. 2. c. 5.	Act for taking Affidavits in the Country.
		4 Will. & Mary, c. 4.	Act for taking special Bails in the Country.
XVII.	Further continues*	11 & 12 Vict. c. 133.	Savings Banks in Ireland.
XIX. s. 3	Applies	15 Vict. c. 28.	Supreme Courts of Justice in Edinburgh.
XXI.	Amends†	21 & 22 Vict. c. 90.	The Medical Act, 1858.
XXV. s. 1.	Partly repeals	5 Geo. 4. c. 84.	Transportation of Offenders.
		11 Geo. 4. & 1 Will. 4. c. 39.	Act to amend 5 Geo. 4. c. 84.
		9 & 10 Vict. c. 26.	Superintendent of Convicts under Sentence.
XXVI. s. 1.	Repeals	4 & 5 Will. 4. c. 24. ss. 10, 11, 13, 14, 15, 17, 19, and 24.	Pensions and Allowances for Civil Service.
s. 14.	Amends	57 G. 3. c. 65. s. 6.	Pensions for Civil Offices.
s. 15.	Amends‡	Acts enumerated in Schedule.	
XXVII. s. 2.	Excepts	9 G. 2. c. 36.	Mortmain Act.
XXVIII.	Continues§	11 & 12 Vict. c. 58.	Naval Medical Supplemental Fund Society.
XXIX.	Further continues.‖	Provisions of several Acts referred to in 20 Vict. c. 18.	Charges upon the Common Fund of Poor Law Unions.
XXX.	Amends	21 & 22 Vict. c. 56.	Confirmation and Probate Act, 1858.
XXXIV.	Amends and explains	6 Geo. 4. c. 129.	Combinations of Workmen.
XXXV. s. 3.	Applies	5 & 6 Will. 4. c. 76. ss. 39, 40, 42, & 43.	Municipal Corporations Regulation Act.
		7 Will. 4. & 1 Vict. c. 78. s. 10.	Municipal Corporations Act Amendment.
		16 & 17 Vict. c. 79. s. 10.	Municipal Corporations. Further Provisions.
s. 12.	Applies	Acts relating to Bribery and corrupt Practices at Parliamentary Elections.	

* *i.e.* Until the 1st Jan. 1861, and until the End of the then next Session of Parliament.
† *i.e.* Repeals s. 33, extends Time for Registration to 1st July 1859, and amends Schedule.
‡ *i.e.* This Act is to be taken as referred to by the Scheduled Acts *vice* 4 & 5 Will. 4. c. 24.
§ *i.e.* for Ten Years, and thence to the End of the then next Session of Parliament.
‖ *i.e.* to 30th Sept. 1860, and to the End of the then next Session of Parliament.

TABLE II.

CHRONOLOGICAL.

[For Details, see TABLE I.]

Act affected.	Subject of Act affected.	How affected.	Act affecting.
			22 Vict. Cap.
3 Jac. 1. c. 1. - - -	Observance of 5th Day of November	Repealed - -	II.
12 Car. 2. c. 14. - -	Observance of 29th Day of May -	Repealed - -	II.
12 Car. 2. c. 30. - -	Act of Attainder of Persons guilty of the Murder of Car. 1.	Partly repealed -	II.
13 Car. 2. c. 7. - -	An Act for confirming Public Acts	Partly repealed -	II.
13 Car. 2. c. 11. - - -	An Act for confirming Three Acts therein mentioned.	Partly repealed -	II.
14 & 15 Car. 2. Sess. 4. c. 1. [Ireland.]	Observance of 29th Day of May -	Repealed - -	II.
14 & 15 Car. 2. Sess. 4. c. 23. [Ireland.]	Observance of 23d Day of October	Repealed - -	II.
29 Car. 2. c. 5. - - -	Act for taking Affidavits in the Country.	Amended - -	XVI.
4 Will. & Mary, c. 4. -	Act for taking Special Bails in the Country.	Amended - -	XVI.
9 Geo. 2. c. 36. - -	Mortmain Act - - - - -	Excepted - -	XXVII.
24 Geo. 2. c. 23. - -	Act for regulating the Commencement of the Year, and for correcting the Calendar.	Partly repealed -	II.
57 Geo. 3. c. 65. s. 6. -	Pensions for Civil Offices - -	Amended - -	XXVI.
5 Geo. 4. c. 84. - -	Transportation of Offenders - -	Partly repealed -	XXV.
6 Geo. 4. c. 129. - -	Combinations of Workmen - -	Amended and explained.	XXXIV.
11 Geo. 4. & 1 Will. 4. c. 39.	Act to amend 5 Geo. 4. c. 84. -	Partly repealed -	XXV.
4 & 5 Will. 4. c. 24. - -	Pensions and Allowances for Civil Services.	Partly repealed -	XXVI.
5 & 6 Will. 4. c. 64. s. 4. -	Stamps and Assessed Taxes - -	Applied - -	XI.
5 & 6 Will. 4. c. 76. ss. 39, 40, 42, and 43.	Municipal Corporations Regulation Act.	Applied - -	XXXV.
7 Will. 4. & 1 Vict. c. 78. s. 10.	Municipal Corporations Act Amendment.	Applied - -	XXXV.
1 & 2 Vict. c. 74. - -	Recovery of Possession of Tenements on Determination of Tenancy.	Applied - -	XII.
5 & 6 Vict. c. 94. s. 8. -	Consolidation, &c. of Laws relating to the Ordnance.	Saved - -	XII.
" " s. 19. -	" " "	Amended - -	XII.
9 & 10 Vict. c. 26. - -	Superintendent of Convicts under Sentence.	Partly repealed -	XXV.
9 & 10 Vict. c. 95. s. 32. -	County Courts - - - - -	Repealed - -	VIII.
11 & 12 Vict. c. 58. - -	Naval Medical Supplemental Fund Society.	Continued -	XXVIII.
11 & 12 Vict. c. 133. -	Savings Banks in Ireland - -	Further continued.	XVII.
14 & 15 Vict. c. 57. - -	Civil Bills and Courts of Quarter Sessions in Ireland.	Applied - -	XII. and XIV.
14 & 15 Vict. c. 92. s. 15. -	Summary Jurisdiction of Justices in Ireland.	Applied - -	XII. and XIV.
15 Vict. c. 28. - - -	Supreme Courts of Justice in Edinburgh.	Applied - -	XIX.

Effect of the Legislation of Session 1, 1859—*continued.*

Act affected.	Subject of Act affected.	How affected.	Act affecting.
			22 Vict. Cap.
15 & 16 Vict. c. 83. - -	Patent Law Amendment Act, 1852	Amended - -	XIII.
16 & 17 Vict. c. 79. s. 10. -	Municipal Corporations.—Further Provisions.	Applied - -	XXXV.
17 & 18 Vict. c. 67. - -	Purchase of Commons, &c., &c. by Ordnance.	Extended - -	XII.
18 & 19 Vict. c. 117. -	Transfer of Powers and Estates of Ordnance to Secretary of State.	Extended - -	XII.
19 & 20 Vict. c. 108. -	County Courts Act Amendment -	Applied - -	XII.
20 Vict. c. 18., Acts referred to in.	Charges upon Common Fund of Poor Law Unions.	Further continued.	XXIX.
20 & 21 Vict. c. 81. s. 23. -	Act to amend the Burial Acts -	Amended - -	I.
21 & 22 Vict. c. 48. - -	Oaths - - - - - - -	Amended - -	X.
21 & 22 Vict. c. 56. - -	Confirmation and Probate Act, 1858	Amended - -	XXX.
21 & 22 Vict. c. 90. - -	Medical Act, 1858 - - -	Amended - -	XXI.
21 & 22 Vict. c. 100. -	Petty Sessions (Ireland) Clerk Act, 1858.	Applied - -	XIV.

THE

STATUTES at Large, &c.

Anno Regni VICTORIÆ, Britanniarum Reginæ, Vicesimo Secundo & Vicesimo Tertio.

'AT the Parliament begun and holden at *Westminster*, the Thirty-first Day of *May*, *Anno Domini* 1859, in the Twenty-second Year of the Reign of our Sovereign Lady *Victoria*, by the Grace of God of the United Kingdom of *Great Britain* and *Ireland* Queen, Defender of the Faith: being the First Session of the Eighteenth Parliament of the United Kingdom of *Great Britain* and *Ireland*.'

CAP. I.

An Act to provide for the Authentication of certain Orders of the Privy Council in the Absence of the Clerk of the Council in Ordinary. [21st *July* 1859.]

'WHEREAS certain Orders of Her Majesty's Privy Council are by the Acts of Parliament which provide for the Issue thereof required to be certified or authenticated under the Hand of the Clerk in Ordinary of the said Council, and Delay and Inconvenience may arise in the event of such Clerk in Ordinary being prevented by Illness or otherwise from the Discharge of his Duty:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Person authorized to act in the Absence of the Clerk of the Council in Ordinary by signers, &c.

I. Whenever Her Majesty shall, with the Advice of Her Privy Council, make Provision for the Performance of the Duties of the Clerk of the said Council in Ordinary in the event of his Absence, any Person acting under the Authority of the Order in Council in this Behalf shall, in relation as well to the signing, certifying, and issuing of Orders of Her Majesty in Council, or of the Lords and others of Her Majesty's Privy Council, under any Acts of Parliament as to the other Duties of the Office, have and perform all the Powers and Functions and be in the Place of the Clerk of the said Council in Ordinary.

CAP. II.

An Act to apply the Sum of Seven Millions out of the Consolidated Fund to the Service of the Year One thousand eight hundred and fifty-nine. [1st *August* 1859.]

CAP. III.

An Act to amend and make perpetual "The Public Health Act, 1858." [1st *August* 1859.]

'WHEREAS an Act was passed in the Session holden in the Twenty-first and Twenty-second Years of Her Majesty (Chapter Ninety-seven) "for vesting in the Privy Council certain "Powers for the Protection of the Public Health," which Act was to be in force only until the First Day of *August* One thousand eight hundred and fifty-nine; and it is expedient that Section Eight of the said Act should be repealed, and that, except such Section, the said Act should be made perpetual:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: 21 & 22 Vict. c. 97.

Act made perpetual, except s. 8.

Section Eight of the said Act shall be repealed, and, except the said Section, the said Act shall be and the same is hereby made perpetual.

CAP. IV.

An Act to amend the Act for the better Administration of Criminal Justice in *Middlesex*. [8th *August* 1859.]

7 & 8 Vict. c. 71.

'WHEREAS by an Act passed in the Session holden in the Seventh and Eighth Years of Her Majesty, Chapter Seventy-one, "for the better Administration of Criminal Justice in *Middlesex*," Provision is made for the Appointment by Her Majesty of a Person being a Serjeant or Barrister at Law of not less than Ten Years Standing, and in the Commission of the Peace for the County of *Middlesex*, and qualified by Law to act as a Justice of the Peace, to be the Assistant Judge of the Court of the Sessions of the Peace for the said County, and the yearly Salary of One thousand two hundred Pounds is to be paid as therein mentioned to such Assistant Judge out of the Consolidated Fund of the United Kingdom: And whereas the said Office of Assistant Judge lately became vacant by the Death of *Robert Pashley* Esquire, and it is expedient to make further Provision concerning the said Office and otherwise to amend the said Act:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Justices may grant 300*l.* a Year out of County Rates as Addition to Salary of Assistant Judge;

I. It shall be lawful for the Justices of the County of *Middlesex*, if they so think fit, at any General or Quarter Session of the Peace to order to be paid out of the County Rates of such County to the Assistant Judge for the Time being, the yearly Sum of Three hundred Pounds in addition to the Salary of One thousand two hundred Pounds payable under the said Act, and such yearly Sum of Three hundred Pounds shall be paid out of such County Rates accordingly on the Days on which the said Salary of One thousand two hundred Pounds is payable out of the Consolidated Fund.

who in such Case is not to practise.

II. In case such yearly Sum of Three hundred Pounds be so ordered to be paid, no such Assistant Judge during his Continuance in such Office shall practise as a Barrister.

In certain Cases Secretary of State may appoint a Person to act temporarily as Assistant Judge.

III. During any Vacancy in the Office of such Assistant Judge, or when and so often as such Assistant Judge for the Time being shall, by reason of mental or bodily Infirmity or of unavoidable Absence, or from other Cause, be unable to appoint a Deputy pursuant to the said Act, it shall be lawful for One of Her Majesty's Principal Secretaries of State, by Writing under his Hand, to appoint a Person, being a Serjeant or Barrister at Law of not less than Ten Years Standing, to Act temporarily as or in the Place of such Assistant Judge until such Time as an Assistant Judge shall be appointed under the said Act, or until the Assistant Judge shall be able to resume his Duties, as the Case may require, and such Person so appointed under this Act shall have and exercise all such Powers and Privileges as are given by the said Act to such Assistant Judge, and shall be paid for his Services out of the County Rates of the said County any Sum not exceeding Five Guineas *per* Day whilst he shall sit and act as Assistant Judge.

General Sessions for Middlesex to have Powers of Quarter Sessions.

IV. Every General Session of the Peace for the County of *Middlesex*, and every Adjournment thereof, shall have Power to try and determine all Appeals, and all other Powers which do now or shall hereafter belong to the General Quarter Sessions for the said County; and the said Justices may and are hereby authorized to hold such Sessions, or Adjournment thereof, at the Sessions House at *Clerkenwell*.

Court may remit Fines on Jurors.

V. It shall be lawful for any Court of General or Quarter Session holden in and for the said County of *Middlesex* to spare or remit, if it shall be thought fit, any Fine imposed at a previous Session upon any Juror for Non-attendance or other Default.

As to Repeal of s. 10 of recited Act.

VI. So soon as the present Assistant Judge shall cease to hold his Office as such Judge, the Tenth Section of the said Act shall be repealed so far as relates to the Salary of any future Assistant Judge.

CAP. V.

An Act to remove Doubts as to the Qualification of Persons holding Diplomatic Pensions to sit in Parliament. [8th *August* 1859.]

'WHEREAS the Act of the Second and Third Years of King *William* the Fourth, Chapter One hundred and sixteen, regulates the Conditions on which Pensions shall be granted to Persons who have served Her Majesty in Diplomatic Offices: And whereas Doubts have arisen as to whether such Pensions, being those of Reward of Diplomatic Service authorized by Parliament, come within the Provisions of the Act of the Sixth Year of Queen *Anne*, Chapter Seven, which renders any Person holding a Pension from the Crown during Pleasure incapable of being elected or of sitting or voting as a Member of the House of Commons:' Be it hereby enacted and declared by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Persons holding Diplomatic Pensions may sit in H. of C. 2 & 3 W. 4. c. 116. not to be affected.

I. That Pensions granted for Diplomatic Services, according to the Provisions of the aforesaid Act of the Second and Third Years of King *William* the Fourth, shall not disqualify the Holder from being elected or sitting or voting as a Member of the House of Commons.

II. Nothing contained in this Act shall affect any of the Provisions of the aforesaid Act of the Second and Third Years of King *William* the Fourth for the Regulation of Diplomatic Pensions.

CAP.

CAP. VI.

An Act to enable Serjeants, Barristers-at-Law, Attorneys, and Solicitors to practise in the High Court of Admiralty. [8th *August* 1859.]

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Serjeants, Barristers, Attorneys, and Solicitors to be at liberty to practise in the High Court of Admiralty.

I. All Serjeants and Barristers-at-Law, and all Attorneys-at-Law and Solicitors, shall, from and after the passing of this Act, be entitled to practise as Serjeants, Barristers, Attorneys, and Solicitors respectively in all Matters and Causes whatsoever in Her Majesty's High Court of Admiralty; and the said Serjeants and Barristers-at-Law shall and may have and exercise the same Rights and Privileges of practising, pleading, and audience in the said High Court of Admiralty as Advocates now have and enjoy in the said Court, and the said Attorneys and Solicitors shall and may have and exercise the same Rights and Privileges of practising in the said High Court of Admiralty as Proctors now have and enjoy in the said Court; and all Persons who at the Time of the passing of this Act shall have been admitted Advocates in any of the Ecclesiastical Courts or in the said High Court of Admiralty, and the said Serjeants and Barristers-at-Law, shall have respectively the same Rank and Precedence in the said High Court of Admiralty which they now have before the Judicial Committee of the Privy Council, unless and until Her Majesty shall otherwise order: Provided always, that all Attorneys-at-Law and Solicitors practising in the said Court of Admiralty shall be subject to the Authority of the Judge of the said Court, in like Manner as Attorneys in the Court of Queen's Bench are subject to the Authority of that Court.

CAP. VII.

An Act to amend an Act of the Seventeenth and Eighteenth Years of Her Majesty, for allowing Verdicts on Trials by Jury in Civil Causes in *Scotland* to be received, although the Jury may not be unanimous. [8th *August* 1859.]

'WHEREAS by an Act passed in the Seventeenth and Eighteenth Years of the Reign of Her present Majesty, intituled *An Act to allow Verdicts on Trials by Jury in Civil Causes in Scotland to be returned, although the Jury may not be unanimous*, it was enacted, that if upon the Trial by Jury of any Civil Cause in the Court of Session in *Scotland* the Jury are unable to agree upon a Verdict, and if after having been kept in deliberation for a Period of Six Hours, Nine of the said Jury shall agree, the Verdict agreed to by such Nine may be returned as the Verdict of such Jury, and shall be taken and shall have the same Force and Effect as if found unanimously by the whole of the said Jury: And whereas it is expedient that the said Act be amended:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: 17 & 18 Vict. c. 59.

If after Three Hours Deliberation Nine of the Jury agree, a Verdict may be returned.

I. If after having been kept in deliberation for a Period of Three Hours, Nine or more of the Jury on any such Trial as in the said recited Act mentioned shall agree upon a Verdict, the Verdict agreed to by such Nine or more may then be returned, and shall be taken as the Verdict of the Jury, in like Manner and to the like Effect as is provided by the said recited Act in regard to the Verdicts thereby allowed to be returned after the Jury have been kept in deliberation for a Period of Six Hours.

Jury may be discharged without a Verdict after Six Hours Deliberation.

II. When in any such Trial Nine of the Jury shall not have agreed on a Verdict after such Jury has been kept in deliberation for a Period of Six Hours, it shall be lawful for the Court or Judge, if such Court or Judge see fit, to discharge such Jury without their having given in a Verdict, in like Manner as a Jury might, prior to the passing of this Act, have been discharged without giving in a Verdict after having been kept in deliberation for a Period of Twelve Hours.

CAP. VIII.

An Act to amend the Act of the Twentieth and Twenty-first Years of *Victoria*, Chapter Forty-five, relating to the Survey of Boundaries in *Ireland*. [8th *August* 1859.]

'WHEREAS an Act was passed in the Session of Parliament holden in the Twentieth and Twenty-first Years of Her Majesty, intituled *An Act to make further Provision for defining the Boundaries of certain Denominations of Land in* Ireland *for Public Purposes:* And whereas it is expedient to amend the same:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: 20 & 21 Vict. c. 45.

Boundary Surveyor may alter Name of Lands erro-

I. The Provisions contained in the said recited Act for enabling the Boundary Surveyor for the Time being, when he shall find that the Boundaries of any Land have been erroneously marked out, laid down, or described on the Ordnance Map of any County, to make such Alteration therein as the Circum-

neously named in Ordnance Map on Application of Owners and Proof of Error.

stances of the Case shall require, shall extend and apply to enable such Boundary Surveyor in any Case where any Lands have not been correctly named on such Ordnance Map, so far as the same can be shown by any ancient Deed, Instrument, Document, or Writing, to make such Alteration therein as the Circumstances of the Case shall require; provided that Application be made to him for such Alteration by the Owner or Owners, or reputed Owner or Owners of such Land, stating therein the Grounds on which such Application is made, and the Name of the Lands which it is proposed by such Owner or Owners to substitute for the Name of such Lands so entered on such Ordnance Map.

Boundary Surveyor may define Boundaries of certain Parishes.

II. Such Boundary Surveyor may define and mark out the Boundaries of any Parish which shall have been divided under the Provisions of an Act passed in the Seventh and Eighth Years of the Reign of King *George* the Fourth, Chapter Forty-three, or of an Act passed in the Third and Fourth Years of the Reign of King *William* the Fourth, Chapter Thirty-seven, or of an Act passed in the Eleventh and Twelfth Years of the Reign of Her Majesty, Chapter Forty-one, and of any adjoining Parish to which any Lands separated from such first-mentioned Parish shall have been united.

Recited Act and this Act to be One Act, and be subject to 17 Vict. c. 17.

III. The said recited Act and this Act shall be read together as One Act, and all such Alterations of Boundaries or Names of Land hereby authorized to be made shall be subject to the Provisions of an Act passed in the Seventeenth Year of the Reign of Her Majesty, Chapter Seventeen, with respect to the Order or Orders of the Lord Lieutenant and Privy Council.

The Publication in Dublin Gazette of the detailed Report of Boundary Surveyor to be discontinued.

IV. 'And whereas the Publication in the *Dublin Gazette* of the detailed Report of the Boundary 'Surveyor, referred to in the Order of the Lord Lieutenant in Council, is unnecessary and expensive:' Be it enacted, That it shall be sufficient for the Purposes of this Act and the several Acts herein-before mentioned that the Order only of the Lord Lieutenant in Council, made in respect of the detailed Report and Ordnance Plans submitted by the Boundary Surveyor, shall be published in the *Dublin Gazette*, but every such Order in Council shall contain a Clause that the said Order, and the Report in detail and the Ordnance Plans submitted by the Boundary Surveyor, shall remain on Record in the Council Office, and shall be exhibited to any Person or Persons who may desire to inspect the same, without Fee or Reward; and a Copy of the said Order in Council, with Copies of the Report and Ordnance Plans certified under the Hand of the Clerk of the Council, shall be transmitted to the Clerk of the Peace for each County to which such Order shall in any way relate, to be by him kept and preserved in his Office, and exhibited at all reasonable Hours to any Person or Persons who may desire to inspect the same, without Fee or Reward.

Copy of Order in Council, &c. to be transmitted to Clerk of Peace, &c.

Act to extend to Ireland only.

V. This Act shall extend to *Ireland* only.

CAP. IX.

An Act to provide for the Exercise of the Duties of Chief Superintendent in *China* in certain Cases. [8th *August* 1859.]

3 & 4 W. 4. c. 93.

6 & 7 Vict. c. 80. s. 2.

'WHEREAS by an Act passed in the Session holden in the Third and Fourth Years of King 'William the Fourth, Chapter Ninety-three, "to regulate the Trade to *China* and *India*," 'Provision was made for the Appointment of Three Superintendents of the Trade of His Majesty's 'Subjects to and from the Dominions of the Emperor of *China* (One of whom should be styled the 'Chief Superintendent): And whereas by an Act passed in the Session holden in the Sixth and 'Seventh Years of Her Majesty, Chapter Eighty, "for the better Government of Her Majesty's Subjects '"resorting to *China*," after an Enactment providing for the vesting of certain Powers in the said Chief 'Superintendent so long as he should be also Governor of the Island of *Hong Kong*, it was enacted, 'that it should be lawful for Her Majesty, by any Commission or Warrant under Her Royal Sign 'Manual, to make such Provision as to Her Majesty might seem fit for the temporary Exercise of the 'Duties of the said Chief Superintendent, in the event of a Vacancy occurring in that Office by Death, 'Resignation, or otherwise: And whereas it is expedient that Provision should be made for the Exercise 'of the Duties of the said Chief Superintendent as well during the Absence of the Person holding that 'Office as during a Vacancy:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Provision for Discharge of Duties of Chief Superintendent during a Vacancy of the Office, or during Absence.

I. It shall be lawful for Her Majesty, by any Commission or Warrant under Her Royal Sign Manual, to direct and appoint that in the event of a Vacancy occurring in the said Office of Chief Superintendent, by Death, Resignation, or otherwise, or in the event of the Absence of the Chief Superintendent from *China*, from any Cause whatever, the Person who shall be acting as Her Majesty's Chargé d'Affaires in *China* shall in any such Case as aforesaid assume and hold the Office of Chief Superintendent, and exercise all the Powers and Duties thereof, during such Vacancy or Absence, or to make by such Warrant or Commission such further or other Provision as to Her Majesty may seem fit for the Exercise of the Duties of the said Chief Superintendent during such Vacancy or Absence.

Application of Act.

II. This Act shall apply as well to the Cases in which the Chief Superintendent is not appointed Governor of *Hong Kong* as to the Cases in which he is also appointed such Governor.

CAP. X.

An Act to empower the Legislature of *Canada* to make Laws regulating the Appointment of a Speaker of the Legislative Council. [8th *August* 1859.]

'WHEREAS by an Act passed in the Session of Parliament holden in the Third and Fourth Years of Her Majesty, Chapter Thirty-five, "to reunite the Provinces of *Upper* and *Lower Canada*, "and for the Government of *Canada*," it is amongst other things provided, that the Governor of the Province of *Canada* shall have Power and Authority, from Time to Time, by an Instrument under the Great Seal of the said Province, to appoint One Member of the said Legislative Council to be Speaker of the said Legislative Council, and to remove him, and appoint another in his Stead: And whereas by an Act passed in the Session of Parliament holden in the Seventeenth and Eighteenth Years of Her Majesty, Chapter One hundred and eighteen, "to empower the Legislature of *Canada* to "alter the Constitution of the Legislative Council for that Province, and for other Purposes," Power was given to the Legislature of *Canada* to alter the Manner of composing the Legislative Council for that Province, and to make it consist of such Number of Persons appointed or to be appointed or elected by such Persons, and in such Manner as to the said Legislature may seem fit, in the Manner and subject to the Conditions by that Act provided, and for the Purpose aforesaid to vary and repeal, in such Manner as to them may seem fit, all or any of the Provisions of the first-recited Act, and of any other Act of Parliament now in force which relate to the Constitution of the Legislative Council of *Canada*; and it was thereby further enacted, that the Speaker of the Legislative Council should, as theretofore, be appointed by the Governor: And whereas the said Legislature, in pursuance of the Powers conferred on them by the said last-recited Act, have, by an Act of the Province of *Canada* passed in the Session of the said Legislature holden in the Nineteenth and Twentieth Years of Her Majesty, "to change the Constitution of the Legislative Council by rendering the same elective," provided for the Election of Members of the said Council, and for the gradual Substitution of elective for appointed Members thereof: And whereas Doubts have been entertained whether it is lawful for the Legislature of *Canada*, under the Powers given to them by the said last-recited Act of Parliament, to provide for the Appointment or Election of a Speaker of the Legislative Council, and it is expedient that such Doubts should be removed:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. It shall be lawful for the Legislature of *Canada*, by any Act or Acts passed in the Manner and subject to the Conditions specified in the said last-recited Act of Parliament, to alter the Constitution of the Legislative Council of the said Province, by providing for the Appointment or Election of a Speaker of the said Council; and for this Purpose to vary and repeal, in such Manner as to them may seem fit, so much of the herein-before recited Sections of the said Acts of Parliament, and of the Provisions of the said recited or any other Acts of Parliament, as relates to the Appointment of such Speaker. Legislature of Canada may make Laws touching Appointment, &c. of a Speaker of the Legislative Council.

CAP. XI.

An Act to confirm certain Provisional Orders under the Local Government Act (1858). [8th *August* 1859.]

'WHEREAS the Secretary of State for the Home Department, being One of Her Majesty's Principal Secretaries of State, has, under the Provisions of the Local Government Act, 1858, duly made certain Provisional Orders in the Schedule to this Act annexed, and it is provided by the aforesaid Local Government Act that no such Orders shall be of any Validity whatever until they shall have been confirmed by Parliament, and it is expedient that the said Orders should be so confirmed, and further Provision made in relation thereto:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. The Provisional Orders contained in the Schedule hereunto annexed shall, from and after the passing of this Act, be absolute, and be as binding, and of the like Force and Effect, as if the Provisions of the same had been expressly enacted in this Act: Provided always, that nothing in the Provisional Order for the Borough of *Wigan*, numbered 3. in the Schedule to this Act annexed, or in this Act, shall be deemed to give any Powers for the compulsory Purchase of Land beyond the Boundary of the said Borough. Provisional Orders in Schedule confirmed.

II. 'And whereas the Consent of the *Warwick* Local Board of Health has been duly given, as required by the Local Government Act, 1858, to the Addition to the District of *Leamington* as constituted under the Public Health Act, 1848, of so much of the Piece of Land described in the *Leamington* Provisional Order in the Schedule to this Act annexed as lies in the District of the said *Warwick* Local Board, and there are no Ratepayers of the Parish of *Milverton* residing on so much of the said Piece of Land in such Order described as lies within the said Parish to give Consent to the aforesaid Order:' Be it therefore enacted, That the Boundaries of the District of the Local Board of Health for Alteration of Boundary of Leamington District.

for *Leamington* aforesaid shall, from and after the passing of this Act, be altered as is in the said Provisional Order described.

Election of Local Board for Leamington.

III. The annual Election of Members of the Local Board for the District of *Leamington* shall take place on the First Day of *November*, and the One Third of the Members of the said Local Board who, under the Provisions of the Public Health Act, 1848, and the Public Health Supplemental Act, 1852, (No. 2.,) would have to retire from the Board on the Eighteenth Day of *August* One thousand eight hundred and fifty-nine, shall hold Office till the First Day of *November* One thousand eight hundred and fifty-nine, as if their original Election had taken place on the First Day of *November* One thousand eight hundred and fifty-six; the One Third who, under the said Provisions, would have to retire from the said Board on the Eighteenth Day of *August* One thousand eight hundred and sixty, shall hold Office till the First Day of *November* One thousand eight hundred and sixty; and the One Third who, under the said Provisions, would have to retire from the said Board on the Eighteenth Day of *August* One thousand eight hundred and sixty-one, shall hold Office till the First Day of *November* One thousand eight hundred and sixty-one.

Act incorporated with 21 & 22 Vict. c. 98.

IV. This Act shall be deemed to be incorporated with the Local Government Act, 1858, and shall be as if this Act and the said Local Government Act were One Act.

Short Title.

V. In citing this Act in any other Act of Parliament, or in any Proceeding, Instrument, or Document whatsoever, it shall be sufficient to use the Words and Figures "The Local Government Supplemental Act, 1859, (No. 2.)"

SCHEDULE referred to in the preceding Act.

1. LEAMINGTON Provisional Order. (Altering the Boundaries of the Leamington District.)
2. TEIGNMOUTH Provisional Order. (Repealing and altering Parts of a Local Act in force within the Teignmouth District.)
3. WIGAN Provisional Order. (Repealing and altering Parts of a Local Act in force within the Wigan District.)
4. WIGAN Provisional Order. (Extending the Borrowing Powers of the Wigan Local Board of Health.)
5. BATTLE Provisional Order. (Extending the Borrowing Powers of the Battle Local Board of Health.)
6. KNIGHTON Provisional Order. (Extending the Borrowing Powers of the Knighton Local Board of Health.)
7. CARDIFF Provisional Order. (Putting in force the Lands Clauses Consolidation Act, 1845, within the District of the Cardiff Local Board of Health, for the Purchase of Lands for Improvements.)
8. DERBY Provisional Order. (Repealing an Exemption from Rating under a Local Act in force within the District of the Derby Local Board of Health.)

1. LEAMINGTON.

Provisional Order for altering the Boundaries of the District of Leamington in the County of Warwick, and the Day of Election of the Local Board of the said District.—Local Government Act, 1858.

Whereas the Local Board of Health for the District of Leamington in the County of Warwick, to which District the Public Health Act, 1848, was duly applied by Provisional Order bearing date the Fifteenth Day of June 1852, confirmed by the Public Health Supplemental Act, 1852, (No. 2.,) have, under the provisions of the 77th Section of the Local Government Act, 1858, presented a Petition to one of Her Majesty's Principal Secretaries of State, bearing date the Seventh of December 1858, and praying for an alteration of the boundaries of their District by adding to such District a piece of land situate partly within the District of the Warwick Local Board of Health and partly within the neighbouring Parish of Milverton, the piece of land aforesaid being shown and bounded by a red line upon the Plan accompanying the said Petition, and also a Petition praying for an alteration in the day of the election of the said Local Board as fixed by the said Public Health Supplemental Act, 1852, (No. 2.)

And whereas, after Inquiry into such Petitions, it appears to me expedient that the prayer of such Petitions should be granted, but the same cannot be done without the authority of Parliament.

Now, therefore, I, as one of Her Majesty's Principal Secretaries of State, do hereby, in exercise of the power vested in me by the Local Government Act, 1858, direct under my Hand:—

That, from and after the passing of any Act of Parliament confirming this Order—

1.—The Boundaries of the District of the Leamington Local Board of Health shall be altered, by including therein the piece of land herein-before mentioned, and which is partly situate in the Borough and District of the Warwick Local Board of Health, and partly within the Parish

Parish of Milverton, and which piece of land is shown by a red line marking its boundaries on the Plan accompanying the aforesaid Petition of the Leamington Local Board of Health; and that so much of that piece of land as is now included within the boundaries of the Warwick Local Board of Health District shall no longer form part and parcel of such District of Warwick.

2.—The present Local Board of Health for the time being for the District of Leamington shall, from and after the passing of the Act of Parliament confirming this Order, be the Local Board of Health for the District constituted by this Order and the Act of Parliament confirming the same.

3.—At every future election of members of the said Local Board, the members to be elected shall be elected for the whole of the District as constituted by this Order, and by the votes of owners of and ratepayers in respect of property situate within the District so constituted; and any person residing therein, or within seven miles thereof, may be elected a member of said Local Board; but the number and qualification of such members shall remain as fixed by the herein-before recited Provisional Order, bearing date the Fifteenth of June 1852.

4.—The annual election of members of the said Local Board shall take place at the time prescribed in the Act confirming this Order.

Given under my Hand this First day of April 1859.

(Signed) T. SOTHERON-ESTCOURT.

2. TEIGNMOUTH.

Provisional Order repealing and altering Parts of a Local Act in force within the District of the Teignmouth Local Board, and providing for the future execution thereof.—Local Government Act, 1858, *Sec.* 77.

Whereas the Commissioners acting in execution of a certain Local Act, passed in the sixth year of the reign of King William the Fourth, intituled "An Act for better paving, lighting, watching, and "improving the Town of Teignmouth, in the County of Devon, and for supplying the inhabitants "thereof with water," have duly adopted the Local Government Act, 1858, in and for the districts comprised within the operation of the said Local Act.

And whereas the said Commissioners, acting as a Local Board under and for the purposes of the said last herein-before mentioned Act, have, in pursuance of the said Act, presented a Petition to me, as one of Her Majesty's Principal Secretaries of State, praying for the alteration and partial repeal of the said Local Act, being an Act in force within the said District having relation to the purposes of the said Local Government Act, and not conferring powers or privileges upon any corporation, company, undertakers, or individuals for their own pecuniary benefit.

And whereas, after due inquiry into the said petition, it appears to me expedient to issue a Provisional Order in relation to the said matter, but no such Order can be valid without confirmation by Parliament.

Now, therefore, in pursuance of the powers vested in me by the said Local Government Act, I, as Her Majesty's Principal Secretary of State for the Home Department, do, by this Provisional Order under my hand, direct that from and after the passing of any Act of Parliament confirming this Order—

1.—The parts of the said Local Act specified in the Schedule hereunto annexed shall be repealed.

2.—The satisfaction and compensation directed to be made in the 36th, 41st, and 42nd sections of the said Local Act, may be ascertained as directed in the Lands Clauses Consolidation Act, 1845.

3.—The existing Commissioners acting in execution of the said Local Act shall continue so to act, and shall be the Local Board for the execution of the Local Government Act, 1858, for such period as they would respectively have continued in office as such Commissioners, if the said Local Act had not been hereby repealed or altered.

4.—The day of election of the said Local Board shall continue to be the first Tuesday of the month of September in each year.

5.—The election to vacancies arising in the said Local Board by the retirement in rotation of the said Commissioners, according to the said Local Act or otherwise, as regards both the electors and the candidates for election, shall be regulated in all respects by the provisions of the said Local Government Act and the Public Health Act, 1848; and the said Local Government Act and Public Health Act shall, from and after the passing of any Act of Parliament confirming this Order, be the sole Acts in force in the said District with regard to the election and qualification of the said Local Board.

6.—The repeal or alteration of the sections of the said Local Act, under this Order, shall not extend to any matters or things not provided for in the Local Government Act, 1858, the Public Health Act, 1848, or any of the other Acts incorporated with the said Local Government Act;

nor

nor to invalidate or affect any past acts, contracts, or transactions of the said Commissioners under the said Local Act, or any acts, contracts, or transactions which have been authorized or directed by the said Commissioners; or any rates or rentals already made or allowed by, or now due to the said Commissioners, or which may become due previous to the passing of any Act of Parliament confirming this Order.

Given under my Hand this 19th day of July 1859.

(Signed) G. C. Lewis.

Schedule to which this Order refers.

The parts of the Local Act referred to in this Order to be repealed are as follows; that is to say,

The sections numbered respectively in the copies of the said Act printed by the King's Printers, 3 to 17, both inclusive; 20, 21; 23 to 30, both inclusive; 37 to 39, both inclusive; 56; 59 to 62, both inclusive; 77 to 84, both inclusive; 87 to 90, both inclusive; 93 to 95, both inclusive; 103 to 106, both inclusive; 110; 111, except as to beating carpets on the Den; 112, 113; 115 to 122, both inclusive; 129; 131 to 181, both inclusive; 183 to 198, both inclusive; 200, 201, and 202.

3. WIGAN.

Provisional Order repealing and altering Parts of a Local Act in force within the District of the Wigan Local Board of Health.—Local Government Act, 1858, *Sec.* 77.

Whereas the Local Board of Health for the District of Wigan in the County Palatine of Lancaster have, in pursuance of the 77th section of the Local Government Act, 1858, presented a petition to me, as one of Her Majesty's Principal Secretaries of State, praying for the alteration and partial repeal of the "Wigan Waterworks Act, 1853," being an Act in force within the said district, having relation to the purposes of the said Local Government Act, and not conferring powers or privileges upon any corporation, company, undertakers, or individuals for their own pecuniary benefit.

And whereas since the passing of the "Wigan Waterworks Act, 1853," it has been found necessary and expedient to deviate from the plans and sections referred to in the section numbered 9 in the copies of the said Act printed by Her Majesty's Printers, in executing the works thereby authorized in the manner and to the extent defined upon the plans and sections marked A, and signed by the Right Honourable Sir George Cornewall Lewis, Baronet, as one of Her Majesty's Principal Secretaries of State, and which said plans and sections have been deposited with the Clerk of the Peace for the County Palatine of Lancaster.

And whereas, after due inquiry into the said Petition, it appears to me expedient to issue a Provisional Order in relation to the said matter, but no such Order can be valid without confirmation by Parliament.

Now, therefore, in pursuance of the powers vested in me by the said Local Government Act, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order, under my hand, direct that from and after the passing of any Act of Parliament confirming this Order—

1.—The said Local Board shall be allowed to adopt, substitute, and use, in lieu of the plans and sections described in the said 9th section of the said Act, the said plans and sections marked A, and so signed by the Right Honourable Sir George Cornewall Lewis, Baronet, as one of Her Majesty's Principal Secretaries of State, and which have been so deposited as aforesaid; and all the powers and provisions of the "Wigan Waterworks Act, 1853," shall be read and construed to apply to such last-mentioned plans and sections so signed as fully and effectually as if the same had been mentioned in the said "Wigan Waterworks Act, 1853," at the time of the passing thereof, except so far as such provisions are inapplicable to such last-mentioned plans and sections.

2. So much of the Section numbered 18 in the copies of the said Act printed by Her Majesty's Printers, as provides,—That when, and as soon as, and from time to time, and as often as the said Earl, his heirs and assigns (meaning the Earl of Crawford and Balcarres), or other the owner or owners for the time being of the said mines (meaning the mines referred to in the 16th section of the said Act), or any of them, shall in working or in preparing to work the said mines, or any of them, have made or driven any levels, drifts, or other workings in any stratum at a depth not greater than one hundred yards below the surface of the site of the said reservoir (meaning the reservoir referred to in the 17th section of the said Act), or in any stratum at any depth whatever below the surface of the site of the said tunnel (meaning the tunnel referred to in the said 17th section of the said Act) to or within a distance of thirty yards of a perpendicular line downwards from any side or part of the said sites respectively, the said Local Board of Health shall from time to time, within twenty-one days after being required so to do by the said Earl, his heirs or assigns, or other the said owner or owners for the time being of the said mines by notice in writing under his or their hands respectively, such notice being served on the Clerk of the said Local Board, or left at the office of the said Local Board, make compensation and pay to the said Earl, his heirs or assigns, or other the said owner or owners,

owners, for so much of the said coal, cannel, and other minerals of the said mines, lying not deeper than one hundred yards from the surface under the site of the said reservoir, and under all lands within an area of thirty yards all round the same site, and make compensation and pay to the said Earl, his heirs or assigns, or other the said owner or owners for the time being, for all the coal, cannel, and other minerals, at whatever depth under the site of the said tunnel, and under all lands within an area of thirty yards all round the same site; and that such payments and compensations respectively shall, as to each successive stratum of coal and cannel, and other minerals, be ascertained and recovered when and so soon as each of such strata shall be so, as aforesaid, driven into or worked within the said distance of thirty yards of a perpendicular line downwards from any side or part of the sites of the said tunnel and reservoir respectively; and such payments and compensations respectively shall from time to time be so ascertained and recovered in manner provided by "The Lands Clauses Consolidation Act, 1845," with respect to compensation for lands taken, or injuriously affected, shall be repealed in so far as relates to the purchase of the said mines lying to the north of the embankment of the reservoir about to be constructed by the said Local Board, according to the plans and sections referred to in the last preceding section of this Order; and the said Earl, his heirs and assigns, and the said Local Board, may enter into such contracts and agreements as shall be necessary for the protection of the estates and mines of the said Earl, his heirs and assigns, and for carrying into effect the several works of the said Local Board.

3.—So much of the Section numbered 26 in the copies of the said Act so printed as aforesaid as provides that the Local Board shall make and construct, and for ever afterwards maintain in good order, repair, and condition, a good and substantial bridge, with suitable approaches, for the purpose of forming a communication between the lands of Richard Clayton Browne Clayton, in the said Act referred to, which will be severed by the reservoir and other works by this Act authorized, across the reservoir proposed to be made within the lands of the said Richard Clayton Browne Clayton, at some convenient point near where the road, number 30, in the township of Worthington, crosses the Seven Stars Brook, to be selected by the said Richard Clayton Browne Clayton, his heirs or assigns, or other the person or persons for the time being entitled in possession to Adlington Park, and that such bridge shall be of handsome and ornamental design and construction, and such as to be suitable for a carriage approach to Adlington Hall, shall be repealed.

4.—The time given to the said Local Board by the said Act for the completion of the works authorized and required under the said Act, shall be extended to the expiration of five years from the date of the passing of the Act of Parliament confirming this Order.

Given under my Hand this 19th day of July 1859.

(Signed) G. C. LEWIS.

4. WIGAN. (Borrowing Powers.)

Provisional Order for extending the Borrowing Powers of the Wigan Local Board of Health.—Local Government Act, 1858.

Whereas by a Provisional Order of the General Board of Health, bearing date the Tenth day of June 1850, confirmed by the Public Health Supplemental Act, 1850, (No. 2.,) the Public Health Act, 1848, was duly applied to the Borough of Wigan, in the County of Lancaster, and the said Borough was thereby constituted a District under that Act.

And whereas the Local Board of the said District have borrowed under the said Public Health Act, and under a Local Act passed in the Seventeenth Year of the Reign of Her present Majesty, and intituled "An Act for supplying the Borough of Wigan in the County Palatine of Lancaster with Water, for the "better Regulation of the Police therein, and for other Purposes," and with the authority of the General Board of Health, sums amounting in the whole to One hundred and sixteen thousand six hundred and twelve Pounds Five Shillings and Three Pence, to defray the expense of a portion of the works for sewering, and supplying water to, the said District, which said sums are not sufficient to defray the cost of completing the works for the purposes aforesaid.

And whereas the said Local Board have, under the authority of the 78th Section of the Local Government Act, 1858, petitioned the Right Honourable Spencer Horatio Walpole, at the date of the said petitioning one of Her Majesty's Principal Secretaries of State, for power to re-borrow the said amount, and also to borrow the further sum of Twenty-five thousand five hundred and twenty-four Pounds Fourteen Shillings and Nine Pence, or so much thereof as may be required to complete the said works, such further sum, together with the amount to be so re-borrowed, not exceeding in the whole two years assessable value of the premises assessable to the said Acts within the said district, and to be repaid within a period of fifty years from the date of the borrowing thereof.

And whereas, after due inquiry into the allegations of the said petitioners, and report thereon by Henry Austin, Esquire, the Inspector appointed for the purpose of such inquiry and report, it appears expedient that the prayer of the said Petitioners should be granted; but the same cannot be done without the consent of Parliament.

Now, therefore, in pursuance of the power now vested in me, as one of Her Majesty's Principal Secretaries of State by the said Local Government Act, I do hereby, by this Provisional Order under my Hand, direct as follows:

That from and after the passing of any Act of Parliament confirming this present Order—

The Local Board of Health for the District of Wigan, in the County of Lancaster, shall have power and authority, for the purposes aforesaid, and on mortgage of the rates leviable by them under the Local Government Act, 1858, to borrow, and from time to time during the said term of fifty years to re-borrow, the said sum of One hundred and sixteen thousand six hundred and twelve Pounds Five Shillings and Threepence, and to borrow, and from time to time during the said term of fifty years to re-borrow, the further sum of Twenty-five thousand five hundred and twenty-four Pounds Fourteen Shillings and Ninepence, which sums together make up the amount of two years assessable value of premises assessable under the said Act in the said district; but no part of the said last-mentioned sum of Twenty-five thousand five hundred and twenty-four Pounds Fourteen Shillings and Ninepence shall be borrowed without the sanction of one of Her Majesty's Principal Secretaries of State. And the whole of the said sum shall be repaid, with interest thereon, within a period of fifty years from the date of the re-borrowing or borrowing thereof respectively.

Given under my Hand this 19th day of July 1859.

(Signed) G. C. Lewis.

5. BATTLE.

Provisional Order for extending the Borrowing Powers of the Battle Local Board of Health.—Local Government Act, 1858.

Whereas by an Order of Her most Gracious Majesty in Council, bearing date the Fifth day of May 1851, the Public Health Act, 1848, was duly applied to the Parish of Battle in the County of Sussex, and the said Parish was thereby constituted a District under that Act.

And whereas the Local Board of the said District have borrowed under that Act, and with the authority of the General Board of Health, sums amounting in the whole to Two thousand four hundred Pounds, to defray the expense of a portion of the works for sewering, and supplying water to, the said District, which said sums at the time the borrowing of them was sanctioned equalled the assessable value for one year of the premises assessable under that Act within the part of the District which the said works were intended to benefit, but were not sufficient to defray the cost of completing the works for the purposes aforesaid.

And whereas the said Local Board have, under the authority of the 78th Section of the Local Government Act, 1858, petitioned the Right Honourable Spencer Horatio Walpole, at the date of the said petition one of Her Majesty's Principal Secretaries of State, for power to borrow a further sum or sums, not exceeding in the whole Three thousand seven hundred Pounds, in order to enable such Local Board to pay off their existing debt of Two thousand four hundred Pounds and outstanding claims, and also to defray the cost of completing the works for sewering, and supplying water to, their District; and whereas such further sum or sums will not exceed two years assessable value of the premises assessable within such District; and whereas the said further sum or sums are proposed to be repaid within a period of fifty years from the date of the borrowing thereof.

And whereas, after due inquiry and report by Henry Austin, Esquire, the inspector appointed for the purpose, and after the assent by the ratepayers of the aforesaid District in public meeting assembled, it appears expedient that the prayer of such petition should be granted; but the same cannot be done without the consent of Parliament.

Now, therefore, in pursuance of the power vested in me, as one of Her Majesty's Principal Secretaries of State, by the said Local Government Act, I do hereby, by this Provisional Order under my Hand, direct as follows:—

That from and after the passing of any Act of Parliament confirming this present Order—

The Local Board of Health for the District of Battle, in the County of Sussex, shall have power and authority to borrow, for the purposes aforesaid, on mortgage of the rates leviable by them under the Local Government Act, 1858, an amount not exceeding in the whole Three thousand seven hundred Pounds, to be repaid, with interest thereon, within a period of fifty years from the date of the borrowing thereof.

Given under my Hand this 19th day of July 1859.

(Signed) G. C. Lewis.

6. KNIGHTON.

Provisional Order for extending the Borrowing Powers of the Knighton Local Board of Health.—Local Government Act, 1858.

Whereas by an Order of Her most Gracious Majesty in Council, bearing date the Thirtieth Day of January 1850, the Public Health Act, 1848, was duly applied to the Borough of Knighton, in the County of Radnor, and the said Borough was thereby constituted a District under that Act.

And whereas the Local Board of the said District have borrowed under that Act, and with the authority of the General Board of Health, sums amounting in the whole to Two thousand seven hundred and eighty Pounds, to defray the expense of a portion of the works for sewering, and supplying water to, the said District, which said sums at the time the borrowing of them was sanctioned equalled the assessable value for one year of the premises assessable under that Act within such District, but were not sufficient to defray the cost of completing the works for the purposes aforesaid.

And whereas the said Local Board have, under the authority of the 78th Section of the Local Government Act, 1858, petitioned the Right Honourable Spencer Horatio Walpole, at the date of the said petition one of Her Majesty's Principal Secretaries of State, for power to borrow a further sum or sums, not exceeding in the whole Three thousand nine hundred and forty-nine Pounds Four Shillings and Fivepence, in order to enable such Local Board to pay off their existing debt, and also to defray the cost of completing the works for sewering, and supplying water to, their District; and whereas such further sum or sums will not exceed two years assessable value of the premises assessable within such District; and whereas the said further sum or sums are proposed to be repaid within a period of fifty years from the date of the borrowing thereof.

And whereas, after due inquiry and report by William Ranger, Esquire, the Inspector appointed for the purpose, and after the assent by the ratepayers of the aforesaid District in public meeting assembled, it appears expedient that the prayer of such Petition should be granted; but the same cannot be done without the consent of Parliament.

Now, therefore, in pursuance of the power now vested in me, as one of Her Majesty's Principal Secretaries of State, I do hereby, by this Provisional Order under my Hand, direct as follows:

That from and after the passing of any Act of Parliament confirming this present Order—

The Local Board of Health for the District of Knighton, in the County of Radnor, shall have power and authority to borrow, for the execution and completion of works of sewerage and water supply within such District, on mortgage of the rates leviable by them under the Local Government Act, 1858, an amount not exceeding in the whole Four thousand Pounds, to be repaid, with interest thereon, within a period of fifty years from the date of the borrowing thereof.

Given under my Hand this 19th day of July 1859.

(Signed) G. C. Lewis.

7. CARDIFF.

Provisional Order putting in force the Lands Clauses Consolidation Act, 1845, within the District of the Cardiff Local Board of Health, in the County of Glamorgan, for the Purchase of Lands by the said Board for Improvements.—Local Government Act, 1858.

Whereas the Local Board of Health in and for the District of Cardiff, in the County of Glamorgan, to which the Public Health Act, 1848, was duly applied by a Provisional Order of the General Board of Health, confirmed by the Public Health Supplemental Act, 1850 (No. 3), have, in pursuance of the Provisions of the 75th section of the Local Government Act, 1858, and after complying with the requirements of that section by duly giving and serving all notices thereby directed, presented a Petition, under the Seal of the said Local Board, to one of Her Majesty's Principal Secretaries of State, for authority to put in force the Lands Clauses Consolidation Act, 1845, to enable the aforesaid Local Board of Health to purchase certain pieces of land and certain buildings for the improvement of High Street, Smith Street, Queen Street, and Frederick Street, all situate within the District of the said Local Board.

And whereas the said Petition duly set forth in the Schedules annexed thereto the several pieces of land and the several buildings intended to be taken by such Board for such purposes, and the names of the owners, lessees, and occupiers of the aforesaid pieces of land who have assented, dissented, and are neuter in respect of the taking of such pieces of land and buildings, or who have returned no answer to the notice issued by such Board; and such Petition prayed that the said Board might, with reference to such land and buildings, be allowed to put in force the powers of the Lands Clauses Consolidation Act aforesaid, with respect to the purchase and taking of land otherwise than by agreement; and on the receipt of such Petition, Her Majesty's Principal Secretary of State for the Home Department directed William Ranger, Esq., the Inspector appointed for the purpose, to visit the said district of Cardiff, and the said Inspector has now inquired in the district aforesaid into the subject matter of such Petition, and has duly reported thereon.

Now, therefore, I, as Her Majesty's Principal Secretary of State for the Home Department, do hereby, in pursuance of the powers vested in me by the Local Government Act, 1858, make Order and direct—

That, from and after the passing of any Act of Parliament confirming this Order, the Local Board of Health for the District of Cardiff, in the County of Glamorgan, shall be empowered to put in force, with reference to the land referred to and described in the Schedule to this Order annexed, the powers of the Lands Clauses Consolidation Act, 1845, with respect to the purchase and taking of land otherwise than by agreement.

Given under my Hand this 19th day of July 1859.

(Signed) G. C. Lewis.

SCHEDULE referred to in the preceding Order.

THE Pieces of Land and the Buildings proposed to be taken, as described in the foregoing Order, are the following; the figures referring to the figures on the Plan mentioned in the Petition of the Local Board of Health herein-before mentioned:—

No. on Plan.	Lands proposed to be taken.	Owner, Lessee, and Occupier.
1 & 1*a*	Land and Buildings thereon in High Street, Cardiff.	William Tell Wheeler, Elizabeth Evans, William Aubrey, Eliza Richards, Ann Kelly, Jane Richards, William Richards } Joint Owners.
1	- - - - -	Wm. Tell Wheeler (Occupier).
1*a*	- - - - -	Mary Ann Thomas (Occupier).
2	The same - - -	Lord Dynevor (Owner). Wm. Henry Morgan (Lessee). Philip Jones (Occupier).
3	The same - - -	John Homfray, John Richards Homfray } Joint Owners. Hannah Ward (Lessee). John Willett (Occupier).
4 & 5	Land and Buildings thereon in Queen Street and Smith Street, Cardiff.	Samuel Rees Lloyd (Owner). Baptiste Pedrazzini (Occupier).
6	The same - - -	Samuel Rees Lloyd (Owner). Henry Thomas (Occupier).
7, 8, & 9	The same - - -	John Stuart Corbett, James Evans, Richard Evans } Joint Owners.
7	- - - - -	Mary Grey (Occupier).
8	- - - - -	Thomas Fry (Do.)
9	- - - - -	William Lewis (Do.)
10 & 11	The same - - -	John Homfray, John Richards Homfray } Joint Owners.
10	- - - - -	Joseph Fisher (Occupier).
11	- - - - -	John Stainton (Do.)
12, 13, & 14	Land and Buildings thereon situate on the west side of Frederick Street, and fronting Bridge Street, Cardiff.	William Vachell (Owner).
12	- - - - -	David James and Charles Ridd } Lessees.
13 & 14	- - - - -	Charles Ridd (Lessee).
12 & 13	- - - - -	David James (Occupier).
14	- - - - -	Samuel Williams (Occupier).

8. DERBY.

Provisional Order repealing an Exemption from Rating under a Local Act in force within the District of the Derby Local Board of Health.—Local Government Act, 1858, *Sec.* 77.

Whereas the Local Board of Health in and for the District of Derby, in the County of Derby, to which the Public Health Act, 1848, was duly applied by Provisional Order, bearing date the Twenty-third day of May 1850, and confirmed by the Public Health Supplemental Act, 1850, have, in pursuance of the Local Government Act, 1858, presented a Petition to me, as one of Her Majesty's Principal Secretaries of State, praying for the repeal of an Exemption from Rating made by a certain Local Act of Parliament in force within the said District having relation to the purposes of the said Local Government Act, and not conferring powers or privileges upon any corporation, company, undertakers, or individuals for their own pecuniary benefit, that is to say, an Act passed in the Sixth year of the reign of King George the Fourth, intituled "An Act for better paving and otherwise improving the Borough "of Derby."

And

And whereas, in pursuance of the said Local Government Act, inquiry has been directed and made in the said District in respect of the matters mentioned in the said Petition.

And whereas it appears to me expedient to issue a Provisional Order in relation to the said matters, but no such Order can be valid without confirmation by Parliament.

Now, therefore, in pursuance of the powers vested in me by the said Local Government Act, I, as Her Majesty's Principal Secretary of State for the Home Department, do, by this Provisional Order under my hand, direct that from and after the passing of any Act of Parliament confirming this Order—

So much of the section numbered 103 in the copies of the said Local Act, printed by the King's printer, as exempts from any of the rates or assessments made by virtue of the said Local Act, all lands or grounds used solely for husbandry and agricultural purposes, and houses of which the annual value, to be ascertained as in the said Act directed, shall not exceed five pounds, shall be repealed; but such repeal shall not extend and apply to houses and buildings occupied exclusively for the purposes of public charity.

Given under my Hand this 19th day of July 1859.

(Signed) G. C. Lewis.

CAP. XII.

An Act to repeal, as regards the Colony of *Victoria*, and to enable other Colonial Legislatures to repeal, certain Provisions of the Imperial Acts of the Fifty-fourth Year of *George* the Third, Chapter Fifteen, and of the Fifth and Sixth Years of *William* the Fourth, Chapter Sixty-two. [8th *August* 1859.]

'WHEREAS by the First, Second, and Third Sections of an Act passed in the Fifty-fourth Year of His late Majesty King *George* the Third, intituled *An Act for the more easy Recovery of Debts in Her Majesty's Colonies of* New South Wales, Provision was made for the Proof, by Affidavit, Affirmation, or otherwise, of certain Matters requiring to be proved before any Courts of Law or Equity in *New South Wales* or its Dependencies, and for the Punishment of Persons guilty of making such Affidavits or Affirmations falsely: And whereas by the Fifteenth and Seventeenth Sections of an Act passed in the Session of Parliament held in the Fifth and Sixth Years of His late Majesty King *William* the Fourth, intituled *An Act to repeal an Act of the present Session of Parliament, intituled "An Act for the effectual Abolition of Oaths and Affirmations taken and made in various "Departments of the State, and to substitute Declarations in lieu thereof," and for the more entire Suppression of voluntary and extra-judicial Oaths and Affidavits, and to make other Provisions for the Abolition of unnecessary Oaths*, Provision was made for the Proof by solemn Declaration or otherwise of certain Matters or Things requiring to be proved before any Court of Law or Equity in Her Majesty's Possessions abroad: And whereas it is expedient that the Provisions above recited should be repealed as regards the Colony of *Victoria*, and that as well the said Provisions as the Fourth Section of the said first-recited Act of Parliament should be alterable or repealable as regards any of Her Majesty's Possessions abroad by the Legislature or other Legislative Authority of such Possession:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

54 G. 3. c. 15.

5 & 6 W. 4. c. 62.

I. The First, Second, and Third Sections of the said first-recited Act of Parliament, and the Fifteenth and Seventeenth Sections of the said secondly-recited Act of Parliament, shall be and they are hereby repealed so far as they apply to Her Majesty's Colony of *Victoria*.

As to Repeal of recited Acts.

II. It shall be lawful for the Legislature or other Legislative Authority of any of Her Majesty's Possessions abroad to which any of the Provisions contained in the said first-recited Act, or in the Fifteenth or Seventeenth Section of the said secondly-recited Act, shall apply, to repeal, alter, or amend all or any of the Provisions, so far as applicable to such Possession, in like Manner and subject to the same Conditions as if the same had been originally enacted by such Legislature or Legislative Authority.

Colonial Legislatures may alter, &c. Provisions of recited Acts applicable to such Possessions.

CAP. XIII.

An Act to enable Her Majesty to confirm an Act passed by the Legislature of *Antigua*, intituled *An Act to extend the Operation of the Laws of* Antigua *to the Island of* Barbuda. [8th *August* 1859.]

'WHEREAS in the Month of *September* One thousand eight hundred and fifty-eight an Act was passed by the Legislature of Her Majesty's Island of *Antigua*, intituled *An Act to extend the Operation of the Laws of* Antigua *to the Island of* Barbuda; and it was provided in the said Act that the same should not have effect until Her Majesty's Pleasure should be signified thereon: And whereas Doubts are entertained respecting the Competency of the said Legislature to enact the said Act, and of Her Majesty to ratify and confirm the same:' Be it therefore enacted by the Queen's most Excellent

Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Her Majesty empowered to confirm recited Act of Legislature of Antigua.

I. It shall be lawful for Her Majesty, with the Advice of Her Privy Council, to ratify and confirm the said Act, and the said Act shall, from the Day on which it shall have been so ratified and confirmed, be deemed to be valid and effectual within the said Islands of *Antigua* and *Barbuda*, to all Intents and for all Purposes whatever.

CAP. XIV.

An Act to amend an Act of the Thirty-ninth and Fortieth Years of King *George* the Third, for better regulating the Business of Pawnbrokers. [8th *August* 1859.]

'WHEREAS certain Provisions relating to Informations, Penalties, and Convictions are contained in certain Sections, herein-after more particularly referred to, of an Act passed in the Second and Third Years of the Reign of Her present Majesty, Chapter Seventy-one, intituled *An Act for regulating the Police Courts in the Metropolis;* but such Provisions are restricted in their Operation to the Metropolitan Police Districts: And whereas another Act was passed in the Thirty-ninth and Fortieth Years of King *George* the Third, intituled *An Act for better regulating the Business of Pawnbrokers:* And whereas it is expedient to extend certain of the Provisions of the first-recited Act to the second-recited Act:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

2 & 3 Vict. c. 71.

39 & 40 G. 3. c. 99.

Provisions contained in Sections 32, 33, 34, and 35 of 2 & 3 Vict. c. 71. extended to 39 & 40 G. 3. c. 99. and to all Parts of England.

The Provisions and Enactments contained in the Thirty-second, Thirty-third, Thirty-fourth, and Thirty-fifth Sections of the said recited Act of the Second and Third *Victoria*, Chapter Seventy-one, for regulating the Police Courts in the Metropolis, shall extend and be construed, deemed, and taken to extend to the said Act of the Thirty-ninth and Fortieth Years of King *George* the Third, and to all Parts of *England*, in the same Manner and to the same Extent, and to all Intents and Purposes, as if the said Provisions and Enactments were herein repeated and set forth at Length: Provided, that whenever the Word "Magistrate" is used in the said Sections, or any of them, it shall be construed, deemed, and taken, for the Purposes of this Act, to mean any Stipendiary Magistrate or other Justice or Justices of the Peace for the District, County, Riding, Division, City, Liberty, Town, or Place where the Offence has been committed.

CAP. XV.

An Act to suspend the making of Lists and the Ballots for the Militia of the United Kingdom. [8th *August* 1859.]

[*All Proceedings relating to Ballot for Militia suspended until* 1*st Oct.* 1860.]

CAP. XVI.

An Act to enable the Commissioners of Her Majesty's Works to acquire a Site for the Purposes of Her Majesty's Court of Probate, and other Courts and Offices. [8th *August* 1859.]

'WHEREAS it is expedient that further and better Accommodation should be provided for the Purposes of Her Majesty's Court of Probate and the principal Registries and other Offices connected therewith, and also for such other Courts and Offices as are necessary for the Public Service, and that certain Land situate in the City of *London*, described in the Schedule to this Act, should be acquired and appropriated by the Commissioners of Her Majesty's Works and Public Buildings, herein-after called "the Commissioners," as herein-after mentioned for the Purposes aforesaid: And whereas a Map or Plan describing the Land to be acquired by the said Commissioners, under the Authority of this Act, has been prepared under the Direction of the Commissioners:' May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Commissioners of Works, &c. incorporated for the Purposes of this Act.

I. The Persons who for the Time being, under the Provisions of the Act passed in the Session of Parliament Fourteenth and Fifteenth *Victoria*, Chapter Forty-two, shall be Commissioners of Her Majesty's Works and Public Buildings, shall, for the Purposes of this Act, be and are hereby constituted a Corporation by the Name and Style of "The Commissioners of Her Majesty's Works and Public Buildings," and by that Name shall have perpetual Succession and use a Common Seal, to be by them from Time to Time altered as they think fit.

Commissioners of Works to carry this Act into execution.

II. It shall be lawful for the Commissioners and they are hereby authorized, out of any Monies which have been or which may from Time to Time be appropriated by Parliament and put at their Disposal for that Purpose, to purchase, as after provided, the Land in the City of *London* mentioned in the Schedule to this Act, and to pull down and remove the Buildings thereon when so purchased, and to appropriate the Sites thereof and all the Land mentioned in the Schedule to this Act, whether now used as Courts, Yards, Gardens, vacant Ground, or otherwise, as a Site for the Erection thereon of Buildings

Buildings for the Purposes of the Court of Probate and the principal Registries and other Offices connected therewith, and also for the Purposes of such other Courts and Offices necessary for the Public Service, and in such Manner as shall be from Time to Time prescribed by the Commissioners for the Time being of Her Majesty's Treasury, and to carry the Purposes of this Act into execution in manner herein mentioned.

All Lands purchased under this Act to be vested in Commissioners.

III. All Land purchased by the Commissioners under the Authority of this Act shall be vested in them for the Public Service, and shall be subject to the Provisions of an Act passed in the Session of Parliament holden in the Fifteenth Year of the Reign of Her present Majesty, Chapter Twenty-eight, and in all respects as if the same had been acquired under the Provisions of that Act.

Plan to be deposited in the Office of Works, &c., and be open for Inspection.

IV. The said Map or Plan describing the Land or any Part thereof to be acquired by the Commissioners under the Authority of this Act shall, when signed by the Commissioners for executing the Office of Lord High Treasurer, be deposited at the Office of the Commissioners of Her Majesty's Works and Public Buildings, and shall remain at the said Office, to the end that all Persons may at all seasonable Times have Liberty to inspect and peruse the same at their Will and Pleasure, paying the Sum of One Shilling for every such Inspection.

Power to stop up Streets and Ways.

V. It shall be lawful for the Commissioners to stop up and wholly discontinue any Ways, Paths, Streets, or Passages which now lead into or pass through or by the Side of the Land and Premises hereinbefore mentioned; and the Ground and Soil of such Ways, Paths, Streets, or Passages as shall be so stopped up and discontinued, and the Fee Simple and Inheritance thereof, shall be and are hereby vested in the Commissioners and their Successors for the Purposes of this Act: Provided always, that nothing in this Act contained shall authorize or empower the Commissioners to stop up and wholly discontinue or build upon any Portion of *Upper Thames Street, Addle Hill, Great Knightrider Street,* or *Bennett's Hill,* without the Consent of the Commissioners of Sewers for the Time being of the City of *London,* and which Consent such last-mentioned Commissioners are hereby authorized to give.

Power to raise or lower Streets.

VI. The Commissioners are hereby empowered to raise or lower the Ground of any Streets or Ways which shall communicate with the Site for the Erection of Buildings thereon as aforesaid, or any Part thereof respectively, making Compensation to the Owners of Houses injured by such Alterations, as shall be agreed on between the Parties.

Power to take Land.

VII. For the Purposes of this Act it shall be lawful for the Commissioners to take and use any Land, and pull down and remove any Houses or Buildings thereon, at any Time after the Expiration of Six Months Notice in Writing from the Commissioners, or their Agent duly authorized, of their Intention to take or use the same, shall either be given to the principal Officer of the Body Politic, Corporate, or Collegiate, or to the Person who shall be the Owner and Occupier of such Land, or, in case he cannot be found or ascertained, left at the usual or last known Place of his Abode, or with the Tenant or Occupier of the said Land, or shall be affixed upon the Premises, and for the Purposes of this Act the Owner shall be any Person hereby capacitated to sell.

No Land to be taken without Consent, &c.

VIII. Provided always, That no Land shall be taken for the Purposes of this Act, except such as is mentioned in the Schedule to this Act, without the Consent in Writing of the Owner thereof being first obtained.

Premises may be taken, notwithstanding Errors in the Schedule.

IX. It shall be lawful for the Commissioners to purchase, take down, and use for the Purposes of this Act any of the Tenements described on the said Plan as intended to be taken for the Purposes of this Act, although such Tenements, or the Name or Names of the Owner or Occupier thereof, may happen to be erroneously stated or omitted in the said Schedule, in case it shall appear to any Two or more of the Aldermen of the City of *London,* and be certified under their Hands, that such Error or Omission proceeded from Mistake or erroneous Information.

Power to Commissioners, &c., to enter upon Land for surveying, &c.

X. It shall be lawful for the Commissioners, and for their Surveyors, Officers, and Workmen, at all reasonable Times in the Daytime, upon giving Notice in Writing, for the First Time Twenty-four Hours, and afterwards from Time to Time Twelve Hours previous Notice, to enter into and upon all or any of the Land authorized to be taken and used as aforesaid for the Purpose of surveying or valuing the same.

Commissioners empowered to treat for Purchases.

XI. It shall be lawful for the Commissioners to agree for the Purchase of any Land which they may deem necessary to be taken for the Purposes of this Act, and of any Interest therein or Charges thereon, or such of them, or such Part or Parts thereof, as the Commissioners shall think proper, and to enter into any Contract in respect of the Premises which they may think fit.

Land purchased to be conveyed to Commissioners, &c.

XII. The Land which may be purchased in pursuance of this Act shall be conveyed to the Commissioners of Her Majesty's Works and Public Buildings and their Successors, or to such Person as they shall direct, in trust for the Purposes of this Act, and the Rents and Profits of the said Land shall be received and applied by the said Commissioners for the Purposes of this Act.

Limitation of Time for compulsory Purchases.

XIII. If the Commissioners shall not within the Space of Three Years from the passing of this Act purchase or take the Land or Parts thereof which they are hereby empowered to purchase, then the compulsory Powers hereby granted to them for such Purpose shall cease.

Bodies Politic, Trustees, and other Persons

XIV. It shall be lawful for all Bodies politic, corporate, or collegiate, ecclesiastical or lay, aggregate or sole, and for all Trustees and Feoffees in trust for charitable and other Purposes, and all Executors and Administrators, not only for and on behalf of themselves, their Successors, Heirs, Executors, and Administrators

empowered to sell and convey.

Administrators respectively, but also for and on behalf of their respective Cestuique Trusts, whether Infants, Femes Covert, Idiots, Lunatics, or Persons not born or not ascertained, or any other Person or Persons whomsoever, and to and for all Tenants for Life or for Years absolute or determinable on any Life or Lives, and every Person having any other partial or qualified Estate or Interest, not only for and on behalf of themselves, their Heirs, Executors, Administrators, and Issue, but also for and on behalf of the Person or Persons entitled in remainder, reversion, expectancy, or contingency, or for any other future Estate or Interest where such Persons or any of such Persons whether entitled to the next or any subsequent Estate or Interest, or any Part thereof, shall not be ascertained, or shall be incapable of contracting for selling or conveying the same, and to and for all Guardians, whether of the Person or Estate, on behalf of their Wards, Husbands on behalf of their Wives, Committees on behalf of the Persons of whose Estates they shall be Committees, and the Heirs, Executors, and Administrators and Issue of such Wards, Wives, or Persons respectively, and to and for all Femes Covert entitled in their own Right, and notwithstanding any Restraint from Alienation to any such Land, or to Dower or other Interest therein, on behalf not only of themselves but also of their respective Heirs, Executors, Administrators, and Issue, and also where such Wards, Wives, Persons, or Femes Covert respectively shall be Tenants for Life or in Tail or for Years, or have any other partial or qualified Estate or Interest, to and for such Guardians, Husbands, Committees, and Femes Covert, on behalf of the Person or Persons on behalf of whom such Wards, Wives, Persons, or Femes Covert respectively, if of full Age, unmarried, and of sound Mind, might have contracted for, sold, and conveyed the said Land, and to and for every other Person whomsoever who is or shall be seised or possessed of or interested in any of the said Land which by the Commissioners shall be thought necessary for any of the Purposes of this Act to contract for, sell, and convey the same, and every or any Part thereof, to the Commissioners and their Successors, or to such Person as the Commissioners shall direct, for the Purposes of this Act; and all Contracts and Assurances which shall be made by such Bodies Politic, Corporate, or Collegiate, Trustee or Trustees, or other Person or Persons as aforesaid, shall be valid and effectual in the Law, and all Bodies Politic, Corporate, or Collegiate, and all Persons whomsoever, contracting or conveying as aforesaid, are hereby indemnified for or in respect of any such Sale which they or any of them shall respectively make by virtue of this Act.

Satisfaction to be made and may be accepted.

XV. Every Body and Person herein capacitated to contract for, sell, and convey any such Land as aforesaid, and any other Owner or Owners of any such Land, or any Share, Estate, or Interest therein or Charge thereon, may accept such Satisfaction for the Value thereof, and such Bodies or Persons, and also any Tenant or other Occupier of any such Premises entitled to any Compensation for Tenants Fixtures, and for any other Injury or Damage as shall be sustained on account of the Execution of this Act, may accept such Sum of Money in respect thereof as shall be agreed upon between him and the Commissioners, and in case they cannot agree as to the Amount the same shall be ascertained by a Jury in manner herein-after directed.

Parties to deliver a Statement of their Claims.

XVI. On or before the Expiration of One Month next after Notice in Writing from the Commissioners or their Agent duly authorized of their Intention to take or use any Land, or any Part thereof, for the Purposes of this Act, shall have been given, left, or affixed as herein-before is mentioned, every Body or Person authorized by this Act to accept Satisfaction or Recompence for the Value of the same, or any Estate, Share, or Interest therein or Charge thereon, or having or claiming to be entitled to any Compensation for any Goodwill or Improvements, or for Fixtures, or for any Injury or Damage sustained on account of the Execution of this Act, shall deliver to the Commissioners or leave at their Office a Statement in Writing of the Particulars of the Estate, Share, Interest, or Charge which such Body or Person claims to be entitled to or to be authorized to receive Satisfaction or Recompence for, and of the Goodwill, Improvements which may be lost, and of the Fixtures, and of the Injury or Damage sustained, and of the Amount of the Money which such Body or Person may be willing to receive in satisfaction or recompence for the Value of such Estate, Share, Interest, or Charge, and also the Amount of the Sum or Sums of Money which such Body or Person may be willing to receive as Compensation for such Goodwill and Improvements and Fixtures, and for such Injury or Damage respectively.

If Parties refuse to treat, or shall not agree, a Jury to be summoned to ascertain Damage, and award Compensation.

XVII. If any Body or Person seised, possessed of, or interested in any Land, or in any Share, Estate, or Interest therein or Charge thereon, which the Commissioners are hereby empowered to purchase, take, and use for the Purposes aforesaid, shall neglect or refuse to treat or shall not agree in the Premises, or by reason of Absence or Disability shall be prevented from treating with the Commissioners for the Sale and Disposal of his Estate and Interest therein, or cannot be found or known, or shall not produce a clear Title to the Premises he may be in possession of, or to the Interest he shall claim therein, to the Satisfaction of the Commissioners, then and in every or any such Case the Commissioners are hereby empowered to issue a Warrant or Warrants under their Corporate Seal to the Sheriffs of the City of *London* or their Under Sheriffs, or, in case such Sheriffs or Under Sheriffs shall be in anywise interested in the Matter in question, then the Coroner of the City of *London*, and they and he are and is hereby required and authorized to summon, empannel, and return a Jury of not less than Thirty-six nor more than Forty-eight honest and indifferent Men, qualified according to Law to be returned for Trials of Issues in Her Majesty's Courts of Record at *Westminster*, to appear before the Court of Mayor and

and Aldermen of the City of *London* to be holden in the Outer Chamber of the *Guildhall* of the said City, according to the Custom of the said City, at such Time as in such Warrant shall be appointed, and Fourteen Days Notice at the least in Writing under the Corporate Seal of the Commissioners of the Time and Place at which such Jury are so required to be returned shall be given to such Persons interested in the Premises, before the Time of Meeting of the said Jury, by leaving such Notice at the Dwelling House of such Persons, or of the Head Officer of any Body or Bodies Politic, Corporate, or Collegiate, or with some Tenant or Occupier of the Premises respectively intended to be valued; and the said Sheriffs, Under Sheriffs, or Coroner are and is hereby empowered to empannel, summon, and return such Number accordingly, and out of the Persons so empannelled, summoned, and returned, or out of such of them as shall appear upon such Summons, the said Court of Mayor and Alderman shall swear or cause to be sworn Twelve, who shall be the Jury for the Purposes aforesaid; and in default of a sufficient Number of Jurymen the said Sheriffs, Under Sheriffs, or Coroner, or some Person to be appointed by the said Court of Mayor and Aldermen, shall return other honest and indifferent Men of the Standers-by or that can be speedily procured to attend that Service (being qualified as last aforesaid), to the Number of Twelve; and it shall be lawful for all Persons concerned, by themselves, their Counsel, Solicitors, and Agents, to attend and be heard and to adduce Evidence before the said Court of Mayor and Aldermen, and such Persons shall also have their lawful Challenges against any of the said Jurymen when they come to be sworn, but shall not challenge the Array; and such Jury shall upon their Oaths (which Oaths the said Court of Mayor and Aldermen is hereby empowered and required to administer) inquire into and ascertain what Damages will be sustained by and what Recompence and Satisfaction shall be made to such Owners, Occupiers, or other Person or Persons interested, for the Value of such Land, and of the proportionable Value of the respective Estates and Interests of every Person seised or possessed thereof or interested therein, or of or in any Part thereof, and assess the Money to be paid for the Purchase of such Land, and of such Estates and Interests therein, and also for Goodwill, Improvements, or any Injury or Damage whatsoever that may affect any such Person or Party; provided that such Goodwill shall be estimated by what in the Opinion of such Jury the same would have been worth in case the Alterations or Improvements intended by this Act had not been in contemplation, and also for and on account of the taking of such Land for the Purposes of this Act; and the said Jury in estimating such Recompence and Satisfaction shall take into their Consideration the Increase in Value of the Residue of any Property of which such Land shall form Part; and in order thereto the said Court of Mayor and Aldermen is hereby empowered and required from Time to Time, as Occasion shall require, to summon and call before the said Jury and examine upon Oath all Persons whomsoever whom it shall be thought necessary to examine as Witnesses touching or concerning the Premises, which Oath the said Court of Mayor and Aldermen is hereby empowered to administer, and such Court of Mayor and Aldermen shall order and cause the said Jury to view the Places in question, if there be occasion, and use all other lawful Ways and Means, as well for their own as for the said Jury's better Information in the Premises, as the said Court of Mayor and Aldermen shall think fit; and after the said Jury shall have settled such Damage and Satisfaction, the said Court of Mayor and Aldermen shall thereupon order the Sum or Sums of Money so assessed by the said Jury to be paid by the Commissioners to the said Parties interested therein, according to such Verdict of the Jury, which said Verdict shall be final as against all Parties interested, and all other Persons whomsoever.

Verdict of the Jury to be final.

XVIII. If the Owner, Lessee, or Occupier of any Land authorized to be taken by virtue of this Act shall not be inclined to sell or part with the whole thereof or of his Interest in the whole thereof, and it shall not be found necessary to take the whole for the Purposes of this Act, and the said Parties cannot agree as to the Sum of Money to be paid for the Part which the Commissioners or any Person authorized by them shall not think it necessary to purchase, then the Jury shall assess the Value of the whole Premises according to the Condition in which they are at the Time of taking the View, and also the Value of that Part of the Premises which shall remain after the Commissioners or the Person authorized by them have taken away so much as they shall think necessary for the Purposes of this Act, and in such last Valuation the said Jury shall take into their Consideration the Improvement or Depreciation which the Remainder of the Premises is likely to receive or sustain from the Alteration intended to be made; and the Jury having made these Two Valuations, the Difference between them shall be the Price to be paid by the Commissioners for that Part which they shall have occasion for, and such Price shall be recorded as the Verdict of the Jury for the Value of the same.

Where Part of an Estate is taken the Remainder to be valued.

XIX. No Jury to be summoned by virtue of this Act shall be allowed to award any Sum or Sums of Money to any Body or Person by way of Compensation for Goodwill or Improvements alleged to have been lost, or Tenant's Fixtures, or any Injury or Damage alleged to have been sustained by reason or means of this Act, or anything which shall or may be done in the Execution thereof, unless such a Statement as herein-before is mentioned of the Particulars of every such Claim, and how and in what Manner the Amount thereof is made out and computed, shall have been given to the Commissioners or left at their Office as aforesaid by and on behalf of such Person Ten Days at least before the Time of the Meeting of such Jury.

Notice to be given of the Compensation claimed.

XX. If the Sheriffs, Under-Sheriffs, or Coroner so directed to summon and return a Jury as aforesaid shall make Default in the Premises, they or he shall for every such Offence forfeit and pay any Sum not exceeding

Penalty on Sheriffs, Jury, and Witnesses

for Neglect of Duty.

exceeding Ten Pounds to the Party who shall be prejudiced or injured thereby, to be recovered with full Costs of Suit by Action of Debt or on the Case in any of Her Majesty's Courts of Record at *Westminster;* and if any Person so summoned and returned as aforesaid upon such Jury shall not appear, or appearing shall refuse to be sworn or to give his Verdict, or shall in any other Matter wilfully neglect his Duty contrary to the true Intent and Meaning of this Act, or if any Person so summoned as a Witness shall not appear, or appearing refuse to be examined or to give Evidence, any Person so offending, having no reasonable Excuse to be allowed by the Justices herein-after mentioned, shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds, which several and respective Penalties shall and may be levied by virtue of any Warrant under the Hand and Seal of One of the Aldermen of the said City of *London* by Distress and Sale of the Goods and Chattels of the Person so offending, the Person making such Distress and Sale rendering to him the Overplus of the Money thereby produced, if any, after such Penalty and the Charges of such Distress and Sale shall be deducted, and all such Fines shall be paid to the Commissioners to be applied for the Purposes of this Act.

Jury may assess Value of Fee Simple, and then apportion Values of respective Interests therein.

XXI. In all Cases in which a Verdict shall be given for the Value of any Land, or Share therein, the Jury shall, if required so to do by or on behalf of the Commissioners, inquire of, assess, and ascertain the Value of the Fee Simple of the Entirety of the said Premises, and shall afterwards apportion and divide the Value so ascertained between and among all the different Shares and Charges which shall be claimed therein, and also between different Parts of the said Land alleged to be held under different Titles: Provided always, that the Verdict of any Jury shall not defeat or prejudice any Contract or Sale which shall have previously been made of any Share or Charge, although the Value of the same may be ascertained to be different from the Amount of the Price, Recompence, or Satisfaction agreed to be paid for the same.

Value of Land to be ascertained distinct from Goodwill or other Damages.

XXII. The Jury so to be summoned as aforesaid shall award all Determinations, Judgments, and Verdicts which they shall make and give in execution of the Powers hereby vested in them concerning the Value of Land, or of any Share, Estate, or Interest therein, or any Charge thereon separately and distinctly from the Consideration of any Loss of Goodwill to which the Occupier may personally be entitled, or any other Loss or Damage to be sustained by any Person in consequence of the Execution of any of the Powers of this Act, and shall distinguish the Value set upon the Land or Share, Estate, or Interest therein, or Charge thereon, and the Money assessed or adjudged for such Goodwill, Loss, or Damage as aforesaid, separately and apart from each other, and when any Money shall be assessed or adjudged for such Goodwill, Loss, or Damage as aforesaid, the Jury shall, if required by the Commissioners, declare whether the Statement delivered by the Claimant of the Manner in which any Amount of the Money which shall have been demanded as a Compensation for the same has been computed and made up gave sufficient Particulars to enable the Commissioners to make a proper Offer.

Provision as to Expenses of summoning and returning Juries.

XXIII. In case any Jury to be summoned and sworn pursuant to the Authority of this Act shall give in a Verdict or Assessment for more Money as a Recompence, Compensation, or Satisfaction for the Rights, Interests, or Property of any Person in any such Land, or for any such Goodwill, Improvements, Injury, or Damage as aforesaid than shall have been agreed to be given and offered for the same in the aggregate by the Commissioners before the summoning and returning of such Jury, or where, by reason of Absence in Foreign Countries or other Incapacity or Disability as aforesaid, there shall not be found any Person legally capacitated to enter into any Contract with the Commissioners, then and in every such Case all the reasonable Costs, Charges, and Expenses of causing and procuring such Recompence, Compensation, or Satisfaction to be assessed by a Jury shall be settled by the Registrar of the said Court of Mayor and Aldermen, and shall be paid by the Commissioners; but in every Case in which any Jury so summoned and sworn as aforesaid shall be of opinion that the Statement delivered by the Claimant, of the Manner in which any Amount of Money which shall have been demanded as a Compensation has been computed and made up, did not give sufficient Particulars to enable the Commissioners to make a proper Offer, and in every other Case in which any such Jury shall give in a Verdict or Assessment for no more or for less Money as such Recompence, Compensation, or Satisfaction as aforesaid than shall have been agreed to and offered by the Commissioners in the aggregate for the same before the summoning and returning of the said Jury, or in case no Damages shall be given by the Verdict where the Dispute is for Damages only, or where the causing or procuring such Jury to be summoned shall have arisen from a Refusal to treat or agree with the Commissioners by any Body or Person who is by the Provisions of this Act or otherwise legally empowered to treat, then (except where, by reason of Absence, such Person shall be prevented from treating with the Commissioners,) all such Costs, Charges, and Expenses to be settled by such Registrar of the said Court of Mayor and Aldermen shall be paid to the Commissioners by the said Body or Person so claiming such Compensation, or refusing to treat and agree as before mentioned respectively, (save only where, by reason of Absence or other like Cause, any Person shall have been prevented from treating or agreeing as aforesaid,) in which Case no Costs, Charges, or Expenses shall be allowed to either Party as against the other, and all Costs, Charges, and Expenses hereby directed to be paid to the Commissioners shall be deducted and retained by them out of the Money so assessed to be paid by them as so much Money advanced to and for the Use of the Person entitled to such Money so adjudged, and Payment or Tender of the Remainder of such Money shall be taken to be a Payment or Tender of the whole Sum so assessed, or in case no Money or no sufficient

sufficient Sum of Money shall be assessed to be paid by the Commissioners whereout such Costs, Charges, and Expenses can be deducted, then the same shall be recovered, by virtue of any Warrant under the Hand and Seal of One of the Aldermen of the City of *London*, by Distress and Sale of the Goods and Chattels of the Person liable to the Payment of the same, the Party making such Distress and Sale rendering to such Person as aforesaid the Overplus of the Money thereby produced (if any), after such Costs, Charges, and Expenses, and the Charges of such Distress and Sale, shall be deducted.

Verdicts to be recorded.

XXIV. A Minute or Docket of all the said Verdicts shall be recorded in the Office of the Commissioners, and all such Judgments and Verdicts shall be deposited with the Registrar of the said Court of Mayor and Aldermen, and entered amongst the Records of the said Court, and shall be deemed to be Records to all Intents whatsoever, and the same or true Copies thereof shall be allowed to be good Evidence in all Courts whatsoever, and all Persons shall have Liberty to inspect the same, paying for such Inspection the Sum of One Shilling, and to take Copies thereof, paying for every Copy the Sum of Sixpence for every Seventy-two Words, and so in proportion for any less Number of Words.

Commissioners empowered to purchase the whole of the Land, if the Owners are unwilling to sell a Part.

XXV. If in any Case the Owner of any Land, Part only of which shall at any Time be required by the Commissioners to be applied for the Purposes aforesaid, shall be unwilling to sell such Part only as shall be required by the Commissioners, the Commissioners are hereby required, at the Option of any Owner of any such Land, to purchase of and from the said Owner the whole or such Part thereof over and above such Part thereof as may be wanted for the Purposes of this Act as such Owner shall think fit, and to apply so much and such Part thereof as the Commissioners, with such Consent as aforesaid, shall see fit, for the Purposes aforesaid, and if such Owner shall not or cannot agree with the Commissioners for the Price to be paid for the Purchase of the whole or such Part thereof as aforesaid, then the Value thereof shall be ascertained by a Jury in such Manner as the Price for any Premises to be taken in pursuance of this Act is directed to be ascertained, and all such other Proceedings shall take place respecting the said Premises as are herein-before mentioned and directed with respect to the Premises, the Value of which shall be ascertained by a Jury in the Manner aforesaid.

Persons holding under Leases to produce the same.

XXVI. In all Cases in which any Person shall claim any Satisfaction or Compensation for or in respect of any unexpired Term or Interest which he shall claim to be possessed of or entitled unto in any Land intended to be taken or used under the Authority of this Act, under or by virtue of any Demise or Lease, or Agreement for Demise or Lease, or Grant thereof, the Commissioners are hereby authorized to require such Person to produce or show the Demise or Lease, or Agreement for Demise or Lease, or Grant, in respect of which such Claim to Satisfaction or Compensation shall be made, or the best Evidence thereof in his Power, and if such Demise or Lease, or Agreement for Demise or Lease, or Grant, or such best Evidence thereof as aforesaid, shall not be produced or shown within Twenty-one Days after Demand made by the Commissioners, or any Person by them authorized, the Person claiming such Satisfaction or Compensation shall be considered and treated as holding only from Year to Year.

For settling Disputes as to Damages of small Amount.

XXVII. In case any Difference shall arise between the Commissioners and any of the Owners of the Property to be taken or used for the Purposes of this Act as to the Amount or Value of the Damages done by the Commissioners, their Agents or Workmen, to such Property in the Execution of any of the Powers of this Act, and such Difference cannot be adjusted, the same shall, in case the Amount of Damages claimed does not exceed the Sum of Fifty Pounds, be determined by some Two Aldermen of the City of *London*, who, upon Application made to them by both or either of the said Parties, shall examine into the Matter in dispute, and shall determine the Amount of Compensation which shall be payable by the Commissioners, and such Aldermen may examine Witnesses and administer Oaths in all respects, and with the same Consequences as to false swearing, as if the same were a judicial Matter brought before them, on which they were by Law entitled to adjudicate.

Commissioners not to take possession until the Purchase Monies are tendered or paid.

XXVIII. Provided always, That all Sums of Money, or other Consideration, Recompence, or Satisfaction to be made or paid pursuant to any such Agreement or Verdict as aforesaid, shall be paid or tendered to the Party entitled to the same, or into the Bank of *England*, as herein mentioned, before the Commissioners, or any Person authorized by them, shall proceed to take possession of any Tenement, or to pull down any House or other Erection or Building comprised in or affected by such Agreement or Verdict respectively, or to use the same for any of the Purposes of this Act.

Commissioners empowered to take possession on Payment of Purchase Money into the Bank of England.

XXIX. If any Body or Person seised or possessed of or interested in any such Land, or Share, Estate, or Interest therein, or Charge thereon, as aforesaid, cannot be found, or shall not be known or ascertained, or shall not be able to make a good Title to the Premises to the Satisfaction of the Commissioners (whose Opinion in the Premises shall be final), or shall refuse to execute a Conveyance thereof, then and in every such Case, upon Payment of such Sum or Sums of Money as shall have been contracted and agreed or shall have been assessed and awarded by any Jury in manner aforesaid to be paid for the Purchase of or for the Value of the same Premises into the Bank of *England* as herein-after directed and required (in case the same shall be requisite) for the Use of such Person so interested in or entitled as aforesaid, such Land, or Parts, Shares, Estates, Interests, or Charges, and the Fee Simple and Inheritance thereof, together with the yearly Profits thereof, and all the Estate, Right, Title, Interest, Use, Trust, Property, Claim, and Demand, in Law and Equity, of the Body or Person or unknown Person to whose Credit such Money shall be paid into and out of the Land to be purchased as aforesaid, shall from thenceforth vest in the Commissioners and their Successors, who shall be deemed in Law to

be in the actual Seisin and Possession thereof, to all Intents and Purposes, freed and discharged from all former and other Estates, Rights, Titles, and Interests, Claims, and Demands, as fully and effectually as if every Body or Person having any Estates in the Premises had actually conveyed the same by Release, Bargain, and Sale, enrolled, and with the Assent of any Protector of the Settlement whose Assent might be necessary, or Feoffment with Livery of Seisin, or any such Conveyance or Assurance whatsoever, and such Payment shall not only bar all Right, Title, Interest, Claim, and Demand of the Body or Person or unknown Person of, in, and to the same Premises to whose Credit such Payment or Tender shall have been made, but also shall extend to and be deemed and construed to bar the Dower of the Wife of such Person, and all Estates Tail, and other Estates in possession, reversion, remainder, expectancy, or contingency, and the Issue and Issues of such Person and every other Person whomsoever, and the same Premises shall and may thereupon be pulled down, made use of, and employed for the Purposes aforesaid, according to the Direction of the Commissioners.

Application of Purchase Money when amounting to 200*l.*

XXX. If any Money shall be agreed or assessed to be paid for any Land, or Part thereof, or Share, Estate, or Interest therein or Charge thereon, or for any other Right, Matter, or Interest, of what Nature or Kind soever, purchased, taken, or used by virtue of this Act, which shall belong to any Body or Person under any Disability or Incapacity, or not legally entitled absolutely to dispose of the Premises by the Sale of which such Money shall be produced, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Chancery, to be placed to the Account there of such Accountant General *ex parte* the Commissioners, pursuant to the Method prescribed by any Act for the Time being in force for regulating Money paid into the said Court, and such Money shall be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon Petition to be preferred in a summary Way by the Body or Person who would have been entitled to the Rents and Profits of the said Land, in the Purchase or Redemption of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrances, or Part thereof, as the said Court shall authorize to be paid, affecting the same Land, or Part thereof, or Share, Estate, or Interest therein or Charge thereon, or affecting other Land, standing settled therewith, to the same or the like Uses, Trusts, Intents, or Purposes, or where such Money shall not be so applied then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Land, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes and in the same Manner as the Land which shall be so purchased, taken, or used as aforesaid stood settled or limited, or such of them as at the Time of making such Conveyance or Settlement shall be existing undetermined and capable of taking effect; and in the meantime, until such Purchase shall be made, the said Money shall by Order of the said Court, upon Application thereto, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the meantime, and until the Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid by Order of the said Court to the Body or Person who would for the Time being have been entitled to the Rents and Profits of the Land so hereby directed to be purchased in case such Purchase or Settlement were made.

When less than 200*l.* and amounting to 20*l.*

XXXI. Provided, That if any Money so agreed or assessed to be paid for any Land, or Part thereof, or Share, Estate, or Interest therein, or Charge thereon, purchased, taken, or used for the Purposes aforesaid, belonging to any Corporation or to any Person under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall amount to or exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Body or Person for the Time being entitled to the Rents and Profits of the Land, or Parts, Shares, Estates, Interests, or Charges so purchased, taken, or used, or of his Guardian or Committee in case of Infancy or Lunacy, to be signified in Writing under his Hand, be paid into the Bank of *England* in the Name and with the Privity of the said Accountant General of the Court of Chancery, and to be placed to his Account as aforesaid, in order to be applied in manner herein-before directed, or otherwise the same shall be paid, at the like Option, to Two or more Trustees, to be nominated by the Body or Person making such Option, and approved of by the Commissioners, such Nomination and Approbation to be signified in Writing under the Hands and Seals of the nominating Parties and the Common Seal of the Commissioners, in order that such Principal Money, and the Dividends arising thereon, may be applied in manner herein-before directed so far as the Case may be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court of Chancery.

When less than 20*l.*

XXXII. Provided always, That where such Money so agreed or assessed to be paid as herein-before mentioned shall be less than Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Body or Person who would for the Time being have been entitled to the Rents and Profits of the Land, Parts, Shares, Estates, Interests, and Charges so purchased, taken, or used for the Purposes of this Act, in such Manner as the Commissioners shall think fit, or in case of the Infancy or Lunacy of such Person then such Money shall be paid to his Guardian or Committee to and for the Use and Benefit of such Person so entitled.

XXXIII. In

In case of not making out Titles.

XXXIII. In case the Body or Person to whom any Sum of Money shall be agreed to be paid or shall be awarded by any Jury for the Purchase of any Land, or any Parts, Shares, Estates, or Interest therein, or Charge thereon, to be purchased, taken, or used by virtue of this Act, shall not be able to make a good Title to the Premises to the Satisfaction of the Commissioners (whose Opinion in the Premises shall be final), or shall refuse to execute a Conveyance or Assignment thereof, or in case the Person to whom such Sum or Sums of Money shall be so agreed or awarded to be paid as aforesaid cannot be found, or if the Person entitled to such Land, Parts, Shares, Estates, Interests, or Charges be not known or discovered, then and in every such Case it shall be lawful for the Commissioners to pay the said Sum or Sums of Money so awarded or agreed to be paid as aforesaid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the said Court of Chancery, to be placed to his Account to the Credit of the Party, if known, who shall be interested in the said Land, Parts, Shares, Estates, Interests, or Charges (describing such Land), but, if such Party shall not be known, to the Credit of the said Commissioners, subject to the Order, Control, or Disposition of the said Court, which said Court, on the Application of any Body or Person making claim to any such Sum of Money or any Part thereof by Motion or Petition, shall be and the same is hereby empowered, in a summary Way of Proceeding or otherwise as to the same Court shall seem meet, to order the same to be laid out and invested in the Public Funds, or to order Distribution thereof or Payment of the Dividends thereof according to the respective Estate or Estates, Title or Interest, of the Body or Person making claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable, and the Cashier of the Bank of *England* who shall receive such Sum of Money is hereby required to give a Receipt for such Sum or Sums of Money, mentioning and specifying for what the same is or are received, to such Person as shall pay any such Sum of Money into the Bank as aforesaid.

Where any Question shall arise touching the Title, the Person in possession shall be deemed entitled until the contrary be shown.

XXXIV. Provided always, where any Question shall arise touching the Title of any Body or Person to any Money to be paid into the Bank of *England* as aforesaid, in pursuance of this Act, for the Purchase of any Land, or Part thereof, or of any Estate, Right, Title, Charge, or Interest into or upon any Land to be purchased or taken in pursuance of this Act, or to any Bank Annuities to be purchased with any such Money, or to the Dividends of any such Bank Annuities, the Body or Person who shall have been in possession of such Land, Parts, Shares, Estates, Interests, or Charges at the Time of such Purchase, and every Body or Person claiming under such Body or Person, or under the Possession of such Body or Person, shall be taken to have been lawfully entitled to such Land, Parts, Shares, Estates, Interests, or Charges, according to such Possession, until the contrary shall be shown to the Satisfaction of the said Court; and the Dividends of the Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid accordingly, unless it shall be made to appear to the said Court that such Possession was a wrongful Possession, and that some other Person was lawfully entitled to such Land or Part thereof, or to some Estate or Interest therein or Charge thereon.

Court of Chancery may order Expenses of Purchases to be paid by the Commissioners.

XXXV. Provided also, That where by reason of any Disability or Incapacity of the Body or Person entitled to any Land or Part thereof, or Share, Estate, or Interest therein, or Charge thereon, to be purchased or taken under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the Bank of *England* as aforesaid, to be applied in the Purchase of other Land to be settled to the like Uses, in pursuance of this Act, it shall be lawful for the said Court to order the Expenses of the Purchases to be made in pursuance of this Act, or so much of such Expenses as the said Court shall deem reasonable, to be paid by the Commissioners, who shall pay such Sum or Sums of Money out of the Monies appropriated and applicable to the Purposes of this Act as the said Court shall direct: Provided always, that the Costs of One Application only for Reinvestment in Land shall be allowed, unless it shall appear to the said Court that it is for the Benefit of the Parties interested in the said Monies that the same should be invested in the Purchase of Lands in different Sums and at different Times, in which Case it shall be lawful for the Court, if it think fit, to order the Costs of any such Investments to be paid by the Commissioners.

Where the Title is defective by reason of a Rent payable out of other Land, as well as Land required for the Purposes of this Act, the Money paid into the Bank to be laid out in the Purchase of other Land, which shall be subject to the Rent in the same Manner.

XXXVI. Where the Money awarded to be paid for any Lands which shall be taken for the Purposes of this Act shall be paid into the Bank of *England* in manner herein-before directed, in consequence of a good Title not having been made to such Land to the Satisfaction of the Commissioners or any Person authorized by them, by reason of the same Land respectively being subject together with other Land not required for the Purposes of this Act to a Rent payable to some Body or Person unable or unwilling to release therefrom the Land so to be taken, then and in every or any such Case the Land for the Value of which the Money to be paid into the Bank, together with the Money (if any) to be retained for Costs and Charges under the Authority of this Act, shall be assessed to be paid, shall be for ever discharged from such Rent and all Claims and Demands in respect thereof, and the Money to be paid into the Bank of *England* shall be laid out and invested under the Direction of the Court of Chancery, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Body or Person who would have been entitled to the Rents and Profits of the Land for the Value of which such Money respectively shall have been paid as aforesaid in the Purchase of other Land which shall be conveyed and settled (subject together with such other Land to such Rent) to the like Uses, Trusts, Intents, and Purposes, and in the same Manner, as the Land so to be taken as aforesaid stood settled or limited, or such of them

them as at the Time of making such Conveyance and Settlement shall be existing undetermined or capable of taking effect; and in the meantime and until such Purchase shall be made the said Money shall, by Order of the said Court, upon Application thereto, be invested by the Accountant General of the said Court, in his Name, in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the meantime, and until the Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of the said Bank Annuities shall from Time to Time be paid by Order of the said Court to the Body or Person who would for the Time being have been entitled to the Rents and Profits of the said Land hereby directed to be purchased in case such Purchase and Settlement were made; and the Land so to be purchased and settled shall be subject to the Rent to which the same shall be declared as aforesaid in the Conveyance and Settlement thereof to be subject in the same Manner to all Intents and Purposes as the Land taken or to be taken for the Purposes of this Act as aforesaid were subject thereto, and the Body or Persons to whom such Rent shall be payable shall have such and the same Powers and Remedies for enforcing the Payment thereof or of any Part thereof out of or upon the Land to be comprised in such Conveyance and Settlement and declared to be subject thereto as he would have been entitled to if such Rent had originally been reserved out of or charged upon the same, instead of the Land to be taken for the Purposes of this Act, and in the same Manner to all Intents and Purposes as such Rent was reserved out of or charged upon such last-mentioned Land, together with the other Land subject thereto; and in the meantime, and until such Purchase shall be made, it shall be lawful for the said Court, if it shall think proper, upon Application thereto, to order any Part of the Dividends and annual Produce of the Bank Annuities in which the said last-mentioned Money shall be invested to be paid from Time to Time to the Body or Person for the Time being entitled to the said Rent, in discharge thereof or Part thereof, as the Case may be.

Power to purchase the Release of Land wanted from Rents charged thereon.

XXXVII. Where any Land purchased or wanted or intended to be purchased by the Commissioners shall be subject solely or jointly with other Land not intended or wanted to be purchased to or with any Rent Service, Rentcharge, or Chief Rent, or other Rent, Payment, or Incumbrance, it shall be lawful for the Commissioners to agree for the Release of the Land so purchased or wanted or intended to be purchased from such Rent, Payment, or Incumbrance, and also (where necessary or convenient) for an Apportionment of such Rent, Payment, or Incumbrance for such gross Sum as shall be agreed upon between the Commissioners and the Party who under the Provisions of this Act shall agree to sell or apportion the same, and which Agreement may be entered into by any Person and Corporation by this Act authorized and empowered to sell or convey Land, and the Monies to be paid shall be paid and applied in manner herein-before directed with regard to the Purchase Money on the Sale of Land, and in case any Difference shall arise respecting the Value of such Rent, Payment, or Incumbrance, or respecting the Apportionment thereof, the same shall be determined by a Jury, if required, in like Manner as the Price of Land is by this Act directed to be settled in case of Dispute as to the Value thereof, which Jury shall assess and determine the Value of the Rent, Payment, or Incumbrance affecting the Land purchased or wanted or intended to be purchased, and shall also (where necessary or convenient) apportion the Rent, Payment, or Incumbrance affecting the Land jointly subject to the Rent, Payment, or Incumbrance as herein-before mentioned, according to the respective Values of the Land purchased or wanted or intended to be purchased, and of the Land not purchased or wanted or intended to be purchased by the Commissioners; and all Assurances which shall be made by and between or to the Commissioners and any such Party as aforesaid respecting such Release shall be valid in the Law, and shall extinguish the whole or a proportionate Part of such Rent, Payment, or Incumbrance (as the Case may be): Provided always, that where the Party entitled to such Rent, Payment, or Incumbrance shall consider the remaining Part of the Land so jointly subject and the same shall in fact be a sufficient Security for such Rent, Payment, or Incumbrance, and shall be willing to release the Land so purchased by the Commissioners therefrom, then it shall be lawful for the Party entitled by this Act, or capacitated to apportion such Rent, Payment, or Incumbrance, or to release the Land so purchased therefrom (with the Consent of the Owner of the Land so purchased, and also of the Owner of the Land so jointly subject as aforesaid), to release the Land so purchased as aforesaid from the Rent, Payment, or Incumbrance so affecting the same as aforesaid jointly with other Land, on condition or in consideration of such other Land continuing or remaining wholly and exclusively subject to the whole of such Rent, Payment, or Incumbrance: Provided also, that when any of the Land purchased by the Commissioners shall be released from a Part only of any Rent, Payment, or Incumbrance affecting the same jointly with other Land not purchased by the Commissioners, such last-mentioned Land shall be charged only with the Remainder of such Rent, Payment, or Incumbrance, and such Apportionment shall not prejudice the Title to the remaining Rent or the Remedies for such Remainder, but the same shall at all Times thereafter remain as effectual as if the Land not so purchased had been originally charged with that Amount only: Provided also, that when a Part of any Rent, Payment, or Incumbrance shall be released it shall be lawful for the Commissioners, on Tender for that Purpose of any Deed or Instrument creating or transferring the Remainder of such Rent, Payment, or Incumbrance to endorse a Memorandum on such Deed or Instrument declaring what Part of the Land originally subject to such Rent, Payment, or Incumbrance shall have been purchased by virtue of this Act, and what Proportion of the said Rent,

Payment,

Payment, or Incumbrance shall have been released, and also declaring the Amount of the Rent, Payment, or Incumbrance which shall continue payable, and such Memorandum shall be Evidence in all Courts of the Facts therein stated, but shall not exclude any other Evidence of the same Facts.

Rents on Leases to be apportioned.

XXXVIII. In all Cases in which a Part only of any Land comprised in any Lease or Agreement for Lease for a Term of Years unexpired, or for a Life or Lives, or for a Term determinable on a Life or Lives, shall be required for the Purposes of this Act, the Rent payable in respect of any Land comprised in such Lease or Agreement for a Lease shall be apportioned between the Land required for the Purposes of this Act and the Residue of such Land, and such Apportionment shall, in case the same shall not be settled by Agreement between the Parties, be ascertained and settled by the Verdict of a Jury, if required, in like Manner as the Price of any Land to be taken in pursuance of this Act is directed to be settled in case of Dispute as to the Value thereof; and in case such Apportionment shall be settled by Agreement between the Parties such Agreement shall be made with and shall not be valid without the Consent and Approbation of the Lessor from whom such Land is holden, or agreed to be holden, and any Person hereby capacitated to sell who shall be a Lessor shall be capacitated to assent and to bind the Property in respect of such Assent, and after such Apportionment the Tenant or Lessee of the Land comprised in such Lease or Agreement for Lease shall as to all future accruing Rent be liable only to so much of the Rent reserved in such Lease or Agreement for Lease as shall have been apportioned in respect of the Land not required for the Purposes of this Act, and the Lessor of the said Land shall have all such and the same Remedies for the Recovery of the Rent so apportioned in respect of the Land not required for the Purposes of this Act as before such Apportionment he had or was entitled to in respect of the Rent reserved or agreed to be reserved in such Lease or Agreement for Lease; and such Apportionment shall not prejudice or affect any of the Covenants, Conditions, or Agreements in such Lease or Agreement for Lease contained, so far as the same relate to the Land comprised in such Lease or Agreement for Lease, and not required for the Purposes of this Act, but the same shall, as to such last-mentioned Land, but not further, continue in full Force.

Mortgagees to convey to the Commissioners on Tender of Money due on Mortgage.

XXXIX. Every Body and Person having any Mortgage on any Land which shall be required to be taken for the Purposes of this Act, (and whether entitled thereto in their own Right or in trust for any other Body or Person, and whether in possession of such Land by virtue of such Mortgage or not, and whether such Mortgage shall affect such Land solely or jointly with any other Land which shall not be so required,) shall, on Payment or Tender by the Commissioners or by any Person by them authorized of the Principal Money and Interest due on such Mortgage, and the just Costs (if any) then due, together with the Amount of Six Months Interest on the said Principal Money (which Tender and Payment the Commissioners are hereby authorized to make and to deduct the same from any Sum agreed or directed to be paid for an Estate or Interest of the Party entitled to the Equity of Redemption) of and in the Land so mortgaged, in case the same shall be sufficient for the Purpose, immediately convey, assign, and transfer the respective Interests of such Mortgagees in the Land which shall be so required to the Commissioners and their Successors, or to such Person as the Commissioners shall appoint; or in case such Mortgagees shall have Notice in Writing from the Commissioners, or from the Party entitled to the Equity of Redemption of and in the same Land, that they will pay off the Principal Money and Interest which shall be due on such Mortgage at the End of Six or less Number of Months, to be computed from the Day of giving such Notice, then at the End of such Six or less Number of Months, on Payment or Tender by the Commissioners of the Principal Money and Interest which would become due at the End of Six Months from the Time of giving such Notice, together with any just Costs then due, such Mortgagees shall convey, assign, and transfer their respective Interests in the Land which shall be so required for the Purposes of this Act to the Commissioners and their Successors, or as the Commissioners shall direct; and in case any such Mortgagee shall refuse to convey, assign, or transfer as aforesaid, on such Payment or Tender as aforesaid, then, on Payment of such Money, Interest, and Costs into the Court of Chancery as herein-after mentioned, all Interest on every such Mortgage Debt, and all Claim and Right of every such Mortgagee thereto, shall thenceforth cease: Provided always, that in case any such Mortgagee shall in either of the Cases aforesaid neglect or refuse to convey, assign, or transfer as aforesaid, then, upon Payment of the Principal Money and Interest, and the Costs (if any) due on any such Mortgage as aforesaid, into the Bank of *England*, at or near the End of Six Months from the Day of giving such Notice as aforesaid, or as soon after as possible, or, in lieu of such Notice, and in addition to the said other Monies, of Six Calendar Months Interest in advance for the Use of such Mortgagee at any Time after Tender of the Principal, Interest, and Costs, and Six Calendar Months Interest in advance as aforesaid, the Cashier of the said Bank shall give a Receipt for the said Money in like Manner as is by this Act directed in Cases of other Payments into the said Bank, and thereupon, or upon such Conveyance, Assignment, or Transfer by any such Mortgagee as aforesaid, all the Estate and Interest of such Mortgagee, and of every Person in trust for him or for whom he shall be Trustee, shall vest in the Commissioners and their Successors, who shall be deemed to be in the actual Possession of the Land comprised in such Mortgage, or so much thereof as shall be required for the Purposes of this Act, to all Intents and Purposes whatsoever.

As to Cases where the Mortgage

XL. In all Cases in which any Land subject to any Mortgage shall be required for the Purposes of this Act, which Land shall be of less Value than the Principal Monies, Interest, and Costs secured thereon,

Money is more than the Value of the Land, or a Part only of the Land is taken.

thereon, or in which a Part only of the Land subject to any Mortgage shall be required for the Purposes of this Act, and such Part shall be of less Value than the Principal Monies, Interest, and Costs secured on such Land, and the Mortgagee thereof shall not consider the remaining Part of such Land to be a sufficient Security for the Money charged thereon, or shall not be willing to release the Part required for the Purposes of this Act from the Principal or Mortgage Money, and all Interest due and to become due thereon, and all Costs, the Value of such Land, or, as the Case may be, of such Part of the said Land as shall be so required for the Purposes aforesaid, and also the Compensation (if any) for any Damage done in respect of the Parts so required, shall be settled and agreed upon by and between such Mortgagee and the Body, Trustee, or Person entitled to the Equity of Redemption of such Land, whether absolutely or for such Estate as might capacitate such Parties to convey for the Purposes of this Act, on the one Part, and the Commissioners on the other Part, and in case of any Difference between them then such Value and Compensation shall be determined by the Verdict of a Jury in the same Manner as in other Cases of Difference; and the Amount of such Value and Compensation, being so agreed upon or determined as aforesaid, shall be paid to such Mortgagee in satisfaction of his Claim, so far as the same will extend, and such Mortgagee shall thereupon convey, assign, and transfer all his Interest in such mortgaged Land, the Value whereof shall have been so agreed upon or determined as aforesaid; or, in case of the Party neglecting or refusing to convey, assign, or transfer as herein-before directed, then the Amount of such Value and Compensation shall be paid into the Bank of *England*, to the Credit of the said Mortgagee, as by this Act is provided in Cases of the like Nature, and such Payment to the Mortgagee or into the Bank as last aforesaid shall be accepted in satisfaction of the Claim of such Mortgagee so far as the same will extend, and also in full Discharge and Exoneration of such Part of the mortgaged Land as shall be so taken or used from all Principal and Interest and other Money due or secured thereon, and thereupon such mortgaged Land shall become absolutely vested in the said Commissioners and their Successors, who shall be deemed to be in the actual Possession thereof, to all Intents and Purposes whatsoever: Provided nevertheless, that every Mortgagee shall have the same Powers and Remedies for recovering or compelling Payment of his Mortgage Money, or the Residue thereof (as the Case may be) or the Interest thereof respectively, upon and out of the Residue of the mortgaged Land not required for the Purposes aforesaid, as he would have had or been entitled to for recovering or compelling Payment thereof upon or out of the whole of the Land originally comprised in such Mortgage: Provided also, that when a Part only of the Land subject to any Mortgage shall have been taken for the Purposes of this Act as aforesaid, and the Value of the Land so taken shall, on the Assignment or Conveyance thereof to the Commissioners and their Successors, have been paid to the Mortgagee thereof in part Satisfaction of his Mortgage Debt, a Memorandum of what shall have been so paid shall be endorsed on the Deed creating such Mortgage at the Time of executing such Assignment or Conveyance to the Commissioners, and shall be signed by such Mortgagee, and a Copy of such Memorandum shall at the same Time (if required) be furnished by the Commissioners to the Persons so entitled as aforesaid to the Equity of Redemption of the Land comprised in such Mortgage Deed.

Tenants at Will or from Year to Year to quit after Notice.

XLI. Every Tenant at Will or Lessee for a Year, or any other Person in possession of any such Land or any Part thereof which shall be purchased by virtue of this Act or vested in the Commissioners for the Purposes aforesaid, who shall have no greater Interest in the Premises than as Tenant at Will or Lessee for a Year or from Year to Year, shall, at the End of Six Calendar Months next after Notice in Writing under the Corporate Seal of the Commissioners shall have been given to him or left at the Premises which are the subject of such Notice, and whether such Notice be given with reference to the Time of such Tenants holding or not, quit and relinquish the said Premises unto the Commissioners, or to such Person as shall be by them authorized to receive Possession thereof; and in case any such Lessee shall be compelled to quit before the Expiration of his Term or Interest in any such Premises, then and in such Case the Commissioners shall give Satisfaction and Compensation for the Loss or Damage which he shall sustain thereby, and in case of any Difference as to the Amount of such Satisfaction or Compensation, the same shall or may be settled and ascertained by a Jury in the same Manner as the Sums of Money to be paid for the Purchase of any Land is herein-before directed to be ascertained, or, if the Commissioners and the other Parties in difference shall agree thereto, the same may be settled by a Reference to the Award of Arbitrators and their Umpire to be chosen by the Parties in difference; and that all and every Person and Body in possession of any Land or any Part of any Land which shall or may be purchased in pursuance of this Act by the Commissioners, or vested in them for any of the Purposes aforesaid, shall, upon Payment or Tender as aforesaid of such Recompence or Satisfaction for any of his Term, Estate, or Interest in the Premises as shall be mutually agreed upon, or as shall be settled, ascertained, and awarded by any Referee or Referees, or Umpire, or by Verdict, or Inquisition of a Jury in manner aforesaid, quit and relinquish the said Premises so in their respective Possessions unto the Commissioners, or to such Person as shall be by them authorized to receive Possession of the same; and all the Leases, Demises, Contracts, and Agreements whatsoever, under or by virtue whereof any such Person or Body shall hold the said Premises, shall at and from the End and Expiration of such Six Months, or upon such Payment or Tender as aforesaid, be absolutely void and of none Effect as against the Commissioners; and if any such Tenant at Will or Lessee or other Person or Body shall refuse or neglect to deliver up the Premises at the Expiration of such Six Months, or upon

upon such Payment or Tender as aforesaid, it shall be lawful for any Alderman of the City of *London* to issue his Precept or Warrant to the Constables of the said City of *London* for the Time being, or any of them, or to any Person to be by such Alderman appointed as Constable for that especial Purpose, commanding and requiring such Constable or Constables or any of them to cause Possession of the said Premises to be taken and afterwards delivered to such Person as shall in such Precept or Warrant be nominated to receive the same on behalf of the Commissioners, and the said Constables and every of them are and is thereupon hereby authorized and required to cause such Possession to be taken and delivered accordingly: Provided always, that nothing in this Act contained shall prevent or restrain the Commissioners whenever they may deem it just and reasonable so to do from granting Compensation to any Tenant at Will for giving up the Possession of the Premises, under or by virtue of this Act, in any Case where special Injury shall be proved to their Satisfaction.

Persons authorized to sell may refer it to Arbitrators to fix the Price.

XLII. Every Person and Body hereby capacitated to sell, and who may not agree with the Commissioners as to the Price to be paid, may, if he shall think fit, instead of having the Value ascertained by a Jury as aforesaid, agree with the Commissioners to refer it to any Person or Persons and their Umpire to ascertain the Amount to be paid, and every such Agreement and the Award to be made in pursuance thereof, shall be in all respects binding and effectual, and as if the Value had been ascertained by a Jury.

Power to clear the Ground and sell old Materials.

XLIII. It shall be lawful for the Commissioners and they are hereby empowered to pull down or cause to be pulled down all Houses and other Erections and Buildings which shall be purchased by virtue of this Act, or such of them or such Part thereof as they shall think proper to be pulled down, and to level and clear the Ground whereon the same shall stand, and all other the Ground to be purchased by virtue of this Act, in such Manner as they shall think proper, and to sell or cause to be sold the Materials of the Houses and other Buildings to be taken down and removed pursuant to this Act, and the Monies to be produced by the Sale thereof, (after deducting the Expenses of pulling down such Houses and Buildings respectively, and of such Sale or Sales,) and also the Rents and Profits of such Houses and Buildings to be purchased or taken by virtue of this Act, until the same shall be pulled down or cleared, shall be received and applied by the Commissioners for the Purposes of this Act.

No Purchases to be made without the Authority of the Treasury.

XLIV. No Purchase shall be made by the Commissioners for the Purposes of this Act without the Assent in Writing of the Lord High Treasurer or the Commissioners for executing the Office of Lord High Treasurer; but it shall not be necessary for any Vendor or any Purchaser from the said Commissioners to ascertain that such Assent has been given, nor shall the Commissioners be bound to produce to any such Vendor or Purchaser any Evidence of such Assent: Provided nevertheless, that such Assent may be given either generally or for any particular Purchase or Purchases, as to the said Lord High Treasurer or Commissioners for executing the Office of Lord High Treasurer as aforesaid shall seem meet.

Materials, &c. vested in the Commissioners.

XLV. The Right and Property of all and every the Gates, Bars, Posts, Rails, Sheds, Carts, Engines, Materials for paving, Implements, Utensils, and Things whatsoever, which may be erected and set up or provided by the Commissioners or by their Order, or otherwise belonging to and used by them for the Purposes of this Act, and also any Materials which formed Part of any Buildings which may be pulled down by the Direction of the Commissioners in pursuance of the Powers of this Act, shall be vested in the Commissioners, and they are hereby empowered to dispose of and apply the same for the Purposes of this Act as they shall think fit, and to bring any Action or Actions, and to prefer and prosecute with Effect any Bill or Bills of Indictment, against any Person or Persons who shall steal, secrete, injure, damage, or dispose of the same, or any of them respectively, to their own Use and Uses, or shall disturb them, the Commissioners or their Officers, or other Persons acting under them, in the Possession thereof.

Commissioners may cause Actions to be brought for Breach of Contract.

XLVI. In case any Contract entered into in pursuance of this Act with the Commissioners, or in case all or any of the Works to be done in pursuance of this Act, shall not be well and sufficiently performed according to the Intent and Meaning of any Contract or Contracts to be entered into by the Commissioners for any of the Purposes of this Act, or shall not be completed within the Time or Times specified in such Contract, then and in every such Case the Commissioners may cause an Action to be brought in any of Her Majesty's Courts of Law at *Westminster* against any such Contractor for any Penalty contained in his Contract; and on Proof of the signing of the said Contract, and Nonperformance thereof at the Time or Times for that Purpose to be therein mentioned, the Commissioners shall be entitled to and shall recover the full Penalty contained in any such Contract, any Law, Custom, or Usage to the contrary in anywise notwithstanding, which Penalty, when recovered, shall be applied to the Purposes of this Act: Provided always, that it shall be lawful for the Commissioners, if they think fit, to compound and agree with any such Contractor for any Penalty incurred by him for the Breach or Nonperformance of any such Contract for such Sum of Money as the said Commissioners shall think proper.

Costs and such Sum as Jury may find, to be paid to Persons

XLVII. If any Proceedings shall be taken for the Recovery of the Possession of any Land so purchased or taken for the Purposes of this Act, then within Two Months after any Judgment shall be obtained by any Person for the Recovery of the Possession of any such Premises there shall be paid or tendered

obtaining Judgment in lieu of Land.

tendered to any Person so obtaining such Judgment, in lieu of such Premises, his Costs on any Proceeding for the obtaining such Judgment, together with such Sum of Money as a Jury shall in the Manner herein-after mentioned find to have been the Value of the said Premises at the Time when the same were conveyed for the Purposes of the Act, or when Possession thereof was taken as aforesaid, and the Jury who shall try any Proceeding brought for the Recovery of the Possession of any Premises as aforesaid shall, at the same Time ascertain the Value of such Premises at the Time when they were conveyed for the Purposes of this Act, or when Possession was taken thereof, and the Value so found shall be certified by the presiding Judge under his Hand, and such Certificate shall be delivered to the Person seeking to recover Possession of the same Premises, and such Value shall be the Amount to be paid in lieu of the said Premises, and the same shall be paid by the Commissioners out of Monies in their Hands applicable for the Purposes of this Act; and the said Land, the Possession whereof was so sought to be recovered, shall remain vested in the Commissioners and their Successors for the Purposes of this Act, such Amount or Value being taken and accepted in lieu thereof.

Deeds, &c. not liable to Stamp Duty.

XLVIII. No Deed, Bond, or other Instrument which shall be made or executed by, to, or with the Commissioners, or otherwise, for any of the Purposes of this Act, shall be subject or liable to any Stamp Duty imposed by any Act now in force, nor to any Stamp Duty to be imposed by any future Act, unless such Instruments be specially subjected and specifically charged therewith by any future Act.

Punishing Persons for giving false Evidence.

XLIX. All Persons who upon any Examination to be taken by virtue of this Act shall wilfully and corruptly give false Evidence, or otherwise forswear themselves before any Jury or before any Justice of the Peace acting as such in the Execution of such Act, shall and may be prosecuted for the same, and upon Conviction thereof shall be subject and liable to such and the same Pains and Penalties as Persons guilty of wilful and corrupt Perjury are by the Laws in being subject and liable to.

Plaintiff not to recover without Notice, or after Tender of Amends.

L. No Plaintiff shall recover in any Action to be commenced against any Person for anything done in pursuance of this Act unless Notice in Writing shall have been given to the Defendant, or left at his last or usual Place of Abode, Twenty-one Days before such Action shall be commenced, of such intended Action, signed by the Attorney for the Plaintiff, specifying the Cause of such Action, nor shall the Plaintiff recover if Tender of good and sufficient Amends shall have been made to him or his Attorney by or on behalf of the Defendant before such Action brought, nor if such Tender of Amends shall be made at any Time after such Action brought and before the Trial thereof, with Costs of Suit to the Time of such last-mentioned Tender, but on Proof of such Tender on any Trial to be had in such Action the Plaintiff shall be nonsuited, and shall pay full Costs, to be recovered in the same Manner as any Defendant may recover Costs in any other Case by Law, or, in case no Tender shall have been made, it shall be lawful for the Defendant in any such Action, by Leave of the Court wherein any such Action shall depend, at any Time before Issue joined, to pay into Court such Sum of Money as he shall think fit, whereupon such Proceedings, Order, and Judgment shall be had, made, and given in and by such Court as in other Actions where the Defendant is allowed to pay Money into Court.

Limitation of Actions.

LI. Provided always, That no Action or Suit shall be brought or prosecuted against any Person or Body for anything done in pursuance of this Act after Three Months next after the Fact committed, or in case there shall be a Continuation of Damages then after Three Months next after the doing or committing such Damage shall have ceased, and not afterwards; and every such Action or Suit shall be laid and brought in the Liberty or County where the Matter in dispute shall arise, and not elsewhere; and the Defendant in every such Action or Suit shall and may at his Election plead specially or plead the General Issue, and give this Act and the special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act; and if it shall appear to have been so done, or if any such Action or Suit shall have been brought before Twenty-one Days Notice shall have been given, or after a sufficient Satisfaction made or tendered as aforesaid, or shall be brought in any other County or Place than as aforesaid, then and in every such Case the Jury or Juries shall find for the Defendant.

Saving Rights of Commissioners of Sewers.

LII. Provided always, That nothing in this Act contained shall prejudice, diminish, alter, or take away any of the Rights, Powers, or Authorities vested in the Commissioners of Sewers of the City of *London*.

Commissioners of Works, &c. not to be personally liable.

LIII. Nothing in this Act, or in any Deed or Instrument entered into or made by the Commissioners for the Purposes of this Act, shall extend to charge the Person or Persons of all or any of the Commissioners executing any such Deed or Instrument, or the Heirs, Executors, or Administrators of the same Commissioners, or any of them, or either or any of their own proper Lands, Tenements, Goods, or Chattels, with or for the Performance of all or any of the Covenants, Conditions, or Agreements in the said Deed or Instrument contained, on the Part of the same Commissioners, or any of them; but the Amount of all Costs, Charges, Damages, or Expenses which shall or may be recovered in any Suit or Suits at Law or in Equity against them, the Commissioners, or any of them, or against their or any of their Heirs, Executors, or Administrators, for or by reason or means of such last-mentioned Deed or Instrument, or the Covenants, Conditions, or Agreements therein contained, and also all the Costs, Charges, Damages, and Expenses which the Commissioners shall bear, pay, expend, be put to, or which shall be occasioned to them, for or by reason or means of any such Deed or Instrument, or any Covenant, Condition, or Agreement therein contained, or any Action or Actions, Suit or Suits, to be brought

brought or prosecuted by or against them or any of them thereupon, shall respectively be paid and discharged by and out of the Monies applicable to the Purposes of this Act.

Monies payable to the Commissioners of Works, &c. to be paid over to the Paymaster General.

LIV. All Monies payable to the Commissioners under the Provisions of this Act from the Sale of any Materials or otherwise shall be paid to Her Majesty's Paymaster General or the Deputy Paymaster General for the Time being, or other Officer acting for the Paymaster General, whose Receipt unstamped shall be a sufficient Discharge for the same to the Persons paying the same; and such Monies so paid as aforesaid shall from Time to Time be by such Paymaster General paid over and applied as the Commissioners shall by any Order direct, and in the meantime shall be applied or invested in the Purchase of Exchequer Bills, if the Commissioners should so direct.

Contracts made by First Commissioner to be valid.

LV. All Contracts made by the First Commissioner of Her Majesty's Works and Public Buildings in the Execution of any of the Powers by this Act given to the Commissioners hereby incorporated as aforesaid shall be valid, and shall be binding on the Commissioners, as if the same had been under their Corporate Seal.

Deeds to be enrolled in the Court of Exchequer.

LVI. Every Conveyance, Assignment, or other Deed or Instrument whereby any of the Land by this Act authorized to be purchased shall be conveyed or assigned to the Commissioners of Her Majesty's Works and Public Buildings for the Purposes of this Act, shall be enrolled amongst the Records of Her Majesty's Court of Exchequer, and entered in the Books of the said Commissioners; and every such Conveyance, Assignment, or other Deed or Instrument, when so enrolled, shall, without any other Enrolment or Acknowledgment thereof, and without any Registry thereof, be good and available in Law, any Act of Parliament, Law, Practice, or Usage to the contrary in anywise notwithstanding.

Short Title.

LVII. It shall be sufficient for all Purposes to cite this Act as "The Probate and other Courts and Registries Site Act, 1859."

The SCHEDULE referred to in the foregoing Act.

PARISH OF SAINT BENET, PAUL'S WHARF, IN THE CITY OF LONDON.

No. on Plan.	No. in Street.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
		Great Knightrider Street.			
42	—	Small Office at Rear of No. 3.	The Warden and Scholars of the House or College of Scholars of Merton, in the University of Oxford, Henry Price Holford, Harriet Sophia Hatchard.	- - -	Samuel Holmes.
43	—	Small Office at Rear of No. 3.		The Trustees of the Charity of Edmund Arnold, Esq., deceased, the Commissioners of Her Majesty's Works and Public Buildings.	Empty.
44	—	Yard and Watercloset at Rear of No. 3.			Henry Dinn, George Charles Ring, James Veitch Shaw, John Judd Blake, Harriet Dunn, William Frederick Pott, Samuel Holmes, Edward Greenhill.
45	4	Public Office, Forecourt, and Yard.	- - -	The Trustees of the Charity of Edmund Arnold, Esquire, deceased, the Commissioners of Her Majesty's Works and Public Buildings.	The Registrars of the Principal Registry of Her Majesty's Court of Probate.
46	—	Part of the Principal Registry of Her Majesty's Court of Probate in the Rear of No. 4, and the Strong Room in the Rear of No. 3, Great Knightrider Street.	The Warden and Scholars of the House or College of Scholars of Merton, in the University of Oxford.	The Trustees of the Charity of Edmund Arnold, Esquire, deceased, the Commissioners of Her Majesty's Works and Public Buildings, the Registrars of the Principal Registry of Her Majesty's Court of Probate.	The Registrars of the Principal Registry of Her Majesty's Court of Probate.

Court of Probate, &c. (Acquisition of Site).

No. on Plan.	No. in Street.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
			Great Knightrider Street—continued.		
47	5	Dwelling House and Offices.	The President and College or Commonalty of the Faculty of Physicians in London.	- - -	Charles Hawkins, the Registrars of the Principal Registry of Her Majesty's Court of Probate, Thomas Cumberland Davidson.
48	6	Public Office and Courtyard, and other Part of the Principal Registry of Her Majesty's Court of Probate.	The Dean and Chapter of the Cathedral Church of St. Paul, in London.	The Trustees of the Charity of Edmund Arnold, Esquire, deceased, the Commissioners of Her Majesty's Works and Public Buildings, the Registrars of the Principal Registry of Her Majesty's Court of Probate.	The Registrars of the Principal Registry of Her Majesty's Court of Probate.
			The College of Advocates and Doctors of Law.		
49	1	Dwelling House and Offices.	- - -	- - -	Thomas Blake.
50	2	Dwelling House and Offices.	- - -	- - -	Frederick Thomas Pratt.
51	3	Dwelling House and Offices.	- - -	- - -	James Parker Deane.
52	4	Dwelling House and Offices.	- - -	- - -	William Calverley Curteis.
53	5	Dwelling House and Offices.	- - -	- - -	John Lee.
54	6	Dwelling House and Offices.	- - -	- - -	Thomas Spinks.
55	7	Dwelling House and Offices.	- - -	- - -	William Robinson.
56	8	Dwelling House and Offices.	The Dean and Chapter of the	- - -	The Right Honourable Stephen Lushington.
57	9	Dwelling House and Offices.	CathedralChurch of St. Paul, in	- - -	Samuel Jewkes Wambey.
58	10	Dwelling House and Offices.	London, William Calverley Curteis, Frederick	- - -	Sir John Dorney Harding, Herbert Jenner.
59	11, 11½	Dwelling House and Offices.	Thomas Pratt, and others, Trustees for the Fellows and Members of the College of Advocates and Doctors of Law.	- - -	George Webbe Dasent, Travers Twiss, Alfred Waddilove.
60	12	Dwelling House and Offices.		- - -	Augustus Frederick Bayford, Alfred Waddilove, and the Registrars of the Principal Registry of Her Majesty's Court of Probate, and for Divorce and Matrimonial Causes.
61	13	Dwelling House -	- - -	- - -	James Maskell.

Court of Probate, &c. (Acquisition of Site). *Vexatious Indictments.*

No. on Plan.	No. in Street.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
		The College of Advocates and Doctors of Law—continued.			
62	14	Dwelling House and Offices.	- - -	- - -	Thomas Hutchinson Tristram, the Right Honourable Sir John Dodson, William Francis Dodson.
63	15	Dwelling House and Offices.	- - -	- - -	Robert Joseph Phillimore.
64	16	Dwelling House and Offices.	- - -	- - -	John Elliot Pasley Robertson.
65	17	Dwelling House and Offices.	- - -	- - -	Maurice Charles Merttins Swabey, Jesse Adams.
66	—	The Hall and Library	- - -	- - -	The Fellows and Members of the College of Advocates and Doctors of Law.
67	—	The Court - -	The Dean and Chapter of the Cathedral Church of St. Paul, in London, William Calverley Curteis, Frederick Thomas Pratt, and others, Trustees for the Fellows and Members of the College of Advocates and Doctors of Law.	- - -	The Fellows and Members of the College of Advocates and Doctors of Law, the High Court of Admiralty.
68	—	The Garden - -		- - -	The Fellows and Members of the College of Advocates and Doctors of Law.
69	—	Store Sheds in Back Commons.			
70	—	The Back Commons and Gateway to Church Court.			
71	—	The several Areas or open Courts, Passages, and Ways within the College of Advocates -		- - -	
72	—	Public Streets and Ways.	The Commissioners of Sewers, Lamps, and Pavements for the City of London.	- - -	The Commissioners of Sewers, Lamps, and Pavements for the City of London, the New River Water Company, the Great Central Gas Consumers Company, the City of London Gas Light Company, the Public.

CAP. XVII.

An Act to prevent Vexatious Indictments for certain Misdemeanors. [8th *August* 1859.]

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. After the First Day of *September* One thousand eight hundred and fifty-nine, no Bill of Indictment for any of the Offences following, viz. No Indictment for Offences herein-named to be preferred without previous Authorization.

Perjury,
Subornation of Perjury,
Conspiracy,
Obtaining Money or other Property by false Pretences,
Keeping a Gambling House,
Keeping a disorderly House, and
Any indecent Assault,

shall

shall be presented to or found by any Grand Jury, unless the Prosecutor or other Person presenting such Indictment has been bound by Recognizance to prosecute or give Evidence against the Person accused of such Offence, or unless the Person accused has been committed to or detained in Custody, or has been bound by Recognizance to appear to answer to an Indictment to be preferred against him for such Offence, or unless such Indictment for such Offence, if charged to have been committed in *England*, be preferred by the Direction or with the Consent in Writing of a Judge of One of the Superior Courts of Law at *Westminster*, or of Her Majesty's Attorney General or Solicitor General for *England*, or unless such Indictment for such Offence, if charged to have been committed in *Ireland*, be preferred by the Direction or with the Consent in Writing of a Judge of One of the Superior Courts of Law in *Dublin*, or of Her Majesty's Attorney General or Solicitor General for *Ireland*, or (in the Case of an Indictment for Perjury) by the Direction of any Court, Judge, or public Functionary authorized by an Act of the Session holden in the Fourteenth and Fifteenth Years of Her Majesty, Chapter One hundred, to direct a Prosecution for Perjury.

14 & 15 Vict. c. 100.

In certain Cases where Prosecutor desires to prefer an Indictment Justice to take his Recognizance to prosecute.

II. That where any Charge or Complaint shall be made before any One or more of Her Majesty's Justices of the Peace that any Person has committed any of the Offences aforesaid within the Jurisdiction of such Justice, and such Justice shall refuse to commit or to bail the Person charged with such Offence to be tried for the same, then in case the Prosecutor shall desire to prefer an Indictment respecting the said Offence, it shall be lawful for the said Justice and he is hereby required to take the Recognizance of such Prosecutor to prosecute the said Charge or Complaint, and to transmit such Recognizance, Information, and Depositions, if any, to the Court in which such Indictment ought to be preferred, in the same Manner as such Justice would have done in case he had committed the Person charged to be tried for such Offence.

Act not to extend to Scotland.

III. This Act shall not extend to *Scotland*.

CAP. XVIII.

An Act for granting to Her Majesty additional Rates of Income Tax; and to reduce the Period of Credit allowed for Payment of the Excise Duty on Malt. [13th *August* 1859.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of *Great Britain* and *Ireland*, in Parliament assembled, towards raising the necessary Supplies to defray Your Majesty's Public Expenses, and making an Addition to the Public Revenue, have freely and voluntarily resolved to give and grant unto Your Majesty the several Rates and Duties herein-after mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Additional Rates of Income Tax granted on Assessments made on the Amount of annual Profits.

I. In addition to the Rates and Duties granted and now chargeable under the Act passed in the Sixteenth and Seventeenth Years of Her Majesty's Reign, Chapter Thirty-four, for granting to Her Majesty Duties on Profits arising from Property, Professions, Trades, and Offices, there shall be charged, collected, and paid, for and in respect of all Property, Profits, and Gains charged or chargeable under the said Act, either by Assessment, Contract of Composition, or otherwise, the following additional Rates and Duties; that is to say, upon any Assessment made on the annual Value or Amount of any Property, Profits, or Gains (except Property, Profits, and Gains chargeable under Schedule (B.) of the said Act,) the additional Rate or Duty of Fourpence for every Twenty Shillings of the annual Value or Amount of all such Property, Profits, and Gains respectively; and for and in respect of the Occupation of Lands, Tenements, Hereditaments, and Heritages chargeable under Schedule (B.) of the said Act, the additional Rate or Duty of Twopence in *England*, and of One Penny Halfpenny in *Scotland* and *Ireland* respectively, for every Twenty Shillings of the annual Value thereof; and such additional Rates and Duties respectively shall be collected and paid with and over and above the First Moiety of the Duties assessed or charged under the said Act.

Additional Rates of Duty to be charged on half-yearly and quarterly Assessments.

II. Provided always, That where any Dividends, Interest, or other Profits or Gains becoming due or payable half-yearly are assessed or charged half-yearly with the Rate or Duty under the said Act, there shall be charged upon the first Assessment or Charge which shall be hereafter made on such Dividends, Interest, Profits, and Gains the additional Rate or Duty of Eightpence for every Twenty Shillings of the half-yearly Amount thereof; and where any Profits or Gains becoming due or payable quarterly are assessed or charged quarterly with the Rate or Duty under the said Act, there shall be charged upon the first Two quarterly Assessments or Charges respectively which shall be hereafter made on such last-mentioned Profits and Gains the additional Rate or Duty of Eightpence for every Twenty Shillings of the quarterly Amount of such last-mentioned Profits and Gains; and the said additional Rates and Duties charged in such half-yearly and quarterly Assessments respectively shall be collected and paid with and over and above the Rates and Duties assessed or charged therein respectively under the said Act.

III. Pro-

III. Provided always, That every Person who shall claim, and prove in the Manner prescribed by the Acts now in force relating to the Income Tax, that his total annual Income from every Source, although amounting to One hundred Pounds or upwards, is less than One hundred and fifty Pounds a Year, shall be entitled to be relieved from so much of the said additional Rates and Duties assessed upon or paid by him under this Act as shall exceed the Rate of One Penny Halfpenny for every Twenty Shillings of his annual Profits or Gains, and such Relief shall be given in the Manner directed by the said Acts. Relief to Persons whose Incomes are under 150*l.* a Year.

IV. The additional Rates and Duties by this Act granted shall be charged, raised, levied, and collected under the Regulations and Provisions of the said Act of Parliament herein-before mentioned and of the several Acts therein referred to, and also of any Act or Acts subsequently passed explaining, amending, or continuing the said first-mentioned Act; and all Powers, Authorities, Rules, Regulations, Penalties, Clauses, Matters, and Things contained in or enacted by the said several Acts, and in force with respect to the Rates and Duties granted by the said first-mentioned Act, shall (so far as the same are or may be applicable consistently with the express Provisions of this Act) respectively be duly observed, applied, and put in execution, *mutatis mutandis*, for charging, levying, collecting, receiving, accounting for, and securing the said Rates and Duties hereby granted, and otherwise relating thereto. Provisions of former Acts to be applied.

V. The additional Rates and Duties by this Act granted and imposed shall be deemed to be charged in respect of the Half Year ending on the Tenth Day of *October* One thousand eight hundred and fifty-nine; and every Person liable to the Payment of Rent or any yearly Interest of Money, or any Annuity or other annual Payment, either as a Charge on any Property or as a personal Debt or Obligation, whether the same shall be received or payable half-yearly or at any shorter or more distant Period, shall be entitled and is hereby authorized, on making such Payment in respect of so much thereof as has accrued or shall have accrued for or during any Period of the said Half Year, to deduct and retain thereout (over and above any other Deduction to which he may be entitled under any other Act) the additional Rate of Duty by this Act granted and imposed, that is to say, at the Rate of Eightpence for every Twenty Shillings of such Payment, and where he has made or shall have made any such Payment without making such Deduction as aforesaid he shall be entitled to recover and receive the Amount thereof from the Person to whom such Payment shall have been made. Deduction to be made on Payment of Interest, &c.

VI. 'And whereas by the Fifty-fourth Section of the said Act of the Sixteenth and Seventeenth 'Years of Her Majesty, Chapter Thirty-four, Provision is made for Deduction, Abatement, Allowance, 'or Repayment of Duty in favour of any Person who should have contracted for any deferred Annuity 'on his own Life or on the Life of his Wife in or with any such Insurance Office as in the said Act is 'mentioned:' The Benefit and Advantage of such Provision shall be and is hereby extended and granted to any Person who has or shall have contracted for any such deferred Annuity as aforesaid with the Commissioners for the Reduction of the National Debt. Allowance of Duty in respect of deferred Annuities extended to those contracted for with National Debt Commissioners.

VII. And in respect of all Malt begun to be made on or after the First Day of *October* One thousand eight hundred and fifty-nine, the Time limited for Payment of the Duty of Excise on Malt by every Maltster or Maker of Malt who shall have given Security by Bond in the Manner directed by the Act passed in that Behalf shall be Twelve Weeks, in lieu of Eighteen Weeks after the making of such Account or Return, as in the said Act is mentioned; and no Person shall be entitled to any Credit for Payment of the Duty of Excise on Malt unless he shall give such Security as aforesaid, by Bond conditioned for Payment of the said Duty within the Period limited by this Act; and every such Bond shall be taken in such Sum as the Commissioners of Inland Revenue, or the Persons appointed by them for that Purpose, shall deem to be sufficient in that Behalf. Reduction of the Period of Credit allowed for Payment of Excise Duty on Malt.

VIII. And in consideration of the Reduction in manner aforesaid of the Period of Credit allowed by Law for Payment of the Duty of Excise on Malt, the Commissioners of Inland Revenue shall allow to every such Maltster or Maker of Malt who shall have given such Security as aforesaid a Rebate or Discount after the Rate of Four *per Cent. per Annum* for the Period of Six Weeks upon the Amount of Charge upon such Maltster or Maker of Malt in respect of all Malt made by him on or after the First Day of *October* One thousand eight hundred and fifty-nine, and before the First Day of *April* One thousand eight hundred and sixty, provided he shall duly pay the Amount of such Charge within the Time appointed by the Law and Usage of Excise in that Behalf. Discount to be allowed to Maltsters in consideration of the Reduction of Credit.

CAP. XIX.

An Act to repeal Part of an Act passed in the Thirteenth Year of *Elizabeth*, Chapter Twenty-nine, concerning the several Incorporations of the Universities of *Oxford* and *Cambridge*, and the Confirmation of the Charters, Liberties, and Privileges granted to either of them.

[13th *August* 1859.]

'WHEREAS in and by an Act passed in the Thirteenth Year of Her Majesty Queen *Elizabeth*, 'intituled *An Act concerning the several Incorporations of the Universities of* Oxford *and* 'Cambridge, *and the Confirmation of the Charters, Liberties, and Privileges granted to either of* 'them, it is amongst other things enacted, that the Letters Patent of the Queen's Highness's Father,

'King

'King *Henry* the Eighth, made and granted to the Chancellor and Scholars of the said University of 'Oxford, bearing Date the First Day of *April* in the Fourteenth Year of His Reign, and the Letters 'Patents of the Queen's Majesty that then was made and granted unto the Chancellor, Masters, and 'Scholars of the University of *Cambridge*, bearing Date the Sixth-and-twentieth Day of *April* in the 'Third Year of Her Highness's most Gracious Reign, and also all other Letters Patents by any of the 'Progenitors or Predecessors of our said Sovereign Lady made to either of the said corporated Bodies, 'severally, or to any of their Predecessors of either of the said Universities, by whatsoever Name or 'Names the said Chancellor, Masters, and Scholars of either of the said Universities, in any of the said 'Letters Patents had been theretofore named, should from thenceforth be good, effectual, and available 'in the Law to all Intents, Constructions, and Purposes to the foresaid then Chancellor, Masters, and 'Scholars of either of the said Universities, and to their Successors for evermore, after and according 'to the Form, Words, Sentences, and true Meaning of every of the same Letters Patents, as amply, 'fully, and largely as if the same Letters Patents had been recited verbatim in that present Act of 'Parliament, anything to the contrary in anywise notwithstanding; and it was further enacted, that all 'manner of Instruments, Indentures, Obligations, Writings Obligatory, and Recognizances made or 'acknowledged by any Person or Persons or Body Corporate to either of the said corporated Bodies of 'either of the said Universities, by what Name or Names soever the said Chancellor, Masters, and 'Scholars of either of the said Universities had been theretofore called in any of the said Instruments, 'Indentures, Obligations, Writings Obligatory, or Recognizances, should be from thenceforth available, 'stand and continue of good, perfect, and full Force and Strength to the then Chancellor, Masters, and 'Scholars of either of the said Universities, and to their Successors, to all Intents, Constructions, and 'Purposes, although they or their Predecessors, or any of them, in any of the said Instruments, 'Indentures, Obligations, Writings Obligatory, or Recognizances were named by any Name contrary 'or diverse to the Name of the then Chancellor, Masters, and Scholars of either of the said Univer-'sities; and it was also enacted, that as well the said Letters Patents of the Queen's Highness's said 'Father, King *Henry* the Eighth, bearing Date as was before expressed, made and granted to the said 'corporated Body of the said University of *Oxford*, as the Letters Patents of the Queen's Majesty 'aforesaid granted to the Chancellor, Masters, and Scholars of the University of *Cambridge*, bearing 'Date as aforesaid, and all other Letters Patents by any of the Progenitors or Predecessors of Her 'Highness, and all manner of Liberties, Franchises, Immunities, Quietances, and Privileges, Leets, Law 'Days, and other Things whatsoever therein expressed, given, or granted to the said Chancellor, Masters, 'and Scholars of either of the said Universities, or to any of their Predecessors of either of the said 'Universities, by whatsoever Name the said Chancellor, Masters, and Scholars of either of the said 'Universities in any of the said Letters Patents be named, were and by virtue of that present Act 'should be from thenceforth ratified, stablished, and confirmed unto the said Chancellor, Masters, and 'Scholars of either of the said Universities, and to their Successors for ever, any Statute, Law, Usage, 'Custom, Construction, or other thing to the contrary in anywise notwithstanding: Provided always, 'and it was enacted, that the said Act or anything therein contained should not extend to the Prejudice 'or Hurt of the Liberties and Privileges of Right belonging to the Mayors, Bailiffs, and Burgesses of 'the Town of *Cambridge* and City of *Oxford*, but that they the said Mayors, Bailiffs, and Burgesses, 'and every of them, and their Successors, should be and continue free, in such Sort and Degree, and 'enjoy such Liberties, Freedoms, and Immunities, as they or any of them lawfully might have done 'before the making of that present Act, anything contained in the said Act to the contrary notwith-'standing: And whereas by Letters Patent, dated the Twenty-ninth Day of *May* in the Thirty-second 'Year of the Reign of His late Majesty King *Henry* the Third, the said King did grant to the Scholars 'of the University of *Oxford*, amongst other things, that so often and whensoever the Mayor and 'Bailiffs of *Oxford* should take the Oath of their Fealty in their common Place, the Commonalty of 'the same Town should inform the Chancellor, in order that, if he wished, by himself or by some 'chosen Persons, he might be present at the taking of the aforesaid Oath, which Oath indeed as to the 'aforesaid Scholars should be of this Sort, that is to say, that the Mayor and Bailiffs themselves should 'keep the Liberties and Customs of the aforesaid University, otherwise their Oath should be of no 'avail, but should be taken again according to the prescribed Form; but if the Chancellor should not 'wish to be present, either by himself or by a Proctor, the Oath should nevertheless be taken: And 'whereas Provisions in relation to the Observance of the same Oath, or an altered Oath in lieu thereof, 'have been made by subsequent Letters Patent granted by Kings and Queens of this Realm to the 'Chancellor, Masters, and Scholars of the University of *Oxford*, and also by Orders of the Privy 'Council made in the Reigns of Queen *Elizabeth*, King *James* the First, and King *Charles* the Second: 'And whereas by the Statutes of the University of *Oxford*, which the Chancellor and Vice-Chancellor 'of the University have taken their respective Oaths to observe and perform, it is enjoined on each of 'them that they do exact the said annual Oath of the Mayor and Burgesses of *Oxford*: And whereas 'the Mayor, Aldermen, and Citizens of the City of *Oxford* desire to be relieved from the Obligation of 'taking any such Oath, and the Chancellor, Masters, and Scholars of the University of *Oxford* are 'willing that the said Mayor, Aldermen, and Citizens should be so relieved, but they are advised that

'such

'such Relief can only be granted by the Authority of Parliament:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Repeal of Duty to take Oath.

I. So much of the herein-before recited Act of Parliament, and of all Charters, Letters Patent, Orders in Council, Obligations, Deeds, or Instruments, as imposes upon the said Mayor, Aldermen, and Citizens, or any of them, or any Municipal Officer of the City of *Oxford*, the Obligation of taking any Oath for the Conservation of the Liberties and Privileges of the University of *Oxford*, or any such Oath as is herein-before referred to, shall be and the same is hereby repealed and annulled and made void.

Prohibition of any Requisition to Mayor, &c. to take Oath.

II. The Mayor, Aldermen, and Citizens of *Oxford* shall not hereafter, nor shall any of them, nor shall any Municipal Officer of the City of *Oxford*, be required to take any Oath or to make any Declaration for the Conservation of the Liberties and Privileges of the University of *Oxford*: Provided always, that, notwithstanding anything herein contained, the Mayor, Aldermen, and Citizens of *Oxford*, and all Officers of the same City, shall observe and keep all manner of lawful Liberties and Customs which the Chancellor, Masters, and Scholars of the said University have reasonably used, without any Gainsaying; saving, nevertheless, the Fidelity of the said Mayor, Aldermen, Citizens, and Officers to the Queen's Majesty, and saving also the Liberties and Privileges of Right belonging to the said Mayor, Aldermen, and Citizens, and to the Officers of the said City.

CAP. XX.

An Act to amend and consolidate the Laws relating to Military Savings Banks.

[13th *August* 1859.]

5 & 6 Vict. c. 71. 8 & 9 Vict. c. 27. 12 & 13 Vict. c. 71.

'WHEREAS an Act was passed in the Session holden in the Fifth and Sixth Years of Her Majesty, "to establish Military Savings Banks," and an Act was passed in the Session holden in the Eighth and Ninth Years of Her Majesty, to amend the first-mentioned Act, and an Act was passed in the Session holden in the Twelfth and Thirteenth Years of Her Majesty, "to dissolve Regimental "Benefit Societies, and to provide for the Application of the Funds of such Societies and of Regi- "mental Charitable Funds: And whereas it is expedient to amend and consolidate the said Acts, and to confirm or render valid all Acts that may have been done under the Authority of the Secretary-at-War, or Her Majesty's Principal Secretary of State for the War Department, in relation to the Military or Regimental Savings Banks already established, and the Deposits therein, and the Payments of Principal and Interest in respect of such Deposits:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Recited Acts repealed. Acts done confirmed.

I. The said Acts shall be repealed, save as herein otherwise provided: Provided always, that such Repeal shall not affect any Deposit made or other Act done under the Authority of the said Acts or any of them before such Repeal takes effect; and all Acts done under the Authority of any Rules made in manner provided by Section Three of the firstly herein-before mentioned Act, or under the Authority of the Secretary-at-War, before such Repeal takes effect, in relation to the Deposits made in Military or Regimental Savings Banks theretofore established, and all Payments of Principal and Interest made in respect of such Deposits, shall be and be deemed to have been legal and valid.

Military Savings Banks may be established.

II. It shall be lawful for Her Majesty, in manner herein-after mentioned, to establish or continue Military or Regimental Savings Banks, for the Purpose of receiving Sums of Money from such of the Non-commissioned Officers and Soldiers employed in Her Majesty's Service, either in the United Kingdom or upon Foreign Stations, (*India* alone excepted,) as may be desirous of depositing the same, and for receiving Deposits of any Moneys or Funds whatsoever raised or paid for Objects or Purposes connected with Non-commissioned Officers and Soldiers which Her Majesty may from Time to Time think fit to authorize to be deposited in the said Savings Banks.

Regulations for Savings Banks, how to be made.

III. Regulations for the Savings Banks so to be established or continued shall from Time to Time be made by the Secretary-at-War, with the Concurrence of the General Commanding in Chief and of the Commissioners of Her Majesty's Treasury; and such Regulations, when sanctioned by Her Majesty, shall be signed by the Secretary-at-War, and laid before both Houses of Parliament; and a Copy of such Regulations shall be deposited in the Orderly Room of every Regiment to which they apply; and such Regulations shall be binding upon all Officers concerned, and upon the several Depositors in the said Savings Banks and upon their Representatives.

What to be provided for by the Regulations.

IV. Such Regulations shall or may (as the Case may require) make Provision in relation to the following Matters; (that is to say,)

Shall regulate and determine the Rate of Interest to be paid to Depositors, not exceeding the yearly Rate of Three Pounds Fifteen Shillings for every One hundred Pounds, and what (if any) fractional Parts of a Pound or Sums less than a Pound shall bear Interest, and what Length of Time Deposits must remain in order to bear Interest, and at what Times Interest shall be added to Principal so as to become Principal, in like Manner as if the same had been paid to the Depositor and been again deposited, and what Deposits may be received upon which Interest shall not be payable;

May determine in what Cases or under what Circumstances Deposits and the Interest (if any) thereon shall be forfeited to the Public;

May make Provision for and concerning the Retention or Deposit in the Military or Regimental Savings Banks of the Effects of deceased Non-commissioned Officers or Soldiers, or the Money arising therefrom, at Interest or without Interest, and for the Payment or Application thereof and of the Interest thereon to or for the Benefit of the Orphans of such Non-commissioned Officers or Soldiers or other Persons entitled to the same;

May make Provision for and concerning the Deposit of Funds created for Charitable Regimental Purposes by Subscriptions of Officers, unexpended Balances of Canteen Funds, or otherwise, and of any Funds or Moneys created, raised, or paid in any Manner whatsoever for Objects or Purposes connected with Non-commissioned Officers or Soldiers, and concerning the Manner in which such Funds or Moneys, and the Interest thereon, shall be paid, applied, or distributed;

May make it obligatory on Commanding Officers of Regiments and others to deposit such Funds or Moneys in the said Savings Banks, and to account to the Secretary-at-War or otherwise for the same, and the due Application thereof;

May make Provision for the Withdrawal from the said Savings Banks for the Purpose of Transfer to *India* of any Money whatsoever deposited in the said Savings Banks, and the Accumulations of Interest thereon, upon the Occasion of Regiments proceeding to *India*;

And shall provide for the keeping of proper Accounts, and generally for all such Matters in relation to the said Savings Banks and Deposits therein as may be thought proper;

And such Regulations shall be made as well with reference to Deposits already made in the Savings Banks established under the firstly herein-before mentioned Act and Charitable Regimental Funds already paid into the Bank of *England* under the thirdly herein-before mentioned Act as to Deposits to be made under this Act:

Provided always, that Deposits by any individual Depositor in any One Year, (ending on such Day as may be in the Regulations mentioned,) exceeding Thirty Pounds in the whole (exclusive of Interest added), shall not bear Interest until after the End of such Year, except only in the Case of Deposits of Gratuities awarded for good Conduct or otherwise, and that while the Sums standing in the Name of any individual Depositor (inclusive of Interest, if any,) amount to or exceed Two hundred Pounds no Interest shall accrue on any Sum in Excess of that Amount standing in his Name; but this Proviso shall not apply to or in the Case of Money retained or deposited in a Military or Regimental Savings Bank after the Death of a Non-commissioned Officer or Soldier, for the Benefit of his Orphans or other Persons entitled to his Effects, or to or in the Case of Funds or Moneys created, raised, or paid for Charitable Regimental Purposes, or for such Objects or Purposes as herein-before mentioned.

Receipts of Infants and Married Women.

V. The Receipt of any Infant for any Money deposited in any such Savings Bank, or for any Interest thereon, shall be a sufficient Discharge, notwithstanding his Incapacity or Disability in Law to act for himself; and any Payment in respect of any Deposit or Interest thereon which may be made to any Married Woman, under any Regulations made under this Act, shall be deemed a valid Payment, and her Receipt shall be a sufficient Discharge.

Deposits to be applied to Public Expenditure, and Payments made out of Grants for ordinary Services.

VI. The Moneys deposited in Military or Regimental Savings Banks shall be applied under the said Regulations by the Officers or Persons authorized to receive the same to the Payment of such ordinary Army Services as it may be their Duty to defray, and all Sums from Time to Time payable to Depositors or otherwise under the said Regulations for Principal and Interest in respect of Moneys so deposited under the said Acts or any of them, or this Act, or paid into the Bank of *England* under the thirdly herein-before mentioned Acts, shall be paid out of the Grants by Parliament for ordinary Army Services.

Secretary-at-War to direct certain Moneys to be paid to the Account of the Commissioners for the Reduction of the National Debt, and carried to the Account of the Military Savings Banks.

VII. It shall be lawful for the Secretary-at-War from Time to Time to authorize, by his Warrant, Payment out of the Moneys granted for Army Services, and placed to the Account of the Paymaster General at the Bank of *England*, of the Amount of the Money received and applied for the Public Service under this Act, together with the Interest allowed thereon, to the separate Account raised under the secondly herein-before mentioned Act in the Names of the Commissioners for the Reduction of the National Debt in the Books of the Governor and Company of the Bank of *England*, and denominated "The Fund for the Military Savings Banks," and to authorize [in like Manner Payment as aforesaid to such last-mentioned Account of the Amount of the Money so received, and applied under the Acts hereby repealed or any of them, with Interest, as aforesaid, so far as such Payment may not have been already authorized under such Acts or any of them; and in ascertaining the Amount of which Payment is to be so authorized Deduction or Allowance shall be made in respect of Payments previously made to Depositors or otherwise in respect of Deposits; and the Cashier of the Bank of *England* is hereby required to pay or transfer the Amount mentioned in every such Warrant from the Account of the Paymaster-General to such separate Account accordingly: Provided always, that previous to any Payment or Transfer being made as aforesaid to such separate Account, the Person applying for that Purpose shall in all Cases produce to the Officer of the last-mentioned Commissioners, at their Office in *London*, a Warrant from the Secretary-at-War, stating that the Money mentioned therein is Part of the Funds of the Military Savings Banks.

VIII. The

Military Savings Banks.

VIII. The Commissioners for the Reduction of the National Debt shall cause all the Moneys placed to their Account, in pursuance of this Act, or which may have been placed to their Account under the Acts hereby repealed or any of them, and may not have been invested before the Repeal of such Acts takes effect, to be invested from Time to Time, under such Regulations as such Commissioners may direct, in the Purchase of any Bank Annuities in their Names, and to be carried to the Account raised in their Names under the secondly herein-before mentioned Act; and the Interest or Dividends to arise from Time to Time and become due on any Bank Annuities purchased under this Act or the Acts hereby repealed, or any of them, shall in like Manner be invested in the Purchase of Bank Annuities; and such Interest or Dividends shall not be subject or liable to any Taxes, Charges, or Impositions whatever. Investment of such Moneys.

IX. It shall and may be lawful for the Secretary-at-War, by his Warrant, to require that, within Fourteen Days from the Day on which the same is lodged at the Office of the Commissioners for the Reduction of the National Debt, the whole or any Part of the Bank Annuities standing in the Books of the Bank of *England* in the Names of such Commissioners and to the Account aforesaid shall be sold, and the Produce thereof paid to the Account of the Paymaster General at the Bank of *England*. Moneys invested in Annuities may be transferred to Paymaster General.

X. It shall and may be lawful for such Commissioners, on the Requisition aforesaid of the Secretary-at-War, to sell from Time to Time any Part of the said Bank Annuities which may be standing in their Names in the Books of the Bank of *England* in pursuance of the Acts hereby repealed or any of them, or this Act, and the Certificate of the Cashier of the Bank of *England* of the Money having been placed to the Account of the Paymaster General shall be a full and sufficient Discharge to such Commissioners. Commissioners for Reduction of National Debt empowered to sell.

XI. 'And whereas by the said Act of the Twelfth and Thirteenth Years of Her Majesty, Provision 'was made for an equitable Distribution of the Funds of certain Regimental Benefit Societies thereby 'determined, and for placing the Sum to which each existing Subscriber might be declared entitled in 'the Savings Bank, established under the firstly herein-before mentioned Act in the Regiment to which 'he belonged, to accumulate for him until his Discharge; and it was by the Act now in recital enacted, 'that upon its being proved to the Satisfaction of the Secretary-at-War, upon the Recommendation of 'the Commanding Officer of the Regiment, that it would be of advantage to a Soldier to withdraw his 'Portion of the said Fund, including any Accumulations thereon, from the Regimental Savings Bank 'before his Discharge, it should be lawful for the Secretary-at-War to sanction such Withdrawal, and 'such Portion might be withdrawn accordingly:' Provisions as to Money arising from a dissolved Benefit Society.

The Repeal of the said Act of the Twelfth and Thirteenth Years of Her Majesty shall not affect the said Provisions concerning the Sums so placed as aforesaid in any Savings Bank.

XII. No Person having any Control in the Management of any Savings Bank established or continued under this Act shall be personally liable, except for his own Acts, nor shall any such Person be personally liable for anything done by him in virtue of his Office in the Execution of this Act, except in Cases where he is guilty of wilful Neglect or Default. Officers of Savings Banks not liable, except for their own Acts.

XIII. An Account of the Amount of all Sums deposited under the Acts hereby repealed, or any of them, or this Act, within the Year ended on the Thirty-first Day of *March* preceding, and of the Amount of all Sums withdrawn during the same Period, and of the Interest allowed upon such Deposits, and also of the Number of Accounts open on the said Thirty-first Day of *March*, with such other Particulars as Her Majesty may be pleased from Time to Time to order, shall be annually prepared by the Secretary-at-War, and rendered to the Commissioners of Her Majesty's Treasury, and shall be laid before both Houses of Parliament before the First Day of *April* in every Year, if Parliament be then sitting, or if Parliament be not sitting, then within Fourteen Days after the next Meeting of Parliament; and the gross Amount of all Moneys received and paid by the Commissioners for the Reduction of the National Debt, under the Authority of the said Acts hereby repealed, or any of them, or this Act, prepared up to the Fifth Day of *January* in every Year, shall also be annually laid before both Houses of Parliament on or before the said First Day of *April*, or within such Period as aforesaid. Accounts to be laid before Parliament.

XIV. The Savings Banks established under the firstly herein-before recited Act, and to be established or continued under this Act, shall not, nor shall any Moneys which have been placed to the Account or have come to the Hands of the Commissioners for the Reduction of the National Debt, under the Acts hereby repealed or any of them, or which may be placed to the Account or come to the Hands of such Commissioners under this Act, be taken to be within the Provisions of an Act passed in the Ninth Year of the Reign of King *George* the Fourth, intituled *An Act to consolidate and amend the Laws relating to Savings Banks*, or of any other Act heretofore passed relating to Savings Banks. Military Savings Banks not to be within the Provisions of 9 G. 4. c. 92. or other Acts.

XV. In the Construction of this Act "*India*" shall have the same Meaning as under Section One of the Act of the Session holden in the Twenty-first and Twenty-second Years of Her Majesty, Chapter One hundred and six. As to the Word "India."

XVI. This Act shall, as regards the making of Regulations for Savings Banks thereunder, take effect immediately after the passing hereof, and in all other respects shall take effect from the Time at which the Regulations first made shall be therein appointed to come into operation. Commencement of Act.

CAP. XXI.

An Act to regulate the Office of Queen's Remembrancer, and to amend the Practice and Procedure on the Revenue Side of the Court of Exchequer. [13th *August* 1859.]

5 & 6 Vict. c. 86.

'WHEREAS an Act was passed in the Session holden in the Fifth and Sixth Years of Her Majesty, Chapter Eighty-six, "for abolishing certain Offices on the Revenue Side of the Court of "Exchequer in *England*, and for regulating the Office of Her Majesty's Remembrancer in that "Court:" And whereas the Office of the said Remembrancer may be conveniently held and the Duties thereof performed by One of the Masters of the said Court, and the Commissioners of Her Majesty's Treasury have, upon the Retirement of *Henry William Vincent* Esquire, appointed *William Henry Walton* Esquire, One of the said Masters, to the said Office of Remembrancer: And whereas it is expedient further to regulate the said Office, and to make other Provision in relation thereto, and to the Procedure on the Revenue Side of the said Court:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Appointment of Queen's Remembrancer.

I. The said Appointment of the said *William Henry Walton* shall be confirmed, and he may continue to hold the Office of Her Majesty's Remembrancer during good Behaviour, together with the Office of Master; and upon any Vacancy in the said Office of Remembrancer it shall be lawful for the Commissioners of Her Majesty's Treasury to appoint from Time to Time One of the Masters of the Court of Exchequer to be such Remembrancer, and such Master shall hold such Office together with the Office of Master: Provided, that in the Absence of the Remembrancer from Illness or other Cause the Senior Master for the Time being in attendance may perform the Duties of the Office of Remembrancer.

The Treasury to regulate Establishment and to fix Salaries.

II. It shall be lawful for the Commissioners of Her Majesty's Treasury, with the Consent of the Lord Chief Baron of the Court of Exchequer, as soon as conveniently may be after the passing of this Act, to reduce or regulate the Establishment under Her Majesty's Remembrancer, and to fix or alter the Salaries of the Remembrancer and the Clerks and other Persons employed in such Establishment, and from Time to Time, and with the like Consent, further to regulate or alter such Establishment and Salaries as Occasion may require.

Power to the Treasury to award Compensation.

III. Any Officer or other Person who may suffer Loss through the Reduction or Regulation of such Establishment may make a Claim for Compensation to the Commissioners of Her Majesty's Treasury; and the said Commissioners, if such Claim be established to their Satisfaction, shall award to the Claimant such Compensation as under the Circumstances of the Case they think him entitled to, either by a gross Sum or by way of Annuity.

Salaries and Expenses of Office to be paid out of the Fees.

IV. The Salaries and Compensation Allowances payable under this Act, together with the necessary Expenses of the Office of the Remembrancer, shall be paid out of the Fees received in the said Office; and the Surplus of such Fees, after the Payment of such Salaries, Allowances, and Expenses, shall be paid into the Receipt of the Exchequer, to the Credit of the Consolidated Fund of the United Kingdom; and in the event of the Fees so received being at any Time insufficient to defray the said Salaries, Allowances, and Expenses, the Amount of such Deficiency shall be paid out of the Superior Courts Fee Fund, and, in case of a Deficiency in such Fund, out of such Monies as shall be provided by Parliament for that Purpose.

5 & 6 Vict. c. 86. as to Fees to continue in force.

V. The Provisions of the said Act of the Fifth and Sixth Years of Her Majesty concerning the fixing and altering of Fees from Time to Time, and Accounts of Fees and otherwise, shall continue in force, subject to the Provisions of this Act.

Enrolment of Accounts under 1 & 2 G. 4. c. 121. to be in Discretion of Commissioners of Audit.

VI. No Account shall be transmitted to the Office of Her Majesty's Remembrancer or be there enrolled as of Record, pursuant to Section Seven of the Act of the Session holden in the First and Second Years of King *George* the Fourth, Chapter One hundred and twenty-one, except where the Commissioners for auditing the Public Accounts, in the Exercise of their Discretion, deem it expedient for the Public Service that such Account should be so enrolled for enabling the Recovery of any Balance or Interest due or to become due thereon.

So much of 7 Ann. c. 20. as makes the Remembrancer One of the Registers, &c. repealed.

VII. So much of the Act of the Seventh Year of Queen *Anne*, Chapter Twenty, as makes the Queen's Remembrancer or his Deputy in the Court of Exchequer One of the Registers or Masters of the Office for the Matters and Things in that Act contained, shall be repealed, and the Registers or Masters of such Office shall account for and pay over to the said Remembrancer such Portion of the Monies received under that Act, after Payment thereout of such Sum or Sums as may be payable in respect of the Allowance or Allowances to their Deputy or Deputies, as would have been payable to Her Majesty's Remembrancer if he had continued to be One of the said Registers or Masters, and the Monies so received by such Remembrancer shall be applied and accounted for in all respects as other Fees received in respect of his Office.

Compensation Monies for Land under

VIII. Any Money which under the Act of the Session holden in the Fifth and Sixth Years of Her Majesty, Chapter Ninety-four, "to consolidate and amend the Laws relating to the Services of the "Ordnance Department, and the vesting and Purchase of Lands and Hereditaments for those Services,

"and

" and for the Defence and Security of the Realm," is required or authorized to be paid into the Hands or in the Name of the Remembrancer or other proper Officer of Her Majesty's Court of Exchequer at *Westminster*, or which under the Act of the Session holden in the Sixteenth and Seventeenth Years of Her Majesty, Chapter One hundred and seven, " The Customs Consolidation Act, 1853," is required or authorized to be paid to the proper Officer of the Court of Exchequer at *Westminster*, shall in lieu of being paid as aforesaid be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Chancery, to be placed to his Account there in the Matter of the particular Act to the Credit of the Persons claiming to be interested therein (naming them), pursuant to the Method prescribed by any Act in force at the Time being for regulating the Payment of Monies into the said Court; and upon the filing in the Court of Chancery of the Certificate of such Accountant General, with the Receipt annexed, of the Payment into his Name as aforesaid of any such Money, the Hereditaments in respect whereof the same is paid shall become vested in the like Persons and in the like Manner and for the like Purposes as if such Money had been paid in manner provided by the said Acts of the Fifth and Sixth and Sixteenth and Seventeenth Years of Her Majesty respectively, and this Act had not been passed; and the Court of Chancery shall have the like Powers in relation to such Money as by the said Acts are given to the Barons of the Court of Exchequer, and the Provisions of the said Acts in relation to such Money shall be read and construed as referring to the Court of Chancery and the said Accountant General in the place of the Court of Exchequer and the said Remembrancer.

5 & 6 Vict. c. 94. and 16 & 17 Vict. c. 107. to be paid into the Court of Chancery instead of to the Queen's Remembrancer.

IX. Section 222 of the " Common Law Procedure Act, 1852," for the Amendment of Defects and Errors in any Proceeding in Civil Causes, and concerning the Costs and Terms of such Amendment, shall extend to all Suits and Proceedings on the Revenue Side of the Court of Exchequer.

Sect. 222 of 15 & 16 Vict. c. 76. extended to Suits, &c.

X. In any Suit or Proceeding on the Revenue Side of the Court of Exchequer, the Parties may, at any Time before Judgment, by Consent, and Order of a Judge, state any Question or Questions of Law in a Special Case for the Opinion of the Court, without Pleadings, and upon Judgment thereon Error may be brought as on a Judgment on a Special Verdict, unless the Parties agree to the contrary, and the Proceedings for bringing a Special Case before the Court of Error shall, as nearly as may be, be the same as in the Case of a Special Verdict, and the Court of Error shall either affirm the Judgment or give the same Judgment as ought to have been given in the Court in which it was originally decided, the said Court of Error being required to draw any Inferences of Fact from the Facts stated in such Special Case, which the Court below ought to have drawn.

Special Case may be stated by Consent of Parties and Order of a Judge.

XI. In case no Agreement shall be entered into as to the Costs of such Special Case and Proceedings, the Costs shall follow the Event, and be recovered by the successful Party.

Costs to follow Event.

XII. In Cases of Appeal from the Assessment of the Commissioners of Inland Revenue to the Court of Exchequer, made under the Provisions of the Succession Duty Act, 1853, the Party decided against may appeal from the Decision of the Court upon a Case to be stated by the Parties, or, if they differ, to be settled by the Court, or a Judge thereof, or any Officer to whom the Court may think proper to refer the same; and the Court of Appeal shall give such Judgment as ought to have been given by the Court of Exchequer, and shall have Power to adjudge the Payment of Costs.

Appeal from Assessments of Succession Duty may be carried to a Superior Court.

XIII. Such Appeal as aforesaid shall be made to the Court of Error in the Exchequer Chamber, and the Decision of the said Court of Error shall be subject to appeal to the House of Lords.

Courts of Appeal.

XIV. No such Appeal shall be allowed under this Act unless Notice thereof be given in Writing to the opposite Party or Attorney, and to the proper Officer of the Court, within Four Days after the Decision complained of, or such further Time as may be allowed by the Court or Judge.

Notice of Appeal to be given.

XV. In any Proceeding in the Court of Exchequer by Writ of Summons under the Succession Duty Act, 1853, or by Rule under any of the Legacy Duty Acts, the Court may refer the Matter to the proper Officer to report thereon, and may, if they deem it expedient, order the Facts contained in such Report to be stated in the Form of a Special Case for the Opinion of the Court, and may give such Directions as to the Mode of settling the Case, and the Matters to be contained therein, and for the Production of such Documents, and may direct any Issue or Issues of Fact to be tried by a Jury, as they may think proper, and the Court may proceed to give Judgment on such Case, and for any Amount of Duty the Court are of opinion may be due to the Crown, and for Costs, in like Manner as on a Verdict on Information, and on such Judgment Error may be brought and Judgment given as on a Special Case stated by Consent.

In summary Proceedings for Legacy or Succession Duty Parties may appeal.

XVI. All the Powers, Authorities, and Provisions contained in an Act passed in the First Year of the Reign of King *William* the Fourth, intituled *An Act to enable Courts of Law to order the Examination of Witnesses upon Interrogatories*, and of the Act of the Thirteenth Year of King *George* the Third, recited therein, as to the Examination of Witnesses within and out of the Jurisdiction of the Superior Courts of Common Law at *Westminster*, and as to the Attendance of Witnesses, Production of Documents, Costs thereof, and other Matters relating to such Examinations, and all the Powers, Authorities, and Provisions contained in the Forty-sixth, Forty-seventh, Forty-eighth, and Forty-ninth Sections of the " Common Law Procedure Act, 1854," are hereby extended to all Suits and Proceedings on the Revenue Side of the said Court of Exchequer; and if upon any Examination under this Enactment any Person wilfully and corruptly give any false Evidence, he shall be deemed and taken to be guilty of Perjury, and shall and may be indicted and prosecuted for such Offence in the County where such Evidence is given, or in the County of *Middlesex* if the Evidence be given out of *England*.

Certain Powers of 1 W. 4. c. 22. and of 13 G. 3. c. 63. and 15 & 16 Vict. c. 76. ss. 46–49. extended to Revenue Proceedings.

Persons giving false Evidence guilty of Perjury.

XVII. From

Revenue Causes may be tried without a Commission.

XVII. From and after the passing of this Act it shall be lawful for all Justices of Assize, and they are hereby authorized and empowered, on their respective Circuits to try Suits and Proceedings pending on the Revenue Side of the Court of Exchequer, and to proceed thereon in like Manner as they can or may do in respect of Causes pending on the Plea Side of the said Court, and it shall not be necessary hereafter to issue any Commission from the Revenue Side of the said Court for that Purpose.

Error to be brought within Six Years.

Proviso as to Disabilities.

XVIII. No Judgment in any Cause on the Revenue Side of the Exchequer shall be reversed or avoided for any Error or Defect therein unless Error be commenced or brought and prosecuted with Effect within Six Years after such Judgment signed or entered of Record: Provided that if the Party entitled to bring Error be at the Time of such Title accrued within the Age of Twenty-one Years, Feme Covert, Non compos mentis, or beyond the Seas, the Court or a Judge may allow Error to be brought at any other Time.

Writ of Error abolished.

XIX. A Writ of Error shall not be necessary or used in any Suit or Proceeding in Error on the Revenue Side of the Court of Exchequer, and the Proceeding to Error shall be a Step in the Cause, and shall be taken in manner and subject as to such Terms and Conditions as to giving Bail or Security as may be directed by any Rule or Order made by the Barons under this or any other Act or Acts of Parliament authorizing the same; provided that nothing herein contained shall invalidate any Proceedings already taken or to be taken by reason of any Writ of Error issued before the Commencement of this Act, or before such Rules and Orders come into effect.

Bill of Exceptions.

XX. Either Party may tender a Bill of Exceptions on the Trial of any Issues arising on the Revenue Side of the Court, and the like Proceedings may be had and taken thereon as in such Cases between Subject and Subject.

Costs.

XXI. The Costs of all Suits, Informations, and other Proceedings, and of any interlocutory Matter or Proceeding on the Revenue Side of the Court of Exchequer, whether in Law or Equity, may be adjudged, decreed, or ordered by the Court or a Judge between the Crown and the Subject on the same Principles as such Costs are now allowed between Subject and Subject, so far as such Principles may be applicable, subject to such Rules and Orders as to the Allowance of such Costs as may be made by the Barons under this or any other Act of Parliament authorizing the same; and it shall be lawful for the Commissioners of Her Majesty's Treasury, and they are hereby required to pay Costs directed to be paid by the Crown out of any Monies which may hereafter be voted by Parliament for that Purpose.

Defect in Form not to invalidate Pleadings.

XXII. No Pleading on the Revenue Side of the Court of Exchequer shall be deemed insufficient for any Imperfection, Omission, Defect in or Lack of Form, or formal Commencement or Conclusion, or for the Want or Omission of an Averment of any Matters unnecessary to be proved.

Process on Estreats may issue without reference to any Seal Day.

XXIII. Unless stayed by Order of the Court of Exchequer, or a Baron thereof, or by Warrant of the Commissioners of Her Majesty's Treasury, Process for duly levying and enforcing Payment of all Fines, Issues, Amerciaments, Penalties, and forfeited Recognizances, estreated into the Court of Exchequer and not lawfully vacated and discharged, may be issued by Her Majesty's Remembrancer at any Time or Times without reference to any Seal Day, and so from Time to Time until the same shall be fully paid or levied, vacated or discharged.

Provision for the Recovery of a Debt of Record due to Her Majesty, where the Party liable resides in another Jurisdiction.

XXIV. For the Recovery of any Debt which by Record in Her Majesty's Court of Exchequer in *England* has become or shall become due to Her Majesty, in any Case where the Person of the Debtor, or the Estate or Effects of such Debtor, may be within the Jurisdiction of the Court of Exchequer in *Scotland* or *Ireland*, a Copy of the Record of such Debt may be exemplified and transmitted, under the Great Seal of the said Court of Exchequer in *England*, to such other of Her Majesty's said Courts of Exchequer having Jurisdiction in the Place where the Person liable to Payment of such Debt happens to reside, or where his Estate or Effects may be, and the Court to which such exemplified Copy is transmitted shall cause such Copy to be forthwith enrolled in the Rolls of the said Court; and upon the same being so enrolled, the said Court shall cause Execution or other Process to issue for recovering or levying the said Debt so due to Her Majesty, according to the Rules and Practice of such Court, in like Manner in all respects as if such Record had been originally entered or filed in such Court, or the said Debt had originally accrued within the Jurisdiction thereof; and the Proceeds of such Debt, when so recovered, shall be accounted for and paid over in the same Manner as if the same had been recovered within the Jurisdiction of the Court in which such Debt originally accrued.

The Crown may re-enter on Lands to enforce Right.

XXV. When a Right of Re-entry upon Lands or other Hereditaments shall have accrued to Her Majesty or Her Successors, such Right may be exercised or enforced without any Inquisition being taken or Office being found, or any actual Re-entry being made on the Premises.

Rules may be made by the Barons as to the Process, Practice, and Pleading in Revenue.

XXVI. It shall be lawful for the Lord Chief Baron and Two or more Barons of the Court of Exchequer from Time to Time to make all such Rules and Orders as to the Process, Practice, and Mode of Pleading on the Revenue Side of the Court, and as to the Allowance of Costs, and for the effectual Execution of this Act, and the Intention and Objects thereof, as may seem to them necessary and proper; and also from Time to Time by any such Rule or Order to extend, apply, or adapt any of the Provisions of the "Common Law Procedure Act, 1852," and the "Common Law Procedure Act, 1854," and any of the Rules of Pleading and Practice on the Plea Side of the said Court to the Revenue Side of the said Court, as may seem to them expedient for making the Process, Practice, and Mode of Pleading on the Revenue Side of the said Court as nearly as may be uniform with the Process, Practice, and Mode of Pleading on the Plea Side of such Court.

XXVII. Such

New Forms of Writs and Proceedings may be made.

XXVII. Such new or altered Writs and Forms of Proceedings and Scales of Costs for the Revenue Side of the said Court may be issued, altered, taken, and acted on as the said Lord Chief Baron and Barons shall from Time to Time think fit to order, and all such Writs and Proceedings shall be acted on and enforced in such and the same Manner as the Writs and Proceedings on the Revenue Side of the said Court are now acted on and enforced, or as near thereto as the Circumstances of the Case will admit; and any existing Form of Writ or Proceeding the Form of which shall be in any Manner altered in pursuance of this Act shall nevertheless be of the same force and virtue as if no Alteration had been made therein, except so far as the Effect thereof may be varied under the Powers of this Act.

Sect. 8 of 3 & 4 W. 4. c. 99., &c. requiring Sheriff's Accounts to be audited by Commissioners of Audit, repealed.

XXVIII. Section Eight of the Act of the Session holden in the Third and Fourth Years of King *William* the Fourth, Chapter Ninety-nine, and so much of any other Act as provides for the Examination and Audit of the Accounts of any Sheriff or Under Sheriff by the Commissioners for auditing the Public Accounts shall be repealed, so far as respects the Accounts of any Sheriff who may leave Office after the passing of this Act, and the Accounts of the Under Sheriff of any such Sheriff; and all Accounts of such Sheriffs and their Under Sheriffs now required to be examined and audited by the said Commissioners shall be examined and audited by such Persons and in such Manner as the Commissioners of Her Majesty's Treasury may from Time to Time, by Warrant under their Hands, direct, and the Commissioners of the Treasury may, by any such Warrant, make all such Provisions in relation to the Transmission, Examination, and Audit of such Accounts, and for ascertaining and determining the Balances due from and the Discharge of the Persons accounting as to the said Commissioners may seem proper; and every such Warrant shall be laid before both Houses of Parliament within Fourteen Days after the making thereof if Parliament be sitting, and if Parliament be not sitting then within Fourteen Days after the next Meeting of Parliament.

Transmission of Sheriff's Accounts.

XXIX. Subject to such other Provisions in this Behalf as may be made by any such Warrant as aforesaid, all Sheriffs and Under Sheriffs now required to transmit Accounts to the Commissioners for auditing the Public Accounts, in manner provided by Section Nine of the said Act of the Third and Fourth Years of King *William* the Fourth, shall, in lieu of transmitting the same to such Commissioners, transmit the same to the Commissioners of Her Majesty's Treasury: And so much of Section Thirty-one of the said Act as requires a Copy of the Accounts therein mentioned to be transmitted to the Commissioners for auditing Public Accounts is hereby repealed.

Form substituted for that in 3 G. 4. c. 46. Construction of Sect. 1. of 4 G. 4. c. 37.

XXX. The Form of Writ in the Schedule to this Act shall be substituted for the Form in Schedule (A.) to the Act of the Third Year of King *George* the Fourth, Chapter Forty-six, and Section One of the Act of the Fourth Year of King *George* the Fourth, Chapter Thirty-seven, amending the said Act of the Third Year of the same Reign, shall be construed as if the Words "Lands or Tenements" were omitted therein.

3 G. 4. c. 46. s. 14. repealed.

XXXI. Section Fourteen of the said Act of the Third Year of King *George* the Fourth shall be and is hereby repealed.

Clerks of Assize now required to estreat Fines, &c. into the Exchequer, to send Process to the Sheriff.

XXXII. The Clerks of Assize and the Clerk of the Crown for the County Palatine of *Durham* and *Sadberge*, by whom respectively any Fines, Issues, Amerciaments, Penalties, and Recognizances set, lost, imposed, or forfeited would, if this Act had not been passed, have been certified or estreated in or into the Exchequer, shall not so certify or estreat the same or transmit any Account thereof to the Commissioners for auditing the Public Accounts, but every such Clerk of Assize and such Clerk of the Crown respectively shall in the like Cases and at the like Times in and at which he would, if this Act had not been passed, have certified or estreated, such Fines, Issues, Amerciaments, Penalties, and Recognizances as aforesaid, copy on a Roll such Fines, Issues, Amerciaments, Penalties, and Recognizances, together with the Names and Residences, Trades, Professions, or Callings of the Parties, and distinguish such as have been paid, and send a Copy of such Roll, with a Writ, according to the Form and Effect in the Schedule to this Act, to the Sheriff, Bailiff, or Officer of the County, City, Borough, or Place having Execution of Process therein in which the Parties liable to the Payment of such Fines, Issues, Amerciaments, Penalties, and Recognizances are stated to be resident, and such Copy and Writ shall be the Authority to such Sheriff, Bailiff, or Officer for proceeding to the immediate levying and recovering of such Fines, Issues, Amerciaments, Penalties, and Recognizances on the Goods and Chattels of such Parties, or for taking into Custody their Bodies in case sufficient Goods and Chattels be not found whereon Distress can be made for Recovery thereof; and every Person so taken shall be lodged in the Common Gaol until Payment be made or he be discharged by the Authority of the Commissioners of Her Majesty's Treasury, or otherwise in due Course of Law; and it shall be competent for such Commissioners to give Authority under their Hands for such Discharge, either absolutely or on such Terms and Conditions as they may see fit: Provided always, that where the Residences of the Parties in such Roll liable as aforesaid are not all in One County, Borough, City, or Place, then a Copy of so much only of such Roll as relates to the Fines, Issues, Amerciaments, Penalties, and Recognizances to be paid by the Parties resident in each County, City, Borough, or Place shall be sent with such Writ as aforesaid to the Sheriff, Bailiff, or Officer having Execution of Process therein.

Oath of Clerk of Assize sending Process.

XXXIII. The Clerk of Assize and Clerk of the Crown respectively shall, before sending such Writ as aforesaid to any such Sheriff, Bailiff, or Officer, make Oath before a Judge of One of Her Majesty's Superior Courts of Record at *Westminster*, or before any Commissioner for taking Affidavits in the same

same Courts, or to administer Oaths in Chancery, which Oath shall be endorsed on the Back of the Writ or of the said Roll attached thereto; and such Oath shall be in the Form following:

'I make Oath, that this Roll is truly and carefully made up and examined, and that all Fines, Issues, Amerciaments, Penalties, and Recognizances which in right and due Course of Law ought to be levied and paid are, to the best of my Knowledge and Understanding, inserted in the said Roll, and that in the said Roll are also contained and expressed all such Fines, Issues, Amerciaments, Penalties, and Recognizances as have been paid to or received by me, without any wilful or fraudulent Discharge, Omission, Misnomer, or Defect whatever. So help me GOD.'

Return of Writ to the Treasury.

XXXIV. The Sheriff, Bailiff, or Officer to whom any such Writ as aforesaid is sent shall, on such Day as the Commissioners of Her Majesty's Treasury may from Time to Time, by Warrant under their Hands, direct, return such Writ to such Commissioners, and shall state on the Back of the said Roll what has been done in the Execution of such Process.

Until Fines, &c. are levied, Sheriff to retain Writ, which shall continue in force and be Authority to act upon.

XXXV. The Sheriff, Bailiff, or other Officer to whom the said Writ is sent, shall, until all the said Fines, Issues, Amerciaments, Penalties, and Recognizances have been paid or recovered or discharged, or it be duly ascertained to the Satisfaction of the Commissioners of Her Majesty's Treasury, that the Party in default has not any Goods or Chattels in the County, City, Borough, or Place of such Sheriff, Bailiff, or Officer, or in any other County, City, Borough, or Place in *England* in which a Levy can be made, and that such Party cannot be found or that his Body cannot be lodged in any of Her Majesty's Gaols, keep and detain in the Possession of such Sheriff, Bailiff, or Officer the Writ so directed to him and the Roll attached to such Writ, delivering to the said Commissioners of Her Majesty's Treasury a Copy of such Roll on the Day on which he is required to return such Writ, and also a Copy of any former Roll or Rolls in which the Fines, Issues, Amerciaments, Penalties, and Recognizances have not been paid or discharged; and the original Writ and Roll or Writs and Rolls sent to the Sheriff, Bailiff, or other Officer, shall continue in force and effect, and shall be sufficient Authority without any further Writ or Roll, for the levying of the said Fines, Issues, Amerciaments, Penalties, and Recognizances, and such Sheriff, Bailiff, or other Officer is hereby authorized and required on quitting his Office to deliver over to his Successor all Rolls and Writs in his Possession, particularizing any Fines, Issues, Amerciaments, Penalties, and Recognizances remaining unpaid or undischarged in order that the Sheriff, Bailiff, or other Officer coming into the Office may use every Means in his Power for recovering the Sums unpaid and not charged to his Predecessors on the passing of his Accounts before any Person duly authorized to pass the same.

Where a Party resides in another County, &c., or has removed, Sheriff to issue his Warrant to the Sheriff of the other County, &c.

XXXVI. In all Cases where the Party incurring or subject to the Payment of any Fine, Issue, Amerciament, Penalty, or Recognizance resides or has fled or removed from or out of the Jurisdiction of the Sheriff, Bailiff, or Officer to whom any such Writ as aforesaid has been directed, such Sheriff, Bailiff, or Officer shall issue his Warrant, together with a Copy of the said Writ, directed to the Sheriff, Bailiff, or other Officer acting for the County, City, Borough, or Place in which such Person then resides or is, or in which his Goods or Chattels may be found, requiring such Sheriff, Bailiff, or other Officer to execute such Writ; and every such last-mentioned Sheriff, Bailiff, or other Officer is hereby authorized and required to act in all respects under such Warrant in the same Manner as if the original Writ had been delivered to him, and the said Sheriff, Bailiff, or other Officer is hereby required within Thirty Days after the Receipt of such Warrant to return to the Sheriff, Bailiff, or other Officer from whom he received the same what he has done in the Execution of such Process; and in case a Levy has been made, to pay over all Monies received in pursuance of the Warrant to the Sheriff, Bailiff, or Officer from whom he received the same.

Penalty on Sheriff for Neglect.

XXXVII. Every Sheriff, Bailiff, or other Officer as aforesaid neglecting to do or perform any Duty by this Act required shall forfeit and pay such Sum as in Section Ten of the said Act of the Third Year of King *George* the Fourth is provided for such Neglect as therein mentioned, and to be recovered in like Manner.

Estreats may be required to be enrolled in the Exchequer.

XXXVIII. The Commissioners of Her Majesty's Treasury, or the Party liable to pay any Fine, Issue, Amerciament, Penalty, or Recognizance which, if this Act had not been passed, would have been certified or estreated into the Exchequer, may, by Notice in Writing to the Clerk of Assize or Clerk of the Crown directed by this Act to proceed as herein-before provided for causing the same to be levied, require such Clerk of Assize or Clerk of the Crown, within Twenty Days after such Notice, to return the Estreat thereof into the Office of the Queen's Remembrancer in the Exchequer, there to be enrolled, and such Estreat shall be returned and enrolled accordingly; and any and the like Proceedings may be had and taken, by Motion or otherwise, in the Court of Exchequer, in respect of such Estreat so enrolled, as might be had and taken in the Case of any Fine, Issue, Amerciament, Penalty, or Recognizance lawfully certified or estreated into the Exchequer in the ordinary Course of Law.

Provision as to setting over Fines, &c.

XXXIX. All Fines, Issues, Amerciaments, Penalties, and Forfeitures now from Time to Time set over by Her Majesty's Remembrancer to Corporations, Lords of Liberties, and others entitled thereto, shall after the passing of this Act be set over by such Person as the Commissioners of Her Majesty's Treasury may direct, and the Books of Reference to such Corporations, Lords of Liberties, and others now in the Office of Her Majesty's Remembrancer, or Copies thereof, or of such Parts thereof as may be necessary, shall be delivered to such Commissioners or such Person as they may direct.

XL. Every

Recognizances forfeited at Coroners Inquests to be returned to Clerks of the Peace, as in the Case of Fines imposed by Coroners.

XL. Every Recognizance forfeited at any Inquest to be holden before the Coroner of any County, City, Town, Liberty, or Place in *England*, shall be certified by such Coroner to the Clerk of the Peace for the County, Riding, Division, or Place in which the Person forfeiting such Recognizance shall reside, on or before the First Day of the Quarter Session of the Peace then next ensuing, and such Coroner shall cause a Copy of such Certificate to be served upon the Person liable to the Payment of such Forfeiture by leaving it at his Residence; and every such Clerk of the Peace shall proceed to act in respect of such Forfeiture as in the Case of Fines certified by Coroners pursuant to Section Seventeen of the Act passed in the Seventh and Eighth Years of Her Majesty, Chapter Ninety-two, and such Forfeiture shall be levied and applied in like Manner, and subject to the like Powers, Provisions, and Penalties, as such Fines.

Rolls not to be returned into Exchequer.

XLI. The Rolls known as Originalia Rolls shall cease to be returned or sent from the Petty Bag Office of the Court of Chancery into the Court of Exchequer.

Approval of Sheriffs of London and Sheriff of Middlesex, how to be signified in future.

XLII. From and after the passing of this Act it shall not be necessary for the Sheriffs of *London* and Sheriff of *Middlesex* to attend on the Morrow of *Saint Michael* in the Court of Exchequer as heretofore, and, unless otherwise directed by Order of Her Majesty in Council, Warrants under the Great Seal of the Exchequer shall be prepared at the Office of Her Majesty's Remembrancer signifying the Approval by Her Majesty of the Election of such Sheriffs and Sheriff, which Warrants may be delivered to the said Sheriffs and Sheriff, or their Under Sheriffs or Agents duly authorized to receive the same, without Fee or Reward in that Behalf, on the said Morrow of *Saint Michael*, or between that Day and the Morrow of *Saint Martin*, in each Year, and an Entry shall from Time to Time be made on the Roll of the Court of such Warrants having been granted; and unless such Warrants be stayed by Order of Her Majesty in Council on or before the Morrow of *Saint Michael* the Election of such Sheriffs and Sheriff shall be deemed and taken to be approved by Her Majesty; and all Warrants, Orders, Certificates, and other Documents heretofore read and ordered to be filed and recorded in the said Court on the annual Presentation of the Sheriffs shall continue to be filed and recorded in the Office of Her Majesty's Remembrancer as heretofore, on being presented at such Office for that Purpose within the Period aforesaid, and shall be as valid and effectual to all Intents and Purposes as if the same had been filed and recorded by Order of the Court itself.

As to Rents rendered by the Corporation of London before the Court of Exchequer.

XLIII. 'And whereas it has been the Custom on the Occasion of the Presentation of the Sheriffs of 'the City of *London* and Sheriff of *Middlesex* Elect for the Approval of the Crown to the Barons of 'the Court of Exchequer at *Westminster* to render, on behalf of the Corporation of the said City, in 'open Court, certain ancient Rents and Services in respect of the Tenure of a Piece of Waste Ground, 'called the *Moors*, in the County of *Salop*, and of a Tenement, called "The *Forge*," in the Parish of '*Saint Clement Danes*, in the County of *Middlesex*:'

The said Rents and Services in respect of the said Ground and Tenement may be rendered by the Corporation of *London*, or by their Agent in that Behalf, at the Office of the Queen's Remembrancer on the Morrow of *Saint Michael*, or between that Day and the Morrow of *Saint Martin*, and the proper Entries in respect thereof shall be made as heretofore on the Rolls of the Court.

Saving Rights herein named.

XLIV. Save as herein expressly provided, nothing in this Act shall affect or prejudice the Jurisdiction or Authority of the Court of Exchequer, or of the Commissioners of Her Majesty's Treasury, or any Right or Privilege now exercised by Her Majesty's Attorney General on behalf of the Crown.

SCHEDULE.

VICTORIA, by the Grace of God of the United Kingdon of Great Britain and Ireland Queen, Defender of the Faith:

To the Sheriff or Bailiff or Officer [*as the Case may be*] for the County of [*or* City, Borough, *or* Place, *as the Case may be*] greeting.

You are hereby required and commanded, as you regard yourself and all yours, That you omit not, by reason of any Liberty in your County, City, Borough, or Place [*as the Case may be*], but that you enter the same, and of all the Goods and Chattels of all and singular the Persons in the Roll to this Writ annexed, you cause to be levied all and singular the Debts and Sums of Money upon them in the same Roll severally charged, so that the Money may be ready for Payment at the [*Time of the Return of the Writ*], to be paid over in such Manner as the Commissioners of Her Majesty's Treasury may direct; and if any of the several Debts cannot be levied, by reason of no Goods or Chattels being to be found belonging to the Parties, then in all Cases that you take the Bodies of the Parties refusing to pay the aforesaid Debts, and lodge them in the Gaol (of the County, City, *&c.*), there to remain until they pay the same, or be discharged by the Authority of the said Commissioners or otherwise in due Course of Law.

Dated the Day of in the Year of Our Reign.

[*Signature*]
Clerk of Assize *or* Clerk of the Crown
[*as the Case may be*].

CAP. XXII.

An Act to amend the Acts relating to the Constabulary Force in *Ireland.* [13th *August* 1859.]

6 W. 4. c. 13.

'WHEREAS an Act was passed in the Session of Parliament holden in the Sixth Year of the Reign of King *William* the Fourth, intituled *An Act to consolidate the Laws relating to the Constabulary Force in* Ireland: And whereas the Lord Lieutenant, by virtue of the Authority given to him by the said recited Act, did, by Warrant under his Hand, appoint Two Persons to be Deputy Inspectors General of the Police Force in *Ireland,* and did also appoint, by virtue of the like Authority, and in the like Manner, Four Persons to be County Inspectors of Police in *Ireland,* to be charged with the general Government of the Police Force to be established within such Number of Counties as the Lord Lieutenant might direct: And whereas, under the Provisions of an Act passed in the Second and Third Years of the Reign of Her Majesty, Chapter Seventy-five, the Appointments of Two of the said County Inspectors were vacated, and the Designation of the remaining Two County Inspectors was changed to "Provincial Inspectors," which last-mentioned Designation was further changed to "Assistant Inspectors General" under the Provisions of an Act passed in the Ninth and Tenth Years of the Reign of Her Majesty, Chapter Ninety-seven: And whereas it is expedient that the Acts relating to the Constabulary Force in *Ireland* should be further amended:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

2 & 3 Vict. c. 75.

9 & 10 Vict. c. 97. s. 6.

Interpretation of Term.

I. In the Construction of this Act the Term "Lord Lieutenant" shall be held to include any other chief Governor or Governors of *Ireland.*

Lord Lieutenant may, on the Retirement of One of the Two Deputy Inspectors General, appoint the other as Deputy Inspector General of Police in Ireland.

II. It shall be lawful for the Lord Lieutenant, at any Time after the passing of this Act, upon the Retirement or Superannuation from his Office of One of the said Two Deputy Inspectors General appointed under the Provisions of the said first-recited Act, to appoint the remaining Deputy Inspector General to discharge the Duties theretofore discharged by the said Two Deputy Inspectors General; and from and after such Appointment there shall be only One Deputy Inspector General of the Police Force in *Ireland;* and it shall be lawful for the Lord Lieutenant to fix and appoint such annual Salary as to him may from Time to Time seem proper, to be paid to such Deputy Inspector General, not exceeding One thousand Pounds, in lieu of the Salary fixed by the said first-recited Act, while he shall hold the said Office of Deputy Inspector General; and he shall, from and after such Appointment, receive the said Salary upon the same Conditions in all respects as if this Section had been included in the said first-recited Act.

On Retirement of One of the Deputy Inspectors General an additional Assistant Inspector General to be appointed.

III. It shall be lawful for the Lord Lieutenant, as soon as conveniently may be after the Retirement or Superannuation from his Office of One of the said Deputy Inspectors General, as herein-before mentioned, by Warrant under his Hand, to nominate and appoint from Time to Time, when and as he may think necessary, One fit and proper Person to be an Assistant Inspector General of the Police Force in *Ireland,* in addition to the said Two Assistant Inspectors General, appointed under the Provisions of the said recited Acts; and such Assistant Inspector General shall, on his Appointment to such Office, have all such Powers, Authorities, Privileges, and Advantages, and shall be liable to all such Duties and Responsibilities, as any Assistant Inspector General of the Police Force duly appointed now has or is liable to by virtue of any Statute in force in *Ireland;* and it shall be lawful for the Lord Lieutenant to fix and appoint such annual Salary as to him may from Time to Time seem proper to be paid to such Assistant Inspector General to be appointed under this Act, not exceeding the Amount herein-after mentioned, while he shall hold the said Office of Assistant Inspector General; and he shall thenceforth receive the said Salary upon the same Conditions in all respects as if this Section had been included in the said first-recited Act.

The Assistant Inspector General in Command of the Depôt to be styled "Commandant of the Depôt."

IV. 'And whereas the Constabulary Depôt in *Dublin* is placed under the Command of One of the said Assistant Inspectors General, and it is expedient that the Designation of the Officer holding such Command for the Time being should be changed as herein-after mentioned:' Therefore, the Assistant Inspector General appointed under the said recited Acts or this Act holding such Command shall henceforth be styled "Commandant of the Depôt;" provided that such Change of Designation shall in no respect alter the Provisions of the said recited Acts or this Act, or any other Act, in respect of the Salary, Duties, or Emoluments of the Person so appointed holding such Command.

Salary of Assistant Inspectors General.

V. It shall be lawful for the Lord Lieutenant to direct that the annual Sum of One hundred Pounds shall be paid to One of the said Two remaining Assistant Inspectors General, or divided between such Assistant Inspectors General in such Proportions as he shall think fit, in addition to the Salary of Five hundred Pounds by the said Acts limited for each of such Officers respectively: Provided always, that the gross Amount of the Money to be paid for the Salaries of Deputy Inspector General and Assistant Inspectors General of Police under the Provisions of this Act shall not exceed the Amount which the said Lord Lieutenant is authorized by the said recited Acts to grant as and for the Salaries of the Deputy Inspectors General and the Assistant Inspectors General authorized to be appointed thereunder.

CAP. XXIII.

An Act to continue certain Acts relating to the Collection of County Cess in *Ireland.*

[13th *August* 1859.]

[*Continues* 11 & 12 *Vict. c.* 32., *as amended by* 20 & 21 *Vict. c.* 7., *for Two Years from the passing of this Act.*]

CAP. XXIV.

An Act to remove Doubts as to Admission to the Office of Principal in the Universities of *Scotland.*

[13th *August* 1859.]

'WHEREAS Doubts have arisen as to Admission to the Office of Principal in the Universities of *Scotland* under the Provisions of an Act of the Sixteenth and Seventeenth Years of Her Majesty Queen *Victoria*, intituled *An Act to regulate the Admission of Professors to the Lay Chairs in the Universities of* Scotland, and of an Act of the Twenty-first and Twenty-second Years of Her said Majesty, intituled *An Act to make Provision for the better Government and Discipline of the Universities of* Scotland, *and improving and regulating the Course of Study therein, and for the Union of the Two Universities and Colleges of* Aberdeen: And whereas it is proper that such Doubts should be removed:' Be it therefore enacted and declared by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: 16 & 17 Vict. c. 89. 21 & 22 Vict. c. 83.

Principals in Universities, &c. in Scotland, except the College of St. Mary's in the University of St. Andrew's, not required to subscribe Confession of Faith.

It shall not be necessary for any Person who shall be elected, presented, or provided to the Office of Principal in any of the Universities or Colleges in *Scotland*, except the College of *Saint Mary's* in the University of *St. Andrew's*, subsequently to the Date at which the said second-recited Act shall have come into operation therein, to make and subscribe the Acknowledgment or Declaration mentioned in an Act passed in the Fourth Session of the First Parliament held in *Scotland* by Her Majesty Queen *Anne*, intituled *Act for securing the Protestant Religion and Presbyterian Church Government;* but every such Person shall make and subscribe, in the Manner provided by the said first-recited Act as to Persons elected, presented, or provided to Lay Chairs in any such University or College, the Declaration therein set forth.

CAP. XXV.

An Act to continue certain Acts relating to Linen, Hempen, and other Manufactures in *Ireland.*

[13th *August* 1859.]

[*Continues* 5 & 6 *Wm.* 4. *c.* 27., 3 & 4 *Vict. c.* 91., 5 & 6 *Vict. c.* 68., *and* 7 & 8 *Vict. c.* 47., *with the respective Amendments thereof, for Five Years from the passing of this Act.*]

CAP. XXVI.

An Act to make further Provision for the Regulation of the Trade with the *Indians*, and for the Administration of Justice in the North-Western Territories of *America.*

[13th *August* 1859.]

'WHEREAS an Act was passed in the Forty-third Year of King *George* the Third (Chapter One hundred and thirty-eight), "for extending the Jurisdiction of the Courts of Justice in the "Provinces of *Lower* and *Upper Canada* to the Trial and Punishment of Persons guilty of Crimes "and Offences within certain Parts of *North America* adjoining to the said Provinces," and an Act was passed in the Session holden in the First and Second Years of King *George* the Fourth (Chapter Sixty-six), "for regulating the Fur Trade, and for establishing a Criminal and Civil Jurisdiction "within certain Parts of *North America*;" and by the firstly herein-mentioned Act it was enacted, that all Offences committed within any of the *Indian* Territories or Parts of *America* not within the Limits of either of the Provinces of *Lower* or *Upper Canada*, or of any Civil Government of the United States of *America*, should be and be deemed to be Offences of the same Nature, and should be tried in the same Manner, and subject to the same Punishment, as if the same had been committed within the Provinces of *Lower* or *Upper Canada;* and by the secondly herein-mentioned Act it was enacted, that it should be lawful for His Majesty, if he should deem it convenient so to do, to issue a Commission or Commissions to any Person or Persons to be and act as Justices of the Peace within such Parts of *America* as aforesaid; and it was also enacted, that it should be lawful for His Majesty, by Commission under the Great Seal, to authorize and empower such Persons so appointed Justices to sit and hold Courts of Record for the Trial of Criminal Offences and Misdemeanors, and also of Civil Causes: And whereas no Courts of Record have been established or authorized as aforesaid, and it is expedient to make further Provision for the Administration of Justice in Criminal Cases in the said *Indian* Territories, and such other Parts as aforesaid of *America*, and also to make Provision for better regulating Trade with the *Indians* in the Territories and Parts aforesaid:' Be it therefore 43 G. 3. c. 138. 1 & 2 G. 4. c. 66.

enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Justices of the Peace in the British American Indian Territories authorized to try Offences summarily, and punish by Fine or Imprisonment.

I. It shall be lawful for Her Majesty, by the Commission by which any Justices of the Peace are appointed under the said Act of King *George* the Fourth, or by any subsequent Commission, or by any Order in Council, from Time to Time to authorize any such Justice or Justices to take cognizance of and try in a summary Way all Crimes, Misdemeanors, and Offences whatsoever, except as hereinafter mentioned, within the local Limits of the Jurisdiction of such Justices (or such Parts thereof as Her Majesty may direct in this Behalf), and to punish such Crimes, Misdemeanors, and Offences by Fine or Imprisonment, or both; and it shall be lawful for Her Majesty, in manner aforesaid, from Time to Time to restrict or regulate the Exercise of such Jurisdiction as She may think fit, and to direct in what Cases the same may be exercised by One or by more than One of such Justices, and generally to make such Provision concerning the Exercise of such Jurisdiction as to Her Majesty may seem expedient; and it shall also be lawful for Her Majesty, in manner aforesaid, to order or authorize the Appointment of all proper Officers to act in aid of such Justices, and the said Justices respectively may do or cause to be done all Acts, Matters, and Things for the Execution of their Sentences, and in aid of their Jurisdiction under this Act, which might be done or caused to be done by Courts of Record having Jurisdiction in the like Cases: Provided always, that where the Offence with which any Person is charged before any such Justice or Justices is one which is punishable with Death, or one which in the Opinion of such Justice or Justices ought, either on account of the Inadequacy of the Punishment which such Justice or Justices can inflict, or for any other Reason, to be made the Subject of Prosecution in the ordinary Way, rather than to be disposed of summarily, such Justice or Justices shall commit the Offender to safe Custody, and cause him to be sent in such Custody for Trial to *Upper Canada*, as provided by the said Act of King *George* the Fourth, or, where such Justice or Justices may see fit, to the Colony of *British Columbia*; and such Offender may be tried and dealt with by any Court constituted in *British Columbia* having Cognizance of the like Offences committed there, and such Court shall have the like Powers and Authorities for this Purpose as under the said Acts are given to any Court in *Canada* in the like Cases.

The Power to establish Courts of Record not to be affected.

II. Provided, That nothing herein-before contained shall be taken to repeal or affect the Provisions of the said Act of King *George* the Fourth concerning the Establishment of Courts of Record in the said Territories, and where such Courts are established any Offenders within the Limits of the Jurisdiction thereof may be committed for Trial to such Courts instead of the Courts of *Canada* or *British Columbia*.

Her Majesty, by Order in Council, may make Regulations for the Trade with the Indians.

III. It shall be lawful for Her Majesty, by and with the Advice of Her Privy Council, from Time to Time to make such Rules and Regulations as She may deem expedient for the Conduct of the Trade with the *Indians*, and for diminishing or preventing the Sale and Distribution of Spirits to the *Indians*, or for promoting their Moral and Religious Improvement, to be in force in all or any Portions of the Territories mentioned in the said Act of King *George* the Fourth which may not be included in any Grant or Licence for the Time being in force under that Act.

Hudson's Bay Company, British Columbia, and Vancouver's Island not affected.

IV. Nothing herein contained shall extend to the Territories heretofore granted to the Company of Adventurers trading to *Hudson's Bay*; and nothing herein contained shall extend to the Colony of *British Columbia*, save as herein expressly provided, or to the Colony of *Vancouver's Island*.

CAP. XXVII.

An Act to repeal the Thirty-first Section of the Act of the Sixteenth and Seventeenth Years of *Victoria*, Chapter Ninety-five, and to alter the Limit of the Number of *European* Troops to be maintained for local Service in *India*. [13th *August* 1859.]

'WHEREAS it is expedient to repeal so much of the Section numbered Thirty-one of an Act passed in the Session holden in the Sixteenth and Seventeenth Years of Her Majesty, Chapter Ninety-five, as limits the Number of *European* Forces of the *East India* Company to be raised and maintained at any One Time out of the Revenues arising from the Territories subject to the Government of the said Company to Twenty thousand Men, and limits the Number of Non-commissioned Officers and Private Men which it should be lawful for the said Company to enlist and have in Pay and Train and Discipline under the Act of the Thirty-ninth Year of King *George* the Third, Chapter One hundred and nine, at any One Time, to Four thousand:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Limit of European Troops of Her Majesty's Indian Army.

It shall be lawful for the Secretary of State in Council, at any Time after the passing of this Act, and from Time to Time, to give such Directions as he may think fit for raising and maintaining out of the Revenues arising from the Territories of *India* vested in Her Majesty by virtue of an Act passed in the Session holden in the Twenty-first and Twenty-second Years of the Reign of Her Majesty, Chapter One hundred and six, such Number of *European* Forces as he may judge necessary for the *Indian* Army of Her Majesty, so that the Number of such Forces at any One Time do not amount in the whole

to

to more than Thirty thousand Men, not including the Commissioned and Non-commissioned Officers; and it shall be lawful for Her Majesty to enlist, and have in Pay and maintain out of the said Revenues in the United Kingdom of *Great Britain* and *Ireland* and the *British Isles*, any Number of Non-commissioned Officers and Private Men belonging to the said *Indian* Army, not exceeding at any One Time Six thousand.

CAP. XXVIII.

An Act to amend the *Galway* Harbour and Port Act (1853). [13th *August* 1859.]

'WHEREAS by an Act passed in the Session of Parliament holden in the Sixteenth and Seventeenth Years of the Reign of Her present Majesty, intituled *An Act for making a Pier and Breakwater in the Bay of* Galway, *and for conferring additional Powers on the* Galway *Harbour Commissioners, and for other Purposes*, it is, amongst other things, enacted, that it should be lawful for the said Harbour Commissioners to demand and take the Tolls and Rates in the respective Schedules to the said Act annexed: And whereas the Tolls and Rates by the said Act authorized to be levied are, subject to the necessary Expenses of the Repair of the Works of the said Harbour, now paid to a Receiver appointed by the Commissioners of Public Works, and applied, as by the said Act directed, in discharge of a Public Debt due to the said last-mentioned Commissioners: And whereas it is expedient to amend the said *Galway* Harbour and Port Act, 1853:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: 16 & 17 Vict. c. ccvii.

I. That for and notwithstanding anything to the contrary in the said Act contained, it shall and may be lawful to and for the Commissioners of Public Works in *Ireland*, and to and for the Receiver, Collector, or Officer heretofore or hereafter to be appointed by them, or acting for or on their Behalf, to charge and collect the Tonnage Rates set forth in Schedule A. to the said Act annexed on every Vessel, without Limitation of Tonnage, entering and lying in the Floating Dock, or alongside the Pier or Piers, Jetty or Jetties, in the said Schedule set forth, and also to charge and collect the several Rates and Dues by the said Schedule chargeable for Boats entering and using the said Floating Dock or Canal. Power to charge Rates on all Vessels entering and using the Floating Dock.

II. The said "*Galway* Harbour and Port Act, 1853," and the several Acts incorporated therewith, and this Act, shall be construed as One Act. Acts to be construed together.

CAP. XXIX.

An Act to repeal a certain Toll levied upon Fishing Vessels passing the *Nore*. [13th *August* 1859.]

'WHEREAS an Act was passed in the Tenth Year of the Reign of Her present Majesty, intituled *An Act to repeal, alter, and amend the several Acts relating to* Billingsgate Market *in the City of* London: And whereas the said Act contained, amongst other Provisions, the following; that is to say, 9 & 10 Vict. c. cccxlvi.

Section 17. Fishing Boats to be exempt from all Dues, except Tolls, and 2*s.* per Cargo each Voyage on passing Nore.

'"That all Fishing Smacks, Steam Boats, or other Description of Vessels which shall be solely employed in the catching, carrying, or importing Fish for the Supply of the said Market shall be and they are hereby exempted from all Claims, Dues, and Customs whatsoever while the said Fishing Smacks, Steam Boats, or other Description of Vessels shall be solely engaged in such Employment, save and except the Tolls payable by virtue of this Act, and the Payment by each Fishing Smack, Steam Boat, or other Description of Vessel of the Sum of Two Shillings *per* Voyage for each Time of passing the *Nore* with Fish for the said Market, as herein-after mentioned:

Section 18. Fishing Boats to pay 2*s.* each Voyage, on passing the Nore, to the Collector of Customs, London.

'"That the Owner, Master, chief Officer, or other Person who shall have the Care or Conduct of any Fishing Smack, Steam Boat, or other Description of Vessel which shall be wholly or partly made use of for catching, carrying, or importing Fish, or which shall be wholly or partly laden with Fish for the Supply of the said Market, and passing the *Nore* with such Fish for the said Market, shall, within Three Days after such Fishing Smack, Steam Boat, or other Description of Vessel shall have passed the *Nore*, pay to the Person who for the Time being shall act as Deputed Clerk in the Coast Office under the Collector Outwards in the Port of *London* at the Custom House, *London*, the Sum of Two Shillings *per* Voyage for each Time of passing the *Nore* with any such Fish on board as aforesaid:

Section 19. Account of Cargo of Fishing Boats to be given.

'"That at the Time of making the said Payment of Two Shillings as aforesaid the Owner, Master, chief Officer, or other Person who shall have the Care or Conduct of such Fishing Smack, Steam Boat, or other Description of Vessel, or his Agent, shall deliver to the Person who shall for the Time being act as such Deputed Clerk as aforesaid an Account, as near as may be, of the Quantity and Description of Fish so imported for the said Market:

Section 20. Penalty on neglecting to pay 2*s.* or

'"That in case the said Owner, Master, chief Officer, or other Person having the Care or Conduct of any such Fishing Smack, Steam Boat, or other Description of Vessel, or his Agent, shall refuse or neglect to pay the said Sum of Two Shillings, or to deliver the said Account as aforesaid, to such

'"Person

deliver an Account of Cargo.

‘ “ Person as aforesaid, the said Owner, Master, chief Officer, or other Person, or his Agent, shall forfeit
‘ “ and pay, on Conviction before any Justice, a Penalty of not exceeding Ten Pounds, to be paid to and
‘ “ for the Use of the Marine Society; and that it shall be lawful for the said Marine Society, but for no
‘ “ other Party, to prefer such Complaint as aforesaid before the said Justice as aforesaid, and to recover
‘ “ the same Penalty in the Manner herein-after mentioned:

Section 21. Clerk to enter Monies paid and Account of Cargoes in a Book, and to make weekly Returns to the Marine Society.

‘ “ That such Person as aforesaid shall make a correct Entry in a Book to be kept for that Purpose
‘ “ of the Sums paid to him as aforesaid, and also of the said Account of the several Cargoes as aforesaid,
‘ “ and shall make a weekly Return of the same to the said Marine Society; and in the event of such
‘ “ Person as aforesaid neglecting to make such Entry or Return as aforesaid, such Person as aforesaid
‘ “ shall forfeit and pay, upon Conviction before any Justice, a Penalty of Five Pounds, to be paid to and
‘ “ for the Use of the said Marine Society as aforesaid, upon their Complaint, and to be recovered by
‘ “ them as herein-after mentioned:

Section 22. Application of the 2*s.* per Voyage.

‘ “ That the said Sum of Two Shillings so to be paid as aforesaid shall be applied in manner
‘ “ following; (that is to say,) there shall be kept and retained by and for the Use of the Person so
‘ “ receiving the said Sum of Two Shillings *per* Voyage the Sum of Sixpence, and the remaining One
‘ “ Shilling and Sixpence is hereby vested in the said Marine Society, and shall be paid by such Person
‘ “ from Time to Time to the said Society, whose Receipt shall be and is hereby declared to be at all
‘ “ Times a full Discharge to such Person for the same, which said Sum of One Shilling and Sixpence
‘ “ shall be applied by the said Society for the general Purposes of the said Society:

Section 23. Marine Society to appoint Inspectors of Fishing Vessels.

‘ “ That the said Marine Society are hereby authorized to appoint, and from Time to Time, at their
‘ “ Pleasure, to remove, One or more Officer or Officers, to be called the Inspector or Inspectors of
‘ “ Fishing Vessels, who shall take account of the Arrival and passing of all Fishing Smacks, Steam
‘ “ Boats, and other Description of Vessels wholly or partly laden with Fish for the Supply of the said
‘ “ Market, and of the Quantity and Description of Fish on board the same, and shall make a Return of
‘ “ the same to the said Marine Society; and that it shall be lawful for the said Officer or Officers
‘ “ to enter upon and board any Fishing Smack, Steam Boat, or other Description of Vessel which he
‘ “ shall suspect of having Fish on board for the said Market; and all and every the Masters, chief
‘ “ Officers, or other Person or Persons having the Care or Conduct of the said Fishing Smacks, Steam
‘ “ Boats, or other Description of Vessels are hereby required to give to the said Inspectors such Account
‘ “ of the Arrival and passing thereof, and of the Quantities and Description of Fish on board the same,
‘ “ according to the best of their Knowledge; and any Person or Persons refusing to give such Account,
‘ “ or hindering such Inspector or Inspectors in the Execution of his or their said Office, or preventing
‘ “ or endeavouring to prevent any Person or Persons on board such Vessel or Vessels from giving such
‘ “ Account as aforesaid, shall, on Conviction before a Justice, be subject to a Penalty not exceeding
‘ “ Five Pounds, to be paid to and for the Use of the said Marine Society as aforesaid, upon their Com-
‘ “ plaint, and to be recovered by them as herein-after mentioned:

Section 24. Such Officers not to molest any Fisherman.

‘ “ Provided, that nothing herein contained shall extend to entitle the said Officer to hinder, annoy, or
‘ “ molest any Fisherman or Person employed in the Fishery in the carrying on of his lawful Calling, or
‘ “ unnecessarily to interfere with any Steam Vessel under way:”

‘ And whereas it is expedient that the said Toll imposed by the said recited Enactments be abolished:
‘ And whereas the said Marine Society have consented to such Abolition:’ Be it enacted by the Queen’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; that is to say,

Recited Sections repealed.

I. The said recited Provisions of the said recited Act are hereby repealed.

Compensation to Persons deprived of Offices.

II. The Commissioners of Her Majesty’s Treasury may award to any Person who by reason of the passing of this Act is deprived of any Salary or Emolument, such Amount of Compensation as shall appear to them to be just and reasonable, and any Compensation so awarded shall be paid out of such Monies as shall be provided by Parliament for that Purpose.

CAP. XXX.

An Act to extend the Enactments relating to the Copper Coin to Coin of mixed Metal.

[13th *August* 1859.]

‘ WHEREAS Her Majesty may think fit for the Public Convenience to cause to be issued Coins of
‘ Bronze or mixed Metal instead of Copper Moneys, or for the Purposes of the like Payments for
‘ which Copper Moneys have been made current:’ Be it enacted by the Queen’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Enactments concerning the Copper Coin, 2 & 3 W. 4. c. 34. to apply to Coins of mixed Metal.

I. When any Coin of Bronze or mixed Metal shall be current by virtue of any Proclamation that may be issued by Her Majesty, all the Penalties and Provisions of the Act of the Session holden in the Second and Third Years of King *William* the Fourth, Chapter Thirty-four, “for consolidating and “amending the Laws relating to the Coin,” which are applicable to the current Copper Coin, or Offences or Acts relating thereto, shall be applicable to such current Coin of Bronze or mixed Metal, or

the

the like Offences or Acts relating thereto; and Sections Twelve and Fourteen of the said Act, and all other Provisions of such Act, and all Enactments whatever, where current Copper Coin is mentioned or referred to, shall be construed and take effect as if, in addition to current Copper Coin, current Coin of Bronze or mixed Metal had been also in every such Case mentioned or referred to.

CAP. XXXI.

An Act to amend the Law relating to Probates and Letters of Administration in *Ireland*.

[13th *August* 1859.]

'WHEREAS in the Twenty-first and Twenty-second Year* of Her present Majesty an Act was passed, intituled *An Act to amend the Law relating to Probates and Letters of Administration in* Ireland, herein-after designated "The Court of Probate Act:" And whereas it is expedient to amend the same:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: 20 & 21 Vict. c. 79.

Power to Judge of Court of Probate to sit in Chambers.

I. It shall be lawful for the Judge of the Court of Probate for the Time being to sit in Chambers for the Despatch of such Part of the Business of the said Court as can in the Opinion of the said Judge, with Advantage to the Suitors, be heard in Chambers; and the Times at which such Sittings shall be held shall from Time to Time be fixed by the Judge: Provided always, that no Question shall be heard in Chambers which either Party shall require to be heard in open Court.

Treasury to cause Chambers to be provided.

II. The Commissioners of Her Majesty's Treasury shall from Time to Time provide Chambers in which the Judge of the Court of Probate shall sit for the Despatch of such Business as aforesaid; and until such Chambers are provided elsewhere the said Judge shall sit in Chambers in any Room which he may find convenient for the Purpose.

Judge's Powers when sitting in Chambers.

III. The Judge of the Court of Probate, when so sitting in Chambers, shall have and exercise the same Power and Jurisdiction in respect of the Business to be brought before him as if sitting in open Court.

Clerks may be Registrars, &c.

IV. Clerks having served Five Years in the Principal Registry of the Court of Probate shall be eligible to be appointed District Registrars of the said Court.

Repeal of s. 22 of recited Act.

V. Section Twenty-two of the said Court of Probate Act shall be and the same is hereby repealed.

Where Personalty is under 200*l*. County Court to have Jurisdiction.

VI. Where it appears by Affidavit to the Satisfaction of a Registrar of the Principal Registry that the Testator or Intestate in respect of whose Estate a Grant or Revocation of a Grant of Probate or Letters of Administration is applied for had at the Time of his Death his fixed Place of Abode in one of the Districts specified in Schedule (A.) to the said "Court of Probate Act," and that the Personal Estate in respect of which such Probate or Letters of Administration are to be or have been granted, exclusive of what the Deceased may have been possessed of or entitled to as a Trustee, and not beneficially, but without deducting anything on account of the Debts due and owing from the Deceased, was at the Time of his Death under the Value of Two hundred Pounds, and that the Deceased at the Time of his Death was not seised or entitled beneficially of or to any Real Estate of the Value of Three hundred Pounds or upwards, the Chairman of Quarter Sessions having Jurisdiction in the Place in which the Deceased had at the Time of his or her Death a fixed Place of Abode shall have the Contentious Jurisdiction and Authority of the Court of Probate in respect of Questions as to the Grant and Revocation of Probate of the Will or Letters of Administration of the Effects of such deceased Person, in case there be any Contention in relation thereto.

S. 58. of recited Act repealed.

VII. Section Fifty-eight of the said Court of Probate Act shall be and the same is hereby repealed.

S. 63. to apply to Applications for Revocation.

VIII. The said Court of Probate Act, Section Sixty-three, shall, so far as Assistant Barristers or their Courts are concerned, apply to an Application for the Revocation of a Grant of Probate or Administration as well as to an Application for any such Grant.

Power to make Rules and frame Scales of Fees for the County Courts.

IX. The Power and Authority to make Rules and Orders for regulating the Proceedings of the Assistant Barristers Courts shall extend and be applicable to all Proceedings in the Assistant Barristers Courts under this Act, and also to framing a Scale of Costs and Charges to be paid to Counsel, Proctors, Solicitors, and Attorneys in respect of Proceedings in such Courts, under the said Court of Probate Act or this Act.

Non-contentious Business pending in any Ecclesiastical Court to be transferred.

X. All Non-contentious Business pending in any Ecclesiastical Court at the Time when "The Court of Probate Act" came into operation shall be deemed to have been transferred to the Court of Probate, in the same Way as all pending Suits were transferred to the said Court under the said Act, and all Acts executed under the Authority of such Ecclesiastical Court with reference to such Business which would have been valid if the Authority of such Court had not been abolished shall be valid, and all Oaths and Bonds sworn and executed in manner required by any such Ecclesiastical Court in

* This appears to be a mis-recital of the Act intended. The Act relating to Probates, &c. in *Ireland* is that recited in the Margin, viz., 20 & 21 Vict. c. 79. There is a Probate Act of 21 & 22 Vict. c. 95., but that is an Act to amend the 20 & 21 Vict. c. 77. which relates to Probates and Administrations in *England* exclusively; ss. 7, 8, 14, 25, and 33 of the present Act evidently refer to the 20 & 21 Vict. c. 79. See Notes on ss. 8, 25, and 33, infra.

reference

reference to such Business, prior to the Eleventh Day of *January* One thousand eight hundred and fifty-eight, shall continue to have and be deemed to have had the same Force and Effect in Law as they would have had if sworn and executed in pursuance of the Provisions of the said Act or of this Act.

Bonds given before 11 Jan. 1858 to remain in force.

XI. Bonds given to any Archbishop, Bishop, or other Person exercising Testamentary Jurisdiction in respect of Grants of Letters of Administration made prior to the Eleventh Day of *January* One thousand eight hundred and fifty-eight, or in respect of Grants made in pursuance of the Court of Probate Act or of this Act, whether taken under a Commission or Requisition executed before or after the said Eleventh Day of *January*, shall enure to the Benefit of the Judge of the Court of Probate, and, if necessary, shall be put in force in the same Manner and subject to the same Rules (so far as the same may be applicable to them) as if they had been given to the Judge of the said Court subsequently to that Day.

An Executor not acting or not appearing to a Citation to be treated as if he had renounced.

XII. Whenever an Executor appointed in a Will survives the Testator, but dies without having taken Probate, and whenever an Executor named in a Will is cited to take Probate, and does not appear to such Citation, the Right of such Person in respect of the Executorship shall wholly cease, and the Representation to the Testator and the Administration of his Effects shall and may, without any further Renunciation, go, devolve, and be committed in like Manner as if such Person had not been appointed Executor.

Judge may amend Grants made before 11 Jan. 1858.

XIII. The Judge of the Court of Probate shall have and exercise the same Power of altering and amending Grants of Probate and Letters of Administration made before the Eleventh Day of *January* One thousand eight hundred and fifty-eight as any Ecclesiastical Court had and exercised in respect of such Grants.

Provisions of 38 G. 3. c. 87. and 20 & 21 Vict. c. 79. extended to all Cases of Executors and Administrators.

XIV. The Provisions of an Act passed in the Thirty-eighth Year of *George* the Third, Chapter Eighty-seven, and of "The Court of Probate Act," shall be extended to all Executors and Administrators residing out of the Jurisdiction of Her Majesty's Courts of Law and Equity in *Ireland*, whether it be or be not intended to institute Proceedings in the Court of Chancery, and to all Grants made before and subsequently to the passing of the last-mentioned Act; and it shall be lawful to alter the Language of the Grant prescribed by the first-named Statute so as to make it apply to Grants made in the Court of Probate under the said last-mentioned Act.

On Decease of Intestates, their Estate to vest in Judge.

XV. From and after the Decease of any Person dying intestate, and until Letters of Administration shall be granted in respect of his Estate and Effects, the Personal Estate and Effects of such deceased Person shall be vested in the Judge of the Court of Probate for the Time being, in the same Manner and to the same Extent as heretofore they vested in the Ordinary.

Second and subsequent Grants to be made where the original Will or the original Letters of Administration are deposited.

XVI. All Second and subsequent Grants of Probate or Letters of Administration shall be made in the Principal Registry, or in the District Registry where the original Will is registered or the original Grant of Letters of Administration has been made, or in the District Registry to which the original Will or a registered Copy thereof, or the Record of the original Grant of Administration, have been transmitted by virtue of a Requisition issued in pursuance of Section Ninety-six of "The Court of Probate Act;" and for and in respect of such Second or subsequent Grants of Probate or Letters of Administration to be made in a District Registry it shall not be requisite that it should appear by Affidavit that the Testator or Intestate had a fixed Place of Abode within the District in which the Application is made.

The Court of Probate may require Security from a Receiver of Real Estate.

XVII. It shall be lawful for the Court of Probate to require Security by Bond in such Form as the Judge shall from Time to Time by any General or Special Orders direct, with or without Sureties, from any Receiver of the Real Estate of any deceased Person appointed by the said Court, under Section Seventy-five of "The Court of Probate Act," or for Payment of Costs in any Cause or Matter in which the Court shall direct Security for Costs to be given; and the Court may, on Application made on Motion or in a summary Way, order One of the Registrars of the Court to assign the same to some Person to be named in such Order; and such Person, his Executors or Administrators, shall thereupon be entitled to sue on the said Security, or put the same in force in his or their own Name or Names, both at Law and in Equity, as if the same had been originally given to him instead of to the Judge of the said Court, and shall be entitled to recover thereon, as Trustee for all Persons interested, the full Amount due in virtue thereof.

Administration pending Suit deemed to apply to Appeals.

XVIII. All the Provisions contained in the Court of Probate Act respecting Grants of Administration pending Suit shall be deemed to apply to the Case of Appeals to the Court of Appeal in Chancery in *Ireland*, and also to the House of Lords, under the said Act.

Registrars may issue Subpœnas to produce Papers, &c.

XIX. It shall be lawful for a Registrar of the Principal Registry of the Court of Probate, and whether any Suit or other Proceeding shall or shall not be pending in the said Court, to issue a Subpœna requiring any Person to produce and bring into the Principal or any District Registry, or otherwise as in the said Subpœna may be directed, any Paper or Writing being or purporting to be testamentary, which may be shown to be in the Possession, within the Power, or under the Control of such Person; and such Person, upon being duly served with the said Subpœna, shall be bound to produce and bring in such Paper or Writing, and shall be subject to the like Process of Contempt in case of Default as if he had been a Party to a Suit in the said Court, and had been ordered by the Judge of the Court of Probate to produce and bring in such Paper or Writing.

XX. The

The Registrars to do all Acts heretofore done by Surrogates.

XX. The Registrars of the Principal Registry shall be invested with and shall and may exercise with reference to Proceedings in the Court of Probate the same Power and Authority which Surrogates of the Judge of the Prerogative Court of *Canterbury* could or might before the passing of the Court of Probate Act have exercised in Chambers with reference to Proceedings in the said Prerogative Court.

Copies of Wills may be certified by a Stamp.

XXI. Copies of Wills required to be transmitted by a District Registrar, and certified by him to be correct Copies, under Section Fifty-five of the Court of Probate Act, may be so certified and transmitted under a Stamp provided by the District Registrar for that Purpose, and approved of by the Judge of the Court of Probate.

Certificates from the Principal Registry may be stamped.

XXII. Certificates issued from the Principal Registry with reference to Notices of Applications transmitted from the District Registrars, under Section Fifty-three of the Court of Probate Act, need not be made under the Hand of a Registrar of the Principal Registry, as required by the said Act, but may be issued under a Stamp provided for that Purpose, and approved of by the Judge of the Court of Probate.

Requisitions may be issued for the Transmission of a single Paper.

XXIII. 'Whereas Doubts have been entertained whether a Requisition can be issued under Section 'Ninety-six of the Court of Probate Act for the Transmission of One or more Papers only, not being 'all the Papers and Documents in the Custody of the Person to whom any such Requisition may be 'addressed:' Be it therefore enacted and declared, That the said Section shall be construed to extend to all Requisitions, whether for the Transmission of One or of more Records, Wills, Grants, Probates, Letters of Administration, Administration Bonds, Notes of Administration, Court Books, Calendars, Deeds, Processes, Acts, Proceedings, or other Instruments relating exclusively or principally to Matters and Causes Testamentary.

Power to enforce Decree as to Costs.

XXIV. The Judge of the Court of Probate, and the Registrars of the Principal Registry thereof, shall respectively, in any Case where an Ecclesiastical or other Court having Testamentary Jurisdiction had previously to the Eleventh Day of *January* One thousand eight hundred and fifty-eight made an Order or Decree in respect of Costs, have the same Power of taxing such Costs and enforcing Payment thereof, or of otherwise carrying such Order or Decree into effect, as if the Cause wherein such Decree was made had been originally commenced and prosecuted in the said Court of Probate; provided that in taxing any such Costs, or any other Costs incurred in Causes depending in any such Courts before the Time aforesaid, all Fees, Charges, and Expenses shall be allowed which might have been legally made, charged, and enforced according to the Practice of the Prerogative Court of *Ireland*.

Administrations granted in Ireland not to be resealed in England until sufficient Bond is given.

XXV. Letters of Administration granted by the Court of Probate in *England* shall not be resealed, under Section Ninety-four of the Twentieth and Twenty-first *Victoria*, Chapter Seventy-nine,* until a Certificate has been filed, under the Hand of a Registrar of the Court of Probate in *England*, that Bond has been given to the Judge of the Court of Probate in *England* in a Sum sufficient in Amount to cover the Property in *Ireland* as well as *England* in respect of which such Administration is required to be resealed.

Commissioners may be appointed in the Isle of Man, &c.

XXVI. It shall be lawful for the Judge of the Court of Probate to appoint by Commission, under Seal of the Court, any Persons practising as Solicitors in the *Isle of Man*, in the *Channel Islands*, or any of them, and also such Persons resident in *England*, *Wales*, and *Scotland* as he shall think fit, to administer Oaths, and to take Declarations or Affirmations, and to exercise any other Powers which can be exercised by Commissioners of Her Majesty's Court of Probate; and such Persons shall be entitled from Time to Time to charge and take such Fees as any other Persons performing the same Duties in the Court of Probate may charge and take.

Affidavits, before whom to be sworn when Parties making them reside in Foreign Parts.

XXVII. In Cases where it is necessary to obtain Affidavits, Declarations, or Affirmations to be used in the Court of Probate from Persons residing in Foreign Parts out of Her Majesty's Dominions, the same may be sworn, declared, or affirmed before the Persons empowered to administer Oaths under the Act of the Sixth of *George* the Fourth, Chapter Eighty-seven, or under the Act of the Eighteenth and Nineteenth *Victoria*, Chapter Forty-two; provided that in Places where there are no such Persons as are mentioned in the said Acts such Affidavits, Declarations, or Affirmations may be made, declared, and affirmed before any Foreign local Magistrate or other Person having Authority to administer an Oath.

Affidavits, before whom to be sworn in Colonies, &c.

XXVIII. Affidavits, Declarations, and Affirmations to be used in the Court of Probate may be sworn and taken in the *Isle of Man*, the *Channel Islands*, or any Colony, Island, Plantation, or Place out of the United Kingdom of *Great Britain* and *Ireland* under the Dominion of Her Majesty, before any Court, Judge, Notary Public, or Person lawfully authorized to administer Oaths in such Country, Colony, Island, Plantation, or Place respectively, or, so far as relates to the *Isle of Man* and the *Channel Islands*, before any Commissary, Ecclesiastical Judge, or Surrogate who at the Time of the passing of the Court of Probate Act was authorized to administer Oaths in the *Isle of Man* or in the *Channel Islands* respectively, and all Registrars and other Officers of the Court of Probate shall take judicial Notice of the Seal or Signature, as the Case may be, of any such Court, Judge, Notary Public, or

* See Note on Preamble, supra. The Mode of referring to the Act relating to Irish Probates, viz., as "The Court of Probate Act," is not here pursued, as in ss. 7, 8, 14, supra. These Inaccuracies in the present Act are likely to lead to Confusion.

Person, which shall be attached, suspended, or subscribed to any such Affidavit, Declaration, or Affirmation, or to any other Document.

Persons forging Seal or Signature guilty of Felony.

XXIX. If any Person shall forge any such Seal or Signature as last aforesaid, or any Seal or Signature impressed, affixed, or subscribed, under the Provisions of the said Act of the Sixth of *George* the Fourth, or of the said Act of the Eighteenth and Nineteenth *Victoria*, to any Affidavit, Declaration, or Affirmation to be used in the Court of Probate, or shall tender in Evidence any such Document as aforesaid with a false or counterfeit Seal or Signature thereto, knowing the same to be false or counterfeit, he shall be guilty of Felony, and shall upon Conviction be liable to Penal Servitude for the Term of his Life, or for any Term not less than Seven Years, or to be imprisoned, with or without Hard Labour, for any Term not exceeding Three Years nor less than One Year; and whenever any such Document has been admitted in Evidence by virtue of this Act, the Court, or the Person who has admitted the same, may, at the Request of any Party against whom the same is so admitted in Evidence, direct that the same shall be impounded and be kept in the Custody of some Officer of the Court or other proper Person, for such Period and subject to such Conditions as to the said Court or Person shall seem meet; and every Person charged with committing any Felony under this Act may be dealt with, indicted, tried, and, if convicted, sentenced, and his Offence may be laid and charged to have been committed, in the County, District, or Place in which he may be apprehended or be in Custody; and every Accessory before or after the Fact to any such Offence may be dealt with, indicted, tried, and, if convicted, sentenced, and his Offence laid and charged to have been committed, in any County, District, or Place in which the principal Offender may be tried.

Persons taking a false Oath before a Surrogate guilty of Perjury.

XXX. Any Person who shall wilfully give false Evidence, or who shall wilfully swear, affirm, or declare falsely in any Affidavit or Deposition before any Surrogate having Authority to administer Oaths under the Court of Probate Act, or before any Person who before the passing of the said Act was a Surrogate authorized to administer Oaths in any of the *Channel Islands*, or before any Person authorized to administer Oaths under this Act, shall be liable to the Penalties and Consequences of wilful and corrupt Perjury.

Provision for the necessary Absence of Officers.

XXXI. In case any Officer appointed or to be appointed by virtue of the Court of Probate Act, 1857, or of this Act, shall by reason of Ill-health or other Infirmity become temporarily incapable of performing the Duties of his Office, it shall be lawful for the Judge to appoint some other fit and proper Person to discharge the Duties of such Office for any Period not exceeding Six Calendar Months at any One Time, and the Person so appointed shall, during such Period, have all the Power and Authority of the Officer in whose Place he shall be so appointed, and shall be paid by such Officer such Sum by way of Salary or Allowance as shall be agreed upon between them respectively, or be fixed by the Judge; and the Judge may, at his Discretion, give Leave of Absence to any Officer of the Court for any Period not exceeding Two Months in any Year, and shall have the like Power of making Provision for the Discharge of the Duties of the Office during such Absence.

Judge's Powers over Practitioners.

XXXII. The Judge of the Court of Probate shall have and exercise, over Proctors, Solicitors, and Attorneys practising in the said Court, the like Authority and Control as is now exercised by the Judges of any Court of Equity or Common Law over Persons practising therein as Solicitors or Attorneys.

Provision for Expenses of indexing, &c. Documents required to be removed under Requisition.

XXXIII. When any Requisition shall issue in pursuance of Section Ninety-six of "The Court of Probate Act, 1857,"* it shall be lawful for the Commissioners of Her Majesty's Treasury, out of such Moneys as may be provided and appropriated by Parliament for that Purpose, to cause to be paid all such Expenses attending the Arranging, Classification, Indexing, Carriage, or otherwise connected with the Removal of the Documents or Books required by such Requisition to be removed, as the Judge shall from Time to Time certify to the said Commissioners to be proper and necessary.

Mode of calculating Time with reference to Retiring Pensions.

XXXIV. In calculating the Time of Service of any Judge of Her Majesty's Superior Courts of Law or Equity in *Ireland* with reference to the Retiring Pension or Annuity to be granted to such Judge on the Resignation of his Office, the Period during which he shall have served as Judge of Her Majesty's Court of Probate in *Ireland* shall be allowed, in like and same Manner as if he had during said Period served as One of the Judges of Her Majesty's Superior Courts of Law or Equity in *Ireland*.

Sections 19. & 20. of 19 & 20 Vict. c. 92. to include Court of Probate in Ireland.

XXXV. Sections Nineteen and Twenty of the Chancery Appeal Court (*Ireland*) Act, 1856, so far as they refer to and include the Court of Prerogative in *Ireland* and the Judge thereof, shall be construed, deemed, and taken to refer to and include the Court of Probate in *Ireland* and the Judge thereof, in like and the same Manner as if the said Court of Probate in *Ireland* and the Judge thereof had been therein referred to and included, instead of the said Court of Prerogative in *Ireland* and the Judge thereof.

Short Title.

XXXVI. In citing this Act in any Instrument, Document, or Proceeding it shall be sufficient to use the Expression "Court of Probate Act (*Ireland*), 1859."

* This Reference is not accurate. The Preamble of the present Act gives to the Act intended to be amended, viz.: the Probate Act, *Ireland*, the Title of "The Court of Probate Act," and it is so referred to in ss. 7, 8, and 14, supra. The Title of "The Court of Probate Act, 1857," is appropriated to the English Probate Act, 20 & 21 Vict. c. 77. by the amending Act 21 & 22 Vict. c. 95. s. 38. But it is clear that it is the Probate Act, *Ireland*, which is intended to be amended by the present Section.

CAP. XXXII.

An Act to amend the Law concerning the Police in Counties and Boroughs in *England* and *Wales*. [13th *August* 1859.]

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Police Districts under 3 & 4 Vict. c. 88. and 19 & 20 Vict. c. 69. may be consolidated or merged.

I. The Powers given to the Justices of the Peace in General or Quarter Sessions by Section Twenty-seven of the Act of the Third and Fourth Years of Her Majesty, Chapter Eighty-eight, and by Section Four of the Act of the Nineteenth and Twentieth Years of Her Majesty, Chapter Sixty-nine, to alter from Time to Time the Extent of Police Districts, shall extend and be deemed to have extended to authorize the Union of Two or more Police Districts, with or without any other Alteration of Limits, or the Consolidation for Police Purposes of any such District or Districts with the rest or with any Part of their County.

County Constables not to be required to act in any Borough.

II. No County Constable shall, as such Constable, be required to act in any Borough having a separate Police Establishment, except in Execution of Warrants of Justices of such County, or by the Order of his Chief Constable or Superintendent; and in all Cases of special Emergency the Chief Constable or Superintendent, when required so to do by the Watch Committee of any Borough having a separate Police Establishment, shall have Power to direct the County Constables to act within such Borough; and no Constable of any Borough having a separate Police Establishment shall as such Constable be required to act out of his Borough, except in Execution of Warrants of Justices of such Borough, or in pursuance of Directions from the Watch Committee in case of special Emergency.

County Constables not to vote in certain Municipal Elections.

III. No Chief or other Constable already appointed or hereafter to be appointed for any County, under the Act of the Session holden in the Second and Third Years of Her Majesty, Chapter Ninety-three, or the said Act of the Third and Fourth Years of Her Majesty, or the said Act of the Nineteenth and Twentieth Years of Her Majesty, shall during the Time he continues to be such Constable be capable of giving his Vote for the Election of any Person to any Municipal Office in any Borough within such County, or in any other Borough in which such Constable has Authority, nor shall any such Constable, by Word, Message, Writing, or in other Manner, endeavour to persuade any Elector to give, or dissuade any Elector from giving, his Vote for the Choice of any Person to hold any Municipal Office in such Borough; and if any such Constable shall offend therein he shall forfeit the Sum of Ten Pounds, to be recovered in any Court of competent Jurisdiction by any Person who shall sue for the same within Six Months after the Commission of the Offence, and One Half of the Sum recovered shall be paid to the Person suing for the same, and the other Half to the Treasurer of the County, to be by him applied for the Purposes of the Police of the County.

Sect. 13. of 2 & 3 Vict. c. 93. amended.

IV. So much of Section Thirteen of the said Act of the Second and Third Years of Her Majesty, Chapter Ninety-three, as provides that every Constable who shall resign or withdraw himself without such Leave or Notice as therein mentioned shall be liable, on being convicted thereof before any Two Justices of the Peace for the County, to forfeit all Arrears of Pay then due to him, or to a Penalty not more than Five Pounds, shall be repealed; and in case any Constable under the said Acts of the Second and Third Years, Third and Fourth Years, and Nineteenth and Twentieth Years of Her Majesty, or any of them, shall resign or withdraw himself from his Duty without such Leave or Notice as is required by the said Section, such Resignation or Withdrawal shall be notified in Writing, by the Chief Constable or by the Superintendent under whom the offending Constable may have been placed, to the Treasurer of the County or the Paymaster of the Constabulary Force, and all Arrears of Pay then due to such Constable so resigning or withdrawing shall, without further Proceeding in respect of his Offence, be forfeited; and upon summary Conviction of such Offence before any Two Justices of the Peace for the County such Constable shall be liable to a Penalty not exceeding Five Pounds.

Limitation of Borough Watch Rate under 2 & 3 Vict. c. 28. and 3 & 4 Vict. c. 28. repealed.

V. So much of the Acts passed in the Second and Third Years of Her Majesty, Chapter Twenty-eight, for more equally assessing Watch Rates in certain Boroughs, and of the Act passed in the Third and Fourth Years of Her Majesty, Chapter Twenty-eight, to explain and amend the previously mentioned Act, as provides that the Amount of Watch Rate to be levied by the Council of any Borough shall not exceed in any One Year the Rate or Sum of Sixpence in the Pound, or otherwise limits the Discretion of the said Council in relation to the Amount of such Rates, shall be repealed.

Rates not to exceed 8*d.* in the Pound.

VI. The Watch Rates levied under the Authority of the said Act may be of any Amount, at the Discretion of the Council, not exceeding in any One Year the Sum of Eightpence in the Pound.

11 & 12 Vict. c. 14. repealed.

VII. The Act passed in the Session holden in the Eleventh and Twelfth Years of Her Majesty, Chapter Fourteen, "for authorizing a Borough Police Superannuation Fund," shall be repealed; but any Superannuation Fund created or applied under that Act shall be transferred to and form Part of the Superannuation Fund to be created or applied under this Act.

Superannuation Fund to be provided for Constables.

VIII. There shall be deducted from the Pay of every Constable belonging to the Police Force established in any Borough under the Act of the Session holden in the Fifth and Sixth Years of King *William* the Fourth, Chapter Seventy-six, a Sum after such yearly Rate as the Council of the Borough may direct, not exceeding the Rate of Two Pounds Ten Shillings in a Hundred Pounds for a Year, which

which Sum so deducted, and also the Moneys accruing from Stoppages from any of the said Constables during Sickness, and Fines imposed on any of the said Constables for Misconduct, and from any Portion of the Fines imposed by any Justice of the Peace upon drunken Persons, or for Assaults upon Police Constables, and from Moieties of Fines and Penalties awarded to Informers (being Police Constables) on summary Convictions as shall be directed by such Justice to be paid for the Benefit of this Fund, and all Moneys arising from the Sale of worn or cast Clothing supplied for the Use of the said Constables, shall from Time to Time be invested in such Manner as the Council may direct, and the Interest and Dividends thereof, or so much of the same as shall not be required for the Purposes herein-after mentioned, shall be likewise invested in the like Manner, and accumulate so as to form a Superannuation Fund, and shall be applied from Time to Time for Payment of such Superannuation or Retiring Allowances or Gratuities as may be ordered by the Watch Committee, as herein-after provided; and the Council shall guarantee the Security of the Superannuation Fund of their Borough, and make good out of the Borough Fund or the Borough Rates any Deficiency which may arise in such Superannuation Fund from the Default of any Treasurer or other Person intrusted with the Custody or Management thereof.

Rates of Allowance from the said Fund.

IX. It shall be lawful for the Watch Committee of any Borough, with the Approbation of the Council, to order that any of the said Constables who may be worn out or otherwise disabled from Infirmity of Mind or Body be superannuated, and receive thereupon, out of the Superannuation Fund, a yearly Allowance, subject to the following Conditions, and not exceeding the following Proportions; (that is to say,) if the Constable has served with Diligence and Fidelity for Fifteen Years and less than Twenty Years, an annual Sum not more than Half his Pay; if for Twenty Years or upwards, an annual Sum not more than Two Thirds of his Pay; provided that if he be under Sixty Years of Age it shall not be lawful to grant any such Allowance unless upon the Certificate of the Chief or Head Constable that the Constable to be superannuated is incapable from Infirmity of Mind or Body to discharge the Duties of his Office; provided also, that if any Constable be disabled, from any Wound or Injury received in the actual Execution of the Duty of his Office, it shall be lawful to grant him any Allowance not more than the whole of his Pay; but nothing herein contained shall be construed to entitle any Constable absolutely to any Superannuation Allowance, or to prevent his being dismissed without Superannuation Allowance.

Power to grant Gratuities to incapacitated Constables who have not served Fifteen Years.

X. It shall be lawful for the Watch Committee of any Borough, if they think fit, with the Approbation of the Council, and upon the Recommendation of the Chief or Head Constable, and upon his certifying that any Constable belonging to the Police Force of the Borough who has not served so long as Fifteen Years is incapable from Infirmity of Mind or Body to discharge the Duties of his Office, to order that such Constable shall receive out of the Superannuation Fund such Sum in gross as a Gratuity upon his Retirement as to the said Watch Committee may seem proper.

Fees received by Constables to be paid to the Superannuation Fund.

XI. Any Fee payable to any Constable appointed for any Borough, for the Performance of any Act done in the Execution of his Duty as such Constable, shall be received in such Manner as the Watch Committee, subject to the Approbation of the Council, may direct, and shall be paid over to the Superannuation Fund.

Provision for Insufficiency of Superannuation Fund.

XII. If at any Time the Superannuation Fund to be created under this Act for any Borough be found insufficient to pay the Allowances granted upon it, the Amount in which the Fund shall from Time to Time be found insufficient shall be made good from the Borough Fund, or where such Fund be inadequate then from the Borough Rates.

Superannuation Fund to vest in Borough Treasurer.

XIII. The Superannuation Fund created under this Act in any Borough shall vest in the Treasurer of the Borough, and such Treasurer shall keep a separate Account of all Sums of Money by him received and paid in respect of such Superannuation Fund or for Superannuations, and of the several Matters for which such Sums have been received and paid, and all Provisions concerning the keeping, auditing, and publishing, and otherwise in relation to the Accounts kept by such Treasurer, under the said Act of the Fifth and Sixth Years of King *William* the Fourth, shall be applied to the Accounts kept under this Enactment.

Moiety of Penalty on summary Conviction may be directed to be paid for Benefit of Superannuation Fund.

XIV. That a Moiety of any Penalty imposed on summary Conviction by the Act of the Eighteenth and Nineteenth Years of Her present Majesty, intituled *An Act to repeal the Act of the Seventeenth and Eighteenth Years of the Reign of Her present Majesty, for further regulating the Sale of Beer and other Liquors on the Lord's Day, and to substitute other Provisions in lieu thereof*, may be directed by the Justice imposing the Penalty to be paid for the Benefit of the Superannuation Fund herein-before mentioned of the County or Borough, according as the Offence so punished shall be committed within the Limits of the County or Borough, and shall be invested and otherwise dealt with accordingly.

Provision for Payment of Allowances heretofore granted.

Rights, &c. under repealed Act reserved.

XV. Allowances heretofore granted to Constables, or which might have been granted to Constables appointed previous to the passing of this Act, under the said Act of the Eleventh and Twelfth Years of Her Majesty, shall be paid from the Superannuation Fund to be applicable under this Act; and all Constables now appointed in any Borough in which the Provisions of the said last-mentioned Act are now in force shall be entitled to receive from the Superannuation Fund all such Allowances, payable at such Times, and with and under the same Rights and Conditions, as they would have been entitled to if this Act had not passed.

XVI. The

How past Services of existing Constables to be reckoned for Superannuation Allowance.

XVI. The Periods of Service during which Constables have been subjected to Deductions from their Pay towards a Superannuation Fund under the said Act of the Eleventh and Twelfth Years of Her Majesty shall, in determining what Superannuation Allowances may be granted to them, be reckoned and allowed to such Constables, and in the Case of Constables permanently appointed in any Borough for which no Superannuation Fund has been provided, and from whose Pay no such Deduction has been paid, One Half only of the respective Periods of Service of such Constables before the passing of this Act shall be reckoned or allowed to such Constables in determining what Superannuation Allowances may be granted under this Act.

Provision for the Case of Consolidation of County and Borough Police.

XVII. On the Consolidation of the Police of any Borough with the Police of any County, under the Provisions of the Act of the Session holden in the Third and Fourth Years of Her Majesty, Chapter Eighty-eight, the Superannuation Allowance previously granted to any Borough Constable shall be charged on the Borough Fund or the Borough Rates of the Borough, and the Superannuation Allowance to be thereafter granted to any Borough Constable transferred under such Consolidation shall be charged upon the Superannuation Fund of the County; and in determining the Amount of any such Allowance the Period of Service of any such Constable in the Borough shall be reckoned as if the same had been in the County Police; and this Charge, and the Disposal of the Borough Superannuation Fund, shall form a Part of the Agreement to be entered into on the Consolidation.

Justices may direct Police to keep Order in Court of Assize.

XVIII. It shall be lawful for the Justices of the Peace of any County in General or Quarter Sessions assembled, if they shall think fit, to direct that a sufficient Number of Police Constables of the said County shall be employed to keep Order in and within the Precincts of the Court of Assize, and the Chief Constable of the County shall thereupon employ a sufficient Number of such Constables for such Purpose, and in that Case it shall not be necessary for the High Sheriff to provide and maintain any Javelin Men, or other Men Servants with Liveries, at the Assizes, anything contained in the Act of the Thirteenth and Fourteenth Years of His Majesty King *Charles* the Second, Chapter Twenty-one, notwithstanding.

On Promotion of Constables from one Force to another, Half of past Service may be reckoned as Service in the latter Force.

XIX. In order to provide the most meritorious and fit Men to fill the superior Ranks in the Police, any Constable or Officer promoted from one Force to another, either of a County or a Borough, who shall have served in his last Force for a Period of Seven Years, shall, for the Purposes of Superannuation, reckon as Service in the Force to which he is promoted One Half of the Period of his previous Service, provided that the Promotion be made, in the Case of a County Constable, on the Recommendation of the Chief Constable, with the Sanction of the Court of Quarter Sessions, and in the Case of a Borough Constable on the Recommendation of the Head Constable of the Borough, with the Sanction of the Council, and that in both Cases the Service be formally certified at the Time of Promotion.

General or Quarter Sessions of Counties, &c. may grant Gratuities to Widows of Constables.

XX. The Court of General or Quarter Sessions for any County, and the Watch Committee, subject to the Approbation of the Council for any Borough, may, upon the Recommendation of the Chief or Head Constable, grant a Gratuity out of the Superannuation Fund of their County or Borough to the Widow of any Constable who has died in the Service, provided the Sum so granted do not exceed the Amount of One Year's Pay of such Constable, and that he have contributed to the Superannuation Fund for a Period of not less than Three Years.

Act not to apply, as to Superannuation Fund, to Places where one exists.

XXI. None of the Provisions of this Act relating to a Police Superannuation Fund, or Contributions thereto or Payments thereout, shall apply to any County, City, or Borough in which a Police Superannuation Fund has at the Time of the passing of this Act been established under the Provisions of any Local Act now in force.

Superannuation Fund for the whole County of Lincoln to be One common Fund.

XXII. 'Whereas the County of *Lincoln* is under Three separate Commissions of the Peace, namely, '*Lindsey*, *Kesteven*, and *Holland*, but is for Police Superintendence under One Chief Constable, and it 'is found inconvenient and unjust that the Superannuation Fund should be separate:' Be it enacted, That after the passing of this Act the said Superannuation Fund shall be One common Account, so long as the Police Force for the said County of *Lincoln* shall be under the Direction of One Chief Constable for the Three Divisions; but if the said Force shall hereafter be separated under different Chief Constables, in that Case it shall be lawful to divide the said Superannuation Fund in proportion to the Number of Men for each Division of the said County of *Lincoln* at that Time serving in the said Force, the said Superannuation Fund to be under the Management of the Joint Committee for the Three Divisions, and invested by them from Time to Time.

Brighton Watchmen's Superannuation Fund to be transferred to Brighton Police Superannuation Fund.

XXIII. 'And whereas under and by virtue of an Act of Parliament passed in the Sixth Year of the 'Reign of His late Majesty King *George* the Fourth, intituled *An Act for the better regulating, paving, 'improving, and managing the Town of* Brighthelmston *in the County of* Sussex, *and the Poor thereof*, 'the Commissioners therein named appointed Watchmen under the Power of that Act to keep Watch 'and Ward within the Limits thereof (such Limits being the same as those of the Borough); and such 'Watchmen were sworn in as Constables, and such Watchmen contributed from their weekly Wages 'Sums to form a Fund in the Nature of a Police Superannuation Fund: And whereas Her present 'Majesty, by the Advice of Her Privy Council, by certain Letters Patent under the Great Seal of *Great 'Britain* and *Ireland*, bearing Date the First Day of *April* in the Seventeenth Year of Her Reign, 'granted that the Inhabitants of the said Town should be for ever thereafter One Body Politic and 'Corporate,

'Corporate, and should be called "The Mayor, Aldermen, and Burgesses of the Borough of *Brighton*," 'and should have perpetual Succession and a Common Seal, and the Mayor, Aldermen, and Councillors 'of the said Borough have been duly elected, and the Council thereof duly established, pursuant to the 'Charter: And whereas at the Time when the said recited Charter of Incorporation came into operation 'within the Borough the said Fund amounted to a considerable Sum, which was deposited in the Hands 'of Trustees, and had been invested by them in Government Securities, and the same now remains 'vested in such Securities: And whereas the Watch Committee of the Borough, on their first Appoint-'ment of Constables for the Borough, appointed all the said Watchmen who were then in Office to be 'such Constables: And whereas, under the Powers and Provisions of an Act made and passed in the 'Session of Parliament held in the Eleventh and Twelfth Years of the Reign of Her present Majesty, 'intituled *An Act for authorizing a Borough Police Superannuation Fund*, the Council have esta-'blished a Police Superannuation Fund in and for the Borough: And whereas it is expedient that the 'Fund so contributed as aforesaid, and the Securities wherein the same is invested, should be added to 'the Borough of *Brighton* Police Superannuation Fund:' Be it enacted, That the Fund so contributed as aforesaid by the Watchmen appointed by the said Commissioners, and the Securities wherein the same is invested, and all Arrears of Dividends thereon, shall be and the same is hereby vested in the Treasurer of the said Borough for the Time being, and shall be transferred and paid to such Treasurer accordingly, who shall hold the same as Part of the Police Superannuation Fund of the said Borough so as aforesaid established under the Authority of the said Act for authorizing a Borough Police Superannuation Fund.

Gratuities may be granted as Reward for good Service to Police out of Police Rates, &c.

XXIV. The Court of General or Quarter Sessions for any County, and the Watch Committee, subject to the Approbation of the Council for any Borough, may, upon the Recommendation of the Chief Constable of any County Police Force, or of the Superintendent of the Police for the said Borough, grant to any Constable in the said County or Borough, out of the Police Rate or Borough Fund, a Gratuity in Money not exceeding Three Pounds, in respect of and as a Reward for any meritorious Act done by the said Constable in the Execution of his Duty.

Embezzlement by Constables punishable under 2 & 3 W. 4. c. 4.

XXV. All the Penalties and Provisions of the Act passed in the Second and Third Years of King *William* the Fourth, Chapter Four, "for more effectually preventing Embezzlements by Persons "employed in the Public Service of His Majesty," shall extend and be applicable to Constables and other Persons employed in the Police of any County, City, Borough, District, or Place whatsoever, in like Manner as to any Person employed in the Public Service of Her Majesty within the Meaning of that Act, and for all the Purposes of the said Act the Employment of Constable or any other such Employment in the Police shall be deemed an Employment in the Public Service of Her Majesty.

Chief Constable empowered to suspend Constables.

XXVI. The Chief Constable of any County Police Force, and the Watch Committee of any City, Borough, District, or Place, is and are hereby empowered to suspend any Constable, within their respective Jurisdiction, whom he or they shall think remiss or negligent in the Discharge of his Duty, or otherwise unfit for the same; and the said Chief Constable or Watch Committee is and are hereby also empowered, at his or their Discretion, to fine any such Constable in a Sum of Money not exceeding One Week's Pay, and to reduce the said Constable from a superior to an inferior Rank, such Fine and Reduction in Rank to be in addition to any other Punishment to which the said Constable may be liable; and all Punishment, Penalties, and Fines, such as above enumerated, heretofore imposed or inflicted under Rules framed under and by virtue of the Third Section of the Act of the Second and Third *Victoria*, Chapter Ninety-three, shall be deemed to have been legally imposed or inflicted.

Inspectors still entitled to Half Pay.

XXVII. The Office or Employment of Inspector under the Act of the Nineteenth and Twentieth Years of Her Majesty, Chapter Sixty-nine, shall not prevent the Holder thereof from receiving any Half Pay to which if he did not hold such Office or Employment he might be or become entitled.

Repeal of Parts of 3 & 4 Vict. c. 88. as to local Constables.

XXVIII. That Sections Sixteen, Seventeen, and Eighteen of the Act, Third and Fourth *Victoria*, Chapter Eighty-eight, be repealed as far as relates to local Constables; provided that the Power of Justices of the County in General or Quarter Session assembled, subject to the Approval of One of Her Majesty's Principal Secretaries of State, to settle Tables of Fees and Allowances, shall be retained as far as relates to the County Constabulary.

CAP. XXXIII.

An Act to confirm certain Provisional Orders made under an Act of the Fifteenth Year of Her present Majesty, to facilitate Arrangements for the Relief of Turnpike Trusts.

[13th *August* 1859.]

14 & 15 Vict. c. 38.

'WHEREAS, in pursuance of the Act of the Fifteenth Year of Her Majesty, "to facilitate '"Arrangements for the Relief of Turnpike Trusts, and to make certain Provisions respecting '"Exemptions from Tolls," certain Provisional Orders have been made for reducing the Rate of 'Interest on the Mortgage Debts charged or secured on the Tolls or Revenues of certain Turnpike 'Roads, and such Orders have been published in the *London Gazette* and in Newspapers circulating 'in the Neighbourhood of such Roads, and the Dates of such Provisional Orders, and the Acts under 'which the Tolls or Revenues on which such Debts are charged or secured are levied or raised, together 'with

'with the Amount to which the Rate of Interest on such Debts is to be reduced, and the Day from 'which the Interest on such Debts is to be reduced by such Orders, are mentioned in the Schedule to 'this Act, and the First and Second of the said Orders bearing Date in the Year One thousand eight 'hundred and fifty-eight were made by the Right Honourable *Spencer Horatio Walpole*, who at the 'Date thereof was One of Her Majesty's Principal Secretaries of State, and the Third of the said 'Orders bearing Date in the Year One thousand eight hundred and fifty-nine was made by the Right 'Honourable *Thomas Henry Sutton Sotheron Estcourt*, who at the Date thereof was One of such 'Secretaries of State: And whereas it is expedient that the said Provisional Orders should be confirmed 'and made absolute:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. The said Provisional Orders are hereby confirmed and made absolute, and shall be as binding and of the like Force and Effect as if the Provisions thereof had been expressly enacted by Parliament. Provisional Orders confirmed.

SCHEDULE.

Date of Provisional Order.	TITLE OF LOCAL ACT.	Amount of Principal Debt.	Interest to be reduced to the following Rates per Annum.	Interest to be reduced from the following Dates.
1858.		£ s. d.		
9 Nov.	1 & 2 G. 4. c. xvi., "An Act for continuing the Term and "altering and enlarging the Powers granted by Two Acts "of His late Majesty, for repairing and widening the Road "from Skipton to the Turnpike Road leading from Leeds to "Ripon near Ockbeck in the Township of Bilton-with-"Harrogate, and from thence to communicate with the "Road leading from Knaresborough to Wetherby, in the "West Riding of the County of York."	3,565 0 0	4*l.* per Cent.	24 June 1858.
21 Dec.	9 G. 4. c. lxxvii., "An Act to alter, amend, and enlarge the "Powers and Provisions of several Acts relating to the "Road from Chester to Wrexham in the City and County "of Chester and the Counties of Flint and Denbigh."	4,800 0 0	4*l.* per Cent.	31 Dec. 1858.
1859. 31 March	9 G. 4. c. lxxxiv., "An Act for more effectually repairing "the Dunster, Stowey, Watchet, and Crowcombe Districts "of the Minehead Roads in the Counties of Somerset and "Devon; and for making and repairing several other Roads "communicating with the same Districts of Road, or some "of them."	8,449 10 0	3*l.* per Cent.	1 Jan. 1859.

CAP. XXXIV.

An Act to continue the Powers of the Commissioners under an Act of the Nineteenth and Twentieth Years of Her Majesty, concerning the University of *Cambridge* and the College of King *Henry* the Sixth at *Eton*. [13th *August* 1859.]

[*Section* 1 *continues the Powers of* 19 & 20 *Vict. c.* 88. *until* 1*st January* 1861; § 2 *postpones the Repeal of the University Statutes of Queen Elizabeth to the same Time.*]

CAP. XXXV.

An Act to further amend the Law of Property, and to relieve Trustees. [13th *August* 1859.]

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Leases.

I. Where any Licence to do any Act which without such Licence would create a Forfeiture, or give a Right to re-enter, under a Condition or Power reserved in any Lease heretofore granted or to be hereafter granted, shall at any Time after the passing of this Act be given to any Lessee or his Assigns, every such Licence shall, unless otherwise expressed, extend only to the Permission actually given, or to any specific Breach of any Proviso or Covenant made or to be made, or to the actual Assignment, Under-lease, or other Matter thereby specifically authorized to be done, but not so as to prevent any Proceeding for any subsequent Breach (unless otherwise specified in such Licence); and all Rights under Covenants and Powers of Forfeiture and Re-entry in the Lease contained shall remain in full force and virtue, and shall be available as against any subsequent Breach of Covenant or Condition, Restriction on Effect of Licence to alien.

Assignment,

Assignment, Under-lease, or other Matter not specifically authorized or made dispunishable by such Licence, in the same Manner as if no such Licence had been given; and the Condition or Right of Re-entry shall be and remain in all respects as if such Licence had not been given, except in respect of the particular Matter authorized to be done.

Restricted Operation of partial Licences.

II. Where in any Lease heretofore granted or to be hereafter granted there is or shall be a Power or Condition of Re-entry on assigning or underletting or doing any other specified Act without Licence, and a Licence at any Time after the passing of this Act shall be given to One of several Lessees or Co-Owners to assign or underlet his Share or Interest, or to do any other Act prohibited to be done without Licence, or shall be given to any Lessee or Owner, or any One of several Lessees or Owners, to assign or underlet Part only of the Property, or to do any other such Act as aforesaid in respect of Part only of such Property, such Licence shall not operate to destroy or extinguish the Right of Re-entry in case of any Breach of the Covenant or Condition by the Co-Lessee or Co-Lessees, or Owner or Owners, of the other Shares or Interests in the Property, or by the Lessee or Owner of the rest of the Property (as the Case may be) over or in respect of such Shares or Interests or remaining Property, but such Right of Re-entry shall remain in full Force over or in respect of the Shares or Interests or Property not the Subject of such Licence.

Apportionment of Conditions of Re-entry in certain Cases.

III. Where the Reversion upon a Lease is severed, and the Rent or other Reservation is legally apportioned, the Assignee of each Part of the Reversion shall, in respect of the apportioned Rent or other Reservation allotted or belonging to him, have and be entitled to the Benefit of all Conditions or Powers of Re-entry for Nonpayment of the original Rent or other Reservation, in like Manner as if such Conditions or Powers had been reserved to him as incident to his Part of the Reversion in respect of the apportioned Rent or other Reservation allotted or belonging to him.

Policies of Insurance.

Relief against Forfeiture for Breach of Covenant to insure in certain Cases.

IV. A Court of Equity shall have Power to relieve against a Forfeiture for Breach of a Covenant or Condition to insure against Loss or Damage by Fire, where no Loss or Damage by Fire has happened, and the Breach has, in the Opinion of the Court, been committed through Accident or Mistake, or otherwise without Fraud or gross Negligence, and there is an Insurance on foot at the Time of the Application to the Court in conformity with the Covenant to insure, upon such Terms as to the Court may seem fit.

Record of Relief granted.

V. The Court, where Relief shall be granted, shall direct a Record of such Relief having been granted to be made by Endorsement on the Lease or otherwise.

Court not to relieve more than once in respect of same Covenant, &c.

VI. The Court shall not have Power under this Act to relieve the same Person more than once in respect of the same Covenant or Condition; nor shall it have Power to grant any Relief under this Act where a Forfeiture under the Covenant in respect of which Relief is sought shall have been already waived out of Court in favour of the Person seeking the Relief.

Lessor to have Benefit of an informal Insurance.

VII. The Person entitled to the Benefit of a Covenant on the Part of a Lessee or Mortgagor to insure against Loss or Damage by Fire shall, on Loss or Damage by Fire happening, have the same Advantage from any then subsisting Insurance relating to the Building covenanted to be insured, effected by the Lessee or Mortgagor in respect of his Interest under the Lease or in the Property, or by any Person claiming under him, but not effected in conformity with the Covenant, as he would have from an Insurance effected in conformity with the Covenant.

Protection of Purchaser against Forfeiture under Covenant for Insurance against Fire in certain Cases.

VIII. Where, on the *bonâ fide* Purchase after the passing of this Act of a Leasehold Interest under a Lease containing a Covenant on the Part of the Lessee to insure against Loss or Damage by Fire, the Purchaser is furnished with the written Receipt of the Person entitled to receive the Rent, or his Agent, for the last Payment of Rent accrued due before the Completion of the Purchase, and there is subsisting at the Time of the Completion of the Purchase an Insurance in conformity with the Covenant, the Purchaser or any Person claiming under him shall not be subject to any Liability by way of Forfeiture or Damages or otherwise, in respect of any Breach of the Covenant committed at any Time before the Completion of the Purchase, of which the Purchaser had not Notice before the Completion of the Purchase; but this Provision is not to take away any Remedy which the Lessor or his legal Representatives may have against the Lessee or his legal Representatives for Breach of Covenant.

Preceding Provisions to apply to Leases for a Term of Years absolute, &c.

IX. The preceding Provisions shall be applicable to Leases for a Term of Years absolute, or determinable on a Life or Lives or otherwise, and also to a Lease for the Life of the Lessee or the Life or Lives of any other Person or Persons.

Rentcharges.

Release of Part of Land charged not to be an Extinguishment.

X. The Release from a Rentcharge of Part of the Hereditaments charged therewith shall not extinguish the whole Rentcharge, but shall operate only to bar the Right to recover any Part of the Rentcharge out of the Hereditaments released, without Prejudice nevertheless to the Rights of all Persons interested in the Hereditaments remaining unreleased, and not concurring in or confirming the Release.

Judgments.

Release of Part of Land charged not to affect Judgment.

XI. The Release from a Judgment of Part of any Hereditaments charged therewith shall not affect the Validity of the Judgment as to the Hereditaments remaining unreleased, or as to any other Property not specifically released, without Prejudice nevertheless to the Rights of all Persons interested in the Hereditaments or Property remaining unreleased, and not concurring in or confirming the Release.

Powers.

Mode of Execution of Powers.

XII. A Deed hereafter executed in the Presence of and attested by Two or more Witnesses in the Manner in which Deeds are ordinarily executed and attested shall, so far as respects the Execution and Attestation thereof, be a valid Execution of a Power of Appointment by Deed or by any Instrument in Writing not testamentary, notwithstanding it shall have been expressly required that a Deed or Instrument in Writing made in exercise of such Power should be executed or attested with some additional or other Form of Execution or Attestation or Solemnity: Provided always, that this Provision shall not operate to defeat any Direction in the Instrument creating the Power that the Consent of any particular Person shall be necessary to a valid Execution, or that any Act shall be performed in order to give Validity to any Appointment, having no Relation to the Mode of executing and attesting the Instrument, and nothing herein contained shall prevent the Donee of a Power from executing it conformably to the Power by Writing or otherwise than by an Instrument executed and attested as an ordinary Deed, and to any such Execution of a Power this Provision shall not extend.

Sale under Power not to be avoided by reason of mistaken Payment to Tenant for Life.

XIII. Where under a Power of Sale a *bonâ fide* Sale shall be made of an Estate with the Timber thereon, or any other Articles attached thereto, and the Tenant for Life or any other Party to the Transaction shall by Mistake be allowed to receive for his own Benefit a Portion of the Purchase Money as the Value of the Timber or other Articles, it shall be lawful for the Court of Chancery, upon any Bill or Claim or Application in a summary Way, as the Case may require or permit, to declare that upon Payment by the Purchaser, or the Claimant under him, of the full Value of the Timber and Articles at the Time of Sale, with such Interest thereon as the Court shall direct, and the Settlement of the said Principal Moneys and Interest under the Direction of the Court upon such Parties as in the Opinion of the Court shall be entitled thereto, the said Sale ought to be established; and upon such Payment and Settlement being made accordingly the Court may declare that the said Sale is valid, and thereupon the legal Estate shall vest and go in like Manner as if the Power had been duly executed, and the Costs of the said Application as between Solicitor and Client shall be paid by the Purchaser or the Claimant under him.

Devisee in Trust may raise Money by Sale, notwithstanding Want of express Power in the Will.

XIV. Where by any Will which shall come into operation after the passing of this Act the Testator shall have charged his Real Estate or any specific Portion thereof with the Payments of his Debts, or with the Payment of any Legacy or other specific Sum of Money, and shall have devised the Estate so charged to any Trustee or Trustees for the whole of his Estate or Interest therein, and shall not have made any express Provision for the raising of such Debt, Legacy, or Sum of Money out of such Estate, it shall be lawful for the said Devisee or Devisees in Trust, notwithstanding any Trusts actually declared by the Testator, to raise such Debts, Legacy, or Money as aforesaid by a Sale and absolute Disposition by Public Auction or Private Contract of the said Hereditaments or any Part thereof, or by a Mortgage of the same, or partly in one Mode and partly in the other, and any Deed or Deeds of Mortgage so executed may reserve such Rate of Interest and fix such Period or Periods of Repayment as the Person or Persons executing the same shall think proper.

Powers given by last Section extended to Survivors, Devisees, &c.

XV. The Powers conferred by the last Section shall extend to all and every Person or Persons in whom the Estate devised shall for the Time being be vested by Survivorship, Descent, or Devise, or to any Person or Persons who may be appointed under any Power in the Will, or by the Court of Chancery, to succeed to the Trusteeship vested in such Devisee or Devisees in Trust as aforesaid.

Executors to have Power of raising Money, &c. where there is no sufficient Devise.

XVI. If any Testator who shall have created such a Charge as is described in the Fourteenth Section shall not have devised the Hereditaments charged as aforesaid in such Terms as that his whole Estate and Interest therein shall become vested in any Trustee or Trustees, the Executor or Executors for the Time being named in such Will (if any) shall have the same or the like Power of raising the said Moneys as is herein-before vested in the Devisee or Devisees in Trust of the said Hereditaments, and such Power shall from Time to Time devolve to and become vested in the Person or Persons (if any) in whom the Executorship shall for the Time being be vested; but any Sale or Mortgage under this Act shall operate only on the Estate and Interest, whether legal or equitable, of the Testator, and shall not render it unnecessary to get in any outstanding subsisting legal Estate.

Purchasers, &c. not bound to inquire as to Powers.

XVII. Purchasers or Mortgagees shall not be bound to inquire whether the Powers conferred by Sections Fourteen, Fifteen, and Sixteen of this Act, or either of them, shall have been duly and correctly exercised by the Person or Persons acting in virtue thereof.

Sections 14, 15, and 16 not to affect certain Sales, &c. nor to

XVIII. The Provisions contained in Sections Fourteen, Fifteen, and Sixteen shall not in any way prejudice or affect any Sale or Mortgage already made or hereafter to be made, under or in pursuance of any Will coming into operation before the passing of this Act, but the Validity of any such Sale or Mortgage shall be ascertained and determined in all respects as if this Act had not passed; and the said

extend to Devises in Fee or in Tail.

said several Sections shall not extend to a Devise to any Person or Persons in Fee or in Tail, or for the Testator's whole Estate and Interest charged with Debts or Legacies, nor shall they affect the Power of any such Devisee or Devisees to sell or mortgage as he or they may by Law now do.

Inheritance.

Descent how to be traced.

XIX. Where there shall be a total Failure of Heirs of the Purchaser, or where any Land shall be descendible as if an Ancestor had been the Purchaser thereof, and there shall be a total Failure of the Heirs of such Ancestor, then and in every such Case the Land shall descend and the Descent shall thenceforth be traced from the Person last entitled to the Land as if he had been the Purchaser thereof.

Preceding Section incorporated with 3 & 4 W. 4. c. 106.

XX. The last preceding Section shall be read as Part of the Act "For the Amendment of the Law "of Inheritance," of the Session of the Third and Fourth Years of the Reign of King *William* the Fourth, Chapter One hundred and six.

Assignment of Personalty.

Assignment to self and others.

XXI. Any Person shall have Power to assign Personal Property, now by Law assignable, including Chattels Real, directly to himself and another Person or other Persons or Corporation, by the like Means as he might assign the same to another.

Purchasers.

After Dec. 31, 1859, Provision as to Registry, contained in 2 & 3 Vict. c. 11. and 18 & 19 Vict. c. 15., to apply to Crown Debts.

XXII. From and after the Thirty-first Day of *December* One thousand eight hundred and fifty-nine the Provision for Re-registry of Judgments, Decrees or Orders, Rules or Orders, contained in the Act of the Session of the Second and Third Years of Queen *Victoria*, Chapter Eleven, as explained and amended by the Act of the Session of the Eighteenth and Nineteenth Years of Queen *Victoria*, Chapter Fifteen, shall extend and apply to every such Judgment, Statute, Recognizance, Inquisition, Obligation, Specialty, or Acceptance of Office as is by Section Eight of the first-mentioned Act required to be registered, so that it shall be obligatory on the Crown, in order to bind the Lands, Tenements, or Hereditaments of its Debtors or Accountants, as against Purchasers, Mortgagees, or Creditors becoming such after the Thirty-first Day of *December* One thousand eight hundred and fifty-nine, to re-register, in like Manner as it is obligatory on a private Person, and so that Notice of any such Judgment, Statute, Recognizance, Inquisition, Obligation, Specialty, or Acceptance of Office, not duly re-registered, shall not avail against Purchasers, Mortgagees, or Creditors becoming such after the Thirty-first Day of *December* One thousand eight hundred and fifty-nine, as to Lands, Tenements, or Hereditaments; and this Provision shall apply to every such Judgment, Statute, Recognizance, Inquisition, Obligation, Specialty, or Acceptance of Office as since the passing of the first-mentioned Act has been registered under the Provisions therein contained, or as shall hereafter be so registered: This Section shall not extend to *Ireland*.

Not to be bound to see to the Application of Purchase Money.

XXIII. The *bonâ fide* Payment to and the Receipt of any Person to whom any Purchase or Mortgage Money shall be payable upon any express or implied Trust shall effectually discharge the Person paying the same from seeing to the Application or being answerable for the Misapplication thereof, unless the contrary shall be expressly declared by the Instrument creating the Trust or Security.

Punishment of Vendor, &c. for fraudulent Concealment of Deeds, &c. or falsifying Pedigree.

XXIV. Any Seller or Mortgagor of Land, or of any Chattels, Real or Personal, or Choses in Action conveyed or assigned to a Purchaser, or the Solicitor or Agent of any such Seller or Mortgagor, who shall after the passing of this Act conceal any Settlement, Deed, Will, or other Instrument material to the Title or any Incumbrance from the Purchaser, or falsify any Pedigree upon which the Title does or may depend, in order to induce him to accept the Title offered or produced to him, with Intent in any of such Cases to defraud, shall be guilty of a Misdemeanor, and being found guilty shall be liable, at the Discretion of the Court, to suffer such Punishment, by Fine or Imprisonment for any Time not exceeding Two Years, with or without Hard Labour, or by both, as the Court shall award, and shall also be liable to an Action for Damages at the Suit of the Purchaser or Mortgagee, or those claiming under the Purchaser or Mortgagee, for any Loss sustained by them or either or any of them in consequence of the Settlement, Deed, Will, or other Instruments or Incumbrance so concealed, or of any Claim made by any Person under such Pedigree, but whose Right was concealed by the Falsification of such Pedigree; and in estimating such Damages, where the Estate shall be recovered from such Purchaser or Mortgagee, or from those claiming under the Purchaser or Mortgagee, regard shall be had to any Expenditure by them or either or any of them in Improvements on the Land; but no Prosecution for any Offence included in this Section against any Seller or Mortgagor, or any Solicitor or Agent, shall be commenced without the Sanction of Her Majesty's Attorney General, or in case that Office be vacant of Her Majesty's Solicitor General; and no such Sanction shall be given without such previous Notice of the Application for Leave to prosecute to the Person intended to be prosecuted as the Attorney General or the Solicitor General (as the Case may be) shall direct.

Interpretation of Terms.

XXV. In the Construction of the previous Provisions in this Act the Term "Land" shall be taken to include all Tenements and Hereditaments, and any Part or Share of or Estate or Interest in any Tenements or Hereditaments, of what Tenure or Kind soever; and

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The Term "Mortgage" shall be taken to include every Instrument by virtue whereof Land is in any Manner conveyed, assigned, pledged, or charged as Security for the Repayment of Money or Money's Worth lent, and to be reconveyed, re-assigned, or released on Satisfaction of the Debt; and

The Term "Mortgagor" shall be taken to include every Person by whom any such Conveyance, Assignment, Pledge, or Charge as aforesaid shall be made; and

The Term "Mortgagee" shall be taken to include every Person to whom or in whose Favour any such Conveyance, Assignment, Pledge, or Charge as aforesaid is made or transferred:

The Term "Judgment" shall be taken to include registered Decrees, Orders of Courts of Equity and Bankruptcy, and other Orders having the Operation of Judgments.

Trustees and Executors.

Trustee, &c. making Payment under Power of Attorney not to be liable by reason of Death of Party giving such Power.

XXVI. No Trustee, Executor, or Administrator making any Payment or doing any Act *bonâ fide* under or in pursuance of any Power of Attorney shall be liable for the Moneys so paid or the Act so done, by reason that the Person who gave the Power of Attorney was dead at the Time of such Payment or Act, or had done some Act to avoid the Power, provided that the Fact of the Death, or of the doing of such Act as last aforesaid, at the Time of such Payment or Act *bonâ fide* done as aforesaid by such Trustee, Executor, or Administrator, was not known to him: Provided always, that nothing herein contained shall in any Manner affect or prejudice the Right of any Person entitled to the Money against the Person to whom such Payment shall have been made, but that such Person so entitled shall have the same Remedy against such Person to whom such Payment shall be made as he would have had against the Trustee, Executor, or Administrator if the Money had not been paid away under such Power of Attorney.

As to Liability of Executor or Administrator in respect of Rents, Covenants, or Agreements.

XXVII. Where an Executor or Administrator, liable as such to the Rents, Covenants, or Agreements contained in any Lease or Agreement for a Lease granted or assigned to the Testator or Intestate whose Estate is being administered, shall have satisfied all such Liabilities under the said Lease or Agreement for a Lease as may have accrued due and been claimed up to the Time of the Assignment hereafter mentioned, and shall have set apart a sufficient Fund to answer any future Claim that may be made in respect of any fixed and ascertained Sum covenanted or agreed by the Lessee to be laid out on the Property demised or agreed to be demised, although the Period for laying out the same may not have arrived, and shall have assigned the Lease or Agreement for a Lease to a Purchaser thereof, he shall be at liberty to distribute the Residuary Personal Estate of the Deceased to and amongst the Parties entitled thereto respectively, without appropriating any Part, or any further Part, (as the Case may be,) of the Personal Estate of the Deceased to meet any future Liability under the said Lease or Agreement for a Lease; and the Executor or Administrator so distributing the Residuary Estate shall not, after having assigned the said Lease or Agreement for a Lease, and having, where necessary, set apart such sufficient Fund as aforesaid, be personally liable in respect of any subsequent Claim under the said Lease or Agreement for a Lease; but nothing herein contained shall prejudice the Right of the Lessor or those claiming under him to follow the Assets of the Deceased into the Hands of the Person or Persons to or amongst whom the said Assets may have been distributed.

As to Liability of Executor, &c. in respect of Rents, &c. in Conveyances on Rents-charge.

XXVIII. In like Manner, where an Executor or Administrator liable as such to the Rent, Covenants, or Agreements contained in any Conveyance on Chief Rent or Rentcharge (whether any such Rent be by Limitation of Use, Grant, or Reservation,) or Agreement for such Conveyance, granted or assigned to or made and entered into with the Testator or Intestate whose Estate is being administered, shall have satisfied all such Liabilities under the said Conveyance, or Agreement for a Conveyance, as may have accrued due and been claimed up to the Time of the Conveyance hereafter mentioned, and shall have set apart a sufficient Fund to answer any future Claim that may be made in respect of any fixed and ascertained Sum covenanted or agreed by the Grantee to be laid out on the Property conveyed, or agreed to be conveyed, although the Period for laying out the same may not have arrived, and shall have conveyed such Property, or assigned the said Agreement for such Conveyance as aforesaid, to a Purchaser thereof, he shall be at liberty to distribute the Residuary Personal Estate of the Deceased to and amongst the Parties entitled thereto respectively, without appropriating any Part or any further Part (as the Case may be) of the Personal Estate of the Deceased to meet any future Liability under the said Conveyance or Agreement for a Conveyance; and the Executor or Administrator so distributing the Residuary Estate shall not, after having made or executed such Conveyance or Assignment, and having, where necessary, set apart such sufficient Fund as aforesaid, be personally liable in respect of any subsequent Claim under the said Conveyance, or Agreement for Conveyance; but nothing herein contained shall prejudice the Right of the Grantor, or those claiming under him, to follow the Assets of the Deceased into the Hands of the Person or Persons to or among whom the said Assets may have been distributed.

As to Distribution of the Assets of Testator or Intestate after Notice given

XXIX. Where an Executor or Administrator shall have given such or the like Notices as in the Opinion of the Court in which such Executor or Administrator is sought to be charged would have been given by the Court of Chancery in an Administration Suit, for Creditors and others to send in to the Executor or Administrator their Claims against the Estate of the Testator or Intestate, such Executor or Administrator shall, at the Expiration of the Time named in the said Notices or the last of

by Executor or Administrator.

the said Notices for sending in such Claims, be at liberty to distribute the Assets of the Testator or Intestate, or any Part thereof, amongst the Parties entitled thereto, having regard to the Claims of which such Executor or Administrator has then Notice, and shall not be liable for the Assets or any Part thereof so distributed to any Person of whose Claim such Executor or Administrator shall not have had Notice at the Time of Distribution of the said Assets or a Part thereof, as the Case may be; but nothing in the present Act contained shall prejudice the Right of any Creditor or Claimant to follow the Assets or any Part thereof into the Hands of the Person or Persons who may have received the same respectively.

Trustee, Executor, &c. may apply by Petition to Judge of Chancery for Opinion, Advice, &c. in Management, &c. of Trust Property.

XXX. Any Trustee, Executor, or Administrator shall be at liberty, without the Institution of a Suit, to apply by Petition to any Judge of the High Court of Chancery, or by Summons upon a written Statement to any such Judge at Chambers, for the Opinion, Advice, or Direction of such Judge on any Question respecting the Management or Administration of the Trust Property or the Assets of any Testator or Intestate, such Application to be served upon or the Hearing thereof to be attended by all Persons interested in such Application, or such of them as the said Judge shall think expedient; and the Trustee, Executor, or Administrator acting upon the Opinion, Advice, or Direction given by the said Judge shall be deemed, so far as regards his own Responsibility, to have discharged his Duty as such Trustee, Executor, or Administrator in the Subject Matter of the said Application; provided nevertheless, that this Act shall not extend to indemnify any Trustee, Executor, or Administrator in respect of any Act done in accordance with such Opinion, Advice, or Direction as aforesaid, if such Trustee, Executor, or Administrator shall have been guilty of any Fraud or wilful Concealment or Misrepresentation in obtaining such Opinion, Advice, or Direction; and the Costs of such Application as aforesaid shall be in the Discretion of the Judge to whom the said Application shall be made.

Every Trust Instrument to be deemed to contain Clauses for the Indemnity and Reimbursement of the Trustees.

XXXI. Every Deed, Will, or other Instrument creating a Trust either expressly or by Implication shall, without Prejudice to the Clauses actually contained therein, be deemed to contain a Clause in the Words or to the Effect following; that is to say, "That the Trustees or Trustee for the Time being "of the said Deed, Will, or other Instrument shall be respectively chargeable only for such Moneys, "Stocks, Funds, and Securities as they shall respectively actually receive notwithstanding their "respectively signing any Receipt for the sake of Conformity, and shall be answerable and accountable "only for their own Acts, Receipts, Neglects, or Defaults, and not for those of each other, nor for any "Banker, Broker, or other Person with whom any Trust Moneys or Securities may be deposited, nor "for the Insufficiency or Deficiency of any Stocks, Funds, or Securities, nor for any other Loss, unless "the same shall happen through their own wilful Default respectively; and also that it shall be lawful "for the Trustees or Trustee for the Time being of the said Deed, Will, or other Instrument to "reimburse themselves or himself, or pay or discharge out of the Trust Premises all Expenses incurred "in or about the Execution of the Trusts or Powers of the said Deed, Will, or other Instrument."

As to Investments by Trustees.

XXXII. When a Trustee, Executor, or Administrator shall not, by some Instruments creating his Trust, be expressly forbidden to invest any Trust Fund on Real Securities, in any Part of the United Kingdom, or on the Stock of the Bank of *England* or *Ireland*, or on *East India* Stock, it shall be lawful for such Trustee, Executor, or Administrator to invest such Trust Fund on such Securities or Stock; and he shall not be liable on that Account as for a Breach of Trust, provided that such Investment shall in other respects be reasonable and proper.

Extent of Act.

Not to extend to Scotland.

XXXIII. This Act shall not extend to *Scotland*.

CAP. XXXVI.

An Act to alter the Stamp Duties payable upon Probates of Wills and Letters of Administration, to repeal the Stamp Duties on Licences to exercise the Faculty of Physic, and to amend the Laws relating to Hawkers and Pedlars. [13th *August* 1859.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of *Great Britain* and *Ireland*, in Parliament assembled, towards making good the Supply which we have cheerfully granted to Your Majesty in this Session of Parliament, have resolved to grant unto Your Majesty the Stamp Duties herein-after mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Graduated Scales of Stamp Duties on Probates, &c. continued on Property above the Value of 1,000,000*l.*

I. 'Whereas certain Stamp Duties contained in the Schedule to the Act passed in the Fifty-fifth 'Year of the Reign of King *George* the Third, Chapter One hundred and eighty-four, are now payable 'upon Probates of Wills and Letters of Administration in *England* and *Ireland*, and upon Inventories 'to be exhibited and recorded in any Commissary Court in *Scotland*, and are imposed by certain 'graduated Scales according to the Value of the Estate and Effects for or in respect of which such Probate 'or Letters of Administration are granted, or whereof such Inventory is exhibited or recorded, but

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'such graduated Scales of Duty cease where such Value amounts to One million Pounds and upwards; 'and it is expedient to extend and continue such Graduation of Duty as herein-after mentioned:' Be it enacted, That in lieu of the said Stamp Duties upon such Probates and Letters of Administration and Inventories respectively, where such Value as aforesaid shall amount to One million Pounds or upwards, there shall be charged and paid the following Duties respectively; that is to say,

For every One hundred thousand Pounds of the whole Value of such Estate and Effects, and any fractional Part of One hundred thousand Pounds,

Where the Deceased shall have left any Will or Testament or Testamentary Disposition of his Personal or Moveable Estate and Effects, the Stamp Duty of One thousand five hundred Pounds;

And where the Deceased shall not have left any such Will or Testament or Testamentary Disposition, the Stamp Duty of Two thousand two hundred and fifty Pounds.

II. The Stamp of Fifteen Pounds for and in respect of the Admission or Licence of any Person by the College of Physicians in *England* or *Scotland* to exercise the Faculty of Physic, or practise as a Licentiate, granted by the said Act passed in the Fifty-fifth Year of the Reign of King *George* the Third, Chapter One hundred and eighty-four, and the like Duty now payable in *Ireland* by and under an Act passed in the Fifth and Sixth Years of the Reign of Her present Majesty, to assimilate the Stamp Duties in *Great Britain* and *Ireland*, shall from and after the passing of this Act be and the same are hereby repealed.

The Stamp Duty on Licences to exercise the Faculty of Physic repealed.

III. 'And whereas an Act was passed in the Fiftieth Year of the Reign of the late King *George* the 'Third, Chapter Forty-one, intituled *An Act for placing the Duties of Hawkers and Pedlars under 'the Management of the Commissioners of Hackney Coaches*, by which certain Rates and Duties (now 'under the Care and Management of the Commissioners of Inland Revenue) are required to be paid by 'every Hawker, Pedlar, Petty Chapman, or other trading Person going from Town to Town or to 'other Men's Houses in *England*, *Wales*, or *Berwick-upon-Tweed*; and every such Person is thereby 'required to take out a Licence as therein mentioned; and it is by the said Act provided, that nothing 'therein contained shall extend to hinder the real Worker or Workers, Maker or Makers, of any Goods, 'Wares, or Manufactures of *Great Britain*, or his, her, or their Children, Apprentices, or known Agents 'or Servants, usually residing with such real Workers or Makers only, from carrying abroad or exposing 'to Sale and selling by Retail or otherwise any of the said Goods, Wares, or Manufactures of his, 'her, or their own making, in any Mart, Market, or Fair, and in every City, Borough, Town Corporate, 'and Market Town: And whereas by an Act passed in the Fifty-fifth Year of the Reign of King '*George* the Third, Chapter Seventy-one, to regulate Hawkers and Pedlars in *Scotland*, Licences 'chargeable with certain Duties (now likewise under the Care and Management of the said Commissioners) are required to be taken out by every such trading Person in *Scotland*, with a similar Proviso:' Be it also enacted, That nothing in the said Two last-mentioned Acts respectively shall extend to hinder any such real Worker or Maker, or his Children, Apprentices, or known Agents or Servants aforesaid, from carrying abroad or exposing to Sale any of the said Goods, Wares, or Manufactures of his own making, at any Place whatever in *Great Britain*.

Nothing in 50 G. 3. c. 41. or 55 G. 3. c. 71. to hinder Maker of Goods, or his Children, &c., from carrying abroad or exposing to Sale such Goods.

IV. Where any Person shall be convicted of an Offence under either of the aforesaid Acts relating to Hawkers and Pedlars whereby a pecuniary Penalty has become forfeited, it shall be lawful for the Justice of the Peace, or other Person before whom the Information or Complaint is heard, and he is hereby authorized and empowered, if he shall think fit so to do, to mitigate the Penalty to any Sum not less than One Fourth Part thereof, over and above the necessary Costs of the Proceedings to be allowed by him.

Power to Justices, on Conviction of a Hawker, to mitigate the Penalty to One Fourth.

CAP. XXXVII.

An Act for the Amendment of the Laws relating to the Customs. [13th *August* 1859.]

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. The Act of Third and Fourth *William* the Fourth, Chapter One hundred and one, is hereby repealed.

Repeal of 3 & 4 W. 4. c. 101.

II. Any Officer of the Customs having the Charge or Custody of any Goods which shall have come to his Hands under the Laws relating to the Customs is hereby authorized and empowered to refuse Delivery thereof from the Queen's Warehouse or other Place in which the same shall be deposited until Proof shall be given to his Satisfaction that the Freight due upon such Goods has been paid.

Freight to be paid before Delivery of Goods.

III. If any Goods delivered from any Warehouse for Exportation, or for Removal from one Port to another in the United Kingdom, or otherwise, under any Bond required by the Laws relating to the Customs on the Exportation or Removal of such Goods, shall be illegally removed or carried away from any Carriage, Cart, Boat, Lighter, Quay, Wharf, or other Place, prior to the Shipment thereof on board the exporting or removing Vessel, or from any Ship, Cart, or Carriage in or on which the same shall have been shipped or laden, such Bond shall be forfeited, and may forthwith be put in Suit for the Penalty

Goods under Bond for Exportation to be duly shipped.

Penalty thereof, although the Time prescribed in such Bond for the landing or Removal and re-warehousing of such Goods at the Place of Destination shall not have expired.

Goods to be correctly stated in the Declaration on Shipping Bills.

IV. In addition to the Declaration upon the Shipping Bill required by the One hundred and twenty-fifth Section of "The Customs Consolidation Act, 1853," the Exporter or his Agent shall declare that the Quantity and Description of the Goods mentioned in any such Shipping Bill delivered by him in pursuance of the said Act are correctly stated, and the Declaration hereby required shall be deemed and taken to be a Part of such Shipping Bill, as fully as if the same had been required by the said Act, and if the same shall be false in any Particular the Person making the same shall forfeit the Sum of Twenty Pounds.

Shipping Bills on Exportation to be delivered, and if not acted upon to be notified.

V. Any Exporter of Goods who shall fail, either by himself or his Agent, to deliver to the Searcher a Shipping Bill, with Duplicates thereof, of the Goods exported by him, as prescribed by the One hundred and twenty-fifth Section of "The Customs Consolidation Act, 1853," and this Act, or who, having delivered such Shipping Bill and Duplicates, shall, in the event of the Goods or any Part thereof comprised therein not being duly shipped, in pursuance thereof, fail within Three Days after the final Clearance Outwards of the Ship in which such Goods were in such Shipping Bill entered to be shipped, to attend the proper Officer of Customs, either by himself or his Agent, and correct and make perfect such Shipping Bill, by striking out of the same such of the Goods entered therein as shall not have been shipped in pursuance thereof, shall forfeit the Sum of Twenty Pounds.

Penalty on fraudulent Import Entries and Concealments.

VI. If any Person shall cause to be imported Goods of one Denomination concealed in Packages of Goods of any other Denomination, or shall directly or indirectly cause to be imported or entered any Package of Goods as of one Denomination, but which shall afterwards be discovered, either before or after Delivery thereof, to contain other Goods subject to a higher Rate or Amount of Duty than those of the Denomination by which such Package was entered, such Package and all Goods contained therein shall be forfeited, and every Person shall forfeit and pay for every such Offence a Penalty of One hundred Pounds, or treble the Value of the Goods contained in such Package at the Option of the Commissioners of Customs.

Butter and Deals from Canada may be imported viâ Portland.

VII. 'Whereas by Section Forty-three of "The Customs Consolidation Act, 1853," it is enacted, '"that no Goods shall be deemed to be imported from any particular Place unless they be imported '"direct from such Place, and shall have been there laden on board the importing Ship either as the '"first Shipment of such Goods or after the same shall have been actually landed at such Place;" and 'by Section Seventy-seven of the same Act it is further enacted, "that no Goods shall be entered as '"being of or from any British Possession abroad (if any Benefit attach to such Distinction), (except '"as therein excepted), unless the Master of the Ship importing the same shall have delivered to the '"Collector or Comptroller a Certificate under the Hand of the proper Officer of the Place where such '"Goods were taken on Board of the due Clearance of such Ship from thence, containing an Account '"of such Goods;" and by "The Customs Tariff Act, 1855," certain Goods of and from a *British* 'Possession are entitled to Entry upon Importation into the United Kingdom at a lower Rate of Duty 'than when imported from a Foreign Country, but are, under the Provisions of Section Forty-three of '"The Customs Consolidation Act, 1853," required to be imported direct from the Place of Growth or 'Produce: And whereas it is expedient to relax the Provisions of the said Act in regard to Butter and 'Deals the Produce of *Canada* imported from thence into the United Kingdom *viâ Portland* in the 'United States of *America*:' Be it therefore enacted, That notwithstanding anything in the said Acts contained to the contrary, it shall and may be lawful to import Butter and Deals into the United Kingdom from *Canada viâ Portland*, under such Rules and Regulations as the Commissioners of the Treasury or the Commissioners of Customs may from Time to Time direct and appoint; and that such Goods so imported shall be entitled to the same Privileges, and admissible at the same Rate of Duty, as if imported direct from *Canada*.

Interpretation of Terms.

VIII. For the Removal of Doubts as to the Meaning and Application of the Word "Importer," as used in the Customs Acts, the Word "Importer" in any Act relating to the Customs is hereby declared to apply to and include any Owner or other Person for the Time being possessed of or beneficially interested in any Goods imported into the United Kingdom, from the Time of the Importation thereof until they shall, on Payment of the Duties thereon or otherwise, be duly delivered or discharged from the Custody or Control of the Customs.

Short Title.

IX. In citing this Act in other Acts and in legal Instruments it shall be sufficient to use the Expression "The Customs Amendment Act, 1859."

CAP. XXXVIII.

An Act further to amend the Laws relating to the Militia. [13th *August* 1859.]

51 G. 3. c. 118.

'WHEREAS an Act was passed in the Fifty-first Year of King *George* the Third, Chapter One hundred and eighteen, "to permit the Interchange of the *British* and *Irish* Militias respec- '"tively;" and by Section Eight of that Act it was enacted, that no Regiment, Battalion, or Corps of '*British* or *Irish* Militia should continue to serve in *Ireland* or *Great Britain* respectively for any 'longer Period than Two Years successively, and that no greater Number than One Fourth Part of

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'the Militia of *Great Britain* should at any One Time be employed in *Ireland*, nor any greater Number 'than One Third Part of the Militia of *Ireland*, be at One Time employed in *Great Britain*, except in 'case of Invasion or Rebellion, as therein mentioned; and by Section Nine of that Act it was enacted, 'that no Regiment, Battalion, or Corps of *British* or *Irish* Militia, having once performed its Period of 'Service in *Ireland* or *Great Britain* respectively should be again liable to serve in *Ireland* or *Great* 'Britain respectively, until the Expiration of Six or Four Years respectively, to be calculated from 'the Termination of such Period of Service, except in case of Invasion or Rebellion, as therein 'mentioned: And whereas it is expedient that the Restrictions contained in the said Sections on the 'Interchange of the Militia in different Parts of the United Kingdom should, except as to Persons 'now serving in the Militia, be repealed, and that the Laws relating to the Militia should be otherwise 'amended': Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Sections 8 and 9 of the Act 51 G. 3. c. 118. repealed as to Men hereafter raised for the Militia.

I. All Persons who may be commissioned, raised, and enrolled in and for the regular Militia in *Great Britain* and *Ireland* respectively at any Time after the passing of this Act, under any Act now in force or which may hereafter be in force for raising Men for the Militia, shall be liable to serve in all Parts of the United Kingdom of *Great Britain* and *Ireland* during all or any Part of their Terms of Service in the Militia; and as respects such Persons as aforesaid, Sections Eight and Nine of the said Act of the Fifty-first Year of King *George* the Third shall be repealed.

Her Majesty may employ the present Militia making voluntary Offers beyond the limited Period of Interchange.

II. It shall be lawful for Her Majesty to employ, in *Ireland* or *Great Britain* respectively, beyond the Period of Two Years mentioned in Section Eight of the said Act, or before the Expiration of Six or Four Years mentioned in Section Nine of the said Act, such Part of the *British* and *Irish* Militia respectively raised before the passing of this Act, as may make a voluntary Offer, duly certified by their respective Commanding Officers, so to extend their Services, and as Her Majesty may think proper to permit to extend their Services in consequence of such voluntary Offers as aforesaid; and it shall be lawful for Her Majesty by any Order signed by the Principal Secretary of State, or by the Lord Lieutenant or other Chief Governor or Governors of *Ireland* or by his or their Chief Secretary, directed to the Commanding Officer of any Regiment, Battalion, or Corps of the said *British* or *Irish* Militia respectively, to propose to such Regiment, Battalion, or Corps to extend the Period of their Services in *Ireland* or *Great Britain*, as the Case may be, beyond the said Term of Two Years, or before the Expiration of the said Six Years or Four Years respectively, under such Rules and Regulations as Her Majesty may think fit and appoint.

The Militia who volunteer may be employed in addition to the Proportion now limited.

III. In reckoning the One Fourth Part of the *British* Militia which may at One Time be employed in *Ireland*, or the One Third Part of the *Irish* Militia which may at One Time be employed in *Great Britain*, any Part of the present *British* or *Irish* Militia respectively which shall have volunteered to serve in *Ireland* or *Great Britain* respectively beyond the said Period of Two Years, or before the Expiration of such Six Years or Four Years, shall be excluded, and may be so employed in addition to such One Fourth Part or One Third Part of the same Militia, as the Case may be.

Her Majesty may accept voluntary Offers of Militia to serve in the Channel Islands.

IV. It shall be lawful for Her Majesty to employ in any of the Isles of *Guernsey*, *Jersey*, *Alderney*, and *Sark*, and the *Isle of Man* such Part of the Militia now raised or hereafter to be raised in any Part of the United Kingdom as may make a voluntary Offer, duly certified by their respective Commanding Officers, so to extend their Services, and as Her Majesty may think proper to permit to extend their Services in consequence of such voluntary Offers as aforesaid; and it shall be lawful for Her Majesty by any Order signed by the Principal Secretary of State, or by the Lord Lieutenant or other Chief Governor or Governors of *Ireland* or by his or their Chief Secretary, directed to the Commanding Officer of any Regiment, Battalion, or Corps of the said Militia respectively, to propose to such Regiment, Battalion, or Corps to extend their Services to the said Isles of *Guernsey*, *Jersey*, *Alderney*, *Sark*, and *Man*, under such Rules and Regulations as Her Majesty may think fit and appoint.

Commanding Officer to explain the Offer to be voluntary.

V. No Person serving in the said Militia raised before the passing of this Act shall be compelled to make an Offer to serve or be engaged to serve, except by his own Consent, beyond the said Period of Two Years, or before the Expiration of the said Six Years or Four Years respectively, out of that Part of the United Kingdom in or for which he was enrolled; and no Person now serving, or hereafter serving in such Militia, shall be compelled to make an Offer to serve in the said *Channel Isles*, or be engaged so to serve, except by his own Consent; and no Commanding Officer shall certify according to this Act any voluntary Offer previously to his having explained to every Person of the Militia offering so to serve that the Offer is to be purely voluntary on his Part.

Qualification for Adjutants in Ireland and Great Britain assimilated.

Service in the East Indian Army to be a Qualification.

VI. Where under the Enactments respecting the Appointment of Adjutants in the Militia in *Ireland*, Three Years Service in Her Majesty's Regular Forces or the Forces of the *East India* Company is a Qualification, Five Years Service shall be required for Adjutants hereafter to be appointed; and for the Qualification of Persons to be appointed Adjutants in the Militia, as well in *England* and *Scotland* as in *Ireland*, Service in the Army of the *East India* Company and in Her Majesty's *Indian* Army or in either of them shall be deemed equivalent to Service for the like Term in Her Majesty's Regular Army.

Powers vested

VII. The Power vested in Her Majesty to direct the Militia of a County, Riding, or Place in *England* to be united with a Militia of any County, Riding, or Place adjoining, and the like Power vested

in Her Majesty for uniting the Militias of Counties extended.

vested in the Lord Lieutenant of *Ireland* as to the Militia of a County in *Ireland*, may be exercised not only where the Number of Militiamen required to be raised for the County, Riding, or Place appears insufficient to be conveniently formed into a separate Regiment, Battalion, or Corps, but also where the Number of Militiamen actually raised, and serving for such County, Riding, or Place appears to Her Majesty or (in *Ireland*) to the Lord Lieutenant insufficient to be conveniently formed into or continued as a separate Regiment, Battalion, or Corps; and in every Case where the Militia of Two or more Counties, Ridings, or Places are united, it shall be lawful for Her Majesty or (in *Ireland*) for the Lord Lieutenant to direct what Officers shall be appointed by the Lieutenants of such respective Counties, Ridings, or Places, and what Officers already appointed for the separate Militias shall serve in the United Militia, and generally to give such Orders and Directions in relation to the Organization of the United Militia as to Her Majesty or (in *Ireland*) to the Lord Lieutenant may seem convenient.

Times and Places of Training in Great Britain to be appointed by Her Majesty; in Ireland by the Lord Lieutenant.

VIII. So much of the following Sections of the Acts passed in the Session holden in the Seventeenth and Eighteenth Years of Her Majesty, *videlicet*, Chapter One hundred and five, Section Thirty-eight, Chapter One hundred and six, Section Forty-four, and Chapter One hundred and seven, Section Seventeen, as provides for the Appointment of the Times and Places of Training and Exercise of Militiamen in *England*, *Scotland*, and *Ireland* respectively shall be repealed; and the Times and Places of Training and Exercise of the Militiamen in *England* and *Scotland* respectively shall be appointed by Her Majesty, by Order signified by One of Her Principal Secretaries of State; and the Times and Places of Training and Exercise of the Militiamen in *Ireland* shall be appointed by the Lord Lieutenant, by Order signified by his Chief or Under Secretary; and the Powers vested in the Lord Lieutenant under this and the preceding Section may be exercised by the other Chief Governor or Governors of *Ireland* for the Time being.

Term of Service of Militiamen absent from annual Training to be extended.

IX. Any Militia Volunteer who unlawfully absents himself during the whole of the Time of Training and Exercise in any Year, or during any Part of such Time exceeding Fourteen Days, shall, whether he shall or shall not have been punished for his Offence, be liable to serve, after the Expiration of the Term for which he may have been enrolled, for an additional Year for every annual Period of Training and Exercise from or during which he so absents himself; and in every such Case the Colonel or Commanding Officer shall make an Entry on the Roll in which such Volunteer is enrolled of his Absence as aforesaid, and such Entry shall be conclusive Evidence of the Fact of such Volunteer having so absented himself.

Fraudulent Re-enlistment to be deemed Desertion.

X. Any Militia Volunteer who before the Expiration of his Engagement as a Militiaman in any Regiment, Battalion, or Corps, enrols or offers to enrol himself in any other Regiment, Battalion, or Corps of the Militia raised in any Part of the United Kingdom, or in the same Regiment, Battalion, or Corps, whether by the same or by different Names (save in the Way of lawful Renewal of his Engagement,) shall be deemed a Deserter.

Volunteer fraudulently re-enlisting to be subject to serve in any Regiment in which he has enlisted, and to be subject to Stoppages.

XI. Any Militia Volunteer who before the Expiration of his Engagement enrols or offers to enrol himself as aforesaid, may, by Order of the Secretary-at-War, be required to serve in any Regiment, Battalion, or Corps of Militia in which he may have fraudulently enrolled or offered to enrol himself, and thereupon such Militia Volunteer shall be liable to serve in such Regiment, Battalion, or Corps for the same Term and in the same Manner as if his Enrolment therein had been lawful, or he had been lawfully enrolled pursuant to his Offer; and such Order may be made upon any such Militia Volunteer in lieu of or in addition to any Punishment to which he may be otherwise liable, whether he may have been tried by a Court-martial or before a Justice of the Peace; and every such Offender shall forfeit all Bounty due or which would have become due to him, and shall be subjected to such Stoppages from his daily Pay, and for such Time, and to be applied in such Manner, as the Secretary-at-War may direct, to meet the Loss or Expense occasioned by the fraudulent Conduct of the Offender.

Deserters may be tried by Court-martial or may be proceeded against summarily before Justices.

XII. Every Deserter from the Militia in any Part of the United Kingdom, and every Person who in respect of any Offence against the Militia Laws is deemed a Deserter, may, whenever he is apprehended, and whether his Term of Service shall or shall not have expired, be tried by a Regimental Court-martial, and punished in manner provided for the Punishment of Deserters by any Act in force for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters, and the Articles of War for the Time being in force, with regard to Persons subject to such Act and Articles of War who are tried by District Court-martial, but so that no Punishment shall extend to the Loss of Life or Limb; or such Deserter may, whenever he is apprehended as aforesaid or within One Month thereafter, be tried summarily by any Justice or Justices of the Peace in any Part of the United Kingdom where such Deserter may be when summary Proceedings against him are instituted, and upon summary Conviction before any such Justice or Justices shall forfeit and pay any Sum not less than Forty Shillings and not exceeding Twenty Pounds, and in default of Payment shall be committed to the Common Gaol or House of Correction, to be imprisoned, with or without Hard Labour, for any Time not less than Two Months and not exceeding Six Months; and it shall be lawful for the Secretary-at-War to direct in which of the aforesaid Modes any such Deserter shall be tried.

17 & 18 Vict. c. 105. s. 40., 17 & 18 Vict. c. 106. s. 59.

XIII. Section Forty of the said Act of the Seventeenth and Eighteenth Years of Her Majesty, Chapter One hundred and five; Section Fifty-nine of the said Act of the Seventeenth and Eighteenth Years of Her Majesty, Chapter One hundred and six; and Section Twenty-three of the said Act of the

the Seventeenth and Eighteenth Years of Her Majesty, Chapter One hundred and seven, shall be repealed. 17 & 18 Vict. c. 107. s. 23. repealed.

XIV. All Penalties imposed by this Act upon Militiamen (except the Stoppages from Pay hereinbefore provided for, and except the Deductions from Bounty which shall be brought to Public Credit,) shall be paid to the Commanding Officers of the respective Regiments, Battalions, or Corps of Militia to which the Offenders belong, and shall be made and accounted for as Part of the Public Stock of such Regiments, Battalions, or Corps respectively. Application of Penalties.

CAP. XXXIX.

An Act to enable the Secretary of State in Council of *India* to raise Money in the United Kingdom for the Service of the Government of *India*. [13th *August* 1859.]

'WHEREAS by an Act passed in the Twenty-first Year of Her Majesty, Chapter Three, Power 'was given to the *East India* Company to raise Money by Bonds and Debentures to the Extent 'of Eight Millions: And whereas by an Act passed in the last Session, Chapter Eleven, Power was 'given to the Secretary of State in Council of *India* to raise Money by Bonds and Debentures to the 'Extent of Seven Millions: And whereas it is expedient that the Secretary of State in Council of *India* 'should be enabled to raise a further Sum of Money in the United Kingdom on the Credit of the 'Revenues of *India*:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. It shall be lawful for the Secretary of State in Council of *India*, at any Time or Times before the Thirtieth Day of *April* One thousand eight hundred and sixty, or, if Parliament be then sitting, before the End of the then Session of Parliament, to raise in the United Kingdom, for the Service of the Government of *India*, any Sum or Sums of Money not exceeding in the whole Five Millions, and such Sum or Sums may be raised by the Creation and Issue of Bonds or Debentures, or Capital Stock bearing Interest, or Annuities, or partly by one of such Modes and partly by another or others. Secretary of State in Council of India may raise Five Millions.

II. All Bonds issued under the Authority of this Act, or hereafter issued under the Authority of either of the recited Acts, may be issued under the Hands of Two Members of the Council of *India*, and countersigned by the Secretary of State for *India*, or One of his Under Secretaries, or his Assistant Under Secretary, and shall be for such respective Amounts, payable after such Notice, and at such Rate or Rates of Interest, as the said Secretary of State in Council may think fit. Bonds may be issued by Two Members of Council, countersigned, &c.

III. All Debentures issued under the Authority of this Act, or hereafter issued under the Authority of either of the recited Acts, may be issued under the Hands of Two Members of the Council, and countersigned as aforesaid, for such respective Amounts and at such Rate or Rates of Interest as the Secretary of State in Council may think fit, and shall be issued at or for such Prices and on such Terms as may be determined by the Secretary of State in Council. Debentures may be issued.

IV. All Debentures issued under the Authority of this Act shall be paid off at Par, at a Time or Times to be mentioned in such Debentures respectively; and the Interest on all such Debentures shall be paid half-yearly on such Days as shall be mentioned therein; and the Principal Moneys and Interest secured by such Debentures, and by all Debentures issued under the Authority of either of the said recited Acts, shall be payable either at the Treasury of the Secretary of State in Council in *London*, or at the Bank of *England*. As to Payment of Principal and Interest on Debentures.

V. All or any Number of the Debentures issued under the Authority of this Act, and all Right to and in respect of the Principal and Interest Moneys secured thereby, shall be transferable either by the Delivery of such Debentures respectively, or, at the Discretion of the Secretary of State in Council, by Deed; provided that the Coupons for Interest annexed to any Debenture issued under the Authority of this Act or under the Authority of either of the recited Acts shall pass by Delivery. Debentures transferable by Delivery or Deed; Coupons by Delivery.

VI. Any Capital Stock created under the Authority of this Act shall bear such a Rate of Interest, and any Annuities to be created under the Authority of this Act shall be at such Rate *per Cent. per Annum*, as the Secretary of State in Council may think fit, and such Capital Stock and such Annuities may be issued on such Terms as may be determined by the Secretary of State in Council; and any such Capital Stock may bear Interest during such Period, and be paid off at Par at such Time, as the Secretary of State in Council may prescribe previously to the Issue of such Capital Stock; and such Annuities may be terminable at such Period as the Secretary of State in Council may prescribe previously to the Issue of such Annuities. Capital Stock and Annuities may be created and issued.

VII. In case of the Creation and Issue of any such Capital Stock or of any such Annuities, there shall be kept, either at the Office of the Secretary of State in Council in *London* or at the Bank of *England*, Books wherein Entries shall be made of the said Capital Stock and Annuities respectively, and wherein all Assignments or Transfers of the same respectively, or any Part thereof respectively, shall be entered and registered, and shall be signed by the Parties making such Assignments or Transfers, or, if such Parties be absent, by his, her, or their Attorney or Attornies, thereunto lawfully authorized by Writing under his, her, or their Hands and Seals, to be attested by Two or more credible Witnesses; and the Person or Persons to whom such Transfer or Transfers shall be made may respectively underwrite Transfer Books of such Capital Stock and Annuities to be kept.

write his, her, or their Acceptance thereof; and no other Mode of assigning or transferring the said Capital Stock or the said Annuities, or any Part thereof respectively, or any Interest therein respectively, shall be good and available in Law; and no Stamp Duties whatsoever shall be charged on the said Transfers or any of them.

Annuities Personal Estate.

VIII. All Annuities created and issued under the Authority of this Act shall be deemed and taken to be Personal and not Real Estate, and shall go to the Executors or Administrators of the Person or Persons dying possessed thereof, interested therein, or entitled thereto, and not to the Heir-at-Law, nor be liable to any Foreign Attachment by the Custom of *London* or otherwise.

Amount charged on Revenue of India not to exceed Five Millions.

IX. The whole Amount of the Principal Moneys to be charged on the Revenues of *India* under this Act shall not exceed Five Millions; and no Money shall be raised or secured under the Authority of this Act after the said Thirtieth Day of *April* One thousand eight hundred and sixty, or if Parliament be then sitting, after the End of the then Session of Parliament, save for or upon the Repayment of Principal Moneys previously secured under this Act, as herein-after provided.

Power to raise Money for Payment of Principal Money.

X. Upon or for the Repayment of any Principal Money secured under the Authority of this Act or under the Authority of either of the recited Acts, the Secretary of State in Council may at any Time borrow or raise, by all or any of the Modes aforesaid, all or any Part of the Amount of Principal Money repaid or to be repaid, and so from Time to Time as all or any Part of any Principal Money under this Act or either of the recited Acts may require to be repaid, but the Amount to be charged upon the Revenues of *India* shall not in any Case exceed the Principal Money required to be repaid.

Securities, &c. to be charged on Revenues of India.

XI. All Bonds and Debentures to be issued under this Act, and the Principal Moneys and Interest thereby secured, and all Capital Stock to be issued under this Act, and the Interest thereon, and all Annuities to be issued under this Act, shall be charged on and payable out of the Revenues of *India*, in like Manner as other Liabilities incurred on account of the Government of the said Territories.

Provision as to Composition for Stamp Duties on India Bonds extended to Bonds, &c. under this Act.

XII. The Provisions contained in Section Four of the Act of the Session holden in the Fifth and Sixth Years of King *William* the Fourth, Chapter Sixty-four, with respect to the Composition and Agreement for the Payment by the *East India* Company of an annual Sum in lieu of Stamp Duties on their Bonds, and the Exemption of their Bonds from Stamp Duties, shall be applicable with respect to the Bonds and Debentures to be issued under the Authority of this Act, as if such Provisions were here repeated and re-enacted with reference thereto.

Forgery of Debentures punishable as Forgery of East India Bonds.

XIII. All Provisions now in force in anywise relating to the Offence of forging or altering, or offering, uttering, disposing of, or putting off, knowing the same to be forged or altered, any *East India* Bond, with Intent to defraud, shall extend and be applicable to and in respect of any Debenture issued under the Authority of this Act, as well as to and in respect of any Bond issued under the same Authority.

Returns to be annually prepared of Moneys raised on Loan, &c., and presented to Parliament.

XIV. Provided always, That on or before the First Day of *February* in each Year the said Secretary of State in Council shall prepare or cause to be prepared a Return of all Moneys raised on Loan under the Provisions of this Act, also a Return of all Stocks, Loans, Debts, and Liabilities then chargeable on the Revenues of *India*, at home and abroad, up to the latest Period of Time to which such Return can be made out: That all such Returns shall be presented to both Houses of Parliament on or before the First Day of *February* in each Year, if Parliament is then sitting, and if Parliament is not sitting, then such Returns shall be presented within Ten Days of the First Meeting of Parliament after the First Day of *February* in each Year.

Saving Powers of the Secretary of State in Council.

XV. This Act shall not prejudice or affect any Power of raising or borrowing Money vested in the said Secretary of State in Council at the Time of passing thereof.

CAP. XL.

An Act for the Establishment of a Reserve Volunteer Force of Seamen, and for the Government of the same. [13th *August* 1859.]

'WHEREAS it is expedient that there should be a Reserve Volunteer Force of Seamen for Service in Her Majesty's Fleet in Time of Emergency, and that the Seamen composing such Force should be duly entered and trained:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Power to Admiralty to raise "Royal Naval Volunteers," not to exceed 30,000 Men.

I. It shall be lawful for the Lord High Admiral, or Commissioners for executing the Office of Lord High Admiral, to raise and from Time to Time to keep up a Number of Men not exceeding Thirty thousand, to be called "The Royal Naval Volunteers," such Men to be raised by voluntary Entry from among seafaring Men and others who may be deemed suitable for the Services in which such Volunteers may be employed, and to be so raised and entered at such Times and in such Places in the United Kingdom and the Islands of *Man*, *Guernsey*, *Jersey*, *Alderney*, and *Sark*, or any of them, by such Persons and in such Manner as the said Lord High Admiral or Commissioners shall from Time to Time direct.

Term of Service.

II. Every Volunteer raised under this Act shall be entered for the Term of Five Years, and shall continue subject as a Volunteer to the Provisions of this Act during such Term, and no longer, save as herein-after

after otherwise provided; and at the Expiration of every Fifth Year of the Period of his Service as a Volunteer he shall be entitled to claim his Discharge, save as herein-after provided; but when any Volunteer shall be entitled to claim his Discharge as aforesaid, he shall continue liable to the Provisions of this Act until actually discharged from such Volunteers by the said Lord High Admiral or Commissioners, or by some Officer duly appointed by him or them to give such Discharges.

Volunteers may be trained and exercised for 28 Days in each Year, and on shore or on board Ship.

III. The Lord High Admiral, or Commissioners for executing the Office of Lord High Admiral, may cause all or any of the Volunteers under this Act to be instructed, trained, and exercised on shore or on board any Ships or Vessels, or partly on shore and partly on board any Ships or Vessels; and for the Purpose of such Instruction, Training, and Exercise all or any of such Volunteers may be called out, and may be required to attend at such Times and Places, and may be placed under the Command of such Officers as the said Lord High Admiral or Commissioners may think fit, and may form Part of and be under the like Command as the respective Crews of any of Her Majesty's Ships or Vessels of War which the said Lord High Admiral or Commissioners may see fit to cause them to join: Provided always, that no Volunteer shall under this Enactment be required to attend Instruction, Training, and Exercise more than Twenty-eight Days in the whole in any One Year.

Her Majesty may order the Volunteers to be called into actual Service.

IV. It shall be lawful for Her Majesty, on such Occasions as She shall deem fit (the Occasion being first communicated to Parliament if Parliament be sitting, or declared in Council and notified by Proclamation if Parliament be not sitting or in being,) to order and direct that the Volunteers under this Act, or so many or such Part of them as Her Majesty may deem necessary, shall be called into actual Service.

Volunteers to be called into actual Service accordingly.

V. Whenever Her Majesty shall as aforesaid order all or any Number or Part of the Volunteers under this Act to be called into actual Service, the Lord High Admiral, or Commissioners for executing the Office of Lord High Admiral, shall cause the said Volunteers, or such Number or Part of them as Her Majesty may have ordered, to be called into actual Service accordingly; and the Volunteers so called into actual Service shall be liable to serve on shore or on board any Ships or Vessels, or partly on shore and partly on board any Ships or Vessels, as the said Lord High Admiral or Commissioners may direct; and such Volunteers shall be placed under the Command of such Officers as the said Lord High Admiral or Commissioners may direct, and where he or they may so direct, shall form Part of the Crews, and be under the like Command as the respective Crews of any of Her Majesty's Ships or Vessels of War which the said Lord High Admiral or Commissioners may see fit to cause them to join; and every such Volunteer so called into actual Service shall be liable to such Service for the Term of Three Years from the Time of his coming into actual Service, and at the Expiration of such Period he shall be entitled to be discharged from actual Service: Provided always, that it shall be lawful for Her Majesty, in case She see fit, on any Emergency by Proclamation to declare that such Volunteers as may at the Date of such Proclamation be in actual Service as aforesaid shall continue in such actual Service for the Period of Five Years from the Date of their respectively coming into actual Service, if their Services be so long required, and such Volunteers shall not be entitled to claim their Discharge during such Period, and every such Volunteer who may be in actual Service at the Date of such Proclamation shall be liable to such Service accordingly; and every Volunteer whose Period of actual Service is extended under or in consequence of such Proclamation shall, beyond Three Years from the Date of his coming into actual Service, be entitled to receive for his Services during the extra Period for which they are required beyond such Three Years Twopence *per* Day in addition to his ordinary Pay: Provided also, that in case any such Volunteer be called into actual Service, and shall be detained in such Service for a Period of less than Five Years, he shall, during the Period of Five Years from the Date of his joining the Royal Naval Volunteers, be liable from Time to Time to be again called into actual Service, and to serve therein for such Period as with his former actual Service will make up a Period of Five Years actual Service, but after Three Years actual Service, either continuously or from Time to Time during his Engagement as a Royal Naval Volunteer, he will be entitled as aforesaid to Twopence *per* Day, in addition to his ordinary Pay, for the Period of his actual Service beyond Three Years.

Volunteers to serve in Navy Three Years.

The Service of Volunteers in actual Service may be extended Two Years by Proclamation.

Volunteers whose Services are extended entitled to extra Pay.

As to serving in the Navy at Intervals.

Volunteers when called out to be victualled in the same Manner as Seamen of the Fleet.

VI. The Volunteers under this Act shall, for such Time as they shall be called out for, and shall attend Instruction, Training, and Exercise, be victualled in the same Manner as Seamen of the Fleet; or if trained on shore and not victualled, they shall be entitled to a Money Allowance in lieu of Provisions, at such Rate *per Diem* each as may be established on this Behalf by the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral; and for such Time as they shall be in actual Service under this Act they shall be entitled when on shore or afloat to the Pay and other Advantages of Petty Officers or Seamen in the Royal Navy entered for Ten Years continuous and general Service, according to the Ratings which they may be found qualified to fill; and they shall be entitled to such Conduct Money in respect of travelling to and from any Place at which they may be required to attend for Instruction, Training, and Exercise, or for the Purpose of entering into actual Service as aforesaid, as may be allowed by the Regulations made under this Act: Provided always, that any such Volunteer who may be appointed, and be or perform the Duties of a Petty Officer, shall be entitled to the Pay and Allowances of a Petty Officer in the Royal Navy of the same Rank, in lieu of the Pay and Allowances of an Able Seaman in the Navy.

VII. Every

Volunteer exempt from Militia, &c.; and eligible for Greenwich Hospital.

VII. Every Volunteer under this Act shall, while he shall be such Volunteer, be exempt from Service in the Militia, and from serving as a Peace or Parish Officer, and upon his entering the Royal Naval Volunteers he shall cease to be a Royal Naval Coast Volunteer, if then belonging to that Force; and every such Volunteer shall under such Regulations as the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, may from Time to Time establish, be eligible for Admission into the Royal Hospital at *Greenwich*, and be thereupon entitled to the same Privileges and Advantages as Men who are, or may be, or have been in Her Majesty's Navy.

Provisions relating to billeting Marines to extend to Volunteers.

VIII. All Provisions for the Time being in force for and in relation to the billeting of the Royal Marines shall extend and be applicable to the Volunteers under this Act during such Time as they shall attend Instruction, Training, and Exercise, or be in actual Service; and all Powers and Authorities for or in relation to the billeting of the Royal Marines, which may be exercised by any Colonel, Commandant, or Commanding Officer of any Division of Royal Marines, may, for the Purpose of billeting such Volunteers, be exercised by any Officer in the Royal Navy holding the Rank of Commander, or any higher Rank authorized in this Behalf by the Regulations made under this Act.

Admiralty to make Regulations as to Sums to be paid to Volunteers for entering or re-entering under this Act.

IX. It shall be lawful for the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, from Time to Time to make Regulations as to the Sums to be paid to Volunteers under this Act, by way of periodical Payment or Allowance, in consideration of their entering under this Act, and to Volunteers or Persons who may have served as Volunteers, in consideration of their re-entering under this Act, such periodical Payment or Allowance, during the Term of Service for which the Volunteer is entered, to be paid in such Portions, at such Times, by such Persons, and under such Conditions as the said Lord High Admiral or the Commissioners may from Time to Time direct: Provided always, that such periodical Payments shall be paid in the United Kingdom, or in the Islands of *Man*, *Guernsey*, *Jersey*, *Alderney*, and *Sark*, and nowhere else, and only to the Volunteer himself, and not to his Attorney, Agent, or Assign.

Admiralty to grant Pensions to Volunteers.

X. It shall be lawful for the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, to grant Pensions to Volunteers under this Act, with the Consent of the Commissioners of Her Majesty's Treasury; and it shall be lawful for the said Lord High Admiral or Commissioners to make Regulations as to the Amount, the Time or respective Times, and the Manner of the Payment of such Pensions, and at what Ages such Pensions shall be payable: Provided always, that any Pension conferred under this Act shall be paid to the Pensioner himself only, and not to his Agent, Attorney, or Assign.

In Cases of Emergency Pensioners to join Her Majesty's Navy.

XI. Whenever any Emergency shall arise which, in the Opinion of the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, renders it advisable to require the Services in Her Majesty's Navy of any of the Persons who may have been pensioned, and be in the Receipt of Pensions, under this Act, it shall be lawful for such Lord High Admiral or Commissioners to order any of such Persons to join Her Majesty's Navy; and those so ordered shall join such of Her Majesty's Ships or Vessels of War as the said Lord High Admiral or Commissioners may at any Time or Times direct, and shall form the Crews or Parts of the Crews of such Ships or Vessels, and shall continue to serve in Her Majesty's Navy during such Time as such Emergency may in the Opinion of the said Lord High Admiral or Commissioners continue; and while so serving shall be entitled to the same Pay and Allowances, according to their respective Ratings on board such Ships or Vessels, as Petty Officers in Her Majesty's Navy and Men in Her Majesty's Navy entered for Ten Years continuous and general Service, and shall also continue to receive their Pensions.

Laws and Customs in force for the Government of Her Majesty's Fleet to be applicable to Pensioners while on actual Service.

XII. All the Laws and Customs for the Time being in force for the Government of Her Majesty's Ships, Vessels, and Forces by Sea, and applicable to any Person in or belonging to the Fleet, or to any Person being in actual Service and Full Pay, and Part of the Crew of any of Her Majesty's Ships or Vessels, shall be applicable in like Manner to every Person pensioned under this Act during such Period as he shall be in actual Service, either on board any Ship or Vessel or otherwise under this Act; and every such Person as aforesaid required to serve in the Navy under this Act who shall not at or within such Time as may be appointed by any Order of the Lord High Admiral, or Commissioners for executing the Office of Lord High Admiral, made under this Act, appear for the Purpose of entering into actual Service, or join any of Her Majesty's Ships or Vessels which he may be required to join for that Purpose, shall be liable to be apprehended and punished in the same Manner as any Person belonging to Her Majesty's Navy, and deserting or improperly absenting himself from Duty.

Admiralty to make Regulations as to the Manner or Form in which Volunteers shall be entered to serve.

XIII. It shall be lawful for the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, from Time to Time to make Regulations as to the Manner or Form in which Volunteers under this Act shall be entered to serve; and generally as to the entering and re-entering of Men as such Volunteers; and as to the Arms, Clothing, and Accoutrements with which such Volunteers are to be provided; and for forming such Volunteers into Divisions or Classes, or other Bodies, and assigning Numbers to them; and as to the Manner in which Notices of the Times and Places at which such Volunteers may be required to attend Instruction, Training, and Exercise; and for the Purpose of their entering into actual Service under the Provisions of this Act; and for securing and enforcing the Attendance, good Conduct, and Discipline of and among such Volunteers; and for imposing Fines or Forfeitures

Forfeitures of Pay, Allowances, or Pensions for Misconduct and Breach of Discipline or of any such Regulations; and as to the Pay and Allowances to Officers commanding such Volunteers; and generally as to all other Matters and Proceedings under this Act.

Admiralty may discharge Volunteers.

XIV. It shall be lawful for the Lord High Admiral, or Commissioners for executing the Office of Lord High Admiral, in his or their Discretion at any Time to discharge any of the Volunteers raised under this Act.

Laws relating to the Government of the Navy extended to Volunteers during Exercise, and to such Volunteers and others when in actual Service.

XV. All the Laws and Customs for the Time being in force for the Government of Her Majesty's Ships, Vessels, and Forces by Sea, and applicable to any Person in or belonging to the Fleet, or to any Person being in actual Service and Full Pay, and Part of the Crew of any of Her Majesty's Ships or Vessels, shall be applicable in like Manner to every Volunteer under this Act during such Period as he shall be on board any Ship or Vessel for the Purpose of Instruction, Training, and Exercise, or shall be otherwise under Instruction, Training, and Exercise; and to every such Volunteer during such Time as he shall be in actual Service, either on board any Ship or Vessel or otherwise under this Act; and to all Officers having any Command over any such Volunteers during the Time of Instruction, Training, and Exercise, or while in actual Service; and the said Volunteers under this Act shall while in actual Service have the same Privileges of making Allotments of Wages and of making Remittances, and otherwise have the Benefit of and be subject to the Provisions of the Laws relating to the Pay of the Royal Navy in like Manner as Officers and Men of their respective Ratings in Her Majesty's Navy; and the Laws concerning the Discharge of Seamen serving on board Her Majesty's Ships, and becoming entitled to be discharged, shall be applicable to and for the Discharge of any of the said Volunteers.

Penalty on joining the Forces more than once during the same Period.

XVI. If any Person shall enter or attempt to enter the Royal Naval Volunteers as a new Volunteer more than once during the whole or any Part of the same Period of Service, he shall for every such Act forfeit and pay any Sum not exceeding Twenty Pounds.

Information to be transmitted by Shipping-master.

XVII. Every Shipping-master acting under "The Merchant Shipping Act, 1854," shall give all the Assistance in his Power towards carrying into effect the Objects of this Act in such Manner as the Board of Trade, at the Instance of the Lords Commissioners of the Admiralty, may direct; and every such Shipping-master shall for this Purpose have the Power to call for such Answers or Information concerning Reserve Men from the Masters of and other Persons belonging to *British* Merchant Ships as may be necessary or desirable in order to enable him to render such Assistance as aforesaid, or to make any Returns, which the Board of Trade or the Lords Commissioners of the Admiralty may require; and every Master of or other Person belonging to a *British* Merchant Ship who, when duly called on by the Shipping-master, omits or refuses to give any such Answer or Information as aforesaid which it is in his Power to give, shall be liable to a Penalty not exceeding Five Pounds.

Enlistment of Volunteers under this Act in Her Majesty's Regular or Indian Forces, or in the Militia, or Naval Coast Volunteers, and entering of Militia as Naval Coast Volunteers under this Act to be void.

Punishment of Persons offending.

XVIII. In case any Officer, Serjeant, or other Person enlist any Man to serve in Her Majesty's Regular Forces, or in Her Majesty's *Indian* Forces, or in the Militia, or in the Royal Naval Coast Volunteers, who at the Time of such enlisting is entered to serve as a Volunteer under this Act, such enlisting shall be null and void; and in case any Person enter any Man to serve as a Volunteer under this Act who at the Time of such entering is enrolled to serve in the Militia, or belongs to the Royal Naval Coast Volunteers, such entering shall be null and void; and any such Volunteer under this Act offering himself to be enlisted in Her Majesty's Regular Forces, or in Her Majesty's *Indian* Forces, or who shall be enlisted or enrolled or offer himself to be enlisted or enrolled as a Militiaman, or to serve in the Royal Naval Coast Volunteers, and every Militiaman or any Royal Naval Coast Volunteer offering himself to be entered as a Volunteer under this Act, shall, on Conviction thereof, upon the Oath of One Witness before any Justice of the Peace in or near to the Place where the Offence shall be committed, or where the Offender may at any Time happen to be, be committed to the Common Gaol or House of Correction for any Term not exceeding Six Months; and any Officer or other Person knowingly enlisting or enrolling any Volunteer under this Act to serve in Her Majesty's Regular Forces, or in Her Majesty's *Indian* Forces, or in the Militia, or in the Royal Naval Coast Volunteers, or knowingly entering any Militiaman or Royal Naval Coast Volunteer to serve as a Volunteer under this Act, shall for every such Offence forfeit and pay any Sum not exceeding Twenty Pounds: Provided always, that Men may, on their Application to that Effect, be discharged by proper Authority from the Royal Naval Coast Volunteers to be enrolled as Volunteers under this Act.

Penalty on selling or buying Arms, &c. of Volunteers.

XIX. Any Volunteer under this Act who shall sell, pawn, or lose any of his Arms, Clothes, Accoutrements, or Ammunition, Slops or Necessaries, or any of such Articles provided for him under this Act, or refuse or neglect to return the same in good Order to any Person appointed by or under the Authority of the Lord High Admiral, or Commissioners for executing the Office of Lord High Admiral, to receive the same, shall for every such Offence forfeit any Sum not exceeding Three Pounds; and every Person who shall knowingly and wilfully buy, take in exchange, receive in pledge, or otherwise receive or conceal any Arms, Clothes, Accoutrements, or Ammunition, or Slops or Necessaries belonging to any such Volunteer or provided for him under this Act, shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds, and the treble Value of all or any of the Articles so bought, taken in exchange, received, or concealed; and if any Person shall prove, on Oath before a Justice of the Peace or Person exercising like Authority, that there is reasonable Cause to suspect that any Person has in his or her Possession, or on his or her Premises, any such Arms, Clothes, Accoutrements, or Ammunition, or Slops or Necessaries,

Necessaries, such Justice or Person may and he is hereby required to grant a Warrant to search for such Arms, Clothes, Accoutrements, and Ammunition, and Slops and Necessaries, as in the Case of stolen Goods; and if upon Search any such Articles shall be found, the same shall and may be seized by the Officer charged with the Execution of such Warrant, or any Person aiding him therein, who shall bring the Offender in whose Possession or upon whose Premises the same shall be found before such Justice or Person, to be dealt with according to Law.

Penalty on Volunteer for not attending Training and Exercise.

XX. Every Volunteer under this Act, unless absent from the United Kingdom, in conformity with the Regulations that may be made at any Time or Times by the aforesaid Lord High Admiral or Commissioners, or labouring under any Infirmity incapacitating him, who shall not attend at any Time and Place, or on board the Ship at or on board of which he shall be appointed to attend or join for the Purpose of Instruction, Training, and Exercise, according to the Provisions of this Act, Notice of his being required so to attend or join having been given in such Manner as may be provided by any Regulations made under this Act, and any Volunteer who having so attended or joined afterwards deserts or absents himself during the Time of such Instruction, Training, and Exercise, shall be subject to a Penalty not exceeding Twenty Pounds.

Persons not attending when called into actual Service may be apprehended and punished as Deserters from the Navy.

XXI. If any such Volunteer (being in the United Kingdom, and not labouring under any Infirmity incapacitating him) required to serve in the Navy under this Act shall not at or within such Time as may be appointed by any Order of the Lord High Admiral, or Commissioners for executing the Office of Lord High Admiral made under this Act, appear for the Purpose of entering into actual Service, or join any of Her Majesty's Ships or Vessels which he may be required to join for that Purpose, every such Person so offending shall be liable to be apprehended and punished in the same Manner as any Person belonging to Her Majesty's Navy deserting or improperly absenting himself from Duty.

Penalty for inducing Volunteers to absent themselves, or harbouring or employing Deserters.

XXII. Every Person who by Words or other Means shall persuade any Volunteer under this Act to desert from the Royal Naval Volunteers, or to be improperly absent from his Duty, shall forfeit and pay any Sum not exceeding Twenty Pounds for every such Act, and every Person who shall assist or procure any such Volunteer to desert, or to be improperly absent as aforesaid, or shall conceal or employ or continue to conceal or employ any such Volunteer, knowing him to be such a Deserter or so improperly absent, shall for every such Offence forfeit and pay any Sum not exceeding Thirty Pounds.

Recovery of Penalties.

XXIII. No Man by reason of his entering or serving as a Volunteer under this Act shall lose or forfeit, or be deemed to have lost or forfeited, any Interest he may possess, or may have possessed at the Time of his being so entered or serving, in any Friendly or Benefit Society, any Laws, Rules, or Regulations of such Society to the contrary notwithstanding; and in case any Dispute shall arise between any such Society and any such Man by reason of such Entry or Service, it shall be considered as being a Dispute directed by the Rules of such Society to be decided by Justices of the Peace, pursuant to the Provisions of the Acts in force relating to Friendly Societies.

Summary Jurisdiction.

XXIV. All Offences for which any pecuniary Penalty or Forfeiture is by this Act imposed shall and may be heard and determined by any Justice of the Peace in or near to the Place where the Offence shall be committed, or where the Offender may at any Time happen to be, and all such Penalties and Forfeitures, and any Forfeiture of treble Value, and also the reasonable Costs attending the Prosecution, to be duly ascertained and awarded by such Justice, shall and may be enforced and recovered in the same Manner as any pecuniary Penalties may be recovered in *England* or *Wales*, under the Provisions of

11 & 12 Vict. c. 43.

an Act passed in the Twelfth Year of Her Majesty's Reign, intituled *An Act to facilitate the Performance of Duties of Justices of the Peace out of Sessions within* England *and* Wales, *with respect to summary Convictions and Orders:* Provided always, that in all Cases in which there shall not be sufficient Goods whereon any Penalty or Forfeiture can be levied, the Offender may be committed and imprisoned, with or without Hard Labour, for any Time not exceeding Six Months, which said Act shall be used and applied in *Scotland* and in *Ireland* for the Recovery of all such pecuniary Penalties and Forfeitures, and Forfeitures of treble Value, as fully to all Intents as if such Act had extended to *Scotland* and *Ireland*, anything in the said Act, or in an Act passed in a Session holden in the Four-

14 & 15 Vict. c. 93.

teenth and Fifteenth Years of Her Majesty's Reign, intituled *An Act to consolidate and amend the Acts regulating the Proceedings of Petty Sessions, and the Duties of Justices of the Peace out of Quarter Sessions in* Ireland, or in any other Act, to the contrary notwithstanding.

Appropriation of Penalties.

XXV. One Moiety of every such Penalty or Forfeiture not including the treble Value of any Articles shall go to the Person who shall inform or sue for the same, and the other Moiety, together with the treble Value of any Articles, or where the Offence shall be proved by the Person who shall inform, then the whole of the Penalty and such treble Value, shall be paid over and applied in such Manner as the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, shall direct,

5 & 6 W. 4. c. 76.

anything in an Act passed in the Sixth Year of the Reign of King *William* the Fourth, intituled *An Act to provide for the Regulation of Municipal Corporations in* England *and* Wales, or in any other Act of Parliament, to the contrary notwithstanding; and every Justice who shall adjudge any Penalty under this Act shall within Four Days thereafter at the farthest report the same and his Adjudication thereof to the Secretary of the Admiralty.

CAP. XLI.

An Act to amend the Act for the better Government of *India*. [13th *August* 1859.]

'WHEREAS an Act was passed in the Session holden in the Twenty-first and Twenty-second 'Years of the Reign of Her present Majesty, intituled *An Act for the better Government of* 'India: And whereas it has been considered that, under the Enactment in the Fortieth Section of the 'said Act, the local Governments in *India* and Officers intrusted with the Charge of Provinces or 'Districts there respectively cannot enter into and execute such Contracts and Assurances in *India* 'on behalf of the Secretary of State in Council as before the Commencement of the said Act they 'were respectively competent to enter into and execute on behalf of the *East India* Company, and it is 'expedient to give them such Powers: And whereas Doubts have arisen as to the proper Mode of the 'Execution of Contracts entered into by the Secretary of State in Council pursuant to the Provision of 'the said Fortieth Section of the said Act, and it is expedient that such Doubts should be removed: 'And whereas it is expedient to alter so much of the Enactment in the Forty-third Section of the said 'Act as relates to the Mode of signing and countersigning the Drafts or Orders therein mentioned:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; that is to say,

Powers to execute Contracts vested in Government of India.

I. The Governor General of *India* in Council, the Governor in Council of *Fort St. George*, the Governor in Council of *Bombay*, the Lieutenant Governor of the North-western Provinces now under the Presidency of *Fort William* in *Bengal*, respectively, or any Officer for the Time being intrusted with the Government, Charge, or Care of any Presidency, Province, or District in *India*, subject to such Provisions or Restrictions as the Secretary of State in Council, with the Concurrence of a Majority of Votes at a Meeting, shall from Time to Time prescribe, are hereby respectively empowered to sell and dispose of all Real and Personal Estate whatsoever in *India* for the Time being vested in Her Majesty under the said Act, within the Limits of their respective Governments, Provinces, or Districts, or to raise Money on any such Real Estate by way of Mortgage, and to make proper Assurances for that Purpose, and to purchase and acquire any Land or Hereditaments, or any Interest therein, Stores, Goods, Chattels, and other Property in *India*, within the said respective Limits, and to enter into any Contracts whatsoever, within the said respective Limits, for the Purposes of the said Act, and all Property so acquired shall vest in Her Majesty for the Service of the Government of *India*.

Mode of executing Contracts in India.

II. The Secretary of State in Council may be named as a Party to any such Deed, Contract, or other Instrument, and it shall be sufficient to use the Designation of Secretary of State in Council in such Deed, Contract, or other Instrument, and the same may be expressed to be executed on behalf of the Secretary of State in Council, by or by Order of the Governor General in Council, Governor in Council, Lieutenant Governor of the North-western Provinces, or other Officer intrusted as aforesaid, but may be executed in other respects in like Manner as other Instruments executed by or on behalf of him or them respectively in his or their official Capacity, and may be enforced by or against the Secretary of State in Council for the Time being; and neither the Secretary of State, nor any Member of the Council, nor any Person executing such Deed, Contract, or other Instrument, shall be personally liable in respect thereof; and all Liabilities, Costs, and Damages in respect thereof shall be satisfied and paid out of the Revenues of *India*.

Secretary of State and Council not to be personally liable.

Mode of signing Drafts or Orders on Bank of England.

III. Notwithstanding anything contained in the said Act, it shall be lawful for the Governor and Company of the Bank of *England* to pay out all or any of the Moneys paid to the Credit of the Account opened under the said Act by the Governor and Company of the Bank of *England*, intituled "The Account of the Secretary of State in Council of *India*," upon any Drafts or Orders signed by the Accountant General on the Establishment of the Secretary of State in Council, or by either of the Two Senior Clerks in the Department of the said Accountant General, and countersigned in such Manner as the Secretary of State for *India* in Council shall from Time to Time order or establish; and any Draft or Order signed and countersigned as aforesaid, or in manner directed by the said Act, shall effectually discharge the Bank of *England* for all Moneys paid upon the same.

As to Validity of Contracts, &c. entered into before the passing of this Act.

IV. If before the passing of this Act any Contracts or Assurances shall have been entered into or made on behalf of the Secretary of State in Council, or the Government of *India*, by any Person in *India* who, previously to the Commencement of the said Act, would have been authorized to enter into and make the same on behalf of the *East India* Company, such Contracts or Assurances shall have the same Validity in favour of and against the Secretary of State in Council as they would have had in favour of and against the said Company if made on behalf of the said Company, and if the said Act had not been passed; but neither the Secretary of State nor any Member of the Council shall be personally liable in respect of any such Contracts or Assurances; and all Liabilities, Costs, and Damages in respect thereof shall be satisfied and paid out of the Revenues of *India*.

Mode of executing Contracts.

V. All Contracts purporting to be entered into by the Secretary of State in Council which shall have been previous to the passing of this Act made under the Hands and Seals or Hands of Three or more Members of Council shall be as valid and effectual, to all Intents and Purposes whatsoever, as the same would have been if Section Forty of the said Act had contained an express Provision that the Contracts

to

to be entered into by the Secretary of State in Council pursuant to that Act might be so made; and from and after the passing of this Act all Contracts in Writing entered into by the Secretary of State in Council, with the Concurrence of a Majority of Votes at a Meeting, may be expressed to be made by the Secretary of State in Council under that Designation, and if such as if made between private Persons would be by Law required to be under Seal, may be made, varied, or discharged under the Hands and Seals of Two Members of the Council, or if such as if made between private Persons would be by Law required to be signed by the Parties to be charged therewith, may be made, varied, or discharged under the Hands of Two Members of the Council; and the Benefit and Liability of such Contracts shall pass to the Secretary of State in Council for the Time being.

Actions to be carried on in Name of Secretary of State for India.

VI. All Actions, Suits, and Proceedings in any Court of Justice in respect of any of the Matters aforesaid shall and may be carried on, prosecuted, or defended in the Name of the Secretary of State for *India* in Council.

CAP. XLII.

An Act to provide for the Establishment of a Reserve Force of Men who have been in Her Majesty's Service. [13th *August* 1859.]

'WHEREAS it is expedient that Her Majesty should be enabled to enrol as a Reserve Force for Service within the United Kingdom in Cases of Emergency such of the Men who have served in 'Her other Forces as may be willing to engage for such Service:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Reserve Force not exceeding 20,000 Men for Service in Great Britain.

I. It shall be lawful for Her Majesty, from Time to Time, to cause to be enrolled and kept up as a Reserve Force in the United Kingdom any Number of Men not exceeding in the whole Twenty thousand, the Men so enrolled to be Persons who shall have previously served in Her Majesty's other Forces or in the Forces of the *East India* Company, and who may voluntarily engage to serve under this Act; and such Reserve Force shall be formed into or attached to such Battalions, Corps, or Companies as Her Majesty may think fit.

Term of Service to be prescribed by Regulations, &c.

II. The Men to be enrolled as aforesaid shall be engaged to serve for such Term of Years or for such respective Terms, having regard to their previous Periods of Service, as shall be directed by the Regulations under this Act, and every Person so engaging to serve shall make and sign a Declaration in such Form as with reference to the Terms of his Engagement may be prescribed by such Regulations.

Appointment of Officers.

III. It shall be lawful for Her Majesty to appoint to the Force under this Act such Officers and Non-commissioned Officers of Her Majesty's other Forces, or of the Forces of the *East India* Company, whether from Full or Half Pay or from the Pension List, as may be deemed expedient, and to put the whole or any Part of the Force under the Command of such General or other Superior Officers of the same Forces as Her Majesty shall please to appoint.

Force to be called out for 12 Days in each Year.

IV. The Men enrolled under this Act shall be called out for Training and Exercise at such Place or Places within the United Kingdom, and for such Time or Times not exceeding Twelve Days in any Year, as Her Majesty through One of Her Principal Secretaries of State shall direct.

Reserve Force may be called out in aid of the Civil Power.

V. It shall be lawful for One of Her Majesty's Principal Secretaries of State, or in *Ireland* for the Lord Lieutenant or other Chief Governor of *Ireland*, at any Time when the Occasion may appear to them respectively to require, to call out the whole or so many of the Force enrolled under this Act as such Secretary of State or Lord Lieutenant or Chief Governor may think necessary, to aid the Civil Power in the Preservation of the Public Peace in *Great Britain* and *Ireland* respectively.

In case of Invasion or War, Reserve Force may be called out for permanent Service.

VI. In case of actual Invasion or imminent Danger thereof, or in case a State of War exists between Her Majesty and any Foreign Power, it shall be lawful for Her Majesty, by Proclamation, to direct that the said Reserve Force, or such Part thereof as Her Majesty shall think fit, shall be called out on permanent Service in aid of the Defence of the Realm, in any Part of the United Kingdom where their Services may be required, and the said Forces, or such of them as shall be so called out, shall serve in pursuance of such Proclamation until it shall be signified to them by Her Majesty's Command that their Services are no longer required.

Reserve Force may volunteer for Duty.

VII. It shall also be lawful for Her Majesty to direct that such and so many of the Force enrolled under this Act as volunteer their Services may be kept on Duty and Pay for any Period not exceeding Six Calendar Months, in the same Way as the Regular Forces of Her Majesty's Army, and any Person who shall volunteer for such Service shall be liable to serve accordingly.

Reserve Force, when on Service, to be subject to the Mutiny Act.

VIII. Whenever the Reserve Force under this Act shall be called out for Training and Exercise, or when any of them who may have volunteered their Services for that Purpose shall be kept on Duty as aforesaid, or when the said Force, or any of them, shall be called out on Service in aid of the Civil Power as aforesaid, or shall be called out on permanent Service under Her Majesty's Proclamation, all the Provisions of any Act then in force for the punishing of Mutiny and Desertion and for the better Payment of the Army and their Quarters, as well with regard to billeting as in all other respects whatsoever, and also the Articles of War established or to be established by Her Majesty pursuant to the Provisions of such Act, shall extend and apply to the Men of the said Force and to the Officers and Non-

Non-commissioned Officers appointed to command them, and Offences committed by such Officers, Non-commissioned Officers, and Men, or any of them, on the Occasions aforesaid, may be inquired of and tried by Court-martial assembled under the Provisions of any such Act according to the usual Discipline of Her Majesty's Army, and Courts-martial for the Trial of any such Offences may be holden, and the Punishment awarded by any such Court-martial may be inflicted, either during the Time for which the said Force shall be so on Duty or at any Time within Twelve Calendar Months after the Offence shall have been committed or the Offender shall have been apprehended.

Punishment for Absence from Training and Exercise.

IX. Every Man enrolled under this Act, and not labouring under certified Infirmity or Incapacity, who shall not appear at the Time and Place appointed for his Training and Exercise, or for permanent or voluntary Service, or for his Service in aid of the Civil Power, or who having appeared or joined the Force at the Place appointed shall desert or absent himself before the Expiration of the Time of Training and Exercise, or before being duly discharged from such permanent or voluntary Service, shall be deemed a Deserter, and shall be liable to be tried and punished by Court-martial under the foregoing Provisions, and shall also be liable to such Forfeiture of Pay, Pension, or Allowance as may be directed by the Regulations under this Act.

Regulations to be made by Secretary-at-War.

X. It shall be lawful for Her Majesty to authorize Her Secretary-at-War to make Regulations concerning the Term or Terms of Service of the Men to be enrolled under this Act, and the Declarations to be made in relation thereto, and for the Pay of the Officers, Non-commissioned Officers, and Men enrolled under this Act, and, if Her Majesty so think fit, for Pensions of Men in respect as well of their Services under this Act as of their previous Services, and also in regard to the Arms, Clothing, Equipment, and Allowances of Men and Officers, and also for the Government of the said Force, and for the Fines and Penalties or Forfeitures for Absence from or Misconduct during Training and Exercise, or during permanent, voluntary, or other Service, or for the Breach of any of the said Regulations, and for the Deduction of such Fines and Penalties from any Pay, Allowance, or Pension which may become due to the Offender; and all Warrants and Regulations to be issued under this Act in every Year shall be laid before both Houses of Parliament in the Month of *February* in every Year, or, if Parliament be not then sitting, within Fourteen Days after the next Meeting of Parliament.

Provisions of Turnpike and Railway Acts as to Soldiers to apply to the Force under this Act.

XI. For the Purposes of all Enactments relating to Turnpike Roads and to Tolls, the Men enrolled and Officers and Non-commissioned Officers appointed under this Act while on Duty, or going to or returning from any Place of Training and Exercise, or of permanent, voluntary, or other Service, shall be deemed Soldiers and Officers of Her Majesty on Duty, and all such Enactments having reference to Officers and Soldiers on Duty shall be construed accordingly; and the Enactments in force concerning the Conveyance by Railway of Her Majesty's Forces of the Line, and their Baggage, Stores, Arms, and Ammunition, shall apply to the Conveyance of the Force under this Act, their Baggage, Stores, Arms, and Ammunition, and to the Officers and Men of such Force.

Men to be exempted from serving Parish Offices, &c.

XII. Men enrolled and Officers appointed under this Act shall not be liable to serve on any Jury, nor to serve the Office of Constable, or any other Parochial, Township, or Borough Office.

CAP. XLIII.

An Act to amend and extend the Provisions of the Acts for the Inclosure, Exchange, and Improvement of Land. [13th *August* 1859.]

'WHEREAS it is expedient to amend and extend the Provisions of the Acts for the Inclosure, Exchange, and Improvement of Land:' Be it enacted by the Queen's most Excellent Majesty,' by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Provisional Order to specify what Rights are reserved as to Mines, &c.

I. On any Inclosure where the Mines, Minerals, Stone, or other Substrata under the Land to be inclosed shall be excepted or reserved to the Lord of the Manor or any other Person, the Provisional Order to be made by the Inclosure Commissioners for *England* and *Wales* shall (in addition to the other Matters to be specified therein under the said Acts) specify whether or not a Right to enter the Lands when inclosed for the Purpose of opening, working, or winning such Mines, Minerals, Stone, and other Substrata, is to be reserved to such Lord or other Person, and whether or not any Compensation is to be made by the Persons exercising such last-mentioned Right, for any Damage to the Surface which may thereby be done, and if not, then whether or not any such other Provision for Compensation of such Damage as herein-after mentioned is to be made.

Provision as to Surface Damage.

II. For the Purpose of providing for Compensation for any such Damage as aforesaid, it shall be lawful for the Lord of the Manor or other the Person entitled to such Mines, Minerals, Stone, or other Substrata as aforesaid, and for the other Persons interested in the Land proposed to be inclosed, or such Proportion of the Persons so interested as by the Twenty-seventh Section of the Act of the Eighth and Ninth Years of Her Majesty, Chapter One hundred and eighteen, are required to Consent to an Inclosure before the Inclosure Commissioners can in any annual General Report certify their Opinion that the proposed Inclosure would be expedient, to agree as to the Mode in which Compensation for Surface Damage from such Entry, and opening, working, or winning, shall be made to the individual Owners

Owners whose Allotments may be so damaged, whether wholly by the Lord or such other Person entitled to the Mines, Minerals, Stone, or other Substrata as aforesaid, or wholly by the Owners of Allotments (including the Lord or such other Person) collectively, or partly by the Lord or such other Person and partly by the other Owners of Allotments collectively; and such Agreement, when made, shall, if allowed by the Inclosure Commissioners, be stated to the Valuer as Part of his Instructions, and its Terms shall be embodied by him in his Report and in his Award of which it shall form Part.

Powers to work Mines, &c.

III. In every Case in which the Right and Interest in all or any Mines, Minerals, Stone, and other Substrata are reserved by any Provisional Order to be issued after the passing of this Act to the Lord of the Manor or such other Person entitled to the Soil of the Land inclosed as aforesaid, and with a further Reservation to the Lord or to such other Person of a Right to enter the Lands when inclosed, and work such Mines, Minerals, Stone, and other Substrata, it shall be lawful for the Lord, his Heirs and Assigns, or for such other Person entitled to the Soil as aforesaid, his Heirs and Assigns, at any and at all Time and Times thereafter, by himself or themselves, or his or their Tenants, Agents, or Servants, and with or without Horses or other Animals, or Carriages, and Materials of all Kinds, to enter upon the said Lands or any Part thereof, and to break the Surface thereof, and search for, win, work, take, and carry away the said Mines, Minerals, Stone, and other Substrata, or any of them, and for that Purpose to dig, sink, drive, and make Pits, Shafts, Drifts, Headways, Levels, Adits, Airgates, Watercourses, Soughs, Trenches, Buddles, Fences, and Sluices, and to erect, build, and make Pumps, Engines, Furnaces, Smelting Houses, Stamping Mills, Ore and Store Houses, Sheds, Hovels, and Stables, and other Erections, and to do all other Things necessary or convenient, as well for working the said Mines, as for refining the Metals and Minerals, hewing and working the Stone and other Substrata, and removing all the Water, Slag, and Rubbish from the Works, and for the Accommodation of the Persons employed therein, and to occupy such Part of the said Land as shall be convenient and sufficient for laying, ordering, and dressing the Ores, Minerals, Metals, Stone, and other Substrata, and, if judged necessary, to alter the Course of Streams, and to maintain, repair, and use any Railroads or other Roads for any of the Purposes aforesaid, and generally to do all other Things necessary or convenient for the sinking, winning, working, and carrying away the said Mines, Minerals, Stone, and other Substrata, and for refining the Metals and Minerals, and hewing and working the Stone and other Substrata thereby produced.

How Damages to be assessed.

IV. In case it shall be provided that the whole or any Part of such Compensation as aforesaid shall be made by the Owners of Allotments collectively, either including or not including the Lord or such other Person as aforesaid, then all such Damage as may at any Time and from Time to Time be done to any Allotment by any of the Means aforesaid shall be assessed and raised as follows; (that is to say,) it shall be lawful for any Person who may sustain any such Damage as aforesaid to give Information thereof to any Two or more Justices of the Peace for the County or Riding or other Division or Place within which the Lands which shall have been inclosed, or the greater Part thereof, shall be situate (Ten Days previous Notice of such intended Information having been fixed on the Church Door of the Parish or other Ecclesiastical District); and such Justices shall and are hereby empowered to examine and inquire into such Complaint in a summary Way, and by Examination of Witnesses upon Oath, or by such other Evidence as they shall think proper; and such Justices shall determine the Amount of such Damage, and order the Payment thereof to the Party damaged by the Persons and in the Manner herein-after expressed.

Payment of Damages.

V. Every Sum of Money to be paid in satisfaction of such Damages, and the reasonable Charges of giving and prosecuting such Information, (to be settled by the said Justices,) shall be borne and paid by the Owners for the Time being of all the Allotments on whom it shall by the Award have been imposed, or their Tenants, including the Owner of the Allotment damaged, or his Tenant, by a Rate to be assessed upon them in respect of their Allotments or their Shares therein by such Justices according to the respective yearly Values thereof, which shall be ascertained in manner herein-after in that Behalf directed or referred to.

To be levied by Distress.

VI. In case any Person who shall be charged to such Rate as aforesaid shall refuse or neglect to pay the same within a Time to be limited by the said Justices, to the Person for the Time being entitled to such Payment, then any Two or more Justices of such County or Riding, or other District or Place as aforesaid, shall, by Warrant under their Hands and Seals, cause the same to be levied by Distress; and in case any occupying Tenant of any Hereditaments constituting or being Part of any of the said Allotments shall pay any Part of such Rate as aforesaid, every such Occupier shall be at liberty to deduct the same out of his next Rent, and his Landlord shall allow such Deduction, unless there shall be some Provision to the contrary in the Lease or Agreement under which such Hereditaments are held by such Occupier.

Annual Value of Allotments to be stated in Award.

VII. In every Case to which the Provisions of this Act shall be applicable, the Valuer acting in the Matter of the Inclosure shall by his Award ascertain and determine the proportionate Shares of any such Rate as aforesaid to be paid in respect of each of the Allotments to be set out under the Inclosure, and the average annual Value *per* Acre of each Allotment at the Time of making his Award, and such average

average annual Value shall thereafter be taken to be the yearly Value *per* Acre of such Allotment for the Purpose of the Assessment of the same to the Rate by this Act imposed thereon in the Cases herein-before provided for.

Herbage may be let.

VIII. Where Instructions shall be given to the Valuer to let the Herbage of any Land to be inclosed, the same shall, at any Time after the Rights of Sheepwalk, Common, or other Rights have been extinguished or the Exercise thereof suspended, be let by the Valuer for such Time and in such Manner and subject to such Conditions as he, with the Approbation of the Inclosure Commissioners, shall think right; and any Person taking such Herbage shall hold the same as Tenant to the Valuer, and all Moneys received by way of Rent shall be applied in and towards Payment of the Expenses of the Inclosure.

Purchase Money of Land sold may be apportioned.

IX. Where the Sale of any Land proposed to be inclosed, not exceeding Fifty Acres, shall have been authorized by the Commissioners, under the Provisions of the said Acts, the Surplus of the Purchase Money may be either appropriated as provided by the said Acts, or a Majority in Number and Interest of the Persons interested therein may, at a Meeting to be convened by the Commissioners for the Purpose, resolve that such Surplus shall be apportioned, and thereupon the same shall be dealt with in such and the same Manner as if the same were Money received under "The Lands Clauses Consolidation Act, 1845," and paid into the Bank of *England* to the Credit of an Account to be named by the Commissioners, under the Act passed in the Seventeenth and Eighteenth Years of Her Majesty, Chapter Ninety-seven.

Lessees need not join in Application for Partition.

X. In Partitions it shall not be necessary that any Lessee, being a Person jointly interested within the Provisions of the said Acts in any Land or other Subject Matter of Partition, should join in the Application to the Commissioners; and whenever any Land or other Subject Matter of such Partition shall be held by One entire Rent, the Order of Partition shall apportion the Rent to be paid to each of the Persons to whom any Part of the same may be allotted in Severalty; and after the Confirmation of such Order all Rents and Services due and owing or thereafter to become due and owing in respect of the Land or other Subject Matter of Partition shall be paid and payable to the Person to whom the same shall be allotted in Severalty: Provided always, that such Lessee shall not have the Power of giving Notice of Dissent, under the Provisions of the said Acts.

In Partitions Dissents not to apply in certain Cases.

XI. Notwithstanding anything therein contained, the Provisions of the said Acts as to Notice of Dissent shall not apply to Partitions in which the Application is made by Two Thirds in Value of the Persons interested in the Land or other Subject Matter of Partition.

Where Patronage vested in the Crown, who to be deemed Patron.

XII. Whenever the Patronage of any Benefice to which the Provisions of the said Acts are applicable shall be vested in Her Majesty, the Lord High Treasurer or First Lord Commissioner of the Treasury for the Time being where the Value of such Benefice is above the yearly Value of Twenty Pounds in the King's Books, and where such Value is of or below the yearly Value of Twenty Pounds in the King's Books the Lord Chancellor or Lord Keeper or First Lord Commissioner of the Great Seal for the Time being, shall for the Purposes of the said Acts be substituted instead of the Patron: Provided nevertheless, that if such Patronage is vested in Her Majesty in right of the Duchy of *Lancaster* the Chancellor for the Time being of such Duchy shall for the Purposes of the said Acts be substituted instead of the Patron.

Tenancies at Rackrent.

XIII. Whenever a Valuer acting in the Matter of any Inclosure shall have directed the Allotments to be entered upon by the Persons respectively for whom the same shall be intended, all Leases, Agreements, and Tenancies at Rackrent subsisting of any Part of the Land to be inclosed or exchanged under the Award of the Valuer, or any Common Right thereon, shall, so far only as respects the Land to be divided, allotted, or exchanged, or Common Right, cease and be void, at such Time or Times as the Valuer shall by Writing under his Hand direct or appoint, although the Lessees or Landlords may not have made and paid such Satisfaction to the respective Lessees or Tenants as is by the said Acts provided: Provided always, that Interest at the Rate of Five Pounds *per Centum per Annum* shall be payable from the Day on which such Tenancies shall cease to the Day of Payment, on the Sum which has been or shall thereafter be ascertained to be due to such Lessees or Tenants, and shall, with the Amount ascertained to be due as aforesaid, be recoverable from the Person liable to pay the same in the same Manner as Penalties and Forfeitures are recoverable under the said Acts.

Annexation of Map to an Inclosure Award may be dispensed with.

XIV. Where by reason of the Size of the Map or other Circumstances the Commissioners shall be of opinion that it is not expedient that the Valuer should annex to the Engrossment of any Inclosure Award the Map required by the said Acts to be annexed thereto, they may, if they shall see fit, in lieu of such Annexation, certify under their Hands and Seal that the Map not so annexed is the Map referred to in the Award to which the same applies, and thereupon every Map having such Certificate shall have the same Force and Effect and be referred to as if the same were annexed to the said Award.

Act deemed Part of "The Acts for the Inclosure, &c. of Land."

XV. This Act shall be taken to be Part of the said Acts, and shall be construed therewith, and be deemed to be included under any Reference to "The Acts for the Inclosure, Exchange, and Improvement of Land."

CAP. XLIV.

An Act to continue the Act for the Exemption of Stock in Trade from Rating. [13th *August* 1859.]

[*Continues* 3 & 4 *Vict. c.* 89. *until* 1*st Oct.* 1862, *and thence to the End of the next Session of Parliament.*]

CAP. XLV.

An Act to continue certain temporary Provisions concerning Ecclesiastical Jurisdiction in *England.* [13th *August* 1859.]

[*Continues such of the Provisions of* 10 & 11 *Vict. c.* 98. *as were continued by* 21 & 22 *Vict. c.* 50. *until* 1*st August* 1862, *and thence to the End of the next Session of Parliament.*]

CAP. XLVI.

An Act to continue and amend the Act concerning the Management of Episcopal and Capitular Estates in *England.* [13th *August* 1859.]

14 & 15 Vict. c. 104.
17 & 18 Vict. c. 116.
20 & 21 Vict. c. 74.

'WHEREAS an Act was passed in the Session holden in the Fourteenth and Fifteenth Years of Her Majesty, Chapter One hundred and four, "to facilitate the Management and Improvement of Episcopal and Capitular Estates in *England*," which Act was limited in Duration to Three Years from the End of the then Session of Parliament; and by the Act of the Session holden in the Seventeenth and Eighteenth Years of Her Majesty, Chapter One hundred and sixteen, the said Act of the Fourteenth and Fifteenth Years of Her Majesty was amended, and, as so amended, has, by the last-mentioned and other Acts, and ultimately by an Act of the Session holden in the Twentieth and Twenty-first Years of Her Majesty, Chapter Seventy-four, been further continued until the First Day of *January* One thousand eight hundred and sixty, and until the End of the then next Session of Parliament: And whereas it is expedient that said Act of the Fourteenth and Fifteenth Years of Her Majesty, as amended as aforesaid, should be further continued:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Two Commissioners may execute Deeds.

I. All such Acts and Deeds as are now by Law required to be done or executed by the Church Estates Commissioners, under the Authority of this Act or the Acts hereby affected, may be done or executed by any Two of such Church Estates Commissioners.

Evidence of Appointment of Commissioners.

II. The Publication in the *London Gazette* of the Notice of the Appointment of any Church Estates Commissioners shall at all Times and for all Purposes be full and sufficient Evidence of the Fact of such Appointment.

14 & 15 Vict. c. 104., as amended, continued until 1st Jan. 1861.

III. The said Act of the Fourteenth and Fifteenth Years of Her Majesty, as amended by the said Act of the Seventeenth and Eighteenth Years of Her Majesty, shall continue in force until the First Day of *January* One thousand eight hundred and sixty-one, and until the End of the then next Session of Parliament.

CAP. XLVII.

An Act to authorize the Inclosure of certain Lands in pursuance of a Special Report of the Inclosure Commissioners of *England* and *Wales.* [13th *August* 1859.]

'WHEREAS the Inclosure Commissioners for *England* and *Wales* have, in pursuance of "The Acts for the Inclosure, Exchange, and Improvement of Land," issued their Provisional Orders for and concerning the proposed Inclosures mentioned in the Schedule to this Act, and the requisite Consents thereto have been given since the Date of their Fourteenth Annual General Report: And whereas the said Commissioners have by a Special Report certified their Opinion that such proposed Inclosures would be expedient; but the same cannot be proceeded with without the previous Authority of Parliament:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Inclosures may be proceeded with.

I. That the said several proposed Inclosures mentioned in the Schedule to this Act be proceeded with.

Short Title.

II. In citing this Act in other Acts of Parliament and in legal Instruments it shall be sufficient to use either the Expression "The Second Annual Inclosure Act, 1859," or "The Acts for the Inclosure, Exchange, and Improvement of Land."

SCHE-

SCHEDULE to which this Act refers.

Inclosure.	County.	Date of Provisional Order.
Titchfield	Southampton	6th January 1859.
Leatherhead Common	Surrey	11th October 1850.
Dorchester	Oxford	24th March 1859.
Holyhead	Anglesey	21st April 1859.
Margaret Marsh	Dorset	26th January 1859.
Hawkshead	Lancaster	3d March 1859.
Marnhull	Dorset	26th January 1859.
Carnforth	Lancaster	24th February 1859.
Portslade	Sussex	5th May 1859.
Chich, St. Osyth	Essex	3d March 1859.
Crofton Manor	Southampton	14th April 1859.
Newland Manor	"	14th April 1859.
Wadley	Berks	29th April 1859.
Swanwick Common	Southampton	9th June 1859.
Leatherhead Common Fields and Down	Surrey	18th May 1859.
Whitlaw	Northumberland	9th June 1859.

C A P. XLVIII.

An Act to continue the Corrupt Practices Prevention Act, 1854. [13th *August* 1859.]

[*Continues* 17 & 18 *Vict. c.* 102., *as amended by* 21 & 22 *Vict. c.* 87., *until* 10*th August* 1860.]

C A P. XLIX.

An Act to provide for the Payment of Debts incurred by Boards of Guardians in Unions and Parishes and Boards of Management in School Districts. [13th *August* 1859.]

'WHEREAS it is expedient to define and limit the Period during which any Debt hereafter 'incurred by Guardians of Unions or Parishes or by District Boards of Management in the 'Administration of the Laws for the Relief of the Poor may be paid, and to make Provision, in respect 'of Debts heretofore lawfully incurred by them, for Payment of the same:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

When Debts in future are to be paid.

I. With respect to any Debt, Claim, or Demand which may, after the passing of this Act, be lawfully incurred by or become due from the Guardians of any Union or Parish, or the Board of Management of any School or Asylum District, such Debt, Claim, or Demand shall be paid within the Half Year in which the same shall have been incurred or become due, or within Three Months after the Expiration of such Half Year, but not afterwards, the Commencement of such Half Year to be reckoned from the Time when the last Half Year's Account shall or ought to have been closed according to the Order of the Poor Law Commissioners or Poor Law Board: Provided that the Poor Law Board, by their Order, may, if they see fit, extend the Time within which such Payment shall be made for a Period not exceeding Twelve Months after the Date of such Debt, Claim, or Demand.

Poor Law Board may extend the Time.

As to Payment of Debts incurred before the passing of this Act.

II. With respect to any Debt, Claim, or Demand which may have been lawfully incurred by any such Guardians or Board of Management or on their Account before the passing of this Act, they may, if they think proper, pay within Twelve Months after the passing of this Act, out of the Funds in their Possession, any such Debt, Claim, or Demand which may have been so incurred or have become due within Two Years before the Date of this Act, and may, within the said Period of Twelve Months, make Provision for the Payment of any Debt, Claim, or Demand lawfully incurred as aforesaid which shall have become due from them at some Time beyond Two Years but not beyond Six Years from such Date in full at once, or by equal annual Instalments, not exceeding Five, if the Poor Law Board, after open and public Investigation, during which Counsel or Solicitors may appear and Witnesses may be examined on both Sides, when the same shall be required by any Ratepayer of the Union, Parish, or District, shall be satisfied that no Fraud, Collusion, or Neglect of the General Rules of the Poor Law Board respecting the Contraction or Discharge of such Debt, Claim, or Demand have been committed by the Party to whom such Claim or Demand is alleged to be due, and that such Party has not been accessory to any Fraud on such Guardians or Board of Management, and shall give their Consent in manner aforesaid to such Payment; and such Guardians or Board respectively shall charge every such Payment

Payment to the Account to which the same should have been charged if the Payment had been made in due Time; and the President or Secretary of the Poor Law Board shall, within One Calendar Month after the Expiration of such Period of Twelve Months as aforesaid, if Parliament be then sitting, or if not, then within One Calendar Month after the next Meeting thereof, lay or cause to be laid before both Houses of Parliament a Return of all such Payments as shall have been made or authorized under the Power lastly herein-before contained.

Provision for Charges on the Rates.

III. Where any Sum shall have been or shall be borrowed by any Guardians or Managers, and the Debt shall have been or shall be charged by the said Guardians upon the Poor Rates, under the Authority of any Statute, and the same shall be made payable on a Day certain, the Time of Limitation prescribed by this Act for Payment of Debts shall commence on that Day; where it shall not have been made payable on any Day certain, then on the Expiration of Twelve Months from the Day when the Money was advanced; and in the Case of any Debt repayable by Instalments each Instalment shall be payable within One Year next after the Day when the same shall fall due, unless the said Board shall in any of the Cases provided for in this Section allow an Extension of the Time for the Payment not exceeding Six Months; and the Interest payable in every Case hereby provided for shall be payable within the like Times only as the Principal.

Provision for Actions against Guardians or Managers.

IV. If any Person claiming any Debt or Demand shall have commenced or shall hereafter commence Proceedings in any Court of Law or Equity, or before any Justice or other competent Authority, within the Time herein-before limited, or within the Time to which the Poor Law Board may grant Extension, and shall with due Diligence prosecute such Proceedings to Judgment or other final Settlement of the Question, such Judgment shall be satisfied by the Guardians or Managers against whom or against whose Officer the same may be brought, notwithstanding that such Judgment may be recovered or such final Settlement arrived at after the Expiration of the Period herein-before provided, and all Proceedings taken by Mandamus or otherwise for the enforcing of such Judgment without Delay shall be deemed to be within the Operation of this Section.

Payment of Attorneys Bills, Delay of.

V. Where the Guardians or Managers shall be engaged in a Suit, Action, or Proceedings in any Court, they shall not be required by any Rule of Law or Provision herein contained to pay the Bill of Costs of any Solicitor or Attorney retained by them for the Purpose thereof until the final Determination of such Suit or Proceeding, or until he shall cease to be so retained by or for them therein; but the Bill of Costs of such Solicitor or Attorney shall be duly taxed and paid within the Term of One Year next after such final Determination of the said Suit, Proceeding, or Retainer, and not afterwards, unless the Poor Law Board shall authorize an Extension of Time not exceeding Six Months; provided that if the said Solicitor or Attorney take Proceedings for the Recovery of his Bill within such Time or the Extension thereof, he shall in such Case have the same Right to be paid as in Section Four; provided also, that nothing herein contained shall prevent the Guardians or Managers from paying Money at any Time on account of the Suit or Proceeding.

No Call or Order to be invalidated.

VI. No Call or Order for Contribution made by any Guardians, nor any Poor Rate made to meet such Call or Order, shall be deemed to be illegal on the Ground that the same is made to provide for any Debt, Claim, or Demand, the Payment whereof is authorized by this Act, or on the Ground that the said Call or Order for Contribution includes a Balance due from any Parish or Parishes at the Time when the half-yearly Accounts are made up and balanced as aforesaid: Provided always, that when the Fund out of which any such Debt, Claim, or Demand should have been discharged shall have been already paid by any Parish to the Board of Guardians of any Union, and shall not have been applied for that Purpose, any Funds which may be required to be again contributed to discharge such Debt, Claim, or Demand shall be levied on each Parish in the Union in proportion to the rateable Value of each such Parish.

Interpretation of Terms.

VII. The Words used in this Act shall be construed in like Manner as the same Words are directed to be construed by the Act of the Fourth and Fifth Years of King *William* the Fourth, Chapter Seventy-six, or any subsequent Act amending or explaining the same.

CAP. L.

An Act further to continue the Exemption of certain Charities from the Operation of the Charitable Trusts Acts. [13th *August* 1859.]

[*Continues Exemption of Roman Catholic Charities from Charitable Trusts Acts till 1st July* 1860.]

CAP. LI.

An Act to continue certain Turnpike Acts in *Great Britain*. [13th *August* 1859.]

'WHEREAS it is expedient to continue for limited Times the Acts herein-after specified:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

All Turnpike Acts expiring before the End

I. Every Act now in force for regulating, making, amending, or repairing any Turnpike Road in *Great Britain* which will expire on or before the End of the next Session of Parliament shall be continued

tinued until the First Day of *October* One thousand eight hundred and sixty and to the End of the then next Session of Parliament, except an Act of the Twelfth and Thirteenth Years of Her present Majesty, Chapter Sixty-six, "for continuing the Term of an Act passed in the Third Year of the Reign of His "Majesty King *William* the Fourth, intituled *An Act for continuing certain Powers to the Trustees "of the* New North Road, *leading from the South End of* Highbury Place, Islington, *to* Haberdashers "Walk *in the Parish of* Saint Leonard Shoreditch, *in the County of* Middlesex, *and for vesting the "Management of the said Road in the Metropolis Roads Commissioners, for the Purpose of paying "off the Debt due thereon,*" and except as herein-after mentioned. of the next Session continued to 1st Oct. 1860, except 12 & 13 Vict. c. lxvi.

II. The Acts mentioned in the Schedule to this Act annexed shall continue in force until the First Day of *November* One thousand eight hundred and sixty, and no longer, unless Parliament shall in the meantime continue the same respectively. Acts in Schedule continued till 1st Nov. 1860.

III. In citing this Act in other Acts of Parliament and in legal Instruments is shall be sufficient to use the Expression "The Annual Turnpike Acts Continuance Act, 1859." Short Title.

SCHEDULE.

An Act for enlarging the Term and Powers of Two Acts of His present Majesty for repairing the Road from the West End of Saint Ives Lane in the Town of St. Neots in the County of Huntingdon to the Pavement at the End of Bell Lane in the Town of Cambridge. 54 G. 3. c. iv.

An Act for repairing the Road from Shelton's Lane in Bury in the County of Huntingdon to a House formerly called The Spread Eagle in the Hamlet of Stratton in the Parish of Biggleswade in the County of Bedford. 59 G. 3. c. xxv.

An Act to enlarge the Term and Powers of Two Acts of His late Majesty for repairing and widening the Road from a Bridge over a Stream called Sudbrook near the City of Gloucester to the Nine Mile Stone on the Bristol Road near the Clay Pitts in the County of Gloucester, and for extending the Powers thereof to the Entrance of the City of Gloucester. 1 & 2 G. 4. c. vi.

An Act for amending and repairing the Road from Thirsk over Skipton Bridge to Hutton Moor, and through Ainderby-Quernhow and Nosterfield to Mashan, in the North Riding of the County of York. 1 & 2 G. 4. c. vii.

An Act for more effectually repairing the Road from the North End of a Lane, called Rosemary Lane, in the Township of Broughton to the Town of Mold in the County of Flint, and for diverting a Part of the said Road, and for making a new Branch of Road to communicate with the said Road. 3 G. 4. c. l.

An Act for more effectually improving the Roads leading from the East Side of Lincoln Heath to the City of Peterborough, and several other Roads therein mentioned, in the Counties of Northampton and Lincoln; and for making a new Branch of Road to communicate with the said Roads, from Bourn to Spalding, in the said County of Lincoln. 3 G. 4. c. lxvi.

An Act for more effectually repairing and improving the Road from a Place called the Old Gallows in the Parish of Sonning otherwise Sunning in the County of Berks, through Wokingham, New Bracknowl, and Sunninghill, to Virginia Water, in the Parish of Egham, in the County of Surrey. 3 G. 4. c. lxxxviii.

An Act for more effectually repairing, widening, and improving the Roads from the West End of Toller Lane near Bradford through Haworth to Blue Bell near Colne, and from the Two Laws to Kighley, in the Counties of York and Lancaster. 4 G. 4. c. xlviii.

An Act for repairing and improving the Road leading from Skipton in the County of York to Colne in the County of Lancaster. 4 G. 4. c. cx.

An Act for amending and improving the Road from Glossop to Marple Bridge in the County of Derby, and the several Branches of Roads leading to and from the same. 5 G. 4. c. xxxv.

An Act for more effectually repairing and improving the Roads from Sheet Bridge to Portsmouth and from Petersfield to the Alton and Alresford Turnpike Road near Ropley in the County of Southampton, and for making and maintaining a new Branch of Road to communicate therewith. 6 G. 4. c. lxxxvii.

An Act for repairing, widening, improving, and maintaining in repair the Turnpike Roads from Leeds to Halifax, and the several Branches and Roads therein mentioned, in the West Riding of the County of York. 6 G. 4. c. cxlix.

An Act for more effectually repairing and improving the Roads from Manchester, in the County Palatine of Lancaster, to Salters Brook in the County Palatine of Chester, and for making and maintaining several Extensions or Diversions of Road, and a new Branch of Road to communicate therewith. 7 G. 4. c. xvi.

An Act for repairing the Road from the Thirty-three Mile Stone in the Parish of Ruscombe in the County of Berks towards Reading, to a Place called the Seven Mile Stone in the Parish of Beenham in the same County, and a certain other Road communicating therewith. 7 G. 4. c. lxxiii.

An Act for repairing the Roads from Horsham to Steyning, and from thence to the Top of Steyning Hill, in the County of Sussex, and from the Bottom of Steyning Hill to Slaughter's Corner in the Parish of Beeding, and from thence to Shoreham Bridge in the Parish of Old Shoreham in the said County. 9 G. 4. c. lxx.

An Act to alter, amend, and enlarge the Powers and Provisions of an Act passed in the Seventh Year of the Reign of His late Majesty King George the Fourth, intituled An Act for repairing the Road from the Thirty-three Mile Stone in the Parish of Ruscombe in the County of Berks towards Reading, to a Place called The Seven Mile Stone in the Parish of Beenham in the said County, and a certain other Road communicating therewith. 1 Vict. c. xli.

CAP. LII.

An Act to amend the Laws relating to the Police District of *Dublin* Metropolis.

[13th *August* 1859.]

6 & 7 W. 4. c. 29.

'WHEREAS by an Act passed in the Sixth and Seventh Years of the Reign of King *William* the Fourth, Chapter Twenty-nine, it was enacted, that it should be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* to appoint Two fit Persons as Justices of the Peace for and of the Police District of *Dublin* Metropolis, to execute such Duties as are in the said Act specified or referred to, and the said Act also empowered the said Lord Lieutenant to direct that an annual Salary not exceeding the Sum of Eight hundred Pounds should be paid out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland* to each of the Justices to be so appointed; and by the said Act the Commissioners of the Treasury were empowered to appoint a Person to receive all Sums of Money applicable to the Purposes of the said Act, and to allow to him such yearly Salary as therein mentioned; and the Duties of such Receiver were in the said Act particularly set forth: And whereas by several subsequent Acts the Duties and Powers of the Justices appointed under the said first-recited Act, and which Justices are in such subsequent Acts denominated Commissioners of Police for the said District, have been extended and defined; and the Office of Secretary to the said Commissioners is recognized, and certain Notices are directed to be served upon him: And

17 & 18 Vict. c. 94.

whereas by an Act passed in the Seventeenth and Eighteenth Years of the Reign of Her present Majesty, Chapter Ninety-four, the Charge of the Salaries of the said Justices or Commissioners has been removed from the Consolidated Fund of the United Kingdom, and the said Salaries are now

1 Vict. c. 25.

annually provided for by Parliament: And whereas by an Act passed in the First Year of the Reign of Her Majesty, Chapter Twenty-five, Power was given to the Lord Lieutenant or other Chief Governor or Governors of *Ireland* to divide the Police District of *Dublin* Metropolis into any Number not exceeding Four Divisions, and to define and declare the Limits thereof accordingly, and to establish Public Offices therein, One in each such Division, and to attach to each such Office any Number not exceeding Three Divisional Justices; and it was thereby further enacted, that whenever the Number of Divisional Justices at any Public Office in the said District should not exceed Two, or the Number of Offices be reduced below Four, it should be lawful for the said Lord Lieutenant or other Chief Governor or Governors to increase the Salary of each Divisional Justice at the said Office, or in case of the Reduction of the Number of Offices at the remaining Offices, to any Sum not exceeding Six hundred Pounds by the Year, to be charged on the Funds applicable to the Maintenance of the said Police:

3 & 4 Vict. c. 103.

And whereas by another Act passed in the Third and Fourth Years of Her Majesty's Reign, Chapter One hundred and three, it was enacted, that it should be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, by and with the Advice and Consent of Her Majesty's Privy Council in *Ireland*, to establish in any One or more of the Divisions of the said District such Number of Public Offices as should to him or them, with the Advice and Consent aforesaid, appear necessary: And whereas, in pursuance of the said recited Acts, the Divisions of the said District have been reduced to Three, and in One of such Divisions Two Public Offices are established, One in the City of *Dublin* and the other in the Town of *Kingstown*, and in the said last-mentioned Office Justice is administered by One of the Justices of the Division to which the same belongs: And whereas it is expedient that instead of Two Commissioners of Police there should be One Commissioner and One Assistant Commissioner of Police for the said District of *Dublin* Metropolis, and that Provision should be made for consolidating the Offices of Receiver of the said Police District, Secretary to the said Commissioners, and Supervisor of Taxes of the said District, and that Provision should be made for consolidating the Divisions of the said District, and administering Justice at One or more Police Courts in the said District, without reference to such Divisions:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Interpretation of Terms.

I. In the Interpretation of this Act the Words "Lord Lieutenant" shall mean Lord Lieutenant or other Chief Governor or Governors of *Ireland*, "Commissioners of Police" and "Receiver" shall mean respectively the Justices and the Receiver appointed under the first herein-before recited Act, "Justices" shall mean "Divisional Justices," or Justices appointed to administer Justice at the Police Office or Police Courts of the Police District of *Dublin* Metropolis.

When the Office of Commissioner of Police is vacant, Lord Lieutenant may appoint an Assistant Commissioner.

II. Whenever a Vacancy shall occur in the Office of Commissioner of Police, it shall be lawful for the Lord Lieutenant, if he shall so think fit, to appoint an Assistant Commissioner to act with the remaining Commissioner, and from Time to Time to appoint Successors to such Commissioner and Assistant Commissioner; and such Assistant Commissioner shall take the Oath required to be taken by the Commissioners of Police, and shall thereupon, with the remaining Commissioner, who shall be styled henceforward "the Chief Commissioner," possess and be subject to all the Powers, Duties, and Provisions of or affecting the Commissioners of Police, but subject to the Provisions herein-after contained.

Salaries to be paid after such

III. The Salary of the Chief Commissioner of Police shall from and after the Occurrence of such Vacancy be One thousand Pounds by the Year, and the Salary of such Assistant Commissioner when so appointed

appointed as aforesaid shall be Six hundred Pounds by the Year, and the Salaries of the said Commissioners, or Chief Commissioner and Assistant Commissioner, as the Case may be, shall from and after the passing of this Act be payable out of such Monies as shall be annually provided by Parliament for the Purpose. Vacancy shall take place.

IV. Anything authorized to be done by the Commissioners by any Act herein recited or by any other Act may be done by either of the Commissioners now holding Office, and after the Commissioners shall have become Chief Commissioner and Assistant Commissioner, as herein provided, may be done by the Chief Commissioner alone, or in his Absence by the Assistant Commissioner alone; provided that to establish the Validity of any Act or Thing done by the Assistant Commissioner it shall not be necessary to prove the Absence of the Chief Commissioner. One Commissioner to act in certain Cases.

V. Whenever the Offices of Receiver, Secretary to the Commissioners of Police, and Supervisor of Taxes, or any of them, shall be vacant, it shall be lawful for the Lord Lieutenant, with the Consent of the Commissioners of the Treasury, to appoint One and the same Person to hold the said Offices, or such of them as shall be vacant; and it shall be lawful for the Commissioners of the Treasury to assign to the Person to be appointed to the said Offices an annual Salary not exceeding Five hundred Pounds. When Offices of Receiver, &c. vacant, One Person may be appointed to hold them.

VI. If the Commissioners of the Treasury shall be of opinion that it would be for the Advantage of the Public Service that the said Offices should be so consolidated as aforesaid, notwithstanding that no such Vacancy shall have occurred, it shall be lawful for the Commissioners of the Treasury, on the Recommendation of the Lord Lieutenant, to carry into effect such Consolidation, and to grant to the Holders of the said Offices of Receiver, Secretary, and Supervisor such Pension or Annuity by way of Compensation for the Loss thereof as to them may appear just, not exceeding Two Thirds of the respective Salaries of the said Receiver, Secretary, or Supervisor, when the Holders of the said Offices shall have served for a Period of less than Twenty Years, and an annual Sum not exceeding the whole of the Salary when such Service shall have exceeded the said Period of Twenty Years. Offices may be consolidated if no Vacancy have occurred, and Compensation granted for Loss of Office.

VII. Whenever the Consolidation of the Offices aforesaid shall include the Office of Receiver, the Person to be appointed to the consolidated Office shall be deemed and taken to be and shall be designated "the Accountant" of the said Commissioners of Police; and all Property belonging to, acquired, or purchased by the said Receiver in his public Capacity, and all Monies standing in his Name in the Books of the Governor and Company of the Bank of *Ireland*, and all Cash Balances in hand, shall be vested in the said Accountant; and all Proceedings, of what Kind soever, which if this Act had not been passed should have been taken or done by or in the Name of any of the Holders of the Offices so consolidated shall thereafter be taken or done by or in the Name of the said Accountant, as fully and effectually, to all Intents and Purposes, as if the Word "Accountant" had been used in the Act of Parliament, Lease, Contract, Licence, or other Instrument which authorized the taking or doing thereof, instead of the Words "Receiver," "Secretary," or "Supervisor," as the Case may be; and such Accountant shall give to the said Commissioners of Police Security for the due and faithful Application of all Monies paid to him or lodged to his Account under the Provisions of the Acts relating to the *Dublin* Police, in such Manner and Amount as shall be determined by the said Commissioners, with the Approval of the Commissioners of the Treasury. When Consolidation of Offices shall include Receiver, that Officer to be styled the Accountant, and Property to be vested in him, &c.

VIII. It shall be lawful for the Lord Lieutenant, if he shall so think fit, by and with the Advice and Consent of Her Majesty's Privy Council in *Ireland*, to abolish the Divisions of the said Police District, and from Time to Time to order that there shall be for the whole of the said District such Number of Public Offices or Police Courts for the Administration of Justice, to be held at such Place or Places, as he shall by and with such Advice and Consent as aforesaid deem proper; and the Lord Lieutenant may, if he shall so think fit, reduce the Number of Justices for the said District. Lord Lieutenant may abolish Divisions of Police District, and appoint Courts and Justices.

IX. Whenever the Number of Justices of the said Police District shall not exceed Five, it shall be lawful for the Lord Lieutenant, if he shall so think fit, to raise the Salary of each of the said Justices to any Sum not exceeding Nine hundred Pounds by the Year, provided that the Amount of such increased Salaries shall not exceed the gross Amount now authorized by Law to be paid to all such Justices respectively. When Justices reduced to Five, Lord Lieutenant may raise their Salary.

X. It shall be lawful for the Lord Lieutenant to direct the regular daily Attendance at the Police Courts of the said Justices or any of them, or of any of the other Justices heretofore appointed or hereafter to be appointed, and to make from Time to Time such Regulations in respect of the Number of Justices to attend each Police Court, and of the Attendance thereat of any of such Justices, and of the Officers belonging to any of the Police Courts, as may be deemed expedient. Lord Lieutenant may direct daily Attendances at Police Courts.

XI. It shall be lawful for any One Justice to sign and execute any Warrant or other Instrument, or to do alone at any of the said Police Courts, or at any Place where for any special Purpose he may by Warrant under the Hand of the said Chief or Under Secretary be directed to attend and to act singly, any Act which by any Law now in force, or by any Law not containing an express Enactment to the contrary, hereafter to be made, is or shall be directed to be signed, executed, or done by more than One Justice. One Justice may do any Act directed to be done by more than One Justice.

XII. It shall be lawful for the Commissioners of the Treasury, on the Recommendation of the Lord Lieutenant, to grant to any Magistrate, Clerk, or other Person belonging to any of the Offices of the Police Compensation to Persons belonging to the

Police Department whose Offices are abolished by this Act.

Police Department whose Office shall cease or become unnecessary, or be abolished under this Act, and who shall not be reappointed or employed or retained in an Office of equal Value, such Compensation or Allowance, chargeable upon and payable out of any Monies provided by Parliament for the Maintenance of the Police of the said Police District of *Dublin* Metropolis, as under the Circumstances of each Case shall appear just: Provided always, that the Payment of any such last-mentioned Compensation or Allowance shall altogether cease and be suspended while the Person to whom such Compensation or Allowance shall be granted shall hold any Office in any Public Department the Salary or Profits of which shall be equal to or shall exceed the Salary which was enjoyed by such Person in such Office so ceasing or becoming unnecessary or being abolished; and in case the Salary or Profits of the Office to which such Person shall be appointed shall be less than the Salary which was enjoyed by such Person in such Office so ceasing or becoming unnecessary or being abolished, then only such Amount of Compensation or Allowance shall be paid to him as shall, together with the Salary and Profits of such new Office, be equal to the Amount of the Salary enjoyed by such Person at the Time of his Office so ceasing or becoming unnecessary or being abolished as aforesaid.

Not to lessen, &c. Power of Justices.

XIII. Nothing in this Act contained shall lessen, take away, or abridge any Power, Jurisdiction, or Authority now possessed by the said Justices of the said District.

Short Title.

XIV. This Act may be cited for all Purposes as "The *Dublin* Police Act, 1859."

CAP. LIII.

An Act to enable Charitable and Provident Societies and Penny Savings Banks to invest all their Proceeds in Savings Banks. [13th *August* 1859.]

'WHEREAS by the Acts now in force Friendly Societies legally established are entitled to invest 'their Funds to any Amount in a Savings Bank: And whereas Charitable Societies and Pro- 'vident Institutions can only invest to the Amount of One hundred Pounds *per Annum*, and the 'Amount of the Sum to be invested by such Institution or Society cannot exceed the Sum of Three 'hundred Pounds in the whole, exclusive of Interest: And whereas it is expedient to place such 'Societies and Institutions, and also Penny Savings Banks, upon the same Footing in that respect as 'Friendly Societies legally established:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same,—

Funds of Penny Savings Banks, &c. may be invested in Savings Banks to any Amount.

I. That it shall be lawful for the Trustees or Treasurer of any Penny Savings Bank, Charitable or Provident Institution or Society, or Charitable Donation or Bequest for the Maintenance, Education, or Benefit of the Poor in *Great Britain* or *Ireland*, to invest, with the Approval of the Commissioners for the Reduction of the National Debt, or the Comptroller General acting under them, and under such Regulations as shall be prescribed by them in that respect, the Funds of such Penny Savings Bank, Institution, or Society, without Restriction as to Amount, into the Funds of any Savings Bank duly established.

If Savings Banks' Rules are already certified they need not be again certified.

II. Provided always, That nothing contained in this Act respecting Savings Banks shall render it necessary to have the Rules and Regulations again certified if the same have been before certified according to Law.

CAP. LIV.

An Act to defray the Charge of the Pay, Clothing, and contingent and other Expenses of the Disembodied Militia in *Great Britain* and *Ireland;* to grant Allowances in certain Cases to Subaltern Officers, Adjutants, Paymasters, Quartermasters, Surgeons, Assistant Surgeons, and Surgeons Mates of the Militia; and to authorize the Employment of the Non-commissioned Officers. [13th *August* 1859.]

[*This Act is to continue in force till the* 1*st September* 1860.]

CAP. LV.

An Act to apply a Sum out of the Consolidated Fund and the Surplus of Ways and Means to the Service of the Year One thousand eight hundred and fifty-nine, and to appropriate the Supplies granted in this Session of Parliament. [13th *August* 1859.]

§. I. There shall be applied for the Service of the Year 1859 the Sum of £11,924,362 11*s.* out of the Consolidated Fund.

II. The Treasury may cause £11,924,362 11*s.* of Exchequer Bills to be made out in manner prescribed by 48 Geo. 3. c. 1., 4 & 5 Will. 4. c. 15., and 5 & 6 Vict. c. 66.

III. The Clauses, &c. in recited Acts extended to this Act.

IV. Interest on Exchequer Bills.

V. Bank of England may advance £11,924,362 11*s.* on the Credit of this Act, notwithstanding 5 & 6 W. & M. c. 20.

§ VI. Bills

Consolidated Fund (Appropriation).

§ VI. Bills prepared by virtue of this Act to be delivered to the Bank, as Security for such Advances.

VII. Monies raised by Exchequer Bills to be applied to the Services voted by the Commons.

VIII. Exchequer Bills made chargeable upon the growing Produce of the Consolidated Fund.

IX. Treasury may apply for the Service of the Year 1859 £250,106 9*s*. Surplus of Ways and Means.

X. Appropriation of Ways and Means to Services hereafter expressed.—22 & 23 Vict. c. 2.

XI. There shall be issued,

	£6,468,003	0	0	For Navy Services; viz.	
	579,695	0	0	For Wages to 10,000 additional Seamen and Marines, &c.	For 11 Months ending 31st March 1860.
	247,212	0	0	For Victuals, &c. in the Navy	For 11 Months ending 31st March 1860.
	3,000	0	0	For additional Clerks in Whitehall and Somerset House	
	100,000	0	0	For Volunteer Force of Seamen	
	41,358	0	0	For the Navy Scientific Departments	
	103,089	0	0	For Naval Establishments at home	
	20,083	0	0	For Naval Establishments abroad	
	1,077,782	0	0	For Wages of Artificers, &c. at home	
	39,330	0	0	For Wages of Artificers, &c. abroad	
	2,117,130	0	0	For Naval Stores, &c.	
	467,411	0	0	For New Works in Naval Establishments	
	45,000	0	0	For Medicines, &c.	
	52,221	0	0	For Naval Miscellaneous Services	
	368,311	0	0	For Naval Half Pay, &c.	
	243,957	0	0	For Military Pensions	
	83,416	0	0	For Civil Pensions	
	175,000	0	0	For Freight of Ships, Victualling, and Conveyance of Troops, &c.	
	704,008	0	0	For Packet Service	
XII.	1,099,412	0	0	For certain Army Services, *viz.*	
	108,375	0	0	For Wages of Artificers, &c.	
	300,000	0	0	For Clothing and Necessaries	For the Year ending 31st March 1860.
	93,180	0	0	For Provisions, Barrack Furniture, &c.	For the Year ending 31st March 1860.
	414,537	0	0	For Stores for Land and Sea Service	
	123,500	0	0	For Fortifications	
	23,450	0	0	For Works, Buildings, &c.	
	36,370	0	0	For Barracks	
	2,002,180	0	0	For other Army Services; viz.	
	410,000	0	0	For Embodied Militia	
	1,825	0	0	For Educational and Scientific Branches	
	13,370	0	0	For Rewards for Military Service	
	41,067	0	0	For General Officers	
	265,702	0	0	For Reduced and Retired Officers	
	95,916	0	0	For Pensions to Widows, and Compassionate List, &c.	
	24,433	0	0	For Pensions, &c. to wounded Officers	
	17,734	0	0	For In-Pensioners of Chelsea and Kilmainham Hospitals	
	595,380	0	0	For Out-Pensioners of Chelsea Hospital, &c.	
	73,903	0	0	For Superannuation and Retired Allowances	
	462,850	0	0	For Disembodied Militia	For the Year ending 31st March 1860.
XIII.	50,000	0	0	For Civil Contingencies.	To 31st March 1860.
XIV.	657,155	0	0	For Customs Department	
	1,049,864	0	0	For Inland Revenue Department	
	1,551,213	0	0	For Post Office, &c.	
	356,221	0	0	For Superannuations, &c., Customs, Inland Revenue, and Post Office	For the Year ending 31st March 1860.

Consolidated Fund (Appropriation).

				CIVIL SERVICES.—*Class* 1.	
§ XV.	£41,988	0	0	For Repair of Royal Palaces	To 31st March 1860.
	82,740	0	0	For Maintenance, &c. of Public Buildings, temporary Accommodation, &c.	
	18,000	0	0	For Furniture for Public Departments	
	58,525	0	0	For New Houses of Parliament	
	19,130	0	0	For Probate Courts and District Registries.	
	5,390	0	0	For Embassy Houses, &c. abroad	To 31st March 1860.
	5,500	0	0	For new Consular Offices and Prison at Constantinople	For the Year ending 31st March 1860.
	80,000	0	0	For Holyhead Harbour	
	20,403	0	0	For Port Patrick Harbour	
	70,421	0	0	For Public Buildings in the Department of Public Works in Ireland	
	78,847	0	0	For Royal Parks, &c.	
	174,000	0	0	For certain Harbours of Refuge	
				CIVIL SERVICES.—*Class* 2.	
XVI.	68,959	0	0	For Salaries, &c. of Houses of Parliament	
	34,600	0	0	For the Treasury	
	17,911	0	0	For the Home Department	
	42,800	0	0	For the Foreign Department	
	21,178	0	0	For Department of Colonies	
	10,593	0	0	For Privy Council	
	33,942	0	0	For Committee of Privy Council for Trade, &c.	
	1,720	0	0	For Lord Privy Seal, &c.	
	3,855	0	0	For Civil Service Commission	
	13,762	0	0	For Paymaster General's Department	
	4,898	0	0	For Department of Comptroller General of Exchequer	
	19,746	0	0	For Office of Commissioners of Works and Public Buildings	
	13,514	0	0	For Office of Woods, Forests, &c.	
	9,498	0	0	For Public Records Department and State Paper Office	
	223,369	0	0	For Administration of Poor Laws	To 31st March 1860.
	25,052	0	0	For the Mint	
	13,925	0	0	For Salaries, &c. of Inspectors of Factories, &c.	
	3,179	0	0	For Civil Charges, &c., Scotland	
	4,431	0	0	For Officers, &c. of Lord Lieutenant of Ireland	
	15,904	0	0	For Chief Secretary, &c., Ireland	
	5,204	0	0	For Paymaster of Civil Services, Ireland	
	1,709	0	0	For Inspectors of Lunatic Asylums, Ireland	
	16,105	0	0	For Board of Public Works, Ireland	
	22,466	0	0	For Department of Commissioners for auditing Public Accounts	
	12,621	0	0	For Copyhold, &c. Commission	
	8,680	0	0	For Imprest Expenses of Copyhold, &c. Commission	
	26,300	0	0	For General Register Office, England and Wales	
	2,296	0	0	For General Register Office, Dublin	
	3,302	0	0	For Department of Registrar General of Births, &c., Edinburgh	
	10,652	0	0	For National Debt Office	
	1,300	0	0	For Public Works Loan Commission	
	670	0	0	For West India Islands Relief Commission	
	2,642	0	0	For Lunacy Commission	
	723	0	0	For General Superintendent of County Roads, in South Wales	
	1,128	0	0	For Registrars of Friendly Societies	
	22,000	0	0	For Foreign and other Secret Services	
	237,111	0	0	For Stationery, &c., for Public Departments	
	76,750	0	0	For Postage of Letters on the Public Service	

				CIVIL SERVICES.—*Class* 3.	
§ XVII.	£31,545	0	0	For Office of Solicitor to the Treasury, including Prosecutions relating to Coin, &c. - -	
	150,000	0	0	For Prosecutions at Assizes and Quarter Sessions	
	164,275	0	0	For Police in Counties and Boroughs in England and Wales, &c. - - - -	
	1,500	0	0	For Crown Office, Queen's Bench - -	
	4,300	0	0	For Department of Registrar of the Admiralty -	
	5,176	0	0	For Insolvent Debtors Court - - -	
	22,740	0	0	For Court of Probate, &c. - - -	
	126,150	0	0	For County Courts - - - -	
	14,130	0	0	For Police Courts of the Metropolis - -	
	90,610	0	0	For Metropolitan Police - - - -	
	2,500	0	0	For Queen's Prison - - - -	
	2,342	0	0	For Lord Advocate and Solicitor General, Scotland - - - - - -	
	12,075	0	0	For Salaries, Court of Session, Scotland -	
	6,811	0	0	For Court of Justiciary, Scotland - -	
	5,550	0	0	For Criminal Prosecutions by Lord Advocate -	
	620	0	0	For certain Officers in the Exchequer in Scotland	
	50,000	0	0	For Criminal Prosecutions, &c. in Scotland -	
	7,955	0	0	For Procurators Fiscal in Scotland - -	
	5,120	0	0	For Sheriffs Clerks, Scotland - - -	
	2,300	0	0	For Salaries of Law Officers in Scotland -	
	10,847	0	0	For General Register House, Edinburgh -	
	544	0	0	For Department of Commissary Clerk, Edinburgh	
	1,032	0	0	For Department of Accountant in Bankruptcy, Scotland - - - - -	
	51,630	0	0	For Criminal Prosecutions, Ireland - -	
	1,671	0	0	For Court of Chancery, Ireland - - -	
	1,408	0	0	For Court of Queen's Bench, Ireland - -	To
	1,211	0	0	For Court of Common Pleas, Ireland - -	31st March 1860.
	10,370	0	0	For Court of Exchequer, Ireland - -	
	200	0	0	For Clerk to Taxing Officers for Law Courts, Ireland - - - - -	
	3,933	0	0	For Registrars to Judges, Ireland - -	
	1,368	0	0	For Office for Registration of Judgments in Ireland - - - - -	
	300	0	0	For Advocates acting as Commissioners of High Court of Delegates - - - -	
	4,282	0	0	For Salaries, &c. of Insolvent Debtors Court, Ireland	
	4,105	0	0	For Court of Probate, &c., Ireland - -	
	4,211	0	0	For Landed Estates Court, Ireland - -	
	450	0	0	For Revising Barristers, Dublin - - -	
	300	0	0	For Salary of Clerk to Court of Errors, Ireland -	
	1,100	0	0	For Salaries of Police Justices, Dublin -	
	31,378	0	0	For Metropolitan Police, Dublin - -	
	450,768	0	0	For Constabulary Force, Ireland - -	
	1,597	0	0	For Four Courts Marshalsea, Dublin - -	
	13,038	0	0	For General Superintendence of Prisons, &c. -	
	250,154	0	0	For Government Prisons and Convict Establishments at home - - - -	
	177,544	0	0	For Maintenance of Prisoners and Removal of Convicts - - - -	
	25,111	0	0	For Transportation of Convicts - - -	
	159,399	0	0	For Convict Establishments in the Colonies -	
				CIVIL SERVICES.—*Class* 4.	
XVIII.	586,920	0	0	For Public Education, Great Britain - -	
	63,394	0	0	For Department of Science and Art, &c. -	
	169,468	0	0	For Public Education, Ireland - - -	
	655	0	0	For Secretary, &c. of Commissioners of Education, Ireland - - - - -	

Consolidated Fund (Appropriation).

	£3,650	0	0	For University of London - - -	
	7,650	0	0	For Scottish Universities - - -	
	1,297	0	0	For Queen's University, Ireland - -	
	2,800	0	0	For Queen's Colleges, Ireland - - -	
	500	0	0	For Royal Irish Academy - - -	
	1,500	0	0	For Theological Professors, Retired Allowances, &c., Belfast - - - - -	
	47,425	0	0	For Salaries, &c. at British Museum - -	
	12,270	0	0	For New Buildings, &c. British Museum -	
	15,985	0	0	For National Gallery - - - -	
	6,439	0	0	For Magnetic Observations abroad, &c. - -	
	500	0	0	For Royal Geographical Society - - -	
	1,000	0	0	For Experiments by Royal Society - -	
				CIVIL SERVICES.—*Class 5.*	
§ XIX.	4,050	0	0	For Civil Establishment, Bermudas - -	
	6,628	0	0	For Ecclesiastical Establishments, British North American Provinces - - - -	
	2,342	0	0	For Indian Department, Canada - - -	
	42,998	0	0	For British Columbia - - - -	
	24,728	0	0	For Salaries of West Indian and Colonial Governors - - - - -	
	19,350	0	0	For Stipendiary Justices in West Indies and Mauritius - - - - -	
	10,230	0	0	For Civil Establishments, West Coast of Africa -	
	6,533	0	0	For St. Helena - - - - -	
	960	0	0	For Heligoland - - - - -	
	2,067	0	0	For Falkland Islands - - - -	
	4,299	0	0	For Labuan - - - - -	
	12,708	0	0	For Emigration Board and Officers - -	
	13,000	0	0	For Support of captured Negroes and liberated Africans - - - - -	To 31st March 1860.
	11,050	0	0	For Mixed Commissions for suppressing the Slave Trade - - - - - -	
	76,404	0	0	For Consular Establishments abroad - -	
	67,363	0	0	For Establishments in China, Japan, and Siam -	
	20,000	0	0	For Extraordinary Disbursements of Embassies and Missions abroad - - - -	
				CIVIL SERVICES.—*Class* 6.	
XX.	121,989	0	0	For Superannuation Allowances, and Compensations, Public Service - - - -	
	1,170	0	0	For Toulonese and Corsican Emigrants, &c. -	
	325	0	0	For the Refuge for the Destitute - -	
	3,428	0	0	For Polish Refugees, &c. - - -	
	4,176	0	0	For Miscellaneous Allowances formerly defrayed from Civil List, &c. - - - -	
	1,717	0	0	For Treasurers of Public Infirmaries, Ireland -	
	2,600	0	0	For Westmoreland Lock Hospital - -	
	500	0	0	For Rotunda Lying-in Hospital - - -	
	100	0	0	For Coombe Lying-in Hospital - - -	
	5,600	0	0	For Hospitals of House of Industry - -	
	1,500	0	0	For House of Recovery and Fever Hospital, Cork Street - - - - - -	
	400	0	0	For Meath Hospital - - - -	
	50	0	0	For St. Mark's Ophthalmic Hospital - -	
	950	0	0	For Dr. Steevens' Hospital - - -	
	165	0	0	For Board of Superintendence of Hospitals, Dublin - - - - -	
	5,931	0	0	For Charitable Allowances charged on Concordatum Fund, &c. - - - -	
	29,193	0	0	For Nonconforming, &c. Ministers in Ireland -	

Consolidated Fund (Appropriation).

CIVIL SERVICES.—*Class 7.*

XXI.	£3,588	0	0	For Ecclesiastical Commissioners	To 31st March 1860.
	11,695	0	0	For Charity Commission	
	3,965	0	0	For Local Government Office	
	23,914	0	0	For sundry temporary Commissions	
	20,095	0	0	For Fees, &c. under Patent Law Amendment Act	
	9,254	0	0	For Board of Fisheries, Scotland	
	1,000	0	0	For Annuity to Board of Manufacturers, Scotland	
	5,000	0	0	For Highland Roads and Bridges	
	900	0	0	For Publication of Ancient Laws of Ireland	
	58,700	0	0	For Pensions to Masters, &c. of Merchant Service	
	15,000	0	0	For distressed British Seamen abroad	In the Year ending 31st March 1860.
	4,000	0	0	For Quarantine Arrangements	To 31st March 1860.
	40,000	0	0	For Dues payable under Treaties of Reciprocity	
	15,000	0	0	For Bounties on Slaves and Slave Vessels captured	
	36,700	0	0	For Lighthouses abroad	
	1,000	0	0	For Officers employed settling Orange River Territory	In the Year ending 31st March 1860.
	40,000	0	0	For Improvement of Kaffirs, and Government of British Kaffraria	
	59,215	0	0	For Expenses on account of Treasury Chest	To 31st March 1860.
	30,000	0	0	For Submarine Telegraph Companies	In the Year ending 31st March 1860.
	12,000	0	0	For Expedition to River Niger, &c.	
	7,949	0	0	For Expedition to River Zambesi	
	4,700	0	0	For Inspectors of Corn Returns	To 31st March 1860.
	1,046	0	0	For Registration of Joint Stock Companies	
	703	0	0	For Registration of Designs Office	
	11,850	0	0	For Revising Barristers	
	1,332	0	0	For Constabulary Police at Aldershott and Shorncliffe	
	3,000	0	0	For Inspection of Burial Grounds	
	2,000	0	0	For Gallery of Portraits	In the Year ending 31st March 1860.
	2,050	0	0	For defining Boundaries of Counties, Ireland	
	2,140	0	0	For Agricultural and Emigration Statistics, Ireland	
	23,000	0	0	For Site for new Courts of Law, Four Courts, Dublin	
	1,300	0	0	For Pitcairn Islanders	To 31st March 1860.
	11,440	0	0	For additional Accommodation for General Register House, Edinburgh	In the Year ending 31st March 1860.
	2,000	0	0	For Purchase of Sir G. Hayter's Picture	
	1,060	0	0	For Gun Metal for Statues, &c.	
	9,988	0	0	For new Rooms, South Kensington Museum	
	5,000	0	0	For W. H. Barber.	
	1,000	0	0	For Repair of Carisbrook Castle	In the Year ending 31st March 1860.
	6,000	0	0	For Improvements at King's College, Aberdeen	
	11,500	0	0	For Improvements at Windsor	
	60,000	0	0	For new Westminster Bridge	
	40,000	0	0	For Approaches to Westminster Bridge	
	100,000	0	0	For Site for new Foreign Office	
	30,000	0	0	For new Foreign Office	
	1,650	0	0	For Pedestal for a Statue	
	5,641	0	0	For Architect, &c. to Office of Works.	
	17,000	0	0	For cleansing the Serpentine	In the Year ending 31st March 1860.
	12,000	0	0	For Crinan Canal	
	135,000	0	0	For Submarine Telegraph to Gibraltar	
	10,000	0	0	For Coinage of Mixed Metal	

XXII. Repeal of Part of 22 Vict. c. 23. Sums granted to be applied as directed by this or recited Act.

XXIII. Expenditure for Navy and Army Services respectively to be confined to the separate Services for which granted.

Treasury may, on Application, alter the proportionate Amounts for such separate Services, provided the total Grant to each Department be not exceeded.

§ XXIV. Rules to be observed in the Application of the Sums appropriating Half Pay.
Not to prevent the receiving of Half Pay under any Act relating to the General or Local Militia, &c.
Paymaster General, by Permission of the Treasury, may issue Half Pay to Officers appointed to Civil Offices since July 1828.
An Account of the Number of Officers so receiving Half Pay to be laid before Parliament annually.
XXV. Treasury may authorize Military Officers in Civil Employments to receive Half Pay in certain Cases.
XXVI. Half Pay Allowances to Chaplains of Regiments not holding Ecclesiastical Benefices derived from the Crown.
XXVII. Widows, &c. claiming Pensions to make required Declaration.
XXVIII. Declarations to be made as specified in 5 & 6 W. 4. c. 62.

CAP. LVI.

An Act to amend the Act of the Fifth and Sixth Years of King *William* the Fourth, Chapter Sixty-three, relating to Weights and Measures. [13th *August* 1859.]

5 & 6 W. 4. c. 63.

'WHEREAS it is expedient that the Act passed in the Session holden in the Fifth and Sixth Years of the Reign of King *William* the Fourth, Chapter Sixty-three, intituled *An Act to repeal an Act of the Fourth and Fifth Years of His present Majesty, relating to Weights and Measures, and to make other Provisions instead thereof*, should be amended:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Imperial Standards of Weights and Measures when to be adjusted.

I. No Model or Copy of any of the Imperial Standards of Weights shall be deemed legal, or used for the Purpose of enforcing the Provisions of this Act or the Act passed in the Session holden in the Fifth and Sixth Years of the Reign of King *William* the Fourth, Chapter Sixty-three, unless the same have been compared or re-verified by the Comptroller General or some other Officer of the Exchequer duly authorized, within Five Years before the Time when it is so used; and no Model or Copy of any of the Imperial Standards of Measures shall be deemed legal or used for the Purposes aforesaid unless it have been compared or re-verified as aforesaid within Ten Years before the Time when it is so used, or, in any County containing more than One District for the Inspection of Weights and Measures, unless such Model or Copy have been compared by the Inspector of Weights and Measures in the District in which it is used, in the Presence of One Justice of the County, with a Model or Copy of the Imperial Standard of Weight duly compared and verified at the Exchequer within Five Years of its being so used, and found on such Comparison by such Inspector to be correct, or with a Model or Copy of the Imperial Standard of Measure duly compared and verified at the Exchequer within Ten Years of its being so used, and found on such Comparison by such Inspector to be correct; and the Expenses incurred in and about such Comparison or Re-verification of any such Model or Copy of any Imperial Standard of Weight or Measure shall in all Cases be paid in the same Manner and out of the same Funds as is provided for the procuring of such Models and Copies.

Penalty for making and selling false Beams and Scales or Weights, &c.

II. No Person shall wilfully or knowingly make or sell, or cause to be made or sold, any false or unjust Beam, Scale, or Balance, or any light or unjust Weight or Measure; and every Person who shall commit any such Offence shall upon being convicted thereof forfeit and pay any Sum not exceeding Ten Pounds as shall be adjudged by the Justice, Sheriff, or Magistrate before whom any such Conviction shall take place.

Power to Inspectors to inspect Beams, Scales, &c. in possession of Persons selling in the public Streets.

III. It shall be lawful for every Inspector of Weights and Measures, or other Person or Persons duly appointed to inspect Weights and Measures, at all reasonable Times to inspect all Beams, Scales, and Balances, and Weights and Measures, in the Possession of any Person selling, offering, or exposing for Sale any Goods on any open Ground, or in any public Street, Lane, Thoroughfare, or other open Place; and if upon such Inspection or Examination any such Beams, Scales, or Balances, or Weights or Measures, shall be found light or unjust, or otherwise contrary to the Provisions of this Act or the herein-before recited Act, or if any Fraud be wilfully committed in the using thereof, the same shall be liable to be seized and forfeited, and the Person or Persons using or having in his or her Possession any such false or unjust Beams, Scales, or Balances, or light or unjust Weights or Measures, shall be liable to any Penalty not exceeding Five Pounds.

Municipal Corporations to appoint Inspectors of Weights and Measures.

IV. 'And whereas Doubts have arisen as to the Authority by or under which Inspectors and 'Examiners of Weights and Measures in certain Municipal Boroughs have been heretofore authorized 'and appointed:' Be it therefore enacted, That the Town Councils of all Municipal Boroughs in *England* and *Wales* incorporated under the Provisions of the Statute passed in the Fifth and Sixth Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to provide for the Regulation of Municipal Corporations in* England *and* Wales, or any Act for the Amendment thereof, to which a separate Court of Quarter Sessions has been granted, shall have respectively, and they are hereby

hereby authorized and empowered henceforth to use and exercise, solely within their respective Boroughs, all and every the Powers and Authorities concerning Weights and Measures, and the providing of Copies of the Imperial Standard Weights and Measures verified and stamped at the Exchequer, and the Inspection, Examination, and Seizure of all unjust Weights and Measures, and the Appointment and Authorization of such Inspectors and Examiners, as are by Law now vested in, used, and exercised by, any Justices of the Peace assembled at their General or Quarter Sessions in any County in *England* and *Wales*, within the Limits of their Commission, under or by virtue of the Statute passed in the Fifth and Sixth Years of the Reign of His said late Majesty, intituled *An Act to repeal an Act of the Fifth and Sixth Years of His present Majesty, relating to Weights and Measures, and to make other Provisions instead thereof*, or under or by virtue of any other Law or Statute whatsoever; and that such Inspectors and Examiners so appointed by such Town Councils as aforesaid, and duly authorized by Warrant or other Authority in Writing under the Hand of the Mayor of any such Borough for the Time being, and under the Corporate Common Seal of any such Town Council as aforesaid, shall have, possess, and exercise the same or the like Powers of entering Shops, Stores, Warehouses, Manufactories, Stalls, Yards, and Places, within any such Borough, and of examining, comparing, trying, and seizing any such Weights or Measures, as are now had, possessed, or exercised by any Inspectors or Examiners authorized or appointed in Counties by such Justices as aforesaid, under or by virtue of the Statute lastly herein-before referred to, or under or by virtue of any Law or Statute whatsoever; and all the Penal and other Provisions of such Statute or of any such Statutes, so far as they are not repugnant to or inconsistent with this Enactment, shall apply to all such Boroughs, Town Councils, Inspectors, and Examiners respectively, and to all Weights and Measures used or to be used in such Boroughs respectively, and to the Examination, Comparison, Trial, and Seizure thereof; and every such Council shall and lawfully may pay from Time to Time to such Inspectors and Examiners so appointed by them respectively, out of the Borough Funds or Borough Rates of such Boroughs respectively, such Salaries, Wages, or Allowances as each such Council respectively shall deem reasonable, and also out of the same Funds or Rates shall pay and defray all Costs incidental to the providing of the said Copies of the Imperial Standard Weights and Measures, and of carrying out the said last-mentioned Act and this Act within such Boroughs; and all Fees, Penalties, and Monies which but for this Act would have been payable to the County Stock or Fund shall be paid into and go in aid of the Borough Fund of such Borough: On the Exercise of any of such Powers by the Town Council of any such Municipal Borough, and on written Notice under the Corporate Common Seal of such Borough being given of the Exercise of any of such Powers to the Clerk of the Peace of the County, Riding, or Division in which such Borough shall be situate, and after the Expiration of One Calendar Month from the Day on which such Notice shall be given or left at the Office of the said Clerk of the Peace, all the Powers and Authorities of all Inspectors or Examiners appointed by the Justices of the Peace at their General Quarter Sessions of the Peace for such County, Riding, or Division shall, as to such Borough, and all Weights and Measures therein, cease and be absolutely at an End.

5 & 6 W. 4. c. 63.

V. 'And whereas since the passing of the said Act Measures for Liquids have been constructed with 'a small Window or transparent Part through which the Contents, whether to the Brim or to any other 'Index thereof, may be seen without Impediment, and the Use of such Measures by Publicans and 'others in the Retail of Malt Liquors and Spirits and other excisable Liquids would be attended with 'Advantage both to the Purchaser and Seller:' Be it therefore further enacted, That Measures for such Liquids which correspond in Capacity with the Standards, or Parts or Multiples thereof, respectively deposited in the Exchequer, although such Measures may be made partly of Copper or other Metal and partly of Glass or other transparent Medium, may be examined, compared, and stamped by all Inspectors of Weights and Measures, anything in the said recited Act to the contrary notwithstanding: That Measures for such Liquids, the Capacity of which shall exceed the Standard or Parts or Multiples of the respective Imperial Standard Measures deposited in the Court of Exchequer, but which shall have the Capacity of such Standards or Parts or Multiples thereof respectively indicated by a level Line drawn through the Centre of the Window or transparent Part, although such Measures may be made partly of Copper or other Metal and partly of Glass or other transparent Medium, may be examined, compared, and stamped by all Inspectors of Weights and Measures, anything in the said recited Act to the contrary notwithstanding.

Inspectors authorized to stamp Measures although made partly of Glass, &c.

VI. It shall be lawful for the Owners or Managers of any public Market where Goods are exposed or kept for Sale, and they are hereby required, to provide proper Beams, Scales, and Balances, and Weights and Measures, or other Machines, for the Purpose of weighing or measuring all Goods sold, offered, or exposed for Sale in any such Market, and to deposit the same at the Office of the Clerk or Toll Collector of such Market, or some other convenient Place, and to have the Accuracy of all such Beams, Scales, and Balances, and Weights and Measures, or other Machines, tested at least Twice in every Year by the Inspector of Weights and Measures of and for the County or District where any such Market is situate; and all Expenses attending the Purchase thereof, and for adjusting and testing the same, shall be paid out of the Monies collected for Tolls in any such Market; and such Clerk or Toll Collector shall at all reasonable Times, whenever called upon so to do, weigh or measure all Goods which shall have been sold, offered, or exposed for Sale in any such Market, upon Payment of such reasonable Sum

Owners of Markets to provide Beams, Scales, &c.

or Sums of Money as shall from Time to Time be decided upon by the said Owners or Managers, subject to the Approval and Revision of the Justices in General or Quarter Session assembled if such Market be in *England*, or of the Sheriff if it be in *Scotland*.

Power to Clerks of Markets to inspect Goods sold, &c., and if Weighing found deficient to summon the Offender.

VII. It shall be lawful for every Clerk or Toll Collector of any public Market, at all reasonable Times, to weigh or measure all Goods sold, offered, or exposed for Sale in any such Market; and if upon such weighing or measuring any such Goods shall be found deficient in Weight or Measure, or otherwise contrary to the Provisions of this Act or the herein-before recited Act, every such Clerk or Toll Collector is hereby authorized and required to summon the Person selling, offering, or exposing for Sale, or causing to be sold, offered, or exposed for Sale, any such Goods before any Justice, Sheriff, or Magistrate having Jurisdiction in the County or District where any such Market is situate; and every such Justice, Sheriff, or Magistrate shall, upon Proof thereof, convict the Offender or Offenders in the respective Penalties by this Act or the said recited Act imposed, and shall from Time to Time award to any such Clerk or Toll Collector such reasonable Remuneration (to be paid out of the said Penalties) as to him shall seem fit.

Penalties.

VIII. For every Offence against or Disobedience to the Provisions of this Act or the herein-before recited Act for which no special Penalty is provided, the Offender shall, at the Discretion of the Justice, Sheriff, or Magistrate before whom any such Conviction shall take place, be liable to any Penalty not exceeding Five Pounds, as shall be adjudged by such Justice, Sheriff, or Magistrate.

Act how to be construed.

IX. This Act shall be construed and taken together with the said recited Act of the Fifth and Sixth Years of the Reign of King *William* the Fourth, so far as the Provisions of the same are consistent herewith: Provided always, that nothing herein contained shall be construed or taken to apply to any Action or Proceeding now pending or which may be commenced previous to this Act coming into operation.

Not to abridge the Power of the Leet Jury, &c.

X. Provided always, and be it enacted, That nothing in this Act contained shall extend, or be construed to extend, to supersede, limit, take away, lessen, or prevent the Authority which any Person or Persons, Bodies Politic or Corporate, or any Person appointed at any Court Leet for any Hundred or Manor, or any Jury or Ward Inquest may have or possess for the examining, regulating, seizing, breaking, or destroying any Weights, Balances, or Measures, or Goods deficient in Weight or Measure, within their respective Jurisdictions, and presenting the same at the Court Leet, or the Power given by any Act or Acts now in force to Justices or other Authorities to appoint Examiners for the Inspection of Weights and Measures.

Powers of Universities to remain in force.

XI. The Powers heretofore lawfully belonging to the Universities of *Oxford* and *Cambridge* respectively shall continue in full Force anything in this Act contained notwithstanding.

Extent of Act.

XII. This Act shall not extend to *Ireland*.

CAP. LVII.

An Act limiting the Power of Imprisonment for Small Debts exercised by the County Court Judges. [13th *August* 1859.]

'WHEREAS it is expedient to limit the Power of Imprisonment by Judges of County Courts:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same:

Power of Committal by County Court Judges under 9 & 10 Vict. c. 95. s. 98. not to be exercised unless Credit obtained by Fraud.

I. That if a Party summoned under and by virtue of the Act of the Ninth and Tenth *Victoria*, Chapter Ninety-five, Section Ninety-eight, shall not attend as required by such Summons, or allege a sufficient Excuse for not attending, it shall not be lawful for the Judge before whom such Party shall have been so summoned to order that such Party shall be committed to Prison, unless it shall appear to the Satisfaction of such Judge that such Party, if a Defendant, in incurring the Debt or Liability which is the Subject of the Action in which Judgment has been obtained, has obtained Credit from the Plaintiff under false Pretences, or by means of Fraud or Breach of Trust, or has wilfully contracted such Debt or Liability without having had at the same Time a reasonable Expectation of being able to pay or discharge the same, or shall have made or caused to be made any Gift, Delivery, or Transfer of any Property, or shall have charged, removed, or concealed the same with Intent to defraud his Creditors or any of them, or has then or has had since the Judgment obtained against him sufficient Means and Ability to pay the Debt or Damages or Costs so recovered against him, either altogether, or by any Instalment or Instalments which the Court in which the Judgment was obtained shall have ordered, and shall have refused or neglected to pay the same.

CAP. LVIII.

An Act to empower the Commissioners of Her Majesty's Works and Public Buildings to acquire additional Space for the Western Approach to *Westminster* New Bridge. [13th *August* 1859.]

'WHEREAS by the *Westminster* Bridge Act, 1853, after reciting, among other Things, that it was 'necessary that a new Bridge at *Westminster* should be constructed, and that it was expedient 'that the Construction of such new Bridge, and of the necessary and proper Approaches thereto, should be 'intrusted

'intrusted to the Commissioners of Her Majesty's Works and Public Buildings, and that for that Purpose 'the then existing Bridge, together with the *Westminster* Bridge Estate therein mentioned, should be 'transferred to and vested in the said Commissioners, the Commissioners of Her Majesty's Works and 'Public Buildings for the Time being were by the said Act incorporated by the Name and Style of 'The Commissioners of Her Majesty's Works and Public Buildings, in order to enable them to carry 'into effect and execute the several Objects, Powers, and Purposes of the Act now in recital; and by 'the said Act the said then existing Bridge and the said *Westminster* Bridge Estate were vested in the 'said Commissioners, and certain Powers of acquiring by compulsory Purchase or otherwise the 'Hereditaments specified in the Second Schedule thereto, together with certain other Powers in 'the said Act now in recital mentioned or referred to, were thereby either expressly or by reference to 'a certain other Act therein cited given to the said Commissioners of Her Majesty's Works and Public 'Buildings, and certain other Provisions, Directions, and Enactments in aid of the Objects and Purposes 'of the Act now in recital were therein expressly or by reference to other Acts contained and enacted: 'And whereas the said intended new Bridge is now in course of Construction, and it would be of great 'public Utility if the Western Approach to the said new Bridge was widened and improved: And 'whereas a Map or Plan describing the Hereditaments to be acquired by the said Commissioners under 'the Authority of this Act has been prepared under the Direction of the Commissioners:' May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Commissioners constituted a Corporation for the Purposes of this Act.

I. That for the Purposes of this Act, and of all Matters and Things hereby authorized to be done under the Authority of this Act, the Commissioners of Her Majesty's Works and Public Buildings for the Time being shall be and they are hereby constituted a Corporation, by the Name and Style of "The Commissioners of Her Majesty's Works and Public Buildings," in order to enable them to carry into effect and execute the several Objects, Powers, and Purposes of this Act, and by that Name, and for the Purposes of this Act, they shall have perpetual Succession, and use a Common Seal, which may be by them from Time to Time altered as they shall think fit, and shall and may sue and be sued, implead and be impleaded, and take Land and Hereditaments to them and their Successors for ever for the Purposes of this Act.

Plan to be deposited in the Office of Works, &c., and be open for Inspection.

II. The said Map or Plan describing the Hereditaments to be acquired by the Commissioners under the Authority of this Act shall be deposited at the Office of the Commissioners of Her Majesty's Works and Public Buildings, and shall remain at the said Office, to the end that all Persons may, at all seasonable Times, have Liberty to inspect and peruse the same at their Will and Pleasure, paying the Sum of One Shilling for every such Inspection.

Powers and Provisions of 16 & 17 Vict. c. 46. extended to this Act.

III. All the Powers by the said *Westminster* Bridge Act, 1853, either expressly or by reference to the Acts therein cited, or either of them, given to the said Commissioners of Her Majesty's Works and Public Buildings with regard to the Hereditaments specified in the Second Schedule to the said *Westminster* Bridge Act, 1853, shall be given to and are hereby vested in the said Commissioners of Her Majesty's Works and Public Buildings with regard to the Hereditaments specified in the Schedule hereto, and all the Provisions, Directions, and Enactments in the said *Westminster* Bridge Act, 1853, either expressly or by reference to the other Acts therein cited, or either of them, contained (except as herein otherwise specially provided for), shall be construed in all respects as if the Hereditaments specified in the Schedule hereto had been specified in the Second Schedule to the said *Westminster* Bridge Act, 1853: Provided always, that nothing herein contained or referred to shall authorize the said Commissioners of Her Majesty's Works and Public Buildings to exercise any compulsory Powers for taking any of the Hereditaments specified in the Schedule hereto beyond the Period of Five Years from the passing of this Act, but during such Period such Powers shall continue in force.

Price, &c. paid for Hereditaments, to be paid out of Monies provided by Parliament.

IV. The Price or Consideration which may be payable by the said Commissioners for any of the Hereditaments to be purchased or acquired by them under the Authority or for the Purposes of this Act, and also the Costs and Expenses incident to such Purchases, or which may be incurred by them in widening and improving the Approaches to the said new Bridge, shall be paid and defrayed out of such Monies as Parliament may provide and place at the Disposal of the said Commissioners for those Purposes.

Costs and such Sum as Jury may find, to be paid to Person obtaining Judgment in lieu of Premises.

V. If any Proceedings shall be taken for the Recovery of the Possession of any Hereditaments purchased or taken for the Purposes of this Act, or of the said *Westminster* Bridge Act, 1853, then within Two Months after any Judgment shall be obtained by any Person for the Recovery of the Possession of any such Premises there shall be paid or tendered to any Person so obtaining such Judgment, in lieu of such Premises, his Costs on any Proceeding for the obtaining such Judgment, together with such Sum of Money as a Jury shall in the Manner herein-after mentioned find to have been the Value of the said Premises at the Time when the same were conveyed for the Purposes of this Act, or the said *Westminster* Bridge Act, 1853, as the Case may be, or when Possession thereof was taken as aforesaid, and the Jury who shall try any Proceeding brought for the Recovery of the Possession of any Premises as aforesaid shall at the same Time ascertain the Value of such Premises at the Time when they were conveyed for the Purposes of this Act, or the said *Westminster* Bridge Act,

1853, or when Possession was taken thereof, and the Value so found shall be certified by the presiding Judge under his Hand, and such Certificate shall be delivered to the Person seeking to recover Possession of the same Premises; and such Value shall be the Amount to be paid in lieu of the said Premises, and the same shall be paid by the Commissioners out of Monies in their Hands applicable for the Purposes of this Act or the said last-mentioned Act, as the Case may be, and the said Hereditaments, the Possession whereof was so sought to be recovered, shall remain vested in the Commissioners and their Successors for the Purposes of this Act, or the said last-mentioned Act, as the Case may be, such Amount or Value being taken and accepted in lieu thereof.

Deeds to be enrolled in the Court of Exchequer.

VI. Every Conveyance, Assignment, or other Deed or Instrument whereby any of the Land by this Act or by "The *Westminster* Bridge Act, 1853," authorized to be purchased, shall be conveyed or assigned to the Commissioners of Her Majesty's Works and Public Buildings for the Purposes of this Act, shall be enrolled amongst the Records of Her Majesty's Court of Exchequer, and entered in the Books of the said Commissioners; and every such Conveyance, Assignment, or other Deed or Instrument when so enrolled shall, without any other Enrolment or Acknowledgment thereof, and without any Registry thereof, be as good and available in the Law, and of the like Force and Effect in all respects, and to all Intents and Purposes, as if the same or a Memorial thereof had been registered in the Office appointed for Registering Deeds and other Conveyances of Land and Tenements in the County of *Middlesex*, any Act of Parliament, Law, Practice, or Usage to the contrary in anywise notwithstanding.

Short Title.

VII. It shall be sufficient for all Purposes to cite this Act as "The *Westminster* Bridge Act, 1859."

The SCHEDULE referred to in the foregoing Act.

Westminster New Bridge (Western Approach).

Parish of St. Margaret, Westminster, in the County of Middlesex.

No. on Plan.	No. in Street.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
			Parliament Street.		
1	32	Dwelling House, part of Fendall's Hotel.	Sir Charles Montolieu Lamb, Archibald Lamb, The Earl of Eglington, Sir Frederick Leopold Arthur, Bart., Henry Danby Seymour.	Charles Brumfit -	Charles Brumfit.
2	33	Dwelling House and Shop.		Edward Milns -	Edward Milns.
			Bridge Street.		
3	14	Dwelling House; other part of Fendall's Hotel.	- - -	Charles Brumfit -	Charles Brumfit.
4	15	Dwelling House and Shop; the Exchequer Cigar Divan.	- - -	Charles Ritchie, Charles Brumfit.	Charles Brumfit.
5	16	Dwelling House and Shop.	Sir Charles Montolieu Lamb, Archibald Lamb, The Earl of Eglinton, Sir Frederick Leopold Arthur, Bart., Henry Danby Seymour.	William Henry Pope Rowe.	William Henry Pope Rowe. Robert Gadsden.
6	17	Dwelling House; part of the King's Arms Hotel.		- - -	Charles Gibbons.
7	18	Dwelling House and Shop.		Morris Despland Roux.	Morris Despland Roux.
8	19	Dwelling House and Shop.	- - -	William Fry -	William Fry.
9	20	Dwelling House and Shop.	- - -	Henry Lucas -	Henry Lucas.
10	21	Dwelling House; The Horseshoe and Magpie, P.H.	John Lettsom Elliot; James Watney.	- - -	William Painter.

Westminster New Bridge.

No. on Plan.	No. in Street.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
			Bridge Street—continued.		
11	22	Dwelling House and Shop.	William Aldwin Soames.	William Painter -	William Painter.
12	23	Dwelling House and Shop.	Jacob Cole -	- - -	Jacob Cole, Henry Thomas Cole.
13	24	Dwelling House and Shop.	William Aldwin Soames.	William Darke -	John Fill, Lazarus Leopard.
14	25	Dwelling House and Shop.	Susan Newman -	William Darke -	Lazarus Leopard, Samuel James John Hind, Secretary for the Schoolmasters and General Mutual Assurance Society, Samuel James John Hind.
15	26	Dwelling House and Shop.	Sir Archer Denman Croft, Bt., Charles Lane, Trustees of the Will of Mrs. Martha Henshaw, deceased.	William Wybroo -	William Wybroo.
16	27	Dwelling House and Shop.	William Aldwin Soames.	Edmund David Fitzgerald, Maria Fitzgerald.	Edmund David Fitzgerald, Maria Fitzgerald.
17	28	Dwelling House; the Oliver's Coffee House.	The Trustees of the Charity Estate of the Parish of St. Sepulchre, in the City of London, called "Newcastle Gift."	John Denton -	John Denton.
			New Palace Yard.		
18	1	Dwelling House, other Part of Fendall's Hotel.	- - -	Charles Brumfit -	Charles Brumfit.
19	2 & 3	Dwelling House; other Part of the King's Arms Hotel.	Sir Charles Montolieu Lamb, Archibald Lamb, The Earl of Eglinton, Sir Frederick Leopold Arthur, Bart., Henry Danby Seymour.	- - -	Charles Gibbons.
20	4	Dwelling House and Offices.		William Bryden -	William Bryden, James Noel Hooke Robinson.
21	5	Dwelling House and Offices.		John Baldry Redman.	John Baldry Redman.
22	6	Dwelling House -	- - -	Hester Bray Corbyn	Hester Bray Corbyn.
23	7	Dwelling House and Offices.	The Trustees of the Charity Estate of the Parish of Saint Sepulchre, in the City of London, called "Newcastle Gift."	Thomas Knox Holmes, James Anton, Walter Turnbull.	James Parker Deane, Sir John Dorney Harding, Charles Morris Merttins Swabey, Thomas Spinks.
24	8	Dwelling House and Offices.	William Aldwin Soames.	Alexander Woodlands Makinson.	Alexander Woodlands Makinson, Edward Woods.
25	9	Dwelling House and Offices.	William Aldwin Soames.	Adam Clarke Hook, Charles Ritchie, Edward Bernard Neill.	Edward Bernard Neill.

Westminster New Bridge. *Railway Companies Arbitration.*

No. on Plan.	No. in Street.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
			New Palace Yard—continued.		
26	10	Dwelling House and Offices.	John Taylor, Eliza Gibbons, Robert Gibbons.	Theodore Martin -	Theodore Martin.
27	11	Dwelling House and Offices	Catharine Haggitt -	Samuel Cook Frankish, Robert Galland.	Samuel Cook Frankish, Robert Galland.
28	„	Public Street or Way	The Board of Works for the Westminster District.	- -	The Board of Works for the Westminster District, the Chartered Gas Light Company, the Chelsea Waterworks Company, the Public.
29	„	Public Street or Way	The Commissioners of Her Majesty's Works and Public Buildings.	-	The Commissioners of Her Majesty's Works and Public Buildings, the Chartered Gas Light Company, the Chelsea Waterworks Company, the Public.

CAP. LIX.

An Act to enable Railway Companies to settle their Differences with other Companies by Arbitration. [13th *August* 1859.]

FOR the better providing for the Settlement by Arbitration of Matters in which Railway Companies in the United Kingdom are mutually interested, be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; (that is to say,)

Short Title. "Railway Companies."

I. This Act may for all Purposes be cited as "Railway Companies Arbitration Act, 1859;" and the Expression "Railway Companies" in this Act extends to and includes all Persons being the Owners or Lessees of, and all Contractors working any Railway upon which Steam Power is used.

Power for Railway Companies to refer Matters to Arbitration.

II. Any Two or more Railway Companies, whether already or hereafter incorporated (in this Act called "the Companies"), from Time to Time, by Writing under their respective Common Seals, may agree to refer and may refer to Arbitration, in accordance with this Act, any then existing or future Differences, Questions, or other Matters whatsoever in which they then are or thereafter shall be mutually interested, and which they might lawfully settle or dispose of by Agreement between themselves, and may delegate to the Person or Persons to whom the Reference is made any Power to determine all or any of the Terms of any Contract to be made between the Companies which the Directors of the Companies respectively might lawfully delegate to any Committees of themselves respectively.

Power to alter or revoke Agreements for Reference.

III. The Companies jointly, but not otherwise, from Time to Time, by Writing under their respective Common Seals, may add to, alter, or revoke any Agreement for Reference in accordance with this Act theretofore entered into between the Companies, or any of the Terms, Conditions, or Stipulations thereof.

Agreements to be carried into effect.

IV. Every Reference or Agreement in accordance with this Act, except so far as it is from Time to Time revoked or modified in accordance with this Act, shall bind the Companies, and may and shall be carried into full Effect.

Reference.

V. Where the Companies agree, the Reference shall be made to a single Arbitrator.

Reference to Two or more Arbitrators.

VI. Except where the Companies agree that the Reference shall be made to a single Arbitrator, the Reference shall be made as follows; to wit,

Where there are Two Companies the Reference shall be made to Two Arbitrators.

Where there are Three or more Companies the Reference shall be made to so many Arbitrators as there are Companies.

Appointment of Arbitrators by Companies.

VII. Where there are to be Two or more Arbitrators, every Company shall by Writing under their Common Seal appoint one of the Arbitrators, and shall give Notice in Writing thereof to the other Company or Companies.

VIII. Where

Appointment of Arbitrators by Board of Trade.

VIII. Where there are to be Two or more Arbitrators, if any of the Companies fail to appoint an Arbitrator within Fourteen Days after being thereunto requested in Writing by the other Company, or by the other Companies or any of them, then, on the Application of the Companies or any of them, the Board of Trade, instead of the Company so failing to appoint an Arbitrator, may appoint an Arbitrator; and the Arbitrator so appointed shall for the Purposes of this Act be deemed to be appointed by the Company so failing.

Appointment of Arbitrators by Companies to supply Vacancies.

IX. When the Reference is made to Two or more Arbitrators, if before the Matters referred to them are determined any Arbitrator dies, or becomes incapable or unfit, or for Seven consecutive Days fails to act as Arbitrator, the Company by which he was appointed shall by Writing under their Common Seal appoint an Arbitrator in his Place.

Appointment of Arbitrators by Board of Trade to supply Vacancies.

X. Where the Company by which an Arbitrator ought to be appointed in the Place of the Arbitrator so deceased, incapable, unfit, or failing to act, fail to make the Appointment within Fourteen Days after being thereunto requested in Writing by the other Company, or by the other Companies or any of them, then, on the Application of the Companies or any of them, the Board of Trade may appoint an Arbitrator; and the Arbitrator so appointed by the Board of Trade shall for the Purposes of this Act be deemed to be appointed by the Company so failing.

Appointment of Arbitrator not revocable.

XI. When any Appointment of an Arbitrator is made, the Company making the Appointment shall have no Power to revoke the Appointment, without the previous Consent in Writing of the other Company, or every other Company in Writing under their Common Seal.

Appointment of Umpire by Arbitrators.

XII. Where Two or more Arbitrators are appointed, they shall, before entering on the Business of the Reference, appoint by Writing under their Hands an impartial and qualified Person to be their Umpire.

Appointment of Umpire by Board of Trade.

XIII. If the Arbitrators do not appoint an Umpire within Seven Days after the Reference is made to the Arbitrators, then, on the Application of the Companies, or any of them, the Board of Trade may appoint an Umpire; and the Umpire so appointed shall for the Purposes of this Act be deemed to be appointed by the Arbitrators.

Appointment of Umpire by Arbitrators to supply Vacancy.

XIV. Where Two or more Arbitrators are appointed, if before the Matters referred to them are determined their Umpire dies, or becomes incapable or unfit, or for Seven consecutive Days fails to act as Umpire, the Arbitrators shall by Writing under their Hands appoint an impartial and qualified Person to be their Umpire in his Place.

Appointment of Umpire to supply Vacancy.

XV. If the Arbitrators fail to appoint an Umpire within Seven Days after Notice in Writing to them of the Decease, Incapacity, Unfitness, or Failure to act of their Umpire, then, on the Application of the Companies, or any of them, the Board of Trade may appoint an Umpire; and the Umpire so appointed shall for the Purposes of this Act be deemed to be appointed by the Arbitrators so failing.

Powers of succeeding Arbitrators.

XVI. Every Arbitrator appointed in the Place of a preceding Arbitrator, and every Umpire appointed in the Place of a preceding Umpire, shall respectively have the like Powers and Authorities as his respective Predecessor.

Reference to Umpire.

XVII. Where there are Two or more Arbitrators, if they do not, within such a Time as the Companies agree on, or, failing such Agreement, within Thirty Days next after the Reference is made to the Arbitrators, agree on their Award thereon, then the Matters referred to them, or such of those Matters as are not then determined, shall stand referred to their Umpire.

Power for Arbitrators, &c. to call for Books, &c., and administer Oath.

XVIII. The Arbitrator, and the Arbitrators, and the Umpire respectively may call for the Production of any Documents or Evidence in the Possession or Power of the Companies respectively, or which they respectively can produce, and which the Arbitrator, or the Arbitrators, or the Umpire shall think necessary for determining the Matters referred, and may examine the Witnesses of the Companies respectively on Oath, and may administer the requisite Oath; and in *Scotland* may grant Diligence for the Recovery of the Documents or Evidence, and for citing Witnesses, and on Application to the Lord Ordinary he may issue Letters of Supplement or other necessary Writs in support of the Diligence.

Procedure in the Arbitration.

XIX. Except where and as the Companies otherwise agree, the Arbitrator, and the Arbitrators, and the Umpire respectively may proceed in the Business of the Reference in such Manner as he and they respectively shall think fit.

Arbitration may proceed in Absence of Companies.

XX. The Arbitrator, and the Arbitrators, and the Umpire respectively may proceed in the Absence of all or any of the Companies in every Case in which, after giving Notice in that Behalf to the Companies respectively, the Arbitrator, or the Arbitrators, or the Umpire shall think fit so to proceed.

Several Awards may be made.

XXI. The Arbitrator, and the Arbitrators, and the Umpire respectively may, if he and they respectively think fit, make several Awards, each on Part of the Matters referred, instead of One Award on all the Matters referred; and every such Award on Part of the Matters shall for such Time as shall be stated in the Award, the same being such as shall have been specified in the Agreement for Arbitration, or in the event of no Time having been so specified, for any Time which the Arbitrator may be legally entitled to fix, be binding as to all the Matters to which it extends, and as if the Matters awarded on were all the Matters referred, and that notwithstanding the other Matters or any of them be not then or thereafter awarded on.

Awards made in due Time to bind all Parties.

XXII. The Award of the Arbitrator, or of the Arbitrators, or of the Umpire, if made in Writing under his or their respective Hand or Hands, and ready to be delivered to the Companies within such a Time

Time as the Companies agree on, or, failing such Agreement, within Thirty Days next after the Matters in difference are referred to (as the Case may be) the Arbitrator, or the Arbitrators, or the Umpire, shall be binding and conclusive on all the Companies.

Power for Umpire to extend Period for making his Award.

XXIII. Provided always, That (except where and as the Companies otherwise agree) the Umpire, from Time to Time by Writing under his Hand, may extend the Period within which his Award is to be made; and if it be made and ready to be delivered within the extended Time, it shall be as valid and effectual as if made within the prescribed Period.

Awards not to be set aside for Informality.

XXIV. No Award made on any Arbitration in accordance with this Act shall be set aside for any Irregularity or Informality.

Awards to be obeyed.

XXV. Except only so far as the Companies bound by any Award in accordance with this Act from Time to Time otherwise agree, all Things by every Award in accordance with this Act lawfully required to be done, omitted, or suffered, shall be done, omitted, or suffered accordingly.

Agreements, Arbitrations, and Awards to have effect.

XXVI. Full Effect shall be given by all the Superior Courts of Law and Equity in the United Kingdom, according to their respective Jurisdiction, and by the Companies respectively, and otherwise, to all Agreements, References, Arbitrations, and Awards in accordance with this Act; and the Performance or Observance thereof may, where the Courts think fit, be compelled by Distress infinite on the Property of the Companies respectively, or by any other Process against the Companies respectively or their respective Property that the Courts or any Judge thereof shall direct, and where requisite frame for the Purpose.

Costs of Arbitration and Award.

XXVII. Except where and as the Companies otherwise agree, the Costs of and attending the Arbitration and the Award shall be in the Discretion of the Arbitrator, and the Arbitrators, and the Umpire respectively.

Payment of Costs.

XXVIII. Except where and as the Companies otherwise agree, and if and so far as the Award does not otherwise determine, the Costs of and attending the Arbitration and the Award shall be borne and paid by the Companies in equal Shares, and in other respects the Companies shall bear their own respective Costs.

Submission to Arbitration to be made a Rule of Court.

XXIX. The Submission to any Arbitration in accordance with this Act may at any Time be made a Rule of any of Her Majesty's Superior Courts of Record at *Westminster*, or, as the Case may be, at *Dublin*, on the Application of any Party interested; and the Court may remit the Matter to the Arbitrator, or to the Arbitrators, or to the Umpire, with any Directions the Court think fit.

CAP. LX.

An Act to extend the Powers of an Act passed in the Thirteenth and Fourteenth Years of Her Majesty, Chapter One hundred and eleven, relating to the laying down of Railways at *Holyhead* Harbour. [13th *August* 1859.]

13 & 14 Vict. c. 111.

'WHEREAS by an Act passed in the Thirteenth and Fourteenth Years of the Reign of Her Majesty, Chapter One hundred and eleven, it was amongst other things enacted, that the Commissioners of Her Majesty's Treasury might from Time to Time as they might deem expedient authorize the *Chester and Holyhead* Railway Company to construct Works in or in connexion with the Harbours and inner Pier at *Holyhead*, or to make Communications with the said Harbours and Pier, or to lay down a Railway or Railways in the said Pier, and to make other Arrangements for facilitating the landing or embarking in and from such Harbours and Pier of Passengers, Goods, Cattle, and Merchandise, upon such Terms and subject to such Conditions as the said Commissioners might think fit: And whereas various Works for the Improvement of the said Harbour have been constructed since the passing of the said Act, and others are in progress or contemplation, including a new Harbour of Refuge and a new Steamboat Pier: And whereas the said Company have constructed a Horse Railway or Tramway for the Conveyance of the Traffic passing along the *Chester and Holyhead* Railway to and from the Harbour and Pier at *Holyhead*, and it would be of great Convenience to the Public if Power were given to the proper Authorities to permit the Use of the said Horse Railway or Tramway with Locomotive Engines:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Treasury, &c. may authorize Company to use Tramway with Locomotive Engines, with Consent of Board of Trade.

I. The Commissioners of Her Majesty's Treasury, with the Assent and during the Pleasure of the Lord High Admiral of the United Kingdom of *Great Britain* and *Ireland* or the Commissioners for executing the Office of Lord High Admiral, and of the Board of Trade, may authorize the Use of the present Horse Railway or Tramway with Locomotive Engines for such Period and on such Terms as they shall from Time to Time think fit, and the *Chester and Holyhead* Railway Company shall during such Use at all Times maintain the said Railway and Works fit for the Passage of Locomotive Engines: Provided always, that nothing in this Act contained shall extend to enable the Company to acquire any Rights in the Lands vested in the Lord High Admiral of the United Kingdom or the Commissioners for executing the Office of Lord High Admiral, or in any of the Water Frontage of the said Lands.

II. 'And

II. 'And whereas the said Railway crosses on the Level Two public Carriageroads:' Therefore, for the greater Convenience and Security of the Public, the Company shall erect and permanently maintain either a Station or Lodge at the Points where the Railway crosses the before-mentioned Roads on the Level, and the Company shall be subject to and shall abide by all such Rules and Regulations with regard to the crossing of such Roads on the Level, or with regard to the Speed at which Trains shall pass on such Roads, as may from Time to Time be made by the Board of Trade; and if the Company fail to erect or at all Times to maintain any such Station or Lodge, or to appoint a proper Person to watch or superintend the Crossing at such Point or Station, or to observe or abide by any such Rule or Regulation as aforesaid, they shall for every such Offence be liable to a Penalty of Twenty Pounds, and also to a daily Penalty of Ten Pounds for every Day such Offence shall continue after such Penalty of Twenty Pounds shall have been incurred. Station or Lodge to be erected at Points of Crossing.

III. Provided always, That nothing in this Act contained shall authorize the *Chester and Holyhead* or *London and North-western* Railway Companies to take compulsorily any Lands or any Estate or Interest therein, but it shall be lawful for any Person who by the Lands Clauses Consolidation Act, 1845, is capacitated to sell Land, to agree with the said Companies, or either of them, for the Sale and Purchase of any Land required for the Purposes of this Act, or in connexion therewith. Land, if required, to be taken by Agreement only.

IV. If there be any Owner or Occupier of any Houses or Premises adjoining the said Railway who shall complain of any Injury by the Use of Locomotive Engines on the said Railway as aforesaid, the Owner, Occupier, or other Person interested therein shall receive from the Company such Compensation for such Injury (if any) sustained by him or them as shall be determined under the Provisions of the several Sections with respect to the Settlement of Disputes by Arbitration of the Companies Clauses Consolidation Act, 1845, hereby incorporated with this Act. Compensation to Owners, &c. of Houses and Premises injuriously affected by the Alteration of the Tramway into a Railway.

CAP. LXI.

An Act to make further Provision concerning the Court for Divorce and Matrimonial Causes.

[13th *August* 1859.]

'WHEREAS it is expedient to make further Provision concerning "The Court for Divorce and Matrimonial Causes," established by the Act of the Session holden in the Twentieth and 'Twenty-first Years of Her Majesty, Chapter Eighty-five:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: 20 & 21 Vict. c. 85.

I. In addition to the Judges mentioned in Section Eight of the said Act, all the Judges for the Time being of the Courts of Queen's Bench, Common Pleas, and Exchequer respectively, not already made Judges of the Court for Divorce and Matrimonial Causes, shall be Judges of such Court. Additional Judges of the Court for Divorce.

II. The Judge Ordinary of the said Court, and Eight or more of the other Judges thereof, shall from Time to Time, by General Orders for this Purpose, appoint so many Sittings of the full Court in every Year, and at such Times as may appear to them necessary or convenient for disposing of the Matters arising in the said Court which may not be heard and determined by the Judge Ordinary alone; and the Judges of the said Court shall, by a Rota or otherwise as they may deem most convenient, make Provision for the Attendance of the requisite Number of Judges to make a full Court at the Times so appointed for the Sittings of the full Court. Judge Ordinary and Eight of the other Judges to appoint the Sittings of the full Court.

III. The Judge Ordinary shall have Place and Precedence in the said Court next after the Lord Chief Baron of Her Majesty's Court of Exchequer. Precedence of the Judge Ordinary.

IV. The Court after a final Decree of Judicial Separation, Nullity of Marriage, or Dissolution of Marriage, may upon Application (by Petition) for this Purpose make, from Time to Time, all such Orders and Provisions with respect to the Custody, Maintenance, and Education of the Children the Marriage of whose Parents was the Subject of the Decree, or for placing such Children under the Protection of the Court of Chancery, as might have been made by such final Decree or by Interim Orders in case the Proceedings for obtaining such Decree were still pending; and all Orders under this Enactment may be made by the Judge Ordinary alone or with One or more of the other Judges of the Court. The Court may make Orders as to Custody of Children after a final Decree of Separation.

V. The Court after a final Decree of Nullity of Marriage or Dissolution of Marriage may inquire into the Existence of ante-nuptial or post-nuptial Settlements made on the Parties whose Marriage is the Subject of the Decree, and may make such Orders with reference to the Application of the whole or a Portion of the Property settled either for the Benefit of the Children of the Marriage or of their respective Parents as to the Court shall seem fit. As to Marriage Settlements after final Decree of Nullity of Marriage.

VI. On any Petition presented by a Wife, praying that her Marriage may be dissolved by reason of her Husband having been guilty of Adultery coupled with Cruelty, or of Adultery coupled with Desertion, the Husband and Wife respectively shall be competent and compellable to give Evidence of or relating to such Cruelty or Desertion. On a Petition by Wife, &c., Husband and Wife may give Evidence.

VII. The Right of Appeal to the House of Lords given by the Fifty-sixth Section of the recited Act shall extend to all Sentences and Final Judgments on Petitions under the Legitimacy Declaration Act, 1858. Extension of Right of Appeal to House of Lords.

CAP. LXII.

An Act to amend the *Irish* Bankruptcy and Insolvency Act (1857). [13th *August* 1859.]

20 & 21 Vict. c. 60.

'WHEREAS by the *Irish* Bankrupt and Insolvent Act, 1857, unclaimed Dividends made before the passing of the said Act are exempted from the Operation of its Two hundred and ninety-fourth Section, but no Provision is thereby made for the Disposal of such unclaimed Dividends, and it is expedient to amend the said Act by supplying the said Omission:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in the present Parliament assembled, and by the Authority of the same, as follows:

Application of unclaimed Dividends, &c. 6 W. 4. c. 14. s. 128.

I. The Court may order that Dividends which had been declared before the passing of the said *Irish* Bankrupt and Insolvent Act, 1857, and which have remained unclaimed for the Space of Three Years from the Declaration thereof, shall be divided and paid amongst the other Creditors, in manner provided by the Sixth of *William* the Fourth, Chapter Fourteen, Section One hundred and twenty-eight.

Acts to be construed as One Act.

II. The said recited Act and this Act shall be treated and construed as One Act.

CAP. LXIII.

An Act to afford Facilities for the more certain Ascertainment of the Law administered in one Part of Her Majesty's Dominions when pleaded in the Courts of another Part thereof. [13th *August* 1859.]

'WHEREAS great Improvement in the Administration of the Law would ensue if Facilities were afforded for more certainly ascertaining the Law administered in one Part of Her Majesty's Dominions when pleaded in the Courts of another Part thereof:' Be it therefore enacted, by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Courts in one Part of Her Majesty's Dominions may remit a Case for the Opinion in Law of a Court in any other Part thereof.

I. If in any Action depending in any Court within Her Majesty's Dominions, it shall be the Opinion of such Court, that it is necessary or expedient for the proper Disposal of such Action to ascertain the Law applicable to the Facts of the Case as administered in any other Part of Her Majesty's Dominions on any Point on which the Law of such other Part of Her Majesty's Dominions is different from that in which the Court is situate, it shall be competent to the Court in which such Action may depend to direct a Case to be prepared setting forth the Facts, as these may be ascertained by Verdict of a Jury or other Mode competent, or may be agreed upon by the Parties, or settled by such Person or Persons as may have been appointed by the Court for that Purpose in the event of the Parties not agreeing, and upon such Case being approved of by such Court or a Judge thereof, they shall settle the Questions of Law arising out of the same on which they desire to have the Opinion of another Court, and shall pronounce an Order remitting the same, together with the Case, to the Court in such other Part of Her Majesty's Dominions, being One of the Superior Courts thereof, whose Opinion is desired upon the Law administered by them as applicable to the Facts set forth in such Case, and desiring them to pronounce their Opinion on the Questions submitted to them in the Terms of the Act; and it shall be competent to any of the Parties to the Action to present a Petition to the Court whose Opinion is to be obtained, praying such last-mentioned Court to hear Parties or their Counsel, and to pronounce their Opinion thereon in Terms of this Act, or to pronounce their Opinion without hearing Parties or Counsel; and the Court to which such Petition shall be presented shall, if they think fit, appoint an early Day for hearing Parties or their Counsel on such Case, and shall thereafter pronounce their Opinion upon the Questions of Law as administered by them which are submitted to them by the Court; and in order to their pronouncing such Opinion they shall be entitled to take such further Procedure thereupon as to them shall seem proper.

Opinion to be authenticated and certified Copy given.

II. Upon such Opinion being pronounced, a Copy thereof, certified by an Officer of such Court, shall be given to each of the Parties to the Action by whom the same shall be required, and shall be deemed and held to contain a correct Record of such Opinion.

Opinion to be applied by the Court making the Remit.

III. It shall be competent to any of the Parties to the Action, after having obtained such certified Copy of such Opinion, to lodge the same with an Officer of the Court in which the Action may be depending, who may have the official Charge thereof, together with a Notice of Motion, setting forth that the Party will, on a certain Day named in such Notice, move the Court to apply the Opinion contained in such certified Copy thereof to the Facts set forth in the Case herein-before specified, and the said Court shall thereupon apply such Opinion to such Facts, in the same Manner as if the same had been pronounced by such Court itself upon a Case reserved for Opinion of the Court, or upon special Verdict of a Jury; or the said last-mentioned Court shall, if it think fit, when the said Opinion has been obtained before Trial, order such Opinion to be submitted to the Jury with the other Facts of the Case as Evidence, or conclusive Evidence as the Court may think fit, of the Foreign Law therein stated, and the said Opinion shall be so submitted to the Jury.

Her Majesty in Council or House of Lords

IV. In the event of an Appeal to Her Majesty in Council or to the House of Lords in any such Action, it shall be competent to bring under the Review of Her Majesty in Council or of the House of Lords the

the Opinion pronounced as aforesaid by any Court whose Judgments are reviewable by Her Majesty in Council or by the House of Lords, and Her Majesty in Council or that House may respectively adopt or reject such Opinion of any Court whose Judgments are respectively reviewable by them, as the same shall appear to them to be well founded or not in Law. on Appeal may adopt or reject Opinion.

V. In the Construction of this Act, the Word "Action" shall include every judicial Proceeding instituted in any Court, Civil, Criminal, or Ecclesiastical; and the Words "Superior Courts" shall include, in *England*, the Superior Courts of Law at *Westminster*, the Lord Chancellor, the Lords Justices, the Master of the Rolls or any Vice Chancellor, the Judge of the Court of Admiralty, the Judge Ordinary of the Court for Divorce and Matrimonial Causes, and the Judge of the Court of Probate; in *Scotland*, the High Court of Justiciary, and the Court of Session acting by either of its Divisions; in *Ireland*, the Superior Courts of Law at *Dublin*, the Master of the Rolls, and the Judge of the Admiralty Court; and in any other Part of Her Majesty's Dominions, the Superior Courts of Law or Equity therein. Interpretation of Terms.

CAP. LXIV.

An Act to remove Doubts as to the Validity of certain Marriages of *British* Subjects at *Lisbon*.

[13th *August* 1859.]

'WHEREAS the *British* Chapel at *Lisbon* was erected in or about the Year One thousand eight hundred and twenty-two, out of Funds at the Disposal of the *British* Merchants and Factors in *Portugal* for pious, charitable, and public Uses, and has since been maintained in part by Contributions of *British* Residents in *Lisbon*, and in part by Moneys provided by Parliament: And whereas the said Chapel has been considered to be under the special Protection and Direction of the *British* Legation, and Marriages have been solemnized therein between *British* Subjects according to the Rites of the United Church of *England* and *Ireland*: And whereas Doubts may be entertained concerning the Validity of such of the said Marriages as may have been solemnized since the passing of the Act of the Session holden in the Twelfth and Thirteenth Years of Her Majesty, Chapter Sixty-eight:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: 12 & 13 Vict. c. 68.

I. All Marriages which before the passing of this Act have been solemnized in the said Chapel at *Lisbon* by the *British* Chaplain, or by any Minister in Holy Orders, according to the Rites and Ceremonies of the United Church of *England* and *Ireland*, (both or One of the Parties to such respective Marriages being Subjects or a Subject of this Realm,) shall be deemed and held to be as valid in the Law as if the same respectively had been solemnized within Her Majesty's Dominions with a due Observance of all Forms required by Law. Marriages solemnized in the British Chapel at Lisbon confirmed.

II. It shall be lawful for One of Her Majesty's Principal Secretaries of State to transmit to the Registrar General of Births and Marriages in *England* all such Certificates of the Marriages solemnized as aforesaid as have been or shall be transmitted to the Office of such Secretary of State by Her Majesty's Consul or Vice-Consul at *Lisbon*; and all Certificates which shall be transmitted to such Registrar General by such Secretary of State as Certificates of the Marriages confirmed by this Act shall be received by such Registrar General, and shall be kept in the General Register Office in manner directed by the Act of the Session holden in the Sixth and Seventh Years of King *William* the Fourth, Chapter Eighty-six, "for registering Births, Deaths, and Marriages in *England*," concerning the certified Copies of Registers sent to the said Registrar General, as therein mentioned; and a certified Copy of any such Certificate, such Copy purporting to be sealed or stamped with the Seal of the General Register Office, shall be received as Evidence of the Marriage to which the same relates having been solemnized as aforesaid, without further or other Proof. Certificates received by Secretary of State to be sent to the Registrar General, and certified Copies to be Evidence, as under 6 & 7 W. 4. c. 86.

III. All Persons shall have the like Right to search such Certificates and to have certified Copies thereof, and upon the like Payment, as provided under the said Act with respect to Searches in the Indexes to be made and kept in the said Register Office under that Act, and certified Copies of Registers, therein mentioned; and Section Forty-three of such Act, concerning the destroying, injuring, or falsifying of Register Books, or giving false Certificates of Entries, or certifying any false Copy or Extract, shall be applicable with respect to the Certificates to be received by the said Registrar General under this Act, in the like Manner as such Enactment applies with respect to such Register Books. Right to search and have Copies.

CAP. LXV.

An Act for amending the Acts for the better Regulation of Divisions in the several Counties of *England* and *Wales*.

[13th *August* 1859.]

'WHEREAS by an Act passed in the Ninth Year of His late Majesty King *George* the Fourth, intituled *An Act for the better Regulation of Divisions in the several Counties of* England *and* Wales, the Court of Quarter Sessions is empowered, in certain Cases, to make Orders for altering existing Divisions and for constituting new Divisions for holding Petty and Special Sessions: And 9 G. 4. c. 43.

10 G. 4. c. 46. 6 & 7 W. 4. c. 12.

'whereas an Act for more effectually executing the said recited Act was passed in the Tenth Year of 'His said late Majesty, and another Act for amending the said recited Act was passed in the Sixth 'Year of His late Majesty *William* the Fourth: And whereas Doubts have arisen whether under the 'said first herein-recited Act the Justices therein mentioned are empowered to divide any Parish, 'Tything, Township, or Place for the Purpose of including any Part or Parts thereof respectively in 'any Division constituted under the said Acts or any or either of them:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Justices may divide Parishes, &c., for constituting Divisions of Counties.

I. It shall be lawful for the said Justices, if they shall think fit, to divide any Parish, Tything, Township, or Place for the Purpose of altering or constituting such Divisions, and after any Order of the said Justices for altering or constituting any Division under the said Acts shall have taken effect the Part or Parts of any Parish, Tything, Township, or Place included in any Division altered or constituted by such Order shall be deemed and taken to be Part of such Division for all the Purposes of the said Acts, but not further or otherwise.

Court to make Order in respect of the Appointments and Duties of Officers.

II. Whensoever the Court of Quarter Sessions shall, under the Provisions herein or in the said recited Acts contained, make an Order for dividing any Parish, Tything, Township, or Place for the Purpose of altering or constituting such Divisions as aforesaid, and it shall appear to the Court that any Inconvenience may arise therefrom in or respecting the Appointment or Duties of any Bailiffs, Constables, or Tythingmen, Surveyors, Overseers of the Poor, or other Officers or Persons, the Court of Quarter Sessions shall or may, at the same or at any future Sessions, make such Order in respect of the said Appointments and Duties as the Court shall deem necessary or expedient.

CAP. LXVI.

An Act for regulating Measures used in Sales of Gas. [13th *August* 1859.]

'WHEREAS it is expedient that the Measurement used in Sales of Gas for Lighting, Heating, and 'other Purposes should be hereafter regulated by One uniform Standard, and that all Meters 'should be stamped as herein-after provided:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Interpretation; "Meter;" "Person."

I. In construing this Act the Word "Meter" shall mean Gas Meter, and shall include every Kind of Machine used for measuring Gas; and the Word "Person" shall include Corporations.

Fixing Unit of Measure.

II. After the passing of this Act the only legal Standard or Unit of Measure for the Sale of Gas by Meter shall be the Cubic Foot containing 62·321 Pounds Avoirdupois Weight of distilled or Rain Water weighed in Air at the Temperature of Sixty-two Degrees of Fahrenheit's Thermometer, the Barometer being at Thirty Inches, except as relates to Contracts made before the passing of this Act by which a different Unit of Measure is adopted, which Contracts may not be renewed.

Models of Measures to be made and verified under the Direction of the Treasury.

III. Within Three Months next after the passing of this Act Models of Gasholders measuring the said Cubic Foot, and such Multiples and Decimal Parts of the said Cubic Foot as the Lord High Treasurer or the Commissioners of Her Majesty's Treasury of the United Kingdom for the Time being shall judge expedient, and from Time to Time after the Expiration of the aforesaid Period of Three Months Models of such further Multiples and Decimal Parts of the said Cubic Foot as the Lord High Treasurer or the said Commissioners shall from Time to Time think expedient, shall be carefully made, with proper Balances, Indices, and Apparatus, for testing the Measurement and Registration of Meters, and such Models shall be verified under the Direction of the Lord High Treasurer or the said Commissioners, and when so made and verified shall be deposited in the Office of the Comptroller General of the Exchequer at *Westminster;* and Copies of the Models so from Time to Time deposited, verified as aforesaid, shall be sent to the Lord Mayor of *London*, and the Chief Magistrate of *Edinburgh* and *Dublin*, and to the Chief Magistrate of such other Cities and Boroughs, and to such other Places and Persons in Her Majesty's Dominions, as the said Lord High Treasurer or the aforesaid Commissioners may from Time to Time direct; and the said Lord High Treasurer or the said Commissioners shall appoint a competent Person or Persons to design and make, subject to the Approval and by Direction of such Lord High Treasurer or the said Commissioners, Stamps of a uniform Design to be used for stamping Meters throughout the United Kingdom, with only such Variations of Numbers or Marks thereon as shall be sufficient to distinguish each Inspector's District.

Models to be deposited.

Copies of the Models of Gasholders to be provided by Order of General or Quarter Sessions in England, and by Meetings of Justices in Scotland.

IV. In *England* at some General or Quarter Sessions of the Peace within Nine Months next after the passing of this Act the Justices of the Peace of every County, Riding, or Division, or County of a City or County of a Town, in General or Quarter Sessions assembled, and in such Boroughs as may adopt this Act, as herein-after provided, the Town Council at the Meeting next after such Adoption, and in *Scotland* the Justices of the Peace at a Meeting to be called for the Purpose by the Sheriff of each County, and the Magistrates of each Royal Burgh, within Nine Months after the passing of this Act, and so from Time to Time at any subsequent General or Quarter Sessions or Meeting so called, shall determine the Number of Copies of the said Models of Gasholders, with proper Balances, Indices, and Apparatus as aforesaid, which they shall deem requisite for the testing of Meters within their respective

respective Jurisdictions, and shall direct that such Copies, verified and stamped at the Exchequer, together with such Number of Stamps for stamping Meters as they shall deem requisite, shall be provided for the Use of the same, and shall fix the Places at which such Copies and Stamps shall be deposited, and shall appoint a sufficient Number of Inspectors of Meters for the safe Custody of such Copies and Stamps, and for the Discharge of the other Duties herein-after mentioned, and shall allot to each Inspector a separate District, and from Time to Time, when necessary, shall sub-divide and re-allot such Districts, and all such Districts shall be distinguished by the Number or Mark applied thereto on such Stamps, and they shall direct what reasonable Remuneration shall be paid to such Inspectors for the Discharge of such Duties as they shall have been ordered by such Justices or Town Council or Magistrates as aforesaid to perform, and they are hereby empowered to suspend or dismiss any Inspectors so appointed, or to appoint additional Inspectors as Occasion may require: Provided always, that nothing herein contained shall extend to compel any Town Council in *England* or Royal Burgh of *Scotland*, except such as are County Towns, wherein Gas is used, to provide Copies of the said Models and Stamps, or to appoint an Inspector or Inspectors for the Performance of the Duties prescribed by this Act; and that it shall be lawful for the Justices of the Peace in any County, and for the Magistrates of any Royal Burgh within such County, where they shall agree, to unite the whole or a Portion of the County with such Royal Burgh, and to appoint One Inspector therefor, and to provide at their joint Expense Copies of the said Models and Stamps to be used within such united Districts: Provided always, that in every Borough in *England* where there is a Town Council, not being a Manufacturer or Seller of Gas, it shall be lawful for such Town Council within Six Months after the passing of this Act, after One Month's Notice duly given in the Manner in which Notices are usually published by such Town Council, to adopt this Act, if the Majority of the Members present at any Council Meeting at which the Subject is appointed to be considered shall so determine; and if no Resolution to that Effect shall be passed within such Time, then the Justices aforesaid, at their next practicable General or Quarter Sessions after the Expiration of such Six Months, shall in reference to any Borough not so adopting this Act carry this Act into effect; and in all Boroughs as aforesaid in which the Town Council is a Manufacturer or Seller of Gas, the Justices of such Boroughs shall have such and the like Powers of adopting and carrying into effect the Provisions of this Act within such Boroughs as by this Act are given to Town Councils not being Manufacturers or Sellers of Gas.

Appointment of Inspectors.

V. In *Ireland* the Town Council or Town Commissioners of every Borough and Town, such Town Council or Commissioners not being Manufacturers or Sellers of Gas, shall at a Meeting of the Town Council or Commissioners to be held within Nine Months after the passing of this Act, and so from Time to Time at any subsequent Meeting, determine the Number of Copies of the said Models of Gasholders, with proper Balances, Indices, and Apparatus as aforesaid, which they shall deem requisite for the testing of Meters within their Towns or Boroughs respectively, and shall direct that such Copies, verified and stamped at the Exchequer, together with such Number of Stamps for stamping Meters as they shall deem requisite, shall be provided for the Use of the same, and shall fix the Places at which such Copies and Stamps shall be deposited, and shall appoint a sufficient Number of Inspectors of Meters for the safe Custody of such Copies and Stamps, and for the Discharge of the other Duties herein-after mentioned, and shall allot to each Inspector a separate District, and from Time to Time, when necessary, shall subdivide and re-allot such Districts, and shall direct what reasonable Remuneration shall be paid to such Inspectors, and they are hereby empowered to suspend or dismiss any Inspector so appointed, or to appoint additional Inspectors from Time to Time as Occasion may require; and in all Boroughs and Towns in which the Town Council or Town Commissioners shall be Manufacturers or Sellers of Gas, the Justices of such Boroughs and the Grand Jury of the County in which such Boroughs or Towns not having a separate Commission of the Peace shall be situate respectively shall have such and the like Powers as by this Act are given to the Town Council and Town Commissioners not being Manufacturers or Sellers of Gas for carrying into effect the Provisions of this Act within such Boroughs and Towns: Provided always, that the Jurisdictions of such Town Council and Town Commissioners, Justices, and Grand Juries respectively shall extend to all Meters out of such Boroughs or Towns for measuring Gas manufactured at any Gasworks by which any such Borough or Town shall be supplied with Gas.

Models and Copies of Gasholders to be provided by Town Councils, Town Commissioners, &c., and Inspectors appointed.

VI. The Copies of the said Models so directed by the said Justices, Magistrates, or Town Council to be verified and stamped at the Exchequer shall be compared with the Models deposited with the Comptroller General of the Exchequer as aforesaid, and if correct shall be verified and stamped by the Comptroller General, or some other Officer of the Exchequer at *Westminster*, duly authorized, upon Payment of such Fees as are at present payable upon Verification and stamping a Set of Measures under the Acts relating to Weights and Measures, and no Stamp Duty shall be payable thereon.

Officers of the Exchequer at Westminster to stamp Copies of Models.

VII. The Expense of providing and transmitting such Copies of Models of Gasholders, with proper Balances, Indices, and Apparatus as aforesaid, and of the Stamp to be used by the Inspectors, and the Remuneration to the Inspectors, shall be paid in *England* out of the Stock raised in such Counties, Ridings, Divisions, Counties of Cities or Counties of Towns, and in Boroughs out of any Funds applicable to Lighting Purposes, and if no such Funds then out of the Borough Fund; and in *Scotland* such Expenses in the respective Shires and Stewartries, and Cities or Royal Burghs, shall be assessed by the Commissioners of Supply upon such Shires and Stewartries, and upon Cities or Royal Burghs by the

Expense of providing Copies of Models and Remuneration of Inspectors defrayed out of County Rates, &c.

the Magistrates thereof, according to the Real Rent of Lands and Heritages as appearing on the Valuation Roll of such Shires, Stewartries, and Burghs respectively, and in such Manner and by such Persons as the said Commissioners of Supply and Magistrates respectively may determine and appoint, and such Assessments shall be collected under the same Powers of levying and Recovery as are competent for levying and recovering the Land Tax: Provided always, that in the City of *London* the Expenses and Remuneration aforesaid shall be paid out of the Consolidated Rate raised by the Commissioners of Sewers of the City of *London*, and in *Ireland* such Expenses in the respective Boroughs and Towns shall be provided for and paid respectively out of any Funds applicable to Lighting Purposes, and if no such Fund then out of any other Borough or Town Fund.

No Maker or Seller of Meter, or Person in the Service of any Gas Company or Manufacturer of Meters or Gas, to be an Inspector.

VIII. No Maker, Repairer, or Seller of Meters or of Gas, or Person employed in the making, repairing, or selling of Meters or Gas, shall be an Inspector of Meters under the Provisions of this Act; and every Inspector shall forthwith enter into a Bond or Recognizance to the Queen, to be sued for in any Courts of Record, in such Sum, and either with or without a Surety or Sureties, as the Justices, Magistrates, Town Council, or other Persons by whom he may have been appointed shall fix, for the due and punctual Performance of the Duties of his Office, and for the due and punctual Payment at such Time or Times as he may be directed by the Justices, Magistrates, Town Council, or other Persons by whom he may have been appointed, of all Fees received by him under the Authority of this Act, and for the Safety of the said Copies of Models and Stamps committed to his Charge, and for their due Restoration and Surrender to such Person or Persons as may be appointed to receive them by the Justices, Magistrates, Town Council, or other Persons aforesaid immediately on his Removal or other Cessation from Office.

Inspector to enter into Recognizances.

Inspectors to attend at Towns where Gas is consumed, when required by Justices.

IX. In *England* the Justices in General or Quarter Sessions assembled, or the Town Council in Boroughs adopting this Act at any Meeting thereof, and in *Scotland* the Justices or Magistrates at a Meeting called for the Purpose, and in *Ireland* the Town Council or Town Commissioners of any such Borough or Town as aforesaid, shall determine and appoint on what Days, at what Hours, and what Places each and every Inspector shall attend with the said Copies of Models and Stamps in his Custody at each of the several Towns and Districts within their respective Jurisdictions as they shall deem expedient; and every such Inspector so attending shall examine, test, and, if found correct, stamp all such Meters as shall be required under the Provisions of this Act to be so examined, tested, and stamped, and shall deface or destroy the Stamp on any Meter tested and found incorrect under the Provisions of this Act, and he shall keep a Book wherein he shall enter Minutes of all such Examinations and Testings, with the Numbers of Identity and Capacity marked by the Manufacturer on such Meters, and give, if required, a Certificate under his Hand of every such Stamping and Defacing; and every Inspector shall once in every Quarter of a Year account to the Treasurer of the County, Riding, Division, County of a City or County of a Town, or Borough or Town, or to such other Person as shall be duly authorized by those by whom he may have been appointed, for all Fees received by him under this Act, and shall pay the Amount thereof to such Treasurer as aforesaid, who shall account for the same.

Inspector to pay Fees to Treasurer of County, &c.

Meters when stamped need not be re-stamped.

X. No Meter duly stamped under the Authority of this Act shall be liable to be re-stamped, although the same be used in any other Place than that at which the same was originally stamped, but shall be considered as a legal Meter throughout the United Kingdom, unless found to be incorrect within the Meaning of this Act.

Penalty on Inspector for Misconduct.

XI. In case any Inspector of Meters shall stamp any Meter without duly testing and finding the same to be correct, or shall refuse, or for Three Days after being so required under the Provisions of this Act neglect, without lawful Excuse, to test any Meter or to stamp any Meter found to be correct on being so tested, or shall be guilty of a Breach of any Duty imposed upon him by this Act, or shall otherwise misconduct himself in the Execution of his Office, every such Offender shall upon Conviction forfeit a Sum not exceeding Five Pounds for every such Offence.

Meters not to be stamped if more than Two per Cent. incorrect in favour of the Buyer or Three per Cent. in favour of the Seller, and to be stamped if erroneous to no greater Extent.

XII. No Meter shall be stamped which shall be found by the Inspector to register, or be capable of being made by any Contrivance for that Purpose, or by Increase or by Decrease of the Water in such Meter, or by any other Means practically prevented in good Meters, to register Quantities varying from the true Standard Measure of Gas more than Two *per Centum* in favour of the Seller or Three *per Centum* in favour of the Consumer; and every Meter, whether stamped or unstamped, which shall be found by such Inspector to register or be so capable of being made to register Quantities varying beyond the Limits aforesaid, shall be deemed incorrect within the Meaning of this Act; and every Meter which shall be found by such Inspector to measure and register Quantities accurately, or not varying beyond the Limits aforesaid, and shall be found incapable by any such Means as aforesaid of being made to register Quantities varying beyond the Limits aforesaid, shall be considered to be correct, and be stamped as aforesaid in such Manner and on such Part of the Meter as shall be specially directed by the Authority appointing him, or in default of such Direction as shall in his Opinion best prevent Fraud: Provided always, that every Meter having a measuring Capacity at One Revolution or complete Action of the Meter of not less than Five Cubic Feet, and having permanently marked upon it in some conspicuous Place the Words "without Float," shall be stamped by the Inspectors, if found correct, within the Meaning of this Act, in all other respects except that it is capable of being made by Abstraction of Water

Certain Meters incorrect against the Seller of Gas may be used by Agreement.

Water to register incorrectly against the Seller of Gas, but it shall not be lawful after the Time aforesaid to use in the Sale of Gas any such Meter, when so stamped by the Inspector, except by written Agreement between the Buyer and Seller specifying that this Description of Meter shall be used.

Rules for testing Meters.

XIII. The following Rules shall be observed by the Inspector in testing Meters under the Provisions of this Act:

Firstly, the Meter shall be tested for Soundness or Leakage only, and not for Per-centage of Error, when fixed on a horizontal Base, and with Gas under a Pressure equal to a Column of Water Three Inches high, with a Light or Lights consuming not more than One Twentieth Part of its measuring Capacity *per* Hour marked thereon, nor less than One Half of a Cubic Foot *per* Hour, for all Meters of a measuring Capacity not exceeding One hundred Cubic Feet *per* Hour, and not more than One Fortieth Part of its said measuring Capacity *per* Hour for all Meters of any greater measuring Capacity *per* Hour than One hundred Cubic Feet; and all Meters found to work under such Test shall be deemed sound Meters, and any Meter found not to work under such Test shall not be stamped.

The Meter to be tested for Per-centage of Error shall be fixed on a horizontal Base, and shall be tested at a Pressure equal to a Column of Water Five Tenths of an Inch high, and passing the Quantity of Gas or Atmospheric Air *per* Hour which shall be marked thereon as its measuring Capacity *per* Hour, and the Water used in such Testing, and the Air of the Room in which such Testing shall be made, shall be as nearly as practicable of the same Temperature as the Gas or Air passed through the Meter.

Penalty for counterfeiting Stamps.

XIV. If any Person or Persons shall make, except under the Authority of this Act, or forge or counterfeit, or cause or procure to be made, except as aforesaid, or forged or counterfeited, or knowingly act or assist in the making, except as aforesaid, or forging or counterfeiting, any Stamp or Mark which may be hereafter used for the stamping or marking of any Meter under this Act, every Person so offending shall for every such Offence forfeit on Conviction a Sum not exceeding Fifty Pounds or less than Ten Pounds; and if any Person shall knowingly sell, utter, or dispose of, let, lend, or expose to Sale, any Meter with such forged Stamp or Mark thereon, every Person so offending shall for every such Offence forfeit on Conviction a Sum not exceeding Ten Pounds or less than Forty Shillings, and all Meters with such forged or counterfeited Stamps shall be forfeited and destroyed.

Penalty for obstructing Inspector.

XV. Any Person who shall knowingly repair or alter, or knowingly cause to be repaired or altered, or knowingly tamper with, or do any other Act in relation to any stamped Meter so as to cause such Meter to register unjustly or fraudulently, or who shall prevent or refuse to allow lawful Access to any Meter in his Possession or Control, or the Supply of Water thereto as herein-after provided, or shall obstruct or hinder any Examination or Testing authorized by this Act of any such Meter, shall on Conviction forfeit a Sum not exceeding Five Pounds, pay the Fees for removing and testing, and the Expense of purchasing and fixing a new Meter; provided that the Payment of any such Penalty as aforesaid shall not exempt the Person paying from Liability to Indictment or other Proceeding at Law to which he would otherwise be liable, or deprive any Person of the Right to recover Damages against such Person for any Loss or Injury sustained by such Act or Default.

Consumers may use any stamped Meter.

XVI. Every Consumer of Gas may purchase and use for the Measurement of the Gas supplied to him any Meter duly stamped under the Authority of this Act, provided that the Gas to be consumed *per* Hour shall not exceed the Quantity *per* Hour the Meter is intended to measure, so marked on the Outside thereof as aforesaid.

After Ten Years all Meters to be stamped.

XVII. After the Expiration of Ten Years from the passing of this Act all Meters whatsoever, not previously stamped which shall be used for buying and selling Gas, or for the collecting of any Rates or Duties, or for making any Charges on the Passage, Transmission, or Conveyance of Gas, shall be examined and tested under the Authority of this Act, and stamped if found correct; and every Person who shall after the Times respectively fixed by this Act knowingly use any Meter which has not been so stamped as aforesaid shall on Conviction forfeit a Sum not exceeding Five Pounds, and any Contract, Bargain, or Sale made by any such Meter shall be void; and every such Meter so used shall, on being discovered by any Inspector so appointed as aforesaid, be seized, and, on Conviction of the Person knowingly using or possessing the same, shall be forfeited and destroyed.

After Twelve Months no Meter to be sold, &c. unless stamped; and unstamped Meters may be stamped, if required, or stamped Meters substituted, at the Expense of the Person requiring it.

XVIII. No Meter for the Purpose of ascertaining the Quantity of Gas sold shall be fixed for Use after the Expiration of Twelve Months after the passing of this Act, unless the same shall have its measuring Capacity at One Revolution or complete Action of the Meter, and also the Quantity *per* Hour it is intended to measure in Cubic Feet, or Multiples or Decimal Parts of a Cubic Foot, denominated or marked on the Outside thereof in legible Letters or Figures, and shall be stamped by an Inspector of Meters under the Provisions of this Act; and every Person who after the Expiration of such Twelve Months shall fix for Use any such Meter before it has been so stamped shall be liable to a Penalty of Five Pounds for every such unstamped Meter; and all Meters required to be tested and stamped, except as herein-after mentioned, shall be delivered to the Inspector at the Place where his testing Gasholder and Apparatus may be kept; and every Purchaser and Seller of Gas by Meter may, at his own Expense, at any Time after the Expiration of the said Twelve Months, require any unstamped Meter by which his Gas is measured to be examined, tested, and, if found correct, stamped, or he may at

at his own Expense substitute a stamped Meter in the Place of any such unstamped Meter: Provided always, that such Purchaser or Seller of Gas shall before Removal of any such unstamped Meter for the Purposes aforesaid give Twenty-four Hours Notice in Writing of such intended Removal to the other Party to the Contract.

Fees for testing and stamping Meters.

XIX. The Fees for Examination, Comparison, and testing, with or without stamping Meters, shall be Sixpence for each Meter delivering a Cubic Foot of Gas in Four or more Revolutions or complete Repetitions of the Action of the Meter, and One Shilling for each Meter delivering a Cubic Foot of Gas by any less Number of Revolutions or complete Actions, or One Revolution or complete Action, and for each Meter delivering more than One Cubic Foot of Gas by One Revolution or complete Action the further Sum of One Shilling for every Cubic Foot of Gas delivered at One Revolution or complete Action beyond the First Cubic Foot.

Power to Justices and Inspectors to enter Houses, &c., and inspect Gas Measures and Meters.

XX. In *England* and in such Boroughs and Towns as aforesaid in *Ireland* it shall be lawful for any Inspector authorized in Writing under the Hand of any Justice of the Peace in *England* or *Ireland*, or of any Sheriff, Justice, or Magistrate in *Scotland*, at the Request and Expense of any Buyer or Seller of Gas, who shall have given Twenty-four Hours Notice in Writing to the other Party to the Contract, at all seasonable Times to enter any House or Shop, Store, Warehouse, Still, Yard, or Place whatsoever within his Jurisdiction where any Meter, whether stamped or unstamped, shall be fixed or used, and to examine and test the same, and if necessary for such Purpose to remove such Meter, doing as little Damage thereby as may be; and if upon such Examination and Testing it shall appear that any such Meter is incorrect within the Meaning of this Act, or fraudulent, the same shall not be refixed or used again unless and until altered and repaired so as to measure and register correctly, and stamped; and the Fees on such Removal, Examination, and Testing of a Meter, whether stamped and replaced or not, shall be double the Fees herein-before made payable for testing and stamping, and shall be payable by the Buyer or Seller of Gas as the Justice of the Peace in *England* or *Ireland*, or the Sheriff, Justice, or Magistrate in *Scotland*, as the Case may be, shall determine, and shall be recoverable accordingly: Provided always, that in case the Head Office of the Person or Company to whom such Notice is to be given shall be more than Twenty Miles distant from the Meter referred to in such Notice, Three Days Notice in Writing shall be given instead of Twenty-four Hours Notice as aforesaid; and provided also, that any Person duly authorized by any Company or Persons selling Gas by Meter may supply Water to any Meter, so as to keep the Water at the correct Level.

Disputed Decision of Inspector to be referred to Two Inspectors of adjoining Districts, &c.

XXI. In case of any Dispute between the Buyer and Seller of Gas by Meter, or between any Owner of a Meter and any Inspector of Meters under this Act, respecting the Correctness of any Meter, the Inspector shall, if required by any such Person dissatisfied with his Decision, give such Party his Reasons in Writing for such Decision, and such Party may require such Meter to be examined and re-tested by Two Inspectors of adjoining or neighbouring Districts, to be named by any Justice of the Peace having Jurisdiction in the District where such Meter shall have been tested; and the unanimous Decision of such last-mentioned Inspectors shall be final as to the Correctness or Incorrectness of such Meter, except in case of Appeal to the General or Quarter Sessions; and in case such Two Inspectors shall not agree, the Decision of the Inspector of the District to which such Meter belongs shall be considered final, except in case of Appeal to the General or Quarter Sessions, as herein-after provided; and the Expenses of the Proceedings to be taken under the Powers hereby granted shall be ascertained by the Justice, who shall also determine by and to whom the same shall be paid, and such Expenses may be recovered in any Court of competent Jurisdiction.

Persons aggrieved may appeal to Quarter Sessions.

XXII. In *England* and in such Boroughs and Towns as aforesaid in *Ireland* all Persons who may think themselves aggrieved by any Act or Decision of any Inspector or Inspectors of Meters, or by any Order, Judgment, or Determination of any Justice of the Peace, Mayor, or Chief Magistrate, relating to any Matter or Thing in this Act mentioned or contained, may appeal to the Justices of the Peace, Recorder, or other presiding Officer at the then next practicable General or Quarter Sessions to be held for the City, Borough, or County within which the alleged Cause of Appeal shall arise, first giving Seven Days Notice in Writing of such Intention to appeal, and the Grounds and Nature thereof, to the Party against whom such Complaint is intended to be made, and forthwith after such Notice entering into a Recognizance before some Justice of the Peace, Mayor, or other Chief Magistrate, with Two sufficient Sureties, conditioned to try such Appeal and abide the Order and Award of the said Court thereon; and the said Justices, Recorder, or other presiding Officer shall either hear and determine the said Complaints at such General or Quarter Sessions, or, if they think proper, shall adjourn the Hearing thereof till the following General or Quarter Sessions of the Peace to be held for such City, Borough, or County; and the said Justices, Recorder, or other presiding Officer may, if they or he see cause, reverse or alter such Decision, and mitigate any Penalty or Forfeiture, and may order any Money to be returned which may have been levied in pursuance of such Order or Determination, and may also order any such further Satisfaction to be made to the Party injured as they or he shall judge reasonable, and may also order such Costs to be paid by the Party complained against to the Party appealing, or *vice versâ*, as they shall think reasonable.

This Act and existing Powers not

XXIII. Where any Municipal Corporation, Local Board of Health, or Two or more Justices, or any other Corporation or Person now have Powers of appointing Inspectors of Meters, and they or such Inspectors

Inspectors now have Powers of stamping, re-stamping, examining, or testing Meters, those Powers and the Provisions of this Act shall not be cumulative, but after the Expiration of Nine Months after the passing of this Act the Provisions of this Act shall supersede all such Powers. to be cumulative.

XXIV. No Proceeding to be had or taken in pursuance of this Act shall be quashed or vacated for Want of Form, or be removed by Certiorari or by any other Writ or Proceeding whatsoever into any of Her Majesty's Courts of Record at *Westminster* or elsewhere, any Law or Statute to the contrary notwithstanding. Proceedings not to be quashed for Want of Form or removed.

XXV. In *England* and in such Boroughs and Towns as aforesaid in *Ireland* all Fees and Penalties received and recovered under this Act shall be applied in aid of the Stock or Fund out of which the Expenses of carrying the Act into effect shall be defrayed, and in *Scotland* all Penalties incurred under the Provisions of this Act shall be recoverable, with Expenses, either before the Sheriff of the County or the Magistrates of the Burgh or Town Corporate wherein the same may be incurred or where the Offender may reside, or before Two or more Justices of the Peace of such County, at the Instance either of the Procurator Fiscal of Court or any Person who may prosecute for the same; and the whole Penalties, after deducting all Charges, and such Remuneration to the Person prosecuting as the said Justices shall think fit, shall be applied in aid of the Funds liable under the Provisions of this Act to the Cost of providing and maintaining Copies of the said Models in the Place where such Penalties shall be awarded; and it is hereby provided that it shall be competent for the said Courts respectively to proceed in a summary Way and to grant Warrant for bringing the Parties complained of before them, and upon Proof on Oath by One or more credible Witnesses, or on the Confession of the Offender, or on other legal Evidence, forthwith to give Judgment on such Complaint without any written Pleadings or Record of Evidence, and to grant Warrant for the Recovery of such Penalties and Expenses decerned for, failing Payment within Fourteen Days after Conviction, by Poinding, or by Imprisonment for a Period, at the Discretion of the Court, not exceeding Sixty Days, it being hereby provided that a Record should be preserved of the Charge and of the Judgment pronounced. As to Recovery and Application of Penalties.

XXVI. In *Scotland* if any Person or Persons shall feel themselves aggrieved by the Sentence of any Sheriff or Magistrates of Burghs or Towns Corporate, or Justices of the Peace, pronounced in any Case arising under this Act, it shall be lawful for such Person or Persons to appeal to the Court of Justiciary at the next Circuit Court, or where there is no Circuit Court to the High Court of Justiciary at *Edinburgh*, in the Manner and under the Rules, Limitations, and Conditions contained in an Act passed in the Twentieth Year of the Reign of His Majesty King *George* the Second, intituled *An Act for taking away and abolishing Heritable Jurisdictions in* Scotland, with this Variation only, that such Person or Persons so appealing shall, in place of finding Caution in the Terms prescribed by the said Act, be bound to find Caution to pay the Penalty or Penalties and Expenses awarded against him or them by the Sentence or Sentences appealed from in the event of the Appeal or Appeals being dismissed, together with any additional Expenses which shall be awarded by the Court in dismissing the said Appeal; and it shall not be competent to appeal from or to bring the Judgment of any Sheriff or Justices of the Peace acting under this Act under Review by Advocation, Suspension, or Reduction, or any other Way than as herein provided. Appeal in Scotland to Commissioners of Justiciary at Circuit Court.

XXVII. In all Actions brought against any Person for anything done in pursuance of this Act, or in the Execution of the Powers or Authorities thereof, such Action shall be laid and brought in the County within which the Cause of Action shall have arisen, and the Defendant or Defendants in such Action may plead the General Issue, and give this Act and the special Matter in Evidence at any Trial to be had thereupon, and that the Acts were done in pursuance or by the Authority of this Act; and if they shall appear to have been so done, or that such Action shall have been brought otherwise than as herein-before directed, then and in every such Case the Jury shall find for the Defendant or Defendants; upon which Verdict, or if the Plaintiff or Plaintiffs shall become nonsuited, or shall suffer a Discontinuance of his, her, or their Action after the Defendant or Defendants shall have appeared thereto, or if a Verdict shall pass against the Plaintiff or Plaintiffs therein, or if upon Demurrer or otherwise Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall have his, her, or their Costs, and shall have such Remedy for recovering the same as Defendants have for recovering Costs of Suit by Law in any other Cases. Limitation of Actions, &c.

XXVIII. No Plaintiff shall recover in any Action for any Irregularity, Trespass, or other wrongful Proceeding made or committed in the Execution of this Act if Tender of sufficient Amends shall have been made by or on behalf of the Party or Parties who shall commit such Irregularity, Trespass, or other wrongful Proceeding before such Action brought; and in case no Tender shall have been made it shall be lawful for the Defendant or Defendants in any such Action, by Leave of the Court wherein such Action shall depend, at any Time before Issue joined, to pay into Court such Sum or Sums of Money as he, she, or they shall think fit, whereupon Proceedings, Order, and Adjudication shall be had and made in and by such Court as in other Actions where Defendants are allowed to pay Money into Court. Plaintiff not to recover after Tender of Amends.

LOCAL ACTS.

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Cap. iv.

"The *Red Sea and India* Telegraph Act, 1859."

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Incorporates Companies Clauses Act, § 3.
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The SCHEDULE referred to in the foregoing Act.

An Agreement made the Eighteenth Day of November in the Year of our Lord One thousand eight hundred and fifty-eight between the Right Honourable Edward Geoffrey Earl of Derby and the Right Honourable Benjamin Disraeli, Two of the Lords Commissioners of Her Majesty's Treasury, of the one Part, and the Red Sea and India Telegraph Company (Limited) of the other Part. Whereas the above-mentioned Company are incorporated under the "Joint Stock Companies Act, 1856," with a Capital of Eight hundred thousand Pounds, the whole of which has been subscribed for, and Ten per Cent. upon the Amount thereof has been paid up: And

whereas the Objects of the said Company are the establishing Telegraphic Communication between England and India by the Red Sea, under Concessions granted by the Turkish and Egyptian Governments, and for this Purpose they are entering into Arrangements for the Construction, laying down, and working of a Line of Telegraph from Alexandria to Kurrachee by the Red Sea and Aden: And whereas the last-mentioned Line of Telegraph, when laid down and in work, is likely to to be extensively used on Her Majesty's Service, and it is therefore expedient that the Lords Commissioners of Her Majesty's Treasury acting on behalf of Her Majesty and the various Departments of Her Majesty's Government, should make Arrangements with the said Company for the proper Transmission and Delivery of Messages on Her Majesty's Service, and for the Rates and Charges to be made for the same: And whereas, in consideration of the Difficulties of the Company's Undertaking, and the great Importance and Value of the said Line of Telegraph when laid down and in work, as well for Her Majesty's Service as to the Public at large, it has been deemed proper that some Encouragement and Assistance should be given by the Government to the said Company in the Prosecution of their Undertaking, and for this Purpose the said Lords Commissioners are willing to enter into an Agreement, subject to such Confirmation as herein-after mentioned, for guaranteeing to the Company such Rate of Interest or Dividend for such Period and upon such Terms as herein-after mentioned: Now therefore the said Lords, Parties hereto, as such Commissioners for Her Majesty's Treasury, for themselves and their Successors, and the Red Sea and India Telegraph Company (Limited) for themselves, their Successors and Assigns, hereby mutually covenant as follows:

1. That the Work to be undertaken by the Company shall be the laying down a Line of Electric Telegraph from Alexandria to Kurrachee by the Red Sea and Aden, as above mentioned.

2. That the Construction and laying down of the Line of Telegraph from Alexandria to Aden, and thence to Kurrachee, shall be commenced forthwith, and proceeded with with all Diligence.

3. That the Company shall employ for the Construction and laying down of the said Line of Telegraph from Alexandria by Aden to Kurrachee Contractors of high Position and extensive Experience in Telegraphic Operations, and shall immediately enter into a Contract with such Contractors whereby the Contractors shall bind themselves to construct and lay down the said Line of Telegraph from Alexandria to Aden for a fixed Sum, and within a fixed Period, at their own Risk and upon their own Responsibility, and to hand over the Line to the Company in efficient working Order.

4. That the Company shall themselves well and efficiently work all their Lines of Telegraph for the Transmission and Delivery of Messages.

5. That all Messages and Signals from or to Her Majesty, or on Her Majesty's Service, shall, subject to the Terms of the Concessions from the Turkish and Egyptian Governments, be transmitted and delivered by the Company in preference and priority to all private Messages whatsoever, and the Rates and Charges to be paid for the same shall be the same as may at the Time being be paid in the like Cases by private Persons.

6. That the Lords Commissioners of Her Majesty's Treasury shall guarantee to the Company (subject to such Confirmation by Act of Parliament as herein-after mentioned) that during the Period of Fifty Years from the Fourth Day of August in the Year of our Lord One thousand eight hundred and fifty-eight the net Receipts available for Dividend upon each half-yearly Statement of Accounts, after Payment of working Expenses as herein-after mentioned, shall be equal to Interest or Dividend at the Rate of Four and a Half per Cent. per Annum at the least upon the Amount of the Capital for the Time being bonâ fide called and paid up for the Purpose of the Company's Undertaking, not exceeding in any Case, except as herein-after mentioned, the Sum of Eight hundred thousand Pounds, and shall, if and so often as during the said Period of Fifty Years, upon any half-yearly Statement of Accounts, the net Receipts available for Dividend, after the Payment of Working Expenses, shall not be equal to Interest or Dividend at the Rate of Two and a Quarter per Cent. for the Half Year upon the above-mentioned Amount of Capital, pay and make good such Deficiency to the Company: Provided always, that in the Calculation of the Amount to which the Company are entitled upon this Guarantee all Capital paid up in the Course of the current Half Year shall be taken to be entitled to Interest or Dividend at the above-mentioned Rate only from the Time when the same was so paid up: Provided also, that all Amounts paid by the Lords Commissioners under this Guarantee shall be a Charge upon the Company, to be repaid out of future surplus Profits, as herein-after provided.

7. That the Company shall keep proper and accurate Accounts of all Monies received and all Payments made by them which are properly attributable to "Capital Account," so as at all Times to show the Amount of Capital actually called and paid up by them, and the Manner in which the same has been expended, and the Cash Account of the Company shall be kept at the Bank of England.

8. That the Company shall also keep proper and accurate Accounts of all Monies received by them for the working of their Lines of Telegraph, of all their Working Expenses, and of all other Receipts and Payments properly attributable to "Revenue Account," and these Accounts shall be made up half-yearly to the First Day of January and the First Day of July, so as to show the net Receipts (if any) of the Half Year.

9. That a certified Abstract and Balance Sheet of the Accounts of the Company, as well upon the Capital Account as upon the Revenue Account, and showing also the Appropriation of the net Receipts (if any), and the Amount (if any) to be paid by the Lords Commissioners upon their Guarantee, shall be made out half-yearly to the First Day of January and the First Day of July in each Year during the said Period, and shall be presented to the Lords Commissioners within Thirty Days after those half-yearly Days respectively, and all reasonable Means and Opportunities shall be afforded to the Lords Commissioners, or any Persons nominated by them for that Purpose, to examine into and verify the Correctness of such Accounts.

10. That the Working Expenses shall be taken to include all Expenses of the Management of the Company, and all other Expenses usually carried to Revenue Account.

11. That the Working Expenses of each Half Year shall, in the first instance, be paid out of the gross Receipts upon Revenue Account of that Half Year, and if these shall be insufficient for the Purpose, the Deficiency shall be made good out of the Reserve Fund herein-after mentioned, or, failing that, out of the Capital of the Company.

12. That if upon any Half Year, as well during as after the said Period of Fifty Years, the net Receipts available for Dividend, after Payment of Working Expenses, shall be more than sufficient to pay a Dividend at the Rate of Four and a Half per Cent. per Annum upon the above-mentioned Amount of Capital, the Surplus shall be applied as follows:

(a) If there remains any Debt or Charge outstanding in respect of Payments made in the preceding Half Years

by the Lords Commissioners under their Guarantee, One Third of such Surplus shall be applied in or towards the Payment of such Debt or Charge, another Third shall be applied towards the Formation of a Reserve Fund, not exceeding Ten per Cent. on the Amount of Capital from Time to Time called up and paid as herein-after mentioned, and the Remainder shall be applied to increase the Dividend payable to the Shareholders to an Amount not exceeding in the whole the Rate of Ten per Cent. per Annum upon the paid-up Capital of the Company.

(b) If there shall be no such outstanding Debt or Charge, and if the Reserve Fund shall not at the Time being amount to the full Sum of Ten per Cent. as aforesaid, Two Thirds of such Surplus shall be applied to increase the Dividend payable to the Shareholders to an Amount not exceeding in the whole that above limited; the other One Third, and also any Portion of the first-mentioned Two Thirds remaining after the Dividend of the Shareholders has been increased to the Amount above limited, shall be applied to or towards making up the Reserve Fund after such Rate as aforesaid.

(c) If there shall be no such outstanding Debt or Charge, and the Reserve Fund shall amount to the full Sum of Ten per Cent. as aforesaid, the whole of such Surplus shall be applied to increase the Dividend payable to the Shareholders to an Amount not exceeding in the whole that above limited.

(d) Any Portion of such Surplus remaining unappropriated after the Dividend of the Shareholders has been increased to the Amount above limited shall be applied either in reduction of the Rates and Charges of the Company for the Transmission and Delivery of Messages, in the Creation of a Fund for the Redemption of the Government Guarantee, or in such other Manner as the Lords Commissioners shall from Time to Time direct or approve.

13. That the Reserve Fund shall be applied and used, as Occasion may require, to and for the restoring or replacing of the Telegraphic Cables, and for all Repair and Maintenance of the Telegraphs and Telegraphic Cables, Stations, Instruments, and Machinery of the Company, not being such as are defined in Article 11 as the ordinary Working Expenses, and shall also be applied and used, in any Half Year when the Receipts of the Company shall not be sufficient to defray the Working Expenses, to and for or towards the Payment of the Balance of such working Expenses; and if the Reserve Fund shall not be sufficient for these Purposes or any of them, the further Amount required shall be supplied or paid out of the Capital of the Company.

14. That whenever the Reserve Fund shall be reduced by any Payments made out of it below the said Amount of Ten per Cent. as aforesaid, it shall be again raised to that Amount in the same Manner as upon its original Formation. The Reserve Fund shall be invested, and all Interest or Profits arising from such Investment shall form Part of the Receipts of the Company upon Revenue Account.

15. That in case the Company shall make default or fail in laying down the Line of Telegraph from Alexandria to Aden, or, having laid down that Line, shall make default or fail in laying down the Line of Telegraph from Aden to Kurrachee, or shall at any Time during the said Period of Fifty Years fail to maintain the said Lines of Telegraph or either of them, or to reinstate and restore them if and when necessary, or efficiently to work the said Lines or either of them for the Transmission of Messages, the said Lords Commissioners may, by Notice in Writing to that Effect, require the Company to give up and transfer their Lines of Telegraph and other Property to the said Lords Commissioners, or to any other Department of Her Majesty's Government, and thereupon the Company will, at the Expiration of Six Months from such Notice, give up and transfer to the Lords Commissioners, or to such other Department of the Government, all their Lines of Telegraph (if any) then laid, and the Benefit of all their Concessions with the Turkish and Egyptian Governments, and all their Stations, Instruments, and Machinery, and all their Monies, including the Reserve Fund, and other Property whatsoever, and shall receive and be paid for the same a Sum equal to the Amount of the Capital of the Company so by these Presents authorized to be raised at the Time being called and paid up (all Debts by the Company being discharged), together with Interest thereon at the Rate of Four and a Half per Cent. per Annum from the Day of the last half-yearly Payment of Dividend to the Day on which such giving up and Transfer is to take place.

16. That the Lords Commissioners shall be entitled to nominate any Two Persons whom they shall think fit, whether Shareholders in the Company or not, to be ex officio Directors of the Company, and to represent the Government in the Board of Directors, and shall be entitled at any Time to remove any such Directors or either of them, and appoint another to act in his Stead. The Sanction and Concurrence of One of the Two ex officio Directors shall be necessary to the Validity of all Contracts made by the Company, to the fixing and altering of the Rates and Charges for the Transmission and Delivery of Messages, and generally to all Proceedings of the Directors and of the Company, and the Provisions as to ex officio Directors contained in the "Atlantic Telegraph Act, 1857," shall apply to the ex officio Directors hereby agreed to be appointed.

17. The Board of Directors of the Company shall consist of a Chairman and Vice Chairman and Six Directors, exclusive of the ex officio Directors.

18. That in the event of the Lords Commissioners deciding not to provide Ships for laying down the said Lines of Telegraph as originally contemplated, and of its being necessary or expedient to increase the Capital of the Company for the Purpose of providing such Ships, the Guarantee provided for by Clause 8 of this Agreement shall be extended to such increased Capital so to be raised, not exceeding, with the 800,000*l.* therein mentioned, the Sum of 1,000,000*l.* Sterling.

19. That all Questions and Differences which may arise between the Parties hereto upon or in respect of this Agreement, or the Confirmation thereof by Act of Parliament as herein-after mentioned, or the carrying out of this Agreement by either Party, or the Rights or Claims of either Party thereunder, shall be decided by Arbitration in a Manner similar to that provided by Sections 59 and 60 of the said "Atlantic Telegraph Act, 1857," except that if the Arbitrators shall fail to appoint an Umpire, as in the said Act is provided, the Umpire shall be appointed by the Chief Justice of the Common Pleas, and the necessary Clauses and Provisions for that Purpose shall be introduced into the Act herein-after mentioned.

20. That an Act of Parliament shall be applied for by the Company in the next Session of Parliament for the Purpose of confirming and giving effect to this Agreement. The Act shall contain all necessary and proper Clauses and Provisions for this Purpose, which shall be submitted to and approved by the Lords Commissioners, and the Lords Commissioners will sanction and further the Application by the Company for such Act of Parliament. In witness whereof the said Red Sea and India Telegraph Company (Limited) have hereunto caused their Common Seal to be affixed, and the said other Parties

have hereunto set their Hands and Seals, the Day and Year first above written.

Sealed with the Common Seal of the Red Sea and India Telegraph Company (Limited), by Order of the Board. November 1858. (Seal.)

C. L. PEEL, Secretary.

Signed, sealed, and delivered by the above-named Earl of Derby and the Right Honourable Benjamin Disraeli in the Presence of

DERBY. (Seal.)

B. DISRAELI. (Seal.)

WILLIAM H. STEPHENSON,
Treasury, Whitehall.

Cap. v.

"The *Manchester London Road* Station Act, 1859."

Recites 7 W. 4. & 1 Vict. c. xxi., 7 W. 4. & 1 Vict. c. lxix., 9 & 10 Vict. c. cclxviii., 12 & 13 Vict. c. lxxxi., and 9 & 10 Vict. c. cciv.; that the Manchester, Sheffield, and Lincolnshire and the London and North-western Railway Companies have or respectively claim an Interest in the London Road Station; that Disputes have arisen, and Suits in Chancery and other Proceedings at Law have been instituted between the Companies with respect to the Station; proposes a Partition, and that Provision be made for the general Management of the Station and the Appointment of the Officers, Clerks, and Servants; and that each Company have the Power of appointing, controlling, and removing the Booking Clerks and Servants necessary for the Conduct of its own particular Business; and that Powers be given to the London and North-western Railway Company to widen that Part of their Railway in the Parish of Manchester which lies between Chancery Lane in Ardwick and the said London Road Station.

Partition to be made, § 1.
As to Payments by Manchester, Sheffield, and Lincolnshire Company, § 2.
Portions of the Station may be left in common, § 3.
Provision for temporary Occupation, § 4.
Company to enter into possession of Parts allotted when Works completed, § 5.
As to Management of Station; Committee, §§ 6 to 9.
As to Expenses of managing Station, § 10.
As to General Superintendent, §§ 11 to 13.
Arbitrator to be appointed, § 14.
As to Settlement of Disputes, § 15.
The Two Companies may contract with each other as to the Station, § 16.
Lands Clauses and Railways Clauses Acts incorporated, § 17.
Power to widen Railway, § 18.
Saving Property of Lancashire and Yorkshire Railway Company, § 19.
One Year for compulsory Purchase of Lands, § 20.
Three Years for the Completion of the Widening, § 21.
Works to form Part of the Company's Undertaking, § 23.
Construction of Works; Bridges, §§ 24 to 29.
Alteration of Gas and Water Pipes, §§ 31 to 34.

Cap. vi.

"The *Pembroke and Tenby* Railway Act, 1859."

Incorporates Companies, Lands, and Railways Clauses Acts, § 1.
Company incorporated, with Capital of 80,000*l.*, in 10*l.* Shares, and Power to borrow 26,600*l.*, §§ 4 to 10.
Meetings; Directors, §§ 11 to 18.
Protecting Rights of Admiralty and Secretary for War, §§ 20 to 22.
Railway, § 19, to be completed in Five Years, § 25 and § 30.
Two Years for compulsory Purchases, § 24.
Board of Trade Provisions, §§ 26 to 29.
Tolls, §§ 31 to 38.
Saving Rights of Crown, § 41.

Cap. vii.

"The *Tyne* Improvement Act, 1859."

Recites that by their Act of 1850 the Commissioners were authorized to raise by Mortgage a Sum not exceeding 30,000*l.* for the Improvement of the River, and certain Dues were appropriated and authorized to be carried to a Fund to be called the Tyne Improvement Fund; that by their Act of 1852 they were authorized to construct, within the Period of Seven Years from the passing of that Act, Piers on the Northern and Southern Sides of the Mouth of the River, and to raise on Mortgage of certain Pier Rates thereby granted the Sum of 200,000*l.*; that the Piers are now in the course of Construction, but the Time for completing the same will expire on the Seventeenth Day of June One thousand eight hundred and fifty-nine, and it is expedient to extend the Time so limited; that they have expended on the Works of the said Piers the Sum of 101,606*l.*, or thereabouts, of which the Sum of 32,900*l.* only has been borrowed on Mortgage of the Piers Rate, and the Residue of such Expenditure has been supplied from the annual Proceeds of the said Piers Rate; that the Commission appointed by the Crown on Harbours of Refuge have recommended a Grant of 250,000*l.* from the Consolidated Fund, to aid in the Extension of the said Piers, as authorized by this Act, on condition that further Sums should be expended by the Commissioners; that it is expedient that the Commissioners be authorized to borrow on Security of the Piers Rate a further Sum of Money, and it is reasonable that the Period for the Commencement of the Sinking Fund in respect of the Piers Rate provided by the Act of 1852 should be postponed, inasmuch as above 60,000*l.* have been expended from the Receipts applicable to the same, instead of raising Money on Loan under the Provisions of the said Act; that it is expedient to authorize an Alteration in and an Extension of the Lines of the said Piers as authorized by the Act of 1852; that by the Act of 1852 the Commissioners were empowered to form Docks at a Place called the Hayhole, to be called the Northumberland Docks, and were authorized to raise the Sum of 200,000*l.* on Mortgage for the Purpose, and to levy certain Rates, Dues, and Duties on the said Docks, herein-after called the Dock Rates, and the Money arising from such Rates was directed to be applied as follows:—First, in paying the Expenses of the Working, Management, and Maintenance of the Docks; secondly, in paying the Interest of the Money borrowed; and lastly, in providing a Sinking Fund for paying off the Principal Money borrowed; and it is enacted that (after forming a Reserve Fund) the Commissioners should, in the event of any Surplus remaining, lower the Dock Rates to the Extent of the Surplus; that the Commissioners have constructed the said Docks at Hayhole, now called the Northumberland Docks, and have borrowed the said Sum of 200,000*l.*, and the Docks are open for the Shipment of Coal, and the landing and Shipment of Goods and Merchandise; that a further Expenditure on the said Docks is necessary in order to complete the same, to improve the Approaches thereto, and to supply the

Conveniences and Facilities required by the Trade thereof; and it is expedient to authorize the raising of further Sums of Money for that Purpose; that by the Tyne Improvement Act, 1857, the Commissioners were incorporated; and that the said Acts be amended.

Repeals § 3 of Act of 1852, § 3.

Incorporates Lands and Parts of Harbours, &c. Clauses Acts, §§ 4 to 7.

Extension of Time for Ten Years more, § 8 and § 13.

Deviations and Works, §§ 10 to 12.

Admiralty Provisions, §§ 14 to 16.

Pier Rates, Charge for, Recovery of, and Exemptions, §§ 17 to 19.

Power to borrow 100,000*l.* more upon Pier Rates, § 20.

Sinking Fund, § 21.

Power to borrow 100,000*l.* more upon Dock Rates, §§ 22, 23.

Sections 33, 34, 35, and 37 of Act of 1857 applied, § 24.

Provisions as to Smoke Nuisance, § 25.

Saving Powers of former Acts, § 26.

Saving Rights of Commissioners, of Crown, of Lords of Manors, Trinity House, Commissioners of Sewers, and Duke of Northumberland, §§ 27 to 33.

Cap. viii.

"The *Great North of Scotland* Railway Consolidation Act, 1859."

Recites Acts of 1846, 1851, 1854, and 1855; that the present Share Capital of the Company consists of 27,686 original Shares, upon each of which 10*l.* have been paid, representing a paid up Capital of 276,860*l.*, and of 29,109 Preference Shares of 10*l.* each, representing a Capital of 291,090*l.*, making a Total of 567,950*l.*, and the Company have still Power to raise by Shares the Sum of 539,490*l.*; that Doubts exist as to the Rights and Liabilities of the holders of original Shares in the Company, and it is expedient that such Doubts should be removed, and that the Capital of the Company, and the Powers of the Company with respect thereto, should be altered and defined; that the Company, in addition to the Sums raised as aforesaid by Shares and by Mortgage for the Purposes of their Undertaking, have incurred for those Purposes Debts and Liabilities amounting to 50,000*l.*, or thereabouts, and they have likewise under the Authority of Parliament agreed to subscribe the Sums mentioned in the Schedule (A.) to this Act, and amounting in the whole to 153,000*l.* to other Lines of Railway with which their own is connected, and of this Sum the Company have already paid 106,160*l.*, and have borrowed Money for the Purpose, and the Company are contemplating an Increase in their said Subscriptions to the Extent of 60,000*l.*, and also a further Outlay in doubling their Line of Railway, and for the general Purposes of their Undertaking, and in providing additional Rolling Stock and Plant for the working of their own Line, and of other Lines for the working of which they have entered into Agreements; proposes to stop up a certain Road, and to repeal and consolidate Acts.

Repeal of recited Acts, and Saving of Parts of Act of 1854, §§ 1, 2.

Company to remain incorporate, § 3.

Incorporation of Companies, Lands, and Railways Clauses Acts (Scotland), § 4.

Saving of Rights and Liabilities, §§ 5 to 16.

XVII. Upon the passing of this Act the Share Capital of the Company shall be 1,050,000*l.*, and such Capital shall consist of 276,860*l.*, divided into 27,686 Shares of 10*l.* each, which Shares shall be called "Original Shares;" of 291,090*l.*, divided into 29,109 Shares of 10*l.* each, to be called "Preference Shares;" and of 482,050*l.*, to be raised by Shares of 10*l.* each under the Powers of this Act, and to be called "New Shares;" and all Shares in the Company which at the Time of the passing of this Act shall not have been issued, shall be and the same are hereby cancelled and extinguished.

XXI. The Preference Shares shall be entitled in perpetuity to a Preferential Dividend at the Rate of 5*l.* per Centum per Annum, to be paid before any Dividend is paid on the Original Shares; and if and whensoever the net Revenue of the Company, in any One Year ending on the First Day of August, is more than sufficient to pay a Dividend of Five per Centum on the Original Shares of the Company, after Payment of the said preferential Dividend, and of the Dividend which may be attached to any of the New Shares, the said Preference Shares shall participate equally with the Original Shares in such Excess of Dividend beyond Five per Centum.

Power to raise 482,050*l.* by New Shares, with or without a Preference, not exceeding 4*l.* 10*s.* per Centum, §§ 22 to 25.

Power to borrow 50,000*l.*, in addition to present Debt of 300,000*l.*, §§ 26 to 28.

Power to convert Debt into Debenture Stock, and to raise Money by means of that Stock; Debenture Stock to extinguish Debt, §§ 29 to 33.

Repeal of Powers given to Company by "Inverness and Aberdeen Junction Railway Act, 1856," of creating further new Capital, § 34.

Meetings; Votes; Directors, §§ 37 to 43.

Undertaking of the Company, § 44.

Power to stop up Road at Waterloo Quay, and Compensation; Application of Compensation Money, §§ 45 to 47.

Level Crossings, §§ 48 to 50.

Tolls, §§ 52 to 62.

SCHEDULE (A.)

SUBSCRIPTIONS to other Lines of Railway.

	£
Formartine and Buchan Railway - -	50,000
Alford Valley Railway - - - -	15,000
Inverury and Old Meldrum Junction Railway -	2,000
Banff, Macduff, and Turriff Junction Railway -	40,000
Banff, Macduff, and Turriff Extension Railway -	5,000
Keith and Dufftown Railway - - - -	1,000
Inverness and Aberdeen Junction Railway -	40,000
	£153,000

SCHEDULE (B.)

Sections and Provisions of the Repealed Act, 17 & 18 Vict. c. 187, continued in force, *i.e.*, §§ 17 to 26.

Cap. ix.

"The *Kingston-upon-Thames* Gas Act Amendment Act, 1859."

Recites Incorporation in 1854, with a Capital of 20,000*l.*, in 50*l.* Shares, and Power to borrow 5,000*l.*; proposes to raise further Moneys.

Power to raise 15,000*l.* by new Shares, §§ 1 to 3.

Dividend limited to 7*l.* 10*s.* per Cent., § 4.

Power to borrow further Sum of 3,750*l.*, in proportion to paid-up Capital, §§ 5 to 7.

Cap. x.

"The *North-eastern* Railway Company (*Pately Bridge* Branch) Act, 1859."

The 8 & 9 Vict. cc. 18, 20, extended to this Act, § 3.
Power to make Railway and Works, to be completed in Three Years, § 4, and §§ 10, 11.
Provisions of Board of Trade, §§ 5 to 7.
Lands not to be purchased compulsorily after Two Years, § 9.
Power to acquire Interests in certain Lands, § 12.
Power to acquire Lands by Agreement, in connexion with the Tyne Docks, § 13.
Power to raise 90,000*l.* additional Capital by new Shares or Stock, with or without a Preference, not exceeding 5*l.* per Cent., §§ 14 to 21.
Tolls, § 22.
Application of Moneys, § 23.

Cap. xi.

"*Reading and Hatfield* Turnpike Roads Act, 1859."

Recites 10 G. 4. c. 133; proposes to increase Number of Tolls, to extend their Term, and repeal Act.
Division of Roads into Three Districts, § 3.
Trustees, §§ 4, 5.
Repeal of Act; saving Rights and Liabilities, §§ 6 to 10.
Meetings; limiting Expenditure, §§ 11 to 14.
Entrances to Fields, &c., §§ 15 to 17.
Existing and additional Toll Gates and Tolls, §§ 18 to 26.
Leasing of Tolls, §§ 27 to 29.
Application of Moneys, § 30.
Mortgagees and Mortgages, §§ 31 to 36.
Duration of Act, § 38.
Schedule (Mortgage Debt on the Tolls).

Cap. xii.

"*Gateshead* Quay (Second) Act, 1859."

Recites Acts relating to Borough of Gateshead and to the North-eastern Railway Company; that by their Act of 1855 the Mayor, Aldermen, and Burgesses of the Borough, acting by the Council of the Borough, were appointed the Commissioners for executing that Act, and authorized to make a Quay on or near to the Right Bank of the River Tyne, and also to make new Streets, and to execute other Works, and to purchase Lands for the Purpose, but the Exercise of the Powers of that Act for the compulsory Purchase of Lands was limited to Three Years after the passing of that Act; that by their Act of 1855 the Commissioners were authorized to borrow on Mortgage of the several Rates, Rents, and Charges in respect of the Gateshead Quay any Sums not exceeding in the whole 35,000*l.*, and on the Security of the Borough Fund and Borough Rate, or either of them, any Sums not exceeding in the whole 20,000*l.*, and to levy a Rate within the Borough; that by that Act it was provided that there should be One Sinking Fund for paying off the several Sums borrowed under that Act, and the Sum to be set apart as the Sinking Fund should in every Year be not less than One Fortieth Part of the aggregate Amount of the Moneys from Time to Time so borrowed; that the Commissioners have proceeded to put that Act into execution, and have purchased or taken Parts of the Lands required for the Purposes thereof, but they have not exercised their Powers of compulsory Purchase with respect to the whole of the Lands required for the Purposes of that Act, and the Period within which those Powers were exerciseable has expired; that it is expedient that the Commissioners be authorized to purchase Lands still required for the Purposes of the Gateshead Quay and Works; that the Commissioners have borrowed on the Security of the Borough Fund and the Borough Rate of the Borough the whole of the 20,000*l.* which by the "Gateshead Quay Act, 1855," they were authorized so to borrow, but they have not borrowed any other Money under the Authority of that Act; that it is expedient that the Commissioners be authorized to borrow, either on the Security of the Rates, Rents, and Charges granted to them in respect of the Gateshead Quay, or on the Security of the Borough Fund and the Borough Rate, or either of them, any Sums not exceeding in the whole 20,000*l.*, Part of the Sum of 35,000*l.* which by their Act of 1855 they are authorized to borrow on Mortgage of those Rates, Rents, and Charges, and either with or without a collateral Security on those Rates, Rents, and Charges, or any of them, for the same, and the Interest thereon; and that the Commissioners and the Railway Company be authorized to make and carry into effect Arrangements with respect to the User, Appropriation, and Maintenance by the Railway Company of any Lands and Works of the Commissioners under the "Gateshead Quay Act, 1855," and the Traffic thereon, and otherwise.
Power to take Lands for Gateshead Quay according to deposited Plans, &c., § 2.
Three Years for compulsory Purchase of Lands, § 3.
Power to borrow on Borough Fund, § 4.
Power to borrow on Borough Fund and Rates, or both, § 5.
Limit of Amount to be borrowed, 55,000*l.* in all, § 6.
Sinking Fund, § 7.
Power to levy Borough Rate, § 8.
Priority of existing Mortgages, § 9, 10.
Contracts and Arrangements with Railway Company, §§ 11 to 17.
Saving Rights of Crown, of Corporation of Gateshead, of Commissioners, and of Railway Company, §§ 18 to 21.

Cap. xiii.

"The *Hampstead* Junction Railway Amendment Act, 1859."

Proposes to extend the Time for Completion of certain Works, to authorize Deviations, and to raise further Moneys.
Extension of Time and Compensation, §§ 1, 2.
Lands and Railways Clauses Acts incorporated, § 3.
Power to take certain Lands, § 4.
One Year for compulsory Purchases, § 5.
Deviations authorized; Contracts saved, §§ 6, 7.
Compensation to Owners of West End House Estate, § 8.
Power to raise 150,000*l.* by Shares, §§ 9 to 11.

Cap. xiv.

"The *North British and Selkirk* Railways Amalgamation Act, 1859."

Recites Acts of 1854 and 1858, relating to the Selkirk and Galashiels Railway Company; that the existing Share Capital of the Selkirk and Galashiels Company issued and called up consists of 1,866 Ordinary Shares of 10*l.* each, representing 18,660*l.*, and 288 Preference Shares of 10*l.* each, representing 2,880*l.*; and they have Power to issue Shares to the Amount of 8,460*l.* with Preferential Dividends; and the said Company have borrowed on Mortgage of their Undertaking 7,500*l.* or thereabouts, and their Liabilities,

chargeable to Capital Account, exclusive of the Expense of certain Sidings, Works, and Electric Telegraphs, and of the Costs of re-investing certain Compensation Moneys, amounted on the 31st Day of October 1858 to 8,650*l.* or thereabouts; that the Selkirk Railway is open for public Traffic, and is used, worked, maintained, and repaired by the North British Railway Company under the Management of a joint Committee of Directors of the Two Companies; and proposes that their several Undertakings and Capital Stocks should be amalgamated.

Repeal of Selkirk and Galashiels Railway Acts, and Amalgamation of Companies and their Undertakings, § 1.

The Selkirk and Galashiels Railway Company to continue incorporated for certain Purposes, § 2.

North British Railway Company seised and possessed of Estate and Effects of Selkirk and Galashiels Railway Company, § 3.

Saving of Rights and Liabilities, §§ 4 to 12.

Ordinary and Preference Shares of Selkirk and Galashiels Railway Company to be Ordinary and Preference Shares of North British Railway Company, §§ 13, 14.

Payment of Preference Dividends, §§ 15 to 23.

Power for North British Railway Company to raise Capital by Shares which the Selkirk and Galashiels Railway Company might have raised, and to form Part of Companies General Capital, §§ 25 to 27.

Incorporating certain Provisions of Companies Clauses Acts, § 28.

Power for North British Railway Company to borrow on Mortgage or Bond Sums authorized to be so borrowed by Selkirk and Galashiels Railway Company, §§ 29 to 31.

Board of Trade Provisions, §§ 34, 35.

Conveyances of Land by Feu Right, §§ 37 to 39.

Tolls, § 40.

Cap. xv.

"The *Lymington* Railway Act, 1859."

Recites Incorporation in 1856, with Power to make a Railway from the Borough of Lymington to the Southampton and Dorchester Branch of the London and South-western Railway, with a Landing Place or Quay in connexion with the Railway, and to purchase the Town Quay and Bridge at Lymington, and to raise a Capital of 21,000*l.* by 2,100 Shares of 10*l.* each, and to borrow 7,000*l.*; and in the event of their purchasing the Town Quay and Bridge at Lymington, or either of them, to raise an additional Capital of 5,000*l.* by new Shares; that they have made the Railway so as to admit of its being opened for public Traffic, but they have not yet completed all the Works connected with the Railway or their Landing Place or Quay at Lymington; that they have purchased the Bridge at Lymington, but not the Town Quay; that they have issued the whole of the Shares of their original Capital of 21,000*l.*, which are all fully paid up, except 13 Shares; and they have borrowed on Mortgage or Bond 7,000*l.*, and they have created 500 Shares of 10*l.* each, in respect of their additional Capital of 5,000*l.*, but they have issued only 127 of those Shares, which are fully paid up; proposes to authorize the Company to take the Tolls in the Schedule for the User of their Bridge, and to purchase by Agreement and to maintain the Ferry across the Lymington River, and to raise further Moneys.

Bridge to be deemed Part of the Railway, § 2.

If Bridge be abandoned or fall into Decay, Admiralty may remove it at Company's Expense, § 3.

Bridge Tolls, §§ 4 to 10.

Power for Company to acquire Ferry across Lymington River, and Ferry Tolls, §§ 11 to 18.

Penalties on Toll Collectors, § 19.

Power to compound for Bridge Tolls and for Ferry Tolls, § 20.

Leases of Bridge Tolls and Ferry Tolls, § 21.

Company may make Arrangements with Steam Vessel Companies, § 22.

Unissued Shares of additional Capital cancelled, § 23.

Capital as now increased to be 41,000*l.*, including Debt, §§ 24 to 29.

Power to create new Shares of different Classes, with a Preferential Dividend not exceeding 5*l.* per Cent., §§ 30 to 38.

Saving Rights of Admiralty, § 41.

Schedule (Tolls).

Cap. xvi.

"The *Tenbury* Railway Act, 1859."

Proposes to make a Railway; to convert a Portion of the Leominster Canal into a Railway, and to authorize the Shrewsbury and Hereford Railway Company to subscribe; and also Agreements with them for working of the Line.

Incorporation of General Acts, § 1.

Subscribers incorporated, with Capital of 30,000*l.* in Shares of 10*l.*, and Power to borrow 10,000*l.*, §§ 3 to 8.

Power to the Shrewsbury and Hereford Railway Company to contribute not exceeding 5,000*l.*, § 11.

Meetings; Directors; §§ 12 to 20.

Railway, §§ 21, 22.

Communications with the Shrewsbury and Hereford Railway, §§ 23 to 26.

Provision for the Easton Court Estate, § 27.

Three Years for the compulsory Purchase of Lands, § 29.

Four Years for Completion of Works, §§ 30, 39.

Provisions of Board of Trade, §§ 31 to 34.

Provision for Purchase of Leominster Canal, 35 to 38.

Tolls, §§ 40 to 49.

Power to make Traffic Arrangements with the Shrewsbury and Hereford Railway Company, §§ 50 to 58.

Cap. xvii.

"The *Worcester and Hereford* Railway Act, 1859."

Proposes to extend their Railway and to purchase certain Property in the City of Hereford.

Lands and Railways Clauses Acts incorporated, §§ 1, 2.

Power to construct new Works, and to enter on Lands for Sidings in Hereford, §§ 3, 4.

Describing Railways, § 5 and § 16.

As to Works near the River Severn, § 6.

As to Construction of Railway under Bridge, § 7.

As to Crane, § 8.

Company not to deviate, § 9.

Damage to be made good, § 10.

Defining Works at Quays, § 11.

Quays not to be obstructed, § 12.

Two Years for Purchase of Lands, § 13.

Three Years for the Completion of the Railways, §§ 14, 15.

Tolls, §§ 17, 18.

Power to Oxford, Worcester, and Wolverhampton Railway Company to use the Railways, § 20.

Repealing Part of Section 3 of 21 & 22 Vict. c. 142.—§ 21.

Cap. xviii.

"The *Dundee and Newtyle* Railway Improvement Act, 1859."

Recites several Acts relating to the Dundee and Newtyle Railway, and to the Dundee, Perth, and Aberdeen Railway Companies; a Lease by the former to the latter; proposes to dispense with Stationary Engines; and to raise further Moneys.
Incorporation of Lands and Railways and Parts of Companies Clauses Acts, §§ 2, 3.
Power to make Improvements according to deposited Plans, &c., § 4.
Lands to be purchased within Two Years, § 6.
Three Years for Completion of Works, § 7 and § 26.
Board of Trade Provisions, §§ 8 to 10.
Railway when improved to vest in Dundee and Newtyle Railway Company, § 11.
Unnecessary Part of existing Railway may be abandoned and disused, §§ 12, 13.
Company's Liability to maintain Roads continued, § 14.
Accommodation of Dundee and Newtyle Railway Traffic at Union Street Station, § 15.
Toll, § 16.
For the Transmission and Accommodation of Dundee and Newtyle Railway Traffic on Expiration of Lease, § 17.
Power to raise additional Capital, 70,000*l.*, §§ 18 to 22.
Apportionment of Revenues of the Dundee and Newtyle Railway, § 23.
Protecting existing Preferences, § 24.

Cap. xix.

"The *Salford* Gasworks Act, 1859."

Recites Acts of 1830, 1844, 1850, and 1853; that under the Act of 1853 the Districts of Broughton and Pendleton became incorporated with the said Borough, and there had then been expended out of the separate Funds or Income of the Salford District upon those Gasworks the Sum of 49,378*l.* 9*s.* 4*d.*, and since such Incorporation there has been expended out of the said separate Funds and Income up to the Thirtieth Day of September One thousand eight hundred and fifty-eight, the further Sum of 27,924*l.* 10*s.* 8*d.*; that the Corporation are authorized to borrow the Sum of 70,000*l.* on Mortgage of the Gasworks and of the separate Property of the Salford District, and of the Improvement Rate, and they now owe 69,042*l.* 18*s.* 7*d.*, of which Debt the Sums mentioned in Schedule (A.) to this Act, amounting together to the Sum of 27,000*l.*, form Part; proposes that the Obligations in respect of the Sum of 27,000*l.* should be adopted by the Corporation, and that the Sum of 924*l.* 10*s.* 8*d.* be repaid by the Corporation to the Salford District out of the Moneys by this Act authorized to be raised, and to enable the Corporation to borrow the Sum of 40,000*l.*, and to alter the Appropriation of the Profits from Gas.
Sums mentioned in Schedule (A.) to be a Charge upon Borough Rate and Gasworks, § 2.
Corporation may borrow a further Sum of 40,000*l.* upon Security of the Gasworks § 3 to 9.
2,530*l.* to be annually transferred to Salford District Account from Gasworks, § 10.
Separate Account in respect of Gasworks, as to the Management of the Gasworks, § 11.
Sinking and Depreciation Fund, § 12.
Gasworks not to be included in any Mortgage of Salford District Property, § 13.
Repeal of Fifty-first Section of the Act of 1853, § 14.
Corporation not to have the Power of disposing of the separate Property of the Salford District, without the Consent of a Salford District Committee, § 15.
Investment of Sinking Fund; Mode of paying off Mortgages, § 16.
Schedule (Mortgages and Forms).

Cap. xx.

"The *Greenwich and South-eastern* Docks Act, 1859."

Incorporation of Companies, Harbours, and Lands Clauses Acts, §§ 2, 3.
Subscribers incorporated, § 5.
Capital 500,000*l.* in 10*l.* Shares, § 6.
Power to borrow 166,666*l.*, § 8.
Directors, §§ 9 to 12.
Company empowered to construct Docks and Works according to Plans, § 14.
Lands for extraordinary Purposes, § 15.
Five Years for Completion of Docks and Works, § 16.
Power to make Engines and other Conveniences, § 17.
Diversion of Water of Thames, § 18.
Admiralty Provisions, §§ 19 to 25.
Work to be approved by Conservators of River Thames, § 26.
Buoys, Lighthouses, and other Conveniences, § 27.
Lights not to be exhibited or altered, or Buoys placed, without Sanction of Trinity House, § 28.
Company not to make Byelaws for the Regulation of Vessels near the Docks, § 29.
Company not to interfere with the Bed of the River, §§ 30, 31.
Saving Rights of the Conservators of the River Thames, § 32.
Docks to form Part of Port of London, § 33.
For Protection of Metropolitan Board of Works, § 34.
Lairs for Cattle, &c., § 35.
Limits of Harbour-master's Authority, § 36.
Vessels not to lie near Entrance to Dock, §§ 37, 38.
Bonding Warehouses, §§ 39 to 43.
Company empowered to make Rules and Regulations for managing their Warehouses, § 44.
Dangerous Goods to be marked by Senders, § 45.
Landing Gunpowder on Sundays, &c., § 46.
Power to appoint Weighers and Measurers, § 47.
Penalty for obstructing Constables, &c. searching Vessels, &c., § 48.
Officers of Customs to have free Access to Dock without Payment of Toll, § 49.
Rates payable on Vessels and on Goods, §§ 50 to 60.
Power to stop Goods for Freight, §§ 61 to 69.
Saving Rights of the Crown, of Corporation of London, and of Greenwich District Board of Works, §§ 70 to 73.
Schedule A. Schedule B. Tolls, Dues, and Rates.

Cap. xxi.

"*Price's* Patent Candle Company's (Limited) Act, 1859."

Recites that under their Act of 1857 their Capital was fixed at 1,000,000*l.*, in 50,000 Shares of 20*l.* each, and they had Power to borrow 100,000*l.*, but subject to Reduction; that they have borrowed that Sum; that 12,500 Shares are unissued; proposes to cancel and to re-issue those Shares with a preferential Dividend, and to issue Shares for Redemption of Debt.
Power to cancel unissued Shares and to issue Shares with a Preference of Six or of Seven per Cent., according as they are irredeemable or redeemable, §§ 2 to 4.

Power to cancel Preferential Shares created but not issued, § 5.
Power to create new ordinary Shares for the Redemption of Preferential Shares, §§ 6 to 8.
Votes, Calls, &c., §§ 10, 11.

Cap. xxii.

"*Vale of Neath* Railway Act, 1859."

Recites Acts relating to the Company and to the South Wales Railway Company; that it is expedient that the Company be authorized to acquire by Agreement with the South Wales Company that Part of the Neath Station which the Company now occupy, and to acquire by Agreement Lands adjoining thereto, and to provide additional Station Accommodation there, and that the Company and the South Wales Company be authorized to make Arrangements with respect to the User of their respective Station Accommodation at or near to Neath, and of their respective Portions of Railway, Works, and Conveniences at and near to the Junction of the Railway with the South Wales Railway, and at and near to their respective Stations at Neath; recites Acts relating to the Briton Ferry Floating Dock Company, and to the South Wales Mineral Railway Company; that the Company convey their Traffic to and from the Docks partly over a Portion of the South Wales Railway and partly over a Line of Railway which has been in part made and is now in course of Completion by the South Wales Company and the Dock Company, or One of them, under the Authority of "The Briton Ferry Dock and Railway Act, 1851," and Section 34 of "The South Wales Railway (New Works) Act, 1851"; that by "The Briton Ferry Dock Act, 1851," the Dock Company were authorized to raise a Capital of 60,000*l.* by 3,000 Shares of 20*l.* each, and to borrow not exceeding 20,000*l.*, and the Company were authorized to subscribe and pay not exceeding 20,000*l.* towards the Undertaking of the Dock Company, and to appoint Three of the Nine Directors of the Dock Company; that by "The Briton Ferry Dock Act, 1857," the Dock Company were authorized to raise an additional Capital of 45,000*l.* by Shares, and to borrow not exceeding an additional Sum of 15,000*l.*, and the Company were authorized to subscribe and pay a further Sum of 10,000*l.* towards the Undertaking of the Dock Company, and the Mineral Railway Company were authorized to subscribe and pay 10,000*l.* towards that Undertaking; that the Company have subscribed and paid the Sum of 20,000*l.* only towards the Undertaking of the Dock Company; that the Mineral Railway Company have not paid or subscribed any Sum towards the Undertaking of the Dock Company; that the whole of the Capital of 60,000*l.* by "The Briton Ferry Dock and Railway Act, 1851," authorized to be raised by Shares has been created, and the Sum of 49,447*l.* has been paid thereon; that only the Sum of 3,740*l.*, Part of the additional Capital of 45,000*l.* by "The Briton Ferry Dock Act, 1857," authorized to be raised by Shares has been taken, and the Sum of 3,740*l.* has been paid thereon; that the Amount raised by the Dock Company by Shares and by borrowing is insufficient for the Completion of their Works; that such Completion is of importance to the Vale of Neath Company and to the Public using the Railway, and it is expedient that the Company be authorized to make Arrangements for securing the Completion of those Works, and to lease Part of the Lands and Works of the Dock Company; to make and maintain at or near to the Docks, Works and Conveniences adapted for the Traffic on the Railway, and by Agreement to acquire Lands for the Purpose; recites also, that by "The Aberdare Valley Railway Act, 1855," that Company were incorporated and were authorized to raise a Capital of 12,000*l.* by 600 Shares of 20*l.* each, and to borrow not exceeding 4,000*l.*, and were authorized to make and maintain the Aberdare Valley Railway; that they have raised and expended on their Undertaking the whole of their Capital of 12,000*l.*, and have borrowed and expended on their Undertaking the whole of the 4,000*l.* which they were authorized to borrow; that the Aberdale Valley Railway is worked and managed by the Vale of Neath Company under an Agreement entered into by them with the Valley Company, in pursuance of "The Aberdare Valley Railway Act, 1855;" that it is expedient that the Vale of Neath Company be authorized to acquire the Undertaking and Property of the Valley Company; that under their Acts of 1846, 1847, and 1855, and before the 31st Day of December 1858, the Company had created 32,734 Shares of 20*l.* each, of the aggregate nominal Amount of 654,700*l.*, which Shares had been converted into 654,700*l.* consolidated Ordinary Stock of the Company, and they had also, under their Acts of 1846 or 1855, or One of them, created 3,015 Shares of 20*l.* each, of the aggregate nominal Amount of 60,300*l.*, which had not been fully paid up; that on the 31st Day of December 1858, the several Shares so created and not fully paid up, and being of the aggregate nominal Amount of 60,300*l.* with the then consolidated Stock of the nominal Amount of 654,700*l.* made together the aggregate nominal Amount of 715,000*l.* being the total Capital which the Company were authorized to raise by Shares; that on the 31st Day of December 1858, the Amount which the Company had borrowed and secured by Debentures was the Sum of 238,300*l.* authorized to be raised by Debentures, and they were indebted in the further Sum of 74,380*l.*, making an aggregate Debt of 312,680*l.*; proposes to raise further Moneys and to regulate Capital and borrowing Powers.
Incorporation of Parts of Companies Clauses Act, and Lands, Railways, and Harbours Clauses Acts, §§ 2 to 4.
Power for Company to purchase by Agreement Lands for Purposes of Act, § 5.
Powers for Company to use Lands for Purposes of Act, § 6.
Powers of Company and South Wales Company as to Station at Neath, &c., § 7.
Power for Company to guarantee Interest or Profit not exceeding 6*l.* per Cent. upon 40,000*l.* to Dock Company, §§ 8 to 10.
Power for Company and Dock Company to agree for Licence to use or Lease of Docks to Company §§ 11 to 15.
Power for Company and Aberdare Valley Company to agree for Sale or Transfer of Valley Railway to Company, §§ 16 to 31.
Tolls, &c. on Railways vested in or worked by Company under Act, §§ 32, 33.
Agreement between Company and other Companies for Purposes of Act, § 34.
150,000*l.* additional Capital of Company created, § 35.
Present Capital of Company 865,000*l.* including the 150,000*l.*, § 36.
Power for Company to raise further Capital for Acquisition of Property of Valley Company, not exceeding 16,000*l.*, § 37.
Total Capital of Company under Act, § 38.
Power to cancel unissued new Shares, §§ 39 to 45.
Power to attach a Preference not exceeding 6*l.* per Cent. to new Shares, §§ 46 to 56.
Power to borrow generally, § 57.
Power to borrow for Acquisition of Property of Aberdare Valley Company, §§ 58, 59.
Power to create Debenture Stock, with a Dividend not exceeding 5*l.* per Cent., §§ 60 to 69.

Company to keep separate Accounts of Shares, &c. created, &c. for Acquisition of Property of Aberdare Company, and Application thereof, § 70.
Limit of Amount to be raised by Company to be 1,169,333*l.*, § 71.
Votes, §§ 75 to 78.
Directors, §§ 79 to 81.
Saving Rights of Companies, § 82.

Cap. xxiii.

"The *Atlantic* Telegraph Amendment Act, 1859."

Recites Acts of 1857 and 1858; that their present Capital consists of 350,000*l.* original Capital, and of 112,860*l.* in 20*l.* Shares; that they have no Preference Shares; proposes to increase Capital; to attach a Preference to it; and to modify and alter Agreements with Her Majesty's Government.
Repeal of Sections 13 & 15 of Act of 1857, and of Section 3 of Act of 1858, § 3.
The Capital of the Company shall be (until increased under the Powers herein-after contained) the Sum of 1,062,860*l.*, consisting of the Sums of 350,000*l.* and 112,860*l.* before mentioned, (and both of which Sums are herein-after included under the Term "Old Capital,") and the Sum of 600,000*l.* in 120,000 new Shares of 5*l.* each, § 4.
Those 120,000 Shares shall bear and be entitled to a preferential Dividend at the Rate of 8 per Centum per Annum on the Amount for the Time being paid up thereon in Priority to the Payment of any Dividend on any Part of the old Capital, and shall also in proportion to the Amount for the Time being paid up thereon, be entitled to participate equally with the old Capital in any Moneys applicable to Dividend which, upon each Declaration of Dividend, may remain after paying or providing for Dividend, on the whole of the old Capital at the Rate of 4 per Centum per Annum, § 5.
The Company may from Time to Time, by a Resolution passed, with the Assent of Two Thirds of the Votes of the Shareholders voting, personally or by Proxy at any General Meeting of the Company convened with Notice of such Object, further increase the Capital of the Company so as the total Amount of Capital, including the Capital theretofore created, shall not exceed the Sum of 2,000,000*l.* sterling, § 6.
Power to attach a Preference to new Capital, § 7.
Deficiency in Year's Dividend not to be supplied out of Profits of succeeding Years, § 8.
New Capital to be Part of general Capital, § 10.
Application of new Capital, § 11.
Power to divide Capital into Shares of a smaller Amount, § 12.
Register of Shares, § 13.
Directors not bound to issue Certificates of Shares until former Certificates delivered up, § 14.
Shares to be Shares in Capital, § 15.
Voting, &c., § 16.
Power to Treasury to modify Agreements with Company, and to make Arrangements with them as to fixed or varying annual Payments, § 17.
Act not to confer exclusive Privileges, § 18.

Cap. xxiv.

"The *Border Union (North British)* Railways Act, 1859."

Recites that the Acts relating to the North British Railway Company were consolidated and amended, and the Undertaking of the Company defined by 21 & 22 Vict. c. cix.; that the Hawick Line of the Company commences by a Junction with the Berwick Line of the Company at the Portobello Station and terminates at Hawick, and there are Branch Railways therefrom to St. Leonard's in Edinburgh, to Dalkeith, and to Kelso; that a Railway in extension of the said Hawick Line to the Port Carlisle Railway in the Parish of St. Mary Carlisle in the County of Cumberland, with Branch Railways therefrom to Langholm and the Canobie Coalpits, and to connect such Railway with the Caledonian Railway at Gretna, would be of great advantage to the Public and to the Company; and that the Cost is estimated at the Sum of 495,000*l.*; proposes to raise further Capital by the Creation of Shares with or without a Guarantee of Dividends and to appropriate to the Purposes of this Act any of their existing Funds; also that separate Accounts should be kept of the Traffic upon the said Railways and of the Revenues derived therefrom; and to make Provision for the User by the Company of certain Parts of the Caledonian Railway, and also for the Use by the Company of the Citadel Station at Carlisle, and to fix the Tolls to be taken on certain Parts of the Caledonian Railway for the Use thereof, or otherwise with respect to the Traffic of the intended Railways, and to provide for facilitating the Conveyance, Interchange, and Transmission of Traffic to, from, and upon the various Systems of Railways belonging to the Company (including the said intended Railways), the Caledonian Railway Company, the Lancaster and Carlisle Railway Company, the Port Carlisle Dock and Railway Company, the Carlisle and Silloth Bay Railway and Dock Company, the Border Counties Railway Company, the Glasgow and South-western Railway Company, the Newcastle-upon-Tyne and Carlisle Railway Company, and the Maryport and Carlisle Railway Companies, and to authorize the said Companies to make Contracts and Arrangements with respect to the several Matters aforesaid, and to confirm an Arrangement already entered into between the Company and the Port Carlisle Dock and Railway Company and the Carlisle and Silloth Bay Railway and Dock Company.
Incorporation of General Acts, § 2.
Power to Parties having limited Interests to feu Lands, &c., §§ 3 to 6.
Power to make Railways, §§ 7 to 9.
Provisions as to Bridge over Caledonian Railway, §§ 10, 11.
As to Junctions with Caledonian and Port Carlisle Railways, §§ 12 to 15.
Saving Rights of the other Companies, § 16.
Board of Trade Provisions, §§ 17 to 24.
Three Years for compulsory Purchase, § 25.
Five Years for Completion of Works, §§ 27, 28.
Power to create Border Union Shares not exceeding 495,000*l.*, §§ 29 to 31.
Company may guarantee Dividend not exceeding 5*l.* 10*s.* per Cent., §§ 32 to 35.
Qualification for Directors under this Act, 35, 36.
Future Elections of Directors, § 37.
Incorporating certain Provisions of Companies Clauses Consolidation Act, § 41.
Power to borrow 165,000*l.*, § 42 and 44.
Langholm and Gretna Branches to be opened simultaneously with Carlisle Extension, § 48.
Tolls, § 49.
Company restrained from charging more than One Penny Halfpenny per Ton per Mile for Coal, § 50.
Company to run One Passenger Train at the least per Day each Way between Edinburgh and Carlisle, § 51.
For the Accommodation of Langholm Branch, § 52.

Distance between Langholm and Hawick to be reckoned as if Langholm had been on main Line, § 53.
Transmission and forwarding of Traffic, § 54.
Prevention of undue Competition with the Caledonian Railway Company, § 55.
Power to run over Port Carlisle Branch of Caledonian Railway, § 56.
Power to use Citadel Station at Carlisle, § 57.
Limiting Tolls and Charges for certain Traffic on Part of the Caledonian Railway, § 58.
Power for Companies to enter into Agreements, § 59.
Confirming Agreement between Company and Port Carlisle Dock and Railway Company, §§ 60 to 64.
Schedule. Agreement.

Cap. xxv.

"The *Carlisle* to *Penrith* and *Penrith* to *Eamont* Bridge Road Act, 1859"

Recites and proposes to repeal 11 G. 4., c. cx.; that 2,500*l.* is owing upon the Tolls; proposes to divide the Road into Two Divisions.
Repeal of recited Act; Act to be in force for 23 Years, § 2.
Division of Road, § 4.
Northern Division, § 5.
Southern Division, § 6.
Moneys and Property vested in Trustees, according to their Divisions, § 7.
Benefit of Contracts, &c., with Trustees to belong to Trustees, of the respective Division, according to the Subject Matter thereof, § 8.
How Obligations of present Trustees shall be discharged, § 9.
Apportionment of Mortgage Debt between the Two Divisions, § 10.
Trustees under recited Act may act until First Meeting of Trustees under this Act, § 11.
Books and Minutes, §§ 12, 13.
Trustees, §§ 14, 15.
Present Officers continued, § 16.
First Meeting of Trustees, § 17.
Toll Gates, § 18.
Carlisle Trustees to remove the present Toll Gate at Carlisle and not to put one nearer than 1,800 Yards from the Stone called the City Bounder Stone, § 19.
Present Tolls continued for 21 Days after Commencement of Act, unless Trustees otherwise direct, § 20.
Tolls, §§ 21 to 29.
Power for each Division to borrow 400*l.*, § 30.
Except as so authorized, no more Money to be borrowed, § 31.
Application of Moneys, §§ 32, 33.
As to Mode of discharging Debt, § 34.
Schedules (Mortgages on Tolls).

Cap. xxvi.

"*Much Wenlock and Severn Junction* Railway Act, 1859."

Incorporates Companies, Lands, and Railways Clauses Acts, § 1.
Company incorporated, with a Capital of 24,000*l.* in 10*l.* Shares, and Power to borrow 8,000*l.*, §§ 4 to 10.
Meetings; Directors, §§ 11 to 18.
Railway, §§ 19, 20, to be completed in Four Years, §§ 33, 34.
Board of Trade Provisions, §§ 21 to 25.
Communications with Severn Valley Railway, §§ 27 to 31.
Two Years for Compulsory Powers, § 32.
Tolls, §§ 35 to 42.
Running Powers over Part of Severn Valley Railway, §§ 43, 44.
Power for Severn Valley Railway Company to form a Junction, §§ 45, 46.

Cap. xxvii.

"The *Norwich* New Street Act, 1859."

Incorporation of Companies and Lands Clauses Acts, §§ 3, 4.
Subscribers, incorporated, with a Capital of 10,000*l.* in 50*l.* Shares, and with Power to increase to 20,000*l.*; Power to borrow One Fourth of Capital, §§ 5 to 8.
Directors, §§ 11 to 13.
Power to make Street according to Plans, §§ 14 to 19.
After Street has been sewered it is to be maintained by Local Board, § 19.
Company may sell and dispose of Grounds and Buildings to be acquired by them, and may grant Building Leases, &c., but subject to Lands Clauses Act, § 21.
Application of Moneys received, § 22.
Eventual Dissolution of Company, § 23.

Cap. xxviii.

"The *Liverpool* Exchange Act, 1859."

Recites Incorporation of Proprietors under 42 G. 3. c. lxxi.; that they have raised 80,000*l.* in 100*l.* Shares, have set apart a Reserve Fund, now amounting to 6,000*l.* and upwards, and have invested a Portion thereof, but have not borrowed any Money; proposes to construct additional Buildings and to abolish the System of Free Admissions; that by an Act of 1858 a Scheme was sanctioned for effecting the Purposes aforesaid, but (after reciting that it was expedient to allow Time for the Proposal to Parliament of another and more comprehensive Scheme relating to the Liverpool Exchange and Public Rooms connected therewith), it was enacted, that the said Act should not commence or take effect until the 1st Day of August 1859; that the Promoters have for that Purpose formed themselves into a Joint Stock Company under the Name of "The Liverpool New Exchange Buildings Company, Limited;" proposes to repeal Acts and to incorporate a new Company.
Repeal of recited Acts; Saving of Rights and Liabilities, § 1; and §§ 5 to 13.
Incorporation of Companies and Lands Clauses Acts, § 3.
Incorporation of Company, § 4.
Capital to be 360,000*l.* in 20*l.* Shares, § 14.
Increase of Capital by 100,000*l.*, § 16, and §§ 19, 20.
No Preference Shares to be created, § 18.
Power to borrow to not exceeding One Fourth of paid-up Capital, §§ 21 to 23.
Reserved Fund, § 24.
General Meetings; Votes; Directors; Auditors, §§ 25 to 39.
Power to take Lands, § 40; Time limited to Two Years, § 42.
Company not to appropriate Land for Exchange or News Room till certain Property purchased, § 43.
Saving certain Rights of Liverpool Corporation, § 41; and of Liverpool Exchange Proprietors, § 44.
Additional Lands, §§ 45, 46.
Power to Corporation to grant Lands at a yearly Rent, § 47.
Power to stop up Exchange Street West, §§ 48, and 50; and to alter Exchange Street East, § 49.
Power to build, alter, and rebuild, § 52.
News Rooms, § 53 to 56.
Free Admission abolished, § 57.
Letting of Buildings, § 58.
Company to maintain the Exchange Area, 59.
Piazzas, § 61.

Regulations as to Passages, §§ 61 to 66.
Distribution of Reserved Fund, &c. of Company of Proprietors, and Dissolution of Company, §§ 67 to 71.
Byelaws, §§ 72, 74.
Appointment of Constables, § 75.
Penalty for obstructing Officers of Company, § 76.
Saving Rights of Municipal Corporation, § 77.

Cap. xxix.

"The *Castle Douglas and Dumfries* Railway (Amendment) Act, 1859."

Recites Incorporation in 1856, with a Share Capital of 120,000*l.*, and Power to borrow 40,000*l.*, and for the Glasgow and South-western Railway Company to contribute 60,000*l.* towards the Share Capital; that the Company's Funds are insufficient to complete their Railway; proposes to authorize Increase of Capital and Deviation of Railway.
Incorporates Lands and Railways and Parts of Companies Clauses (Scotland) Acts, §§ 3, 4.
Power to raise 72,000*l.* by new Shares, with or without a Preference not exceeding 6*l.* per Cent., §§ 5, 6.
Power to borrow 24,000*l.*, § 7.
Power for Glasgow and South-western Company to purchase and hold the new Shares so created, and to raise Money by creating Shares in their own Undertaking, with or without a Preference not exceeding 5*l.* per Cent., §§ 8 to 11.
Funding of Debt, §§ 12 to 15.
Annuities in respect of Debt, not to exceed 5*l.* per Cent., §§ 16 to 20.
Power to create Debenture Stock in lieu of Mortgage and funded Debt, with Interest not exceeding 5*l.* per Cent., §§ 21 to 23.
Cancelling, Forfeiture, and Re-issue of Shares, §§ 24 to 26.
Dividends, Payment of, § 27.
Power to make a Deviation, to be completed in Two Years, §§ 28 to 31.

Cap. xxx.

"The *Llanidloes and Newtown* Railway (Canal Extension) Act, 1859."

Recites Acts of 1853 and 1856; proposes to construct a Tramway, to extend Time for Purchase of Lands, to lease Railway, and to authorize Traffic and Working Arrangements with Shropshire Union Company.
Incorporates Lands and Railways Clauses Acts, § 1.
Power to make Tramway, §§ 3 to 6; to be completed in Two Years, § 11.
Line not to be deviated near Canal Terminus, § 7.
Protection of Shropshire Union Railways and Canal Company, §§ 8, 9.
One Year for compulsory Purchases, § 10.
Extension of Time for compulsory Purchases under Act of 1856, and Compensation, §§ 13 to 15.
Power to lease Railway to certain Parties, §§ 16 to 21.
Power to enter into Traffic and Working Arrangements with Shropshire Union, §§ 22 to 25.

Cap. xxxi.

"*London and South-western—Portsmouth* Railway Amalgamation Act, 1859."

Recites Acts relating to the Portsmouth Railway Company; their Power to raise a Capital of 400,000*l.* by the Creation of Shares, and to attach a Preference or Guarantee of Dividends, not exceeding 5*l.* per Centum per Annum, on Part of such Capital, amounting to 50,000*l.*, and to borrow 133,000*l.* on Mortgage of their Undertaking; that the Railway from Godalming to Havant and the Extension to Shalford are completed, but that certain other Extensions, Junction, and Station are not constructed; that their existing Capital consists of 17,500 ordinary Shares of 20*l.* each, and the Company have not exercised their Power of creating preference or guaranteed Shares for any Part of the said Sum of 50,000*l.*, and the Mortgage Debt of the Company amounts to 133,000*l.*; proposes to provide for the Leasing or Amalgamation of the Undertaking of the Portsmouth Railway Company to the London and South-western Railway Company.
Power for Companies to amalgamate, § 2.
Value of Undertaking for Purposes of Amalgamation, § 3.
Arrangement to be made as to Mortgage Debt of Company before Amalgamation, § 4.
Annuities may be created for Redemption or Discharge of Mortgages of Company, § 5.
Saving Rights of Mortgagees, § 6.
Annuities for Shareholders of Company in respect of their Shares to be created by the South-western Company, and to be called South-western Railway Portsmouth Annuities, and to be charged on Undertakings of both Companies; to be made by Deed, §§ 7 to 35.
Stock may be allotted by Agreement in lieu of Annuities, §§ 36 to 39.
Annuities to be paid until Stock allotted, § 40.
Interest upon Stock to rank with Interest upon Annuities, §§ 41 to 43.
When Amalgamation to take effect, § 44.
Company dissolved and Shareholders entitled to Annuities, § 45.
Undertaking to vest in South-western Company, certain Provisions of recited Acts repealed, and the rest to apply to South-western Company; Saving of Rights and Liabilities, §§ 46 to 49.
Power to lease, 50 to 55.
Railways to be deemed One continuous Line as regards Tolls and Charges, § 56.
Number of Trains to be run by South-western Company daily between London and Portsmouth, viâ Godalming, § 57.
Speed of Trains, § 58.
Fares and Rates, § 59.
South-western Company to work Line fairly, § 60.
Board of Trade to decide as to Compliance by South-western Company with Requirements of Act, § 61.
Power to enter into Contracts, § 62.
Terms as to Use of Station at Landport, § 63.
Protection of certain Church Property, § 64.
Schedules (Forms).

Cap. xxxii.

"The *Forth and Clyde* Navigation Amendment Act, 1859."

Recites 4 & 5 Vict. c. lv. and 13 & 14 Vict. c. xxvii.; further extends the Time for Sale of superfluous Lands for Ten Years; and provides for the Enlarging of the Aqueduct over the Possil Road.
Schedule (Lands).

Cap. xxxiii.

"*Hertford, Luton, and Dunstable* Railway Act, 1859."

Recites Acts of 1854 and 1855, incorporating the Two Companies, the State of their Capital at the Time of their Amalgamation in 1858; that under the Act of 1858 the Capital

of the Company is 185,000*l.*, consisting of 54,460*l.* in 5,446 Shares of 10*l.* each, by that Act appropriated to the Hertford Section; and 10,540*l.*, by that Act authorized to be raised by new Shares for the Purposes of the Hertford Section; and 70,000*l.* in 7,000 Shares of 10*l.* each, by that Act appropriated to the Luton Section; and 50,000*l.* by that Act authorized to be raised by new Shares for the Purposes of the Luton Section; that the Company are authorized to issue the new Shares as preferential Shares, but the preferential Dividend thereon is limited to 5*l.* per Centum per Annum on the Amount from Time to Time paid up thereon; and the Company are precluded from paying that Dividend for any Year, except out of the Profits for the same Year; that by the Act of 1858 the Company are authorized to borrow on Mortgage of the Hertford Section not exceeding 21,600*l.* inclusive of the Debenture Debt of the dissolved Hertford Company, and to borrow on Mortgage of the Luton Section not exceeding 40,000*l.*; that by the Act of 1858 Provision is made for all Moneys raised by the Company in respect of the Hertford Section and the Luton Section respectively, being applicable only to those Sections respectively; that the Shares of the 54,460*l.*, Part of the Hertford Capital are fully paid up; and the Company some Time since created and resolved on issuing the new Shares of the 10,540*l.*, as Residue of the Hertford Capital, as preferential Shares, bearing a fixed Dividend at the Rate of 5*l.* per Centum per Annum, but they have not issued any of those Shares; that the Debenture Debt of the Company in respect of the Hertford Section is 20,900*l.*; that the Company require for the Purposes of the Hertford Section, and propose to raise by new Shares 10,000*l.* in addition to the Amount which they are now authorized to raise for those Purposes; proposes to repeal the Restriction limiting the Preference Dividend to 5*l.* per Cent., and to continue to keep the Accounts separate, and to extend Period for Completion of Luton Section.

Incorporation of Part of Companies Clauses Act, §§ 3, 4.

Partial Repeal of Section 45 and Part of Section 46 of the Act of 1858, § 5.

Unissued Shares of 10,540*l.*, Part of Hertford Capital, cancelled, § 6.

Power to create Shares for 10,540*l.* instead of cancelled Shares, § 7.

Power to raise 10,000*l.* additional Hertford Capital by new Shares, § 8 to 11.

Limit of Hertford Capital to 75,000*l.* and Loan converted into Capital, § 12.

Hertford Capital to be distinct from Luton Capital, § 13.

Power to create new Shares of Hertford Capital and to attach a Preference not exceeding 6*l.* per Cent. §§ 14 to 17.

Appropriation of new Shares, §§ 18 to 26.

Privileges of Holders of new Shares, §§ 27 to 29.

Application of Monies, § 30.

Period for Completion of Luton Section extended Two Years from passing of Act, §§ 33 to 35.

Saving Rights of the London and North-western Railway Company, § 36.

Cap. xxxiv.

"The *Maybole and Girvan* Railway (Amendment) Act, 1859."

Recites Incorporation in 1856, with a Capital of 68,000*l.*; and Power to borrow 22,600*l.*; and for the Glasgow and South western Railway to contribute 20,000*l.* towards the Share Capital; that their Funds are insufficient to complete their Railway; and that a Deviation is required.

Incorporates Lands and Railways, and Parts of Companies Clauses (Scotland) Acts, §§ 3, 4.

Power to raise 45,000*l.* by new Shares with or without a Preference not exceeding 6*l.* per Cent., §§ 5, 6.

Power to borrow 15,000*l.*, § 7.

Power for Glasgow and South-western Company to hold Shares to the Amount of 15,000*l.*, and to raise Money by Shares in their own Undertaking with or without a Preference not exceeding 5*l.* per Cent., §§ 8 to 15.

Power to fund Mortgage Debt, and Payment of Annuities in respect thereof, §§ 16 to 24.

Power to create Debenture Stock in lieu of Mortgage or funding Debt, with Interest not exceeding 5*l.* per Cent.; Stamp Duties, §§ 25 to 27.

Surrender, cancelling, Re-issue of Shares, §§ 28 to 30.

Payment of Dividends, § 31.

Deviation of Line; compulsory Powers of Purchase to be exercised within One Year; Line to be completed in Two Years, 32, 33.

Cap. xxxv.

"*Caterham and South-eastern* Railway Companies Act, 1859."

Recites Incorporation of Caterham Railway Company in 1854, with a Capital of 30,000*l.*, and Power to borrow 8,000*l.*; that the Railway is open; their Shares paid up except 70*l.*; that they have borrowed 8,000*l.*, and that Interest to the Amount of 1,000*l.* is unpaid; recites a Suit in Chancery, and Approval by the Court of Sale to the South-eastern Railway Company for the Sum of 14,000*l.*

Incorporates Lands and Railways Clauses Acts, §§ 2, 3.

Heads of Agreement in Schedule confirmed, § 4.

Transfer of Undertaking to South-eastern Railway Company, §§ 5 to 10.

Application of Moneys by South-eastern Railway Company, §§ 11, 12.

Winding-up and Dissolution of Caterham Railway Company, §§ 13 to 16.

Schedule (Heads of Agreement).

Cap. xxxvi.

"The *Bagenalstown and Wexford* Railway Act, 1859."

Recites Act of 17 & 18 Vict. (incorporating the Company) and of 19 & 20 Vict. (affording Facilities for raising Funds), that their authorized Capital consists of 270,000*l.* divided into 27,000 Shares of 10*l.* each; that they are authorized to raise a Sum not exceeding 30,000*l.* by Preference Shares instead of by Ordinary Shares; that 11,270 Shares have been subscribed for; that the paid-up Capital consists of 67,962*l.*, and the Company have not created any Preference Shares; that the Company are authorized to borrow on Mortgage a Sum not exceeding in the aggregate 90,000*l.*, in the following Manner; (that is to say,) on the Completion and Opening for public Traffic of the First Division of their Railway the Company are authorized to borrow a Portion of the said Sum, not exceeding One Third of such Amount as shall be certified by the Board of Trade to have been actually expended by the Company in executing that Portion of the Undertaking, and so in like Manner on the Opening for public Traffic of the Second, Third, and Fourth Divi-

sions of the Railway; that the First Division has been completed and opened for public Traffic, and the Works upon the Second Division are in progress, and the Company have not borrowed any Money on Mortgage or Bond; proposes to revive compulsory Powers in respect of certain Lands; to extend Period for Completion of Railway; to enlarge borrowing Powers; and to authorize the Great Southern and Western Railway Company to acquire Shares and to enter into Agreements.

Incorporation of General Acts, § 2.

Revival and Extension for Two Years of Powers for the Compulsory Purchase of Lands as regards a Portion of the Property shown on the Plans of 1854, § 3.

Compensation, § 4.

Existing Contracts and Notices not to be prejudiced, § 5.

Extension of Time for Three Years for Construction of authorized Line, § 6.

Power to make a Deviation, §§ 7, 8.

Company to abandon Part of Line for which Deviation is substituted; Compensation, §§ 9, 10.

Two Years for compulsory Purchase of Lands for Deviation, § 12.

Three Years for the Completion of Works, § 13, 14.

Power to borrow 135,000*l.*, § 15.

Payment of Principal and Interest on Mortgages, how to be enforced, § 16.

Power for the Great Southern and Western Railway Company to subscribe and hold Shares to not exceeding 25,000*l.*, § 17.

Shares created by the Great Southern and Western Railway Company in pursuance of this Act to be entitled to preferential Dividends only out of the Profits of each Year, § 18.

Great Southern and Western Railway Company may appoint a Director and Person to vote, §§ 20 to 23.

Power to increase the Number of Directors, § 25.

Power to make Working and Traffic Arrangements with the Great Southern and Western Railway Company, §§ 26 to 29.

Cap. xxxvii.

"The *Dublin and Drogheda* Railway Act, 1859."

Recites the several Acts relating to the Company; that under them they have Power to raise by Shares 953,000*l.*, and to borrow 317,333*l.*; that their Capital consists of 6,000 ordinary Shares of 75*l.* each, and 6,000 ordinary Shares of 25*l.* each, upon which 526,772*l.* 17*s.* 2*d.* has been paid, 8,831 Five per Centum Preference Shares of 25*l.* each, upon which 188,350*l.* has been paid, and 1,769 Four per Centum perpetual Preference Shares of 25*l.* each, upon which 44,225*l.* has been paid, and the existing Mortgage Debt is 258,051*l.* 4*s.*; proposes to create Stock with a preferential Dividend for redeeming the Mortgage Debt, and to create Preference Shares at a lower Rate of Dividend, for the Purpose of redeeming certain Preference Shares; to enlarge their Station at Dublin.

Incorporates General Acts, § 2 and § 14.

Power to create Debenture Stock with a Preference not exceeding 5*l.* per Cent., §§ 3 to 9.

Power to create new Shares for Redemption of Preference Shares, §§ 10 to 13.

Power to enlarge Station at Dublin, §§ 14, 15.

Cap. xxxviii.

"The *Newry and Armagh* Railway Amendment Act, 1859."

Recites Act of 1857, and proposes to alter Line, make a Deviation, and authorize Use of the Station of the Ulster Railway Company.

Incorporates General Acts, § 1.

Railways, §§ 3 to 5; to be completed in Three Years, §§ 13, 14.

Power to abandon Portion of Line; Compensation, §§ 6, 7.

Board of Trade Provisions, §§ 8 to 11.

Two Years for compulsory Purchases, § 12.

Power to use Station of Ulster Railway at Armagh, §§ 15 to 20.

Tolls, § 21.

Repeals Section 42 of Act of 1857, and enables Company to borrow 78,000*l.* upon Capital being paid up, § 23.

Cap. xxxix.

"The *Norwich* Corn Exchange Act, 1859."

Incorporation of Companies and Lands Clauses Acts, and Parts of the Markets and Fairs Clauses Act, 1847, §§ 2, 3.

Incorporation of Company, § 4.

Capital, 16,000*l.*, in 25*l.* Shares, §§ 5, 6.

Power to borrow 4,000*l.*, § 7.

Votes and Directors; Auditors, §§ 8 to 13.

Company may construct Corn Exchange, &c., on Lands shown on Plans, §§ 14 to 16.

Power to remove the existing Corn Exchange, and no other Corn Exchange or Corn Market to be established in Norwich without Authority of Parliament, § 17.

Charges for Admission to, and Use of, Corn Exchange, and of Stand therein, § 18.

Byelaws, 19.

Power for Corporation of Norwich to purchase, § 20.

Power of Company to sell or lease superfluous Lands or Buildings, § 21.

Corporation to have Pre-emption of superfluous Lands, §§ 22 to 24.

Saving Rights of the Corporation of Norwich, § 25.

Cap. xl.

"The *Gloucester and Cheltenham* Tramroads Abandonment Act, 1859."

Recites several Acts relating to the Tramroad; that the Shares in the Undertaking are all vested in the Midland and Great Western Railway Companies; proposes to enable those Companies to sell and abandon the Tramroad, and to repeal the Acts relating to the Company.

Repeal of Tramroad Acts, and Dissolution of Tramroad Company, §§ 2, 3.

Midland and Great Western Railway Companies to be jointly seised and possessed of Property of Tramroad Company, § 4.

Liabilities under repealed Acts saved, §§ 5, 6.

Midland and Great Western Railway Companies to sell Tramroads, §§ 7, 8.

Portions to be vested in the Cheltenham Improvement Commissioners, § 9.

Tramroad forming Part of Road not within Jurisdiction of Commissioners, §§ 10, 11.

Rights of adjoining Owners, §§ 12 to 15.

Arbitration in case of Dispute, §§ 16 to 18.

Fences; Crossing of Tramroad; Compensation; §§ 20 to 24.

Providing for Carriage of Stone for the Roads, and for the Cheltenham Improvement Commissioners, §§ 25, 26.

Cap. xli.

"The *Ulster* Railway Act, 1859."

Recites Acts relating to the Company, especially Acts of 1856 and 1857, enabling them to subscribe towards the Portadown and Dungannon Railway; proposes to extend their Railway; to provide for the Interchange of Traffic between the Railway by this Act authorized and a Railway intended to be made from Clones to Cavan; to authorize the Use of the Station of the Dundalk and Enniskillen Railway Company at Clones, and the Station of the Midland Great Western Railway of Ireland Company at Cavan; further recites that the Share Capital of the Company consists of 750,000*l.*, and they are authorized to borrow 250,000*l.*; that they have raised by Shares the Sum of 720,000*l.*, and their Mortgage Debt consists of 222,688*l.*; that they have not any Preference Shares or Stock, and it is expedient that they should be authorized to raise further Sums, and to create Stock or Shares bearing a fixed Rate of Interest for the Purpose of paying off their Mortgage or Bond Debt, or in lieu of any Moneys which they may be authorized to borrow.

Incorporation of General Acts, § 1.

Construction of Works, §§ 4, 5.

As to Construction of the Bridge or Tunnel at Portadown, § 6.

As to Communications with the Dundalk and Enniskillen Railway, §§ 7 to 9.

Inclination of a certain Road, § 11.

Two Years for compulsory Purchases, § 12.

For Completion of Works, Three and Five Years respectively, § 13 and § 16.

Compensation, § 14.

As to Works of Messrs. Boyd, 15.

Tolls, §§ 18, 19.

Power to use Station of Dundalk Company at Clones, and also the Cavan Station of the Midland Company, § 20.

To facilitate the Transmission of Traffic, §§ 21, 22.

Power to raise 225,000*l.* by Shares (without Preference), but 40,000*l.*, Part thereof, to be raised only as Subscription to the Portadown and Dungannon Railway, §§ 23 to 27.

Power to borrow 50,000*l.*, §§ 28, 29.

Power to convert Debentures into Stock at 4*l.* per Cent.; Interest to be payable only out of Revenue; Regulation of Debenture Stock, §§ 30 to 38.

Cap. xlii.

"*Bury Saint Edmunds* Gas Act, 1859."

Recites Incorporation in 1849, with a Capital of 12,000*l.* and Power to borrow 4,000*l.*, inclusive of a Sum of 2,500*l.* then owing; that all the authorized Share and Loan Capital is raised, and that they owe 1,800*l.* in addition; proposes to raise further Moneys.

Capital defined, viz., 30,000*l.*, § 3.

Power to raise further Capital of 18,000*l.* by new Shares, § 4.

Preferential Dividend for new Shares, 6*l.* per Cent., § 6.

Appropriation of new Shares, §§ 8 to 14.

Power to borrow 9,000*l.*; Mortgages, §§ 17 to 21.

Saving Rights of Paving Commissioners, § 23.

Cap. xliii.

"*Border Counties* Railway (*Liddesdale* Section and Deviations) Act, 1859."

Recites Incorporation in 1854, with a Capital of 250,000*l.* in 20*l.* Shares, and a Power (unexercised) to borrow to One Third; proposes to authorize Construction of the Liddesdale Section, and a Deviation from the North Tyne Section; the raising of further Capital, and Traffic and Working Arrangements with the North British Railway Company; and to extend Time for completing North Tyne Section.

Incorporation of Lands and Railways Clauses Acts, and of Lands and Railways Clauses (Scotland) Acts, and Part of Companies Clauses Acts, §§ 2 to 5.

Power to increase Number of Directors, § 6.

Power for Company to make Liddesdale Section and Deviation Lines, and to take Lands for Works authorized, § 7.

Period for compulsory Purchase of those Lands Three Years and One Year respectively, § 8.

Power to feu Lands, §§ 10 to 13.

Railways authorized: 1st, Liddesdale Section; 2nd, the Countess Park Deviation; 3rd, the Hawkhope Deviation; to be respectively completed in Five, One, and Two Years, § 14, and §§ 20 to 22.

Power to abandon Parts of North Tyne Section, and Compensation, §§ 16, 17.

Deviation Lines to be Parts of North Tyne Section, § 19.

Extended Period of Two Years for Completion of North Tyne Section, § 21.

Tolls, §§ 23 to 26.

Power for Company to raise additional Capital of 100,000*l.*, §§ 27 to 29.

To borrow not exceeding 116,666*l.*, §§ 30 to 32.

Application of Moneys, §§ 33, 34.

North Tyne Section Accounts and Liddesdale Section Accounts, §§ 35 to 37.

Power for North British Railway Company to contribute towards Funds of Company, and to raise further Funds for such Contribution, and North British Company authorized to guarantee out of their Revenues Interest to Company, §§ 42 to 44.

Votes and Directors, §§ 46 to 54.

Power to enter into Working and Traffic Arrangements with North British Railway Company, §§ 55 to 61.

Cap. xliv.

"*South-western* Railway Act, 1859."

Recites the several Acts relating to the London and South-western Railway Company, the North and South-western Junction Railway Company, the Kingston-upon-Thames Bridge, the Portsmouth Railway Company, and the London, Brighton, and South Coast Railway Company; proposes to authorize a new Line of Railway called the Barnes Curve, having a Junction with the London, Richmond, and Windsor Railway and the Loop Line of that Railway; also a new Line of Railway called "The Kew Curve," having a Junction with the Loop Line and the Junction Railway; also a new Line of Railway called the Kingston Bridge Line, commencing by a Junction with the Windsor Railway, and terminating near to the Foot of Kingston Bridge; also to provide additional Accommodation near to and in connexion with the Bletchynden or Southampton (West) Station, and in order thereto to embank and inclose a Part of the Mudlands of the Southampton Water there, and to alter the Situation and Line on the Southern Side of the Company's Southampton and Dorchester Railway, of Part of the Western Shore Road, and the Situation and Line on the Southern Side of that Railway of Part of the public Esplanade there; also to authorize the Purchase of Lands at Hamworthy adjoining or near to the Company's Poole Station of their Line of Railway; to sanction Sale or Lease of the Portsmouth Railway, and Agreements with the Brighton Railway Company, and the raising of further Moneys.

Incorporation of Lands and Railways Clauses Acts, §§ 2, 3.
Power to take and use Lands for Works authorized by this Act, § 4.
Company not to take certain Lands in All Saints, Southampton, §§ 3, 5, nor Lands of Corporation, §§ 7, 8.
Power to make Works authorized by Act, § 6.
New Works authorized by Act, § 9.
Company to restore Western Shore Road and Esplanade, §§ 10 to 12.
Provisions of Act 11 & 12 Vict. c. 89. ss. 20 and 21, to apply to restored Western Shore Road and public Esplanade, § 13.
Admiralty Provisions, §§ 14 to 17.
Undertaking of Company declared, § 19.
Period for compulsory Purchase of Lands One and Two Years respectively, § 20.
Period for Completion of Railways One and Three Years respectively, §§ 22, 23.
Tolls on Railways, §§ 24, 25.
Company and Junction Company may make Station Arrangements for Kew Curve, §§ 26 to 33.
Power to raise by new Shares further Capital not exceeding 100,000*l.*, §§ 34 to 36.
Provision of Companies Act of 1858 as to Offer and Cancellation of Shares to apply to Shares under this Act, § 37.
Company may issue new Shares instead of cancelled Shares, § 38.
Dividends on new Shares, § 39.
Power for Company to borrow 33,000*l.*, §§ 40 to 42.
Provisions of Company's Act of 1858 as to Debenture Stock to apply to Debenture Stock under this Act, § 43.
Appropriation of Debenture Stock, §§ 44, 45.
Company to keep separate Accounts of Debenture Stock, § 48.
Application of Moneys, § 49.
Power to make Arrangements with Brighton Railway Company, subject to Revision of Board of Trade, §§ 50 to 52.
Power to reduce the Number of Directors of the Company, § 53.
Saving Rights of the Crown and of Companies, §§ 56, 57.

Cap. xlv.

"The *Sevenoaks* Railway Act, 1859."

Incorporates General Acts, § 1.
Company incorporated, with a Capital of 120,000*l.* in 20*l.* Shares, and Power to borrow 40,000*l.*, §§ 3 to 10.
Meetings; Directors, §§ 11 to 14.
Railways, §§ 17, 18.
Communication with East Kent Railway Company, §§ 19 to 22.
Two Years for compulsory Purchases, § 24.
Four Years for Completion of Railway, §§ 25, 26.
Tolls, §§ 27 to 34.
User of East Kent Railway; Working Arrangements, and Arbitration in case of Difference, §§ 35 to 43.

Cap. xlvi.

"The *Witney* Railway Act, 1859."

Incorporates General Acts, §§ 2, 3.
Company incorporated with Capital of 50,000*l.* in 10*l.* Shares, and Power to borrow 16,000*l.*, §§ 4 to 11.
Meetings; Directors, §§ 12 to 18.
Railways, §§ 19 and 22.
Two Years for compulsory Purchases, § 21.
Junction with Oxford, Worcester, and Wolverhampton Railway, §§ 23 to 26.
Four Years for Completion of Railway, §§ 27, 28.
Board of Trade Provisions, §§ 29 to 31.
Tolls, §§ 32 to 39.
Working Agreements with Oxford, Worcester, and Wolverhampton Company, §§ 40 to 45.
Short Distance Clause, § 46.

Cap. xlvii.

"The *Swansea* Harbour Act, 1859."

Extends Time limited by Act of 1854 for Completion of Works; Exercise of Powers for Construction of Works, and borrowing Money until 1st June 1860.

Cap. xlviii.

"The *Great Northern and Western* (of *Ireland*) Railway Act, 1859."

Recites Acts of 1857 and 1858; proposes to extend their Railway, and to raise additional Capital; and to authorize the Midland Great Western Railway Company to subscribe One Third of such Capital.
Incorporation of General Acts, § 1.
Power to make Railway, § 3.
Regulations of the Board of Trade, §§ 6 to 8.
Three Years for compulsory Purchase, § 9.
Five Years for the Completion of Works, §§ 10 and 18.
Power to Company to increase their Share Capital by 100,000*l.*, § 12.
Power to borrow further Sum of 33,000*l.*, § 13.
The Midland Company may acquire additional Shares to the Amount of 73,333*l.*, §§ 14 to 16.
Power of the Companies to make Agreement contained in the Acts of 1857 and 1858 to apply to the Railway by this Act authorized, § 17.

Cap. xlix.

"The *Scottish National* Insurance Company's Incorporation Act, 1859."

Recites Formation of Company for Fire Assurance in 1841 with a Capital of 500,000*l.* in 10*l.* Shares; that 200,000*l.* has been actually subscribed; the Extension of their Business in 1843 to all Branches of Life Insurance; proposes to incorporate the Company.
Incorporation of Company; Saving of Rights and Liabilities, §§ 3 to 7.
Business of the Company, § 8.
Company may do Business both on the Participation and Non-participation Principles, § 9.
Company may sue and be sued, and issue Policies, § 10.
Stock to be Personal Estate, § 11.
Register of Shareholders, § 12.
Shareholders may transfer their Shares under certain Conditions, §§ 13 to 19.
Admission of Shareholders, § 20.
Power to make Calls, §§ 21 to 23.
Principal Office, and Meetings of the Company; Voting, §§ 24 to 30.
Directors; Committees; Local Boards; Agents; Byelaws, §§ 31 to 39.
Books and Accounts to be kept, § 40.
Investment of Capital and Funds, § 41.
Company may purchase Annuities and Reversions, § 42.

Money may be lent on Security of Lands and other Property, § 43.
Company may bring Actions and foreclose Mortgages, § 44.
Limitation of Period within which Lands may be sold, § 45.
Company may hold Land without Licence in Mortmain, § 46.
Service of Arrestments, Summonses, &c., on the Company, § 47.
Shareholders and Policyholders may sue and be sued, § 48.
Company subject to Jurisdiction of Superior Courts in England, § 49.
Representation of the Company in Matters of Bankruptcy, § 50.
Execution of Policies and Deeds, &c., §§ 51, 52.
Policies, §§ 53 to 55.
As to undertaking the Business of other Insurance Companies, § 56.
Arbitration, § 57.
Schedules (Forms).

Cap. l.

"The *Lough Swilly* Railway (Deviation) Act, 1859."

Incorporation of General Acts, § 1.
Power to make Railway, and to abandon Parts of original Railway rendered unnecessary by Deviation, §§ 3, 4.
Compensation, § 5.
Power to purchase Lands, § 6.
Description of Railway, § 7.
Regulations of the Board of Trade, §§ 8 to 10.
Admiralty Provisions, §§ 11 to 17.
Two Years for compulsory Purchase, § 18.
Three Years for the Completion of Works, §§ 19, 20.
Tolls, § 21.
Saving the Rights of the Irish Society, § 25.

Cap. li.

"*Dundalk and Enniskillen* Railway Act, 1859."

Recites Act of 1845, incorporating the Company, and Extension Act of 1855 authorizing the "Original Cavan Extension;" an Arrangement between the Company and the Ulster Railway Company for the Construction by the latter of a Railway from Monaghan to join the Company's Railway at Clones (in lieu of a Railway authorized by Act of 1855 to be made by the Company), and for the Company to abandon a Portion of the original Cavan Extension, and to substitute a Railway and Branch, and to abandon a Portion of their Line described as the original Quay Extension; to authorize the Ulster Company to subscribe towards the proposed Railway to Cavan and Belturbet, and to appoint Two Directors in the Company; to authorize Creation of Debenture Stock by Company, and Amendment of Acts; recites that the Dublin and Drogheda, and the Dublin and Belfast Junction Railway Companies have subscribed 30,000*l.* each towards the Railways of the Company; proposes to empower them to subscribe further Sums; and to enable the Dublin and Belfast Junction Company to raise Money for that Purpose; also to authorize Sale or Lease of the Londonderry and Enniskillen Railway to the Company.
Repeal of Section 3 of 10 & 11 Vict. c. lxv.,—§ 2.
Limiting Application of Clause 34 of 18 & 19 Vict. c. cv.,—§ 3.
Contingent Repeal of Clause 37 of same Act, § 4.
Incorporation of General Acts, §§ 5 to 7.
Power to make Railways according to deposited Plans, §§ 8 to 12.
Protection of Ulster Canal, §§ 13 to 18.
Three Years for Lands to be purchased compulsorily, § 19.
Railways to be completed within Five Years, §§ 20, 21.
Company to give Notice for Lands required, and to complete Railway from Clones to Cavan within certain Periods; Provisions in case of Default, §§ 22, 23.
Period for Midland Company to acquire Lands and complete Railway, § 24.
Power to the Midland Great Western Company in a certain Event to raise 130,000*l.* additional Capital by new Shares, and 43,300*l.* by borrowing, §§ 25, 26.
New Railways if completed by Midland Company to be chargeable with Money borrowed under 12 & 13 Vict. c. 62.; Priority of Mortgages, § 27.
Tolls, § 30.
Existing Provisions as to Junctions, &c. at Cavan extended and applied to Clones and Cavan Extension and Belturbet Branch, § 31.
Abandonment of Part of authorized Works on original Cavan Extension Line, and on Quay Extension Line, § 32.
Compensation, § 33.
Power to create new Shares for Clones and Cavan Extension and Belturbet Branch Line to 130,000*l.*, with a preferential Dividend not exceeding 6*l.* per Cent., §§ 34 to 38.
Company may create Debenture Stock with Interest at 5*l.* per Cent., §§ 40 to 45.
Power for the Ulster Railway Company to subscribe 30,000*l.* towards Clones and Cavan Extension and Belturbet Branch, § 46.
Power for the Two Dublin Companies to subscribe 20,000*l.*, § 47.
Power for Ulster Company and Dublin and Belfast Company to raise Money by Shares or Stock, § 49.
Regulations as to new Shares, §§ 50 to 58.
Ulster Company may appoint Persons to vote and Directors, §§ 59 to 63.
Separate Board Meetings for Clones and Cavan Extension and Belturbet Branch, § 64.
To facilitate the Transmission of Traffic, § 65.
Board of Trade Regulations, §§ 66 to 70.
Power to enter into Traffic Arrangements with Londonderry and Enniskillen Railway Company, §§ 71 to 76.
As to Transfer of Undertaking of the Londonderry and Enniskillen Railway Company to the Company, §§ 77 to 82.
Power for the Company to apply their Capital, and to raise additional Capital to effect Purchase, and to borrow to pay off Mortgages and Bonds of Vendors, §§ 83 to 86.
Leasing Powers as to Londonderry and Enniskillen Railway Company, §§ 88 to 94.
Power to enter into Contracts with Londonderry and Enniskillen Railway Company, §§ 95, 96.

Cap. lii.

"The *City of London* Gas Company's Act."

Recites Incorporation of Company for 46 Years under 57 G. 3. c. xxiii., with a Capital of 200,000*l.* in 100*l.* Shares; that they have expended 100,000*l.* from their Profits upon the Works; and that each 100*l.* Share has been treated as an 150*l.* Share; proposes to raise further Moneys, and to incorporate the Company perpetually.
Repeal of 57 G. 3. c. xxiii.,—§ 1.
Incorporation of General Acts, §§ 2 to 5.
Incorporation of Company; Saving of Rights and Liabilities, §§ 7 to 13.
Purposes of Company, and Limits of the Act, §§ 14, 15.

Power of the Company to construct and lay down Buildings, Mains, &c., § 16.
Price of Gas, and testing of Quality, §§ 17 to 21.
Capital, 400,000*l.*, § 22.
Division of Portion of existing Capital into 10,000 Shares of 20*l.*, § 23.
Division of the Remainder of existing Capital into 10,000 Shares of 10*l.*, § 24.
Shares representing existing Capital to be deemed fully paid up, § 25.
Certificates of original Shares to be cancelled, and substituted Shares to be issued in lieu thereof, §§ 26, 27.
Limit of Dividend or Interest on a Portion of the existing Capital, § 28.
Appropriation of new Shares, §§ 29 to 31.
Dividend on new Shares, §§ 32 to 35.
Preference Shares, §§ 33, 34.
Power to borrow 60,000*l.*, § 37.
Meetings, §§ 38 to 40.
Voting, §§ 41, 42.
Directors; Committees; Auditors, §§ 43 to 48.
Limit of Land to be taken, § 49.
Saving Rights of Metropolitan Board of Works, § 51.

Cap. liii.

"The *Midland Great Western* Railway of *Ireland* (*Liffey* Branch) Act, 1859."

Recites Acts relating to the Company; proposes to make a Branch Railway; to raise further Moneys; and to extend Time for Purchase of Lands.
Incorporates General Acts, § 1.
Railway, § 4, to be completed in Four Years, §§ 10, 11.
Saving certain Lands let on Lease, § 5.
New Bridge over Royal Canal, § 7.
Three Years for compulsory Purchases, § 9.
Tolls, § 12.
Power to raise 50,000*l.* by new Shares, §§ 14 to 16.
Power to borrow 16,600*l.*, §§ 17 and 20.
Power to raise 135,800*l.* by Shares or borrowing to discharge Liabilities in respect of Royal Canal, §§ 18 and 20.
Extension of Time for One Year for Purchase of Lands, § 19.
New Railway charged with Moneys borrowed under 12 & 13 Vict. c. lxii.,—§ 21.

Cap. liv.

"*London, Chatham, and Dover* Railway Act, 1859."

Recites Incorporation in 1853 of the East Kent Railway Company, with a Capital of 700,000*l.* in 28,000 Shares of 25*l.* each, and with Power to borrow 233,333*l.*, 6*s.* 8*d.* for the Purpose of making and maintaining the Railway to Canterbury, and Branch Railways in that Act described; that by an Act of 1855 they were authorized to extend their Railway to Dover, to make certain Branch Railways or Tramways, in connexion with that Extension, and to raise an additional Capital of 500,000*l.* with such Preference or Priority in Payment of Dividend as should be authorized by a Meeting of the said Company, and to borrow a further Sum of 166,666*l.*; that by their Extension to Dover Act of 1858 they were empowered to cancel forfeited Shares, and to issue in lieu of each cancelled Share Two Half Shares of the Amount of 12*l.* 10*s.* each, to be called respectively "Preferred Half Share," and "Deferred Half Share," and also to issue in like Half Shares any Capital remaining to be raised under the secondly-recited Act, and also to give to the Holders of Shares in the Capital of the Company the Option of having such Shares divided into like Half Shares; and it was thereby provided that the Dividend which, if any entire Share had not been so converted, would have been payable thereon, should be applied in Payment of Dividends on the Two Half Shares substituted for the entire Share, but it was not expressly stated that the Half Shares issued in lieu of Shares bearing any preferential Interest or Dividend, or the Half Shares into which any Share bearing any preferential Interest or Dividend should be divided, should be entitled to the same Preference or Priority; that by their Western Extension Act, 1858, they were empowered to make an Extension (called the Western Extension) of their Railway, to join the Mid-Kent Railway (Bromley to Saint Mary's Cray), and to use the Lines of the Mid-Kent Railway (Bromley to Saint Mary's Cray) Company and the West End of London and Crystal Palace Railway Company, and to raise further Moneys by the Creation of Shares and by borrowing, with the Option of charging those Moneys on the Western Extension alone; that they have completed and opened for public Traffic the Portion between Strood and Faversham of the Railway by the firstly-recited Act authorized, and the Residue of the Works on that Railway, as well as the Works on the other Railways authorized by the above-recited Acts, are in course of Construction; proposes to change the Name of the Company, and to authorize raising of further Moneys.
Alteration of Name of Company, §§ 4 to 7.
Power to create new Shares to Amount of 80,000*l.*, with a Preference not exceeding 6*l.* per Cent., §§ 8 to 16.
Power to borrow 26,600*l.*, §§ 17, 18.
Incorporating certain Provisions of Companies Clauses Act, § 19.
Half Shares to be entitled to same Preference as entire Shares for which they are substituted, § 20.
Application of Moneys raised, § 21.

Cap. lv.

"The *Mountsorrel* Railway Act, 1859."

Recites an unexercised Power of the Midland Railway Company to construct the Railway, and that Lord Lanesborough is willing to do so at his own Expense.
Incorporation of Lands Clauses and Railways Clauses Acts, § 2.
Power to Lord Lanesborough to make and maintain the Railway, §§ 3 to 5.
Two Years for compulsory Powers, § 6.
Four Years for Completion of Railway, §§ 8, 9.
Mode of effecting Junction with the Midland Railway, §§ 11 to 14.
Power to levy Tolls; Regulation of Tolls and Charges, §§ 15 to 24.

Cap. lvi.

"*Somerset Central* Railway (Narrow Gauge) Act, 1859."

Recites that under their Act of 1855 their Share Capital was limited to 140,000*l.*, and their Loan Capital 43,000*l.*; that by an Act of 1856 they have Power to raise 100,000*l.* by Shares, and 33,000*l.* by borrowing; proposes to lay down additional Rail to admit of Double Gauge; to raise further Moneys, and to regulate Capital and Debt.
Incorporation of General Acts, §§ 2, 3.
Company may lay down Narrow Gauge Rails as well as Broad Gauge Rails, § 4.

For Protection of Bristol and Exeter Railway, § 5.
Capital of Company, § 6.
Power to raise further Capital of 75,000*l.*, §§ 7, 8.
Cancelling of Shares, §§ 9 to 15.
Power to create new Shares of different Classes, and with preferential Dividend not exceeding 6*l.* per Cent., §§ 16, 17.
Appropriation of new Shares, §§ 21 to 27.
Power to borrow 24,000*l.* more, §§ 29 to 31.
Power to create Somerset Central Debenture Stock with Dividend not exceeding 5*l.* per Cent., §§ 32 to 38.
Limit of Amount to be raised by Stock, Shares, and borrowing, § 39.
Voting, §§ 44, 45.

Cap. lvii.

"*Wear* Navigation and *Sunderland* Dock Act, 1859."

Recites that by an Act of the 11th G. 4. Commissioners were appointed, with Powers for the Improvement and Conservancy of the River Wear and the Port and Haven of Sunderland within the Limits therein described; that they were empowered to levy and receive in respect of Coals and Cinders cast or delivered on board any Ship or Vessel within the Limits therein described the Sum of 4½*d.* per Chaldron from the Coal Owner and 1½*d.* per Chaldron from the Fitter or Coal Factor, and to levy in respect of Ships or Vessels entering or using the Port of Sunderland, except as therein mentioned, a Rate or Duty of 1*d.* for every Ton of the Burthen of such Ship or Vessel for each Voyage, not exceeding Three Voyages within each Year; and to take in respect of any Ship or Vessel entering the River Wear or Port of Sunderland, once in every Voyage, the Duty or Sum of 1*s.* for each such Ship or Vessel, and also the Sum of ¼*d.* for every Two Tons of the Burthen of such Ship or Vessel; and to levy in respect of every Ship or Vessel entering the said River or Port for Safety or Refuge only a Rate or Duty of 1½*d.* for every Ton of the Burthen of such Ship or Vessel; and to borrow Money on Mortgage of such several Rates and Duties; that in such Act it is recited that a Survey Map or Chart had been made by John Rennie the elder, and that upon such Map or Chart a Line called the "Quay Line" had been delineated by John Rennie the younger, and Provision is made in such Act for preventing the Erection of any Dock, Quay, or other Work, except between the Quay Line and the Meer Stones (therein mentioned), denoting the extreme Flow of the Equinoctial Spring Tides, and for regulating the Quays and other Works to be made and maintained under the Act; that by "The Sunderland Dock Act, 1855," the Acts therein recited are repealed, and it is enacted that the Sunderland Dock Company should remain incorporated, and the Docks, Works, Lands, and Property of the Company should continue vested in and be maintained by the Company, and they were authorized to make and maintain further Works, and to take Rates, Tolls, and Duties upon Ships and Vessels, and Goods, Wares, Minerals, Merchandise, and other Articles, Matters, and Things, as set forth in the Dock Act and the Schedules thereto; that the Docks and Works of the Company consist of a Dock and other Works, with an Entrance from the River and an Entrance from the Sea (all being within the Limits of the Wear Act); and by the Dock Act the Commissioners are entitled to levy, in respect of Vessels entering or using the Dock, and in respect of Coals and Cinders shipped or delivered therein, the same Rates as they are by the Wear Act authorized to levy within the River and Port and Haven of Sunderland; that the Company have Power to raise the following Sums of Money; (that is to say,) 300,000*l.*, divided into 12,000 Shares of 25*l.* each, herein-after called "the ordinary Capital;" 150,000*l.*, bearing a preferential Dividend of 4*l.* per Centum per Annum (but entitled to participate in any Dividend beyond that Rate declared on the ordinary Capital), divided into 12,000 Shares of 12*l.* 10*s.* each, in this Act called "the First Preferential Capital;" 112,500*l.*, entitled to a Preferential Dividend of 5*l.* per Centum per Annum, divided into 18,000 Shares of 6*l.* 5*s.* each, in this Act called "the Second Preferential Capital," divided into Two Classes (namely), Series A, containing 11,378 Shares, representing a Capital of 71,112*l.* 10*s.*, redeemable at Par at the End of 10 Years from the Time of the Issue of such Shares, on 12 previous Months Notice in Writing given by the Company; and Series B, containing 6,622 Shares, representing a Capital of 41,020*l.* 13*s.* 4*d.*, not redeemable; the several Sums of 100,000*l.*, 50,000*l.*, and 37,500*l.*, by borrowing on Mortgage or Bond; that the Company owe divers Sums of Money, and have deposited or conditionally issued certain of the Shares of the Company for the Purpose of securing the same or some Part thereof; that an Arrangement has been entered into between the Company and the Commissioners for the vesting and Transfer of the Undertaking of the Dock Company upon the Terms and Conditions herein-after expressed, subject to such additional Arrangements as may be necessary for giving full Effect to the Transfer; that it is expedient that the Commissioners be empowered to charge the Revenue derived from the Rates, Tolls, Dues, and Duties now receivable by them, and also the Dock Rates, in such Manner as herein-after expressed; that the Commissioners have borrowed Money upon Mortgage under the Powers of the Wear Act, and the Sum of 34,200*l.*, or thereabouts, remains due and owing; proposes to alter the Coal Duties, the Commissioners Tonnage Rates, and the Lighthouse Dues received by the Commissioners, and also the Dock Rates after the Transfer has taken place, and to authorize certain Duties upon Goods imported into and exported from the Port; also to incorporate the Commissioners, to alter the Quay Line, to establish a Ballast Office, and amend Acts.
Incorporation of Parts of Commissioners Clauses Act and the Lands and the Harbours Clauses Acts, §§ 2 to 6.
River Wear Commissioners incorporated, §§ 7 to 11.
Commissioners for executing Act, and Qualification and Election, §§ 12 to 23.
Clerk to the Commissioners to make yearly List of Coal Owners and Quantities of Coal shipped, § 24.
Collector to make yearly List of registered Shipowners, Vessels, and Tonnage, § 25.
Certified Lists to be printed, § 26.
Scale of Votes for Coal Owners and for registered Shipowners, §§ 27, 28.
Commissioners to make a yearly Register of Importers and Exporters, § 29.
Period of Register of Importers and Exporters, § 30.
Commissioners to make a yearly alphabetical List of Importers and Exporters, § 31.
Votes of Importers and Exporters, §§ 33, 34.
Revision of Lists, §§ 35 to 43.
Meetings for Election of Commissioners, §§ 44 to 47.
Retirement; Rotation; Election; Vacancies of Commissioners, §§ 48 to 55.
Ordinary, Annual, and Special Meetings of Commissioners, §§ 57 to 61.
Powers of Survey Committee, § 62.
Auditor, § 63.

Provision as to Sunday, &c., § 64.
Saving of Rights and Liabilities under recited Acts, §§ 65 to 68.
Docks vested in Commissioners, § 69.
Commissioners to pay Charges on Company's Undertaking, § 70.
As to Debts due to and by the Company, § 71.
Commissioners to represent Company, § 72.
Commissioners to perform Duties of Company, § 73.
Saving Rights and Liabilities, §§ 74 to 86.
Dissolution of Company, § 87.
Company's Mortgage and Bond Debt and Share Capital charged on Funds of the Commissioners, §§ 88 to 91.
As to Discharge of Company's unsecured Debts, § 92.
Commissioners may pay off Shares, &c., § 93.
Priority of Mortgages for paying off Shares, &c., § 94.
Arrears due to Mortgagees to be enforced by Appointment of a Receiver, § 95.
The like as to Arrears of Interest on Shares, § 96.
Repeal of Sections of Wear Act as to Works between Quay Line and Meer Stones, and Power to alter Quay Line, §§ 97, 98.
Notice, Plans, &c. of Works between Quay Line and Meer Stones to be given to Engineer of Commissioners, and Power to Commissioners to grant or withhold Permission, §§ 99 to 101.
Appeal to the Admiralty from Determination of Commissioners as to proposed Works, § 102.
Water Space not to be diminished by the Works, § 103.
Leases for the Works, &c., § 104.
Power to construct Works, §§ 105, 106.
Works in connexion with Docks, § 107.
Power to deviate, § 108.
As to Works to be constructed in connexion with Battery, § 109.
When Works constructed Contribution to Expense of Battery not to be made, § 110.
Any Land reclaimed by the Works not to be taken without the Consent of the Commissioners of Woods, &c., § 111.
Period for completing Works, § 112.
Admiralty Provisions, §§ 113 to 115.
The same Rates in additional Dock as in existing Dock, § 116.
Officers of Customs to have free Access to Docks, 117.
Commissioners may apply Moneys raised under Wear Act to Purposes of this Act, § 118.
Repeal of Coal Duties, § 119.
New Duties, § 120.
Repeal of certain Exemptions, § 121.
Repeal of Commissioners Tonnage Rates, § 122.
Tonnage Duty on Ships leaving the Port, § 123.
Restrictions as to Rates on Coals, &c., § 124.
Power for Commissioners to lease Coal Drops or Spouts at Dock, § 126.
Repeal of Lighthouse Dues, § 127.
Power to take new Lighthouse Dues, § 128.
Recovery of Rates, § 129.
Rates on Goods, and for protecting Piers, §§ 130, 131.
Power to vary the Rates at Annual Meeting, § 133.
Rates how to be taken, § 134.
Distinction between Port Dues and Dock Dues, § 135.
CXXXVI. All Moneys arising from the Rates and Duties, by the Wear Act and this Act authorized to be taken (except the Rates for the protecting Piers), and all Moneys arising from the Dock Rates, and all other Sums of Money receivable by the Commissioners, shall form Part of the consolidated Revenue of the Commissioners.
CXXXVII. The consolidated Revenue of the Commissioners shall, for every Year ending the 31st Day of December, be applied as follows; that is to say,
1st. In Payment of the ordinary current Expenditure of the Commissioners in and about the Maintenance, Repair, Management, Regulation, and Improvement of the River Wear, and of the Docks and Works vested in them by this Act, and the carrying of the Wear Act and the Dock Act, and this Act respectively into execution; provided, that the Amount to be so expended in and about the Maintenance, Repair, Management, Regulation, and Improvement of the River Wear shall not (inclusive of 3,000*l.*, which may be expended on new Works,) exceed 15,000*l.* a Year, and the Amount to be yearly expended for the Maintenance, Repair, and Management of the existing Dock shall not exceed the Amount expended on an Average of the last Three Years by the Company for the like Purposes:
2d. In Payment of the Interest on the present Debenture Debt of 34,200*l.* of the Commissioners, or on such Part thereof as from Time to Time is re-borrowed and not paid off:
3d. In Payment of the Interest from Time to Time payable on the existing Mortgage or Bond Debt of the Company, amounting to 187,500*l.*, and on the future Debenture Debt of the Commissioners, not exceeding 128,300*l.*; or on such Parts of those respective Amounts as are from Time to Time re-borrowed and not paid off:
4th. In Payment of the Interest of the First Preferential Capital from Time to Time not paid off or purchased by the Commissioners, and of the Interest on any Money from Time to Time borrowed by them, with the like Priority or Preference for the paying off or purchasing of the same:
5th. In Payment of the Interest of the Second Preferential Capital from Time to Time not paid off or purchased by the Commissioners, and of the Interest on any Money from Time to Time borrowed by them, with the like Priority or Preference for the paying off or purchasing of the same:
6th. In Payment of the Interest of the ordinary Capital from Time to Time not paid off or purchased by the Commissioners, and of the Interest on any Money from Time to Time borrowed by them, with like Priority or Preference for the paying off or purchasing of the same:
7th. In providing the Sinking Fund by this Act required:
8th. In Payment of the Interest on any other Moneys from Time to Time borrowed by the Commissioners:
9th. For any of the Purposes of the Wear Act, and the Dock Act, and this Act respectively.
Sinking Fund, § 138.
Power to lease Lands, § 139.
Power to hire Ballast Grounds; and Office, §§ 140, 141.
Byelaws, § 142.
Ballast Licences, §§ 143 to 145.
Protecting Rights of Lady Londonderry, §§ 146 to 151.
Saving Rights of Crown, § 152.
Schedules A. (Form of Appointment of Commissioners).
B. (Rates).

Cap. lviii.

"*Wirral* Waterworks Act, 1859."

Limits of Act, § 2.
Incorporation of General Acts, §§ 3, 4.
Incorporation of Wirral Waterworks Company, with Capital of 40,000*l.* in 10*l.* Shares, and Power to borrow 10,000*l.*, § 5.

Meetings; Votes; Directors, §§ 11 to 20.
Power to make Waterworks and take Lands, § 21.
Two Years for compulsory Purchase of Lands, § 22.
Works authorized, §§ 25 to 27.
Two and Three Years for Completion of respective Works, § 28.
Power for Justices to compel Repair of Reservoirs, §§ 29 to 38.
Provision in case of Local Government Act, 1858, being adopted in Township of Tranmere, § 39.
Limits of Obligation on Company to supply Water, § 40.
Company in certain Event to supply Noctorum, § 41.
Water not necessarily supplied under Pressure, § 42.
Supply of Water, Rates for, and Recovery of, §§ 43 to 56.

Cap. lix.

"*Merthyr, Tredegar, and Abergavenny* Railway Act, 1859."

Incorporation of General Acts, § 1.
Incorporation of Company, with Capital of 150,000*l.* in 20*l.* Shares, §§ 3 to 7.
Power to borrow 49,900*l.*, §§ 8, 9.
Meetings; Directors, §§ 10 to 14.
Power to Company to make Railways and Branch Railway, §§ 16 to 18.
For Protection of the Lands of the Ebbw Vale Iron Company, § 19.
Level Crossings; Inclination of Roads, §§ 20 to 26.
Junction with Newport, Abergavenny, and Hereford Railway, §§ 27 to 30.
Three Years for compulsory Purchase of Lands, § 32.
As to Purchase of Land whereof the Reversion is in the Crown, § 33 to 35.
For Purchase of Part of the Llanvihangel Railway, § 36.
Running Powers for Newport, Abergavenny, and Hereford Railway over Part of Railway, § 37.
For the Purchase of Messrs. J. and C. Bailey's Tramroad, § 38.
Compensation to be made to Persons using Messrs. Bailey's Tramroads for Suspension of Traffic, § 39.
Compensation in case of Interruption of Traffic of Llanvihangel Railway, § 40.
For the Protection of the Abergavenny Gasworks, § 41.
Five Years for Completion of Railways, §§ 42, 43.
Tolls, §§ 44 to 52.

Cap. lx.

"*Portsmouth* Docks Act, 1859."

Recites 2 & 3 Vict. c. lxxii.; and proposes to construct a new Dock.
Lands Clauses and Parts of Harbours Clauses Acts incorporated, §§ 1, 3.
Docks and Works, §§ 6 to 8; to be completed in Five Years, § 15.
Admiralty and War Department Provisions, §§ 9 to 13.
Three Years for compulsory Purchases, § 14.
Rates, §§ 18, 19.
Officers of Customs, § 17.
Dock-master, Meters, and Weighers, §§ 20, 21.
Power to borrow 30,000*l.*, § 22, and §§ 24 to 27.
Part of Commissioners Clauses Act incorporated, § 23.
Dock Accounts, and Application of Moneys, §§ 28 to 30.
Saving Rights of Crown, of Admiralty, and of War Department, §§ 32, 33.

Cap. lxi.

"The *Tottenham and Edmonton* Gas Act, 1859."

Recites that under Deed of Settlement of 1847 their Capital is 25,000*l.* in 5*l.* Shares, with Power to increase it to 75,000*l.*, and to borrow 15,000*l.*; that 4*l.* per Share has been paid up, and they have raised 4,700*l.* more; proposes to raise further Moneys and extend Limits.
Incorporates General Acts, §§ 2, 3.
Limits of Act, § 4.
Company incorporated, § 5.
Saving of Rights and Liabilities, §§ 6 to 14.
Capital 25,000*l.* (Original Capital) in 5*l.* Shares, and 35,000*l.* (Additional Capital) in new Shares, §§ 15, 16.
Creation and Disposal of new Shares, §§ 17 to 21.
Power to borrow 15,000*l.* in the whole, §§ 22 to 24.
Meetings; Voting; Directors, §§ 25 to 39.
Gasworks, Pipes, Meters, Rates, and Rents, §§ 40 to 49.
Gas, Quality, Price, Supply, Testing of, §§ 50 to 56.
Protection of Metropolitan Roads, §§ 57 to 61.
Saving Rights of Local Boards of Health, § 62.

Cap. lxii.

"The *Midland Great Western* Railway of *Ireland* (*Sligo* Extension) Act, 1859."

Recites Acts relating to the Company, and proposes to make a Deviation and to amend Acts.
Incorporates General Acts, § 1.
Railways, § 4, to be completed in Three Years, §§ 9 and 11.
Two Years for compulsory Purchases, § 8.
Power to abandon Parts of Line, and Compensation, §§ 5 to 7.
Railway not to be opened until Line made between Sligo and Boyle, § 10.
Tolls, § 12.
Railway to be subject to Moneys borrowed under 12 & 13 Vict. c. lxii.,—§ 15.
Saving Rights of Commissioners of Works as to River Shannon, § 19.

Cap. lxiii.

"The *Mid-Wales* Railway Act, 1859."

Proposes to make a Railway from the Llanidloes and Newtown Railway, at Llanidloes in the County of Montgomery, to Newbridge in the County of Radnor, and to authorize the London and North-western, the Great Western, the Birkenhead, Lancashire, and Cheshire Junction, the Oswestry and Newtown, the Llanidloes and Newtown, the Shrewsbury and Welchpool, and the Newtown and Machynlleth Railway Companies, and the Company, to enter into Working and Traffic Arrangements.
Incorporation of General Acts, § 1.
Subscribers incorporated with Capital of 175,000*l.* in 10*l.* Shares, §§ 4, 5.
Power to borrow 56,000*l.*, §§ 8, 9.
Power to Llanidloes and Newtown Railway to subscribe not exceeding 25,000*l.*, and raise Capital for the Purpose, § 10.
Meetings; Directors, §§ 13 to 19.
Power to make Railways, §§ 20 to 22.
Three Years for Lands to be purchased by Compulsion, § 23.
Five Years for Completion of Railway, §§ 24 and 42.
As to Communication with the Llanidloes and Newtown and Vale of Towy Railways, §§ 25 to 27.
Tolls, §§ 28 to 36.
Power to enter into Agreements with Companies mentioned in Preamble, §§ 37 to 41.

Cap. lxiv.

"The *Vale of Llangollen* Railway Act, 1859."

Proposes to make a Railway from near the Ruabon Station of the Great Western Railway to Llangollen; and to authorize Agreements with the Great Western Railway Company.
Incorporation of General Acts, § 1.
Subscribers incorporated with Capital of 45,000*l.* in Shares of 10*l.*, §§ 3 to 5.
Power to borrow 15,000*l.*, §§ 7, 8.
Meetings, Directors, §§ 11 to 18.
Line of Railway, §§ 19, 20.
Railway not to be deviated in certain Properties, § 21.
Communications with the Great Western Railway, §§ 22 to 25.
Connexion with Shropshire Union Tramway, § 26.
Three Years for the compulsory Purchase of Lands, § 28.
Four Years for Completion of Works, §§ 29, 30.
Roads and Bridges, §§ 31 to 33.
Tolls, §§ 34 to 43.
Traffic Arrangements with the Great Western Railway, §§ 44 to 52.
Power to the New British Iron Company to contribute not exceeding 6,000*l.*, § 53.
Saving Rights of the Shropshire Union Railways and Canal Company, § 54.
Saving Rights of George Hammond Whalley under Agreements with New British Iron Company, § 55.
Saving Rights of the Crown, § 56.

Cap. lxv.

"The *Stokes Bay* Railway and Pier Act, 1859."

Recites Incorporation of Company by their Act of 1855 with a Capital of 24,000*l.*, and Power to borrow not exceeding 8,000*l.*; proposes to authorize the Company to raise further Moneys.
Power to raise by the Creation and Issue of new Shares any further Sums not exceeding in the whole 16,000*l.*, in addition to the total Share Capital of 24,000*l.*, by the first-recited Act authorized; and to attach a Preference not exceeding 6*l.* per Cent., §§ 2 to 6.
Power to borrow 5,000*l.* more, §§ 7 to 9.

Cap. lxvi.

"The *Droitwich* Roads Act, 1859."

Recites Act 5 G. 4. c. 33; that the Trustees have raised Money on the Credit of the Tolls; proposes to repeal Act and grant new Powers.
Recited Act repealed, and this Act to be put in force, § 1.
Arrears of Toll and Money under recited Act vested in the Trustees under this Act, § 2.
Trustees; Committees, §§ 5 to 8.
Existing Roads to be improved and kept in repair, § 9.
Power to take Tolls, §§ 10 to 19.
As to Mode of discharging Debt, § 20.
Mortgagees to take Possession for Payment of Interest only, § 21.
No Tolls to be taken or Money laid out in Towns, § 22.
No more Money to be borrowed on the Tolls, § 23.
Repair of Water Pipes, §§ 24, 25.
Term of Act, § 27.
Schedule (Mortgagees).

Cap. lxvii.

"The *Hinckley and Melbourne* Roads Act, 1859."

Recites 9 G. 4., c. 5; that the Trustees have raised Money on Credit of the Tolls; proposes to repeal Act, and to grant new Powers.
Recited Act repealed, § 1.
Arrears of Toll and Money under recited Act vested in the Trustees under this Act, § 2.
Trustees; Committees, §§ 5 to 8.
Existing Roads to be repaired and maintained, § 9.
Power to take Tolls, § 10 to 19.
As to Mode of discharging Debt, § 20.
Extinguishment of Marstone's Debt and Interest, § 21.
Mortgagees to take possession for Payment of Interest only, § 22.
No Tolls to be taken or Money laid out in Towns, § 23.
Interest not to accrue until Expenses of Act paid, § 24.
No more Money to be borrowed on the Tolls, § 25.
Term of Act, § 27.
Schedule (Mortgagees).

Cap. lxviii.

"*Brecon and Merthyr Tydfil* Junction Railway Act, 1859."

Incorporation of General Acts, § 1.
Subscribers incorporated with a Capital of 80,000*l.* in Shares of 10*l.*; Power to borrow 26,600*l.*, §§ 3 to 7.
Directors, §§ 8 to 11.
Power to make Railways, §§ 12 to 14.
For Protection of Lands and Works, and Rights of the Dowlais Iron Company, §§ 15 to 22.
In the Construction of the Railway through the Lands of W. H. Forman, Esq., Company to be subject to certain Restrictions, §§ 23 to 26.
Protection of Brinore Tramroad Company, § 27.
Three Years for compulsory Purchase of Land, § 29.
Five Years for Completion of Works, §§ 30, 31.
Tolls, §§ 33 to 44.
Extending Provisions of General Turnpike Acts to Road, § 50.
Power to erect Toll Gates on Bridge and take Tolls thereon, §§ 43 to 45.
Regulations as to Tolls, §§ 46 to 49.

Cap. lxix.

"*London, Brighton, and South Coast* Railway Company's Act, 1859."

Recites London and Brighton Company's Act of 1846; an Act of 1857 incorporating the Mid-Sussex Railway Company, and enabling them to enter into Agreements with the Brighton Company; also an Act of 1858 enabling the Company to raise Moneys for certain new Lines; proposes Alterations in their existing and authorized Lines and Works; to improve their Norwood and Brighton Stations; to raise further Moneys; to obtain further Powers of converting Mortgage Debt into Debenture Stock; to give Guarantees to the Mortgagees of the Mid-Sussex Railway Company, and to authorize Leases and Transfers of the Mid-Sussex Railway and of the Lewes and Uckfield Railway.
Incorporation of Railways and Lands and Parts of Companies Clauses Consolidation Acts, §§ 2 to 4.

Power to make Works, §§ 6 to 9.
Board of Trade Provisions, §§ 10 to 13.
As to Communications with the Farnborough Extension of the West End of London and Crystal Palace Railway, §§ 14 to 18.
Three Years for compulsory Purchase of Land, § 20.
Three Years for Completion of new Lines, §§ 22, 23.
For securing Transmission of East Kent Railway Company's Traffic over Part of Brighton Company's Lines, §§ 24, 25.
Tolls, § 26.
Company to abandon Part of Line for which Deviation is substituted, and Compensation, §§ 27, 28.
Discontinuance of Footpath near New Cross Station, § 29.
Application of Funds, § 30.
Power to raise a further Sum of 100,000*l.*, with or without preferential Dividend not exceeding 5*l.* per Cent., §§ 31 to 33.
Disposal of new Shares, §§ 35 to 42.
Power to borrow 33,000*l.*, §§ 43 to 45.
Guarantees to Mid-Sussex Railway Company, § 46.
Extending Powers for Conversion of Debt into Debenture Stock, §§ 47 to 49.
Transfer of the Undertakings of Mid-Sussex and Lewes and Uckfield Railway Companies, §§ 50 to 55.
Power for the Company to apply their Capital towards such Purchase, § 56.
Power to raise additional Capital to effect Purchase, and to borrow to pay off Mortgages, §§ 57 to 60.
Power to lease Undertakings of the Two Companies, §§ 61 to 63.
Regulations as to Leases and Rents, §§ 64 to 67.

Cap. lxx.

"The *Tweed* Fisheries Amendment Act, 1859."

Proposes to amend the Act of 1857; to alter the Close Times; and to extend the Limits of the Mouth or Entrance to the River.
Certain Sections of recited Act repealed, § 3.
Extension of Limits of the Mouth or Entrance of the River Tweed, § 4.
Assessment and Regulation of Fisheries within the Limits of the Mouth or Entrance as extended, § 5.
Annual Close Times, § 6.
Weekly Close Time, § 7.
Penalty for fishing in Annual or Weekly Close Times, § 8.
Provisions of recited Act applicable to Annual and Weekly Close Times, § 9.
Penalty for having or selling Fish caught in Annual Close Times, § 10.
Removal of Boats and Nets used in Fishing, § 11.
Regulating Stake and Bag Nets, § 12.
Regulating Size of Meshes of Nets, § 13.
Penalty for using or having Pout Nets or Rake Hooks, § 14.
Penalty on Persons fishing who are not entitled, § 15.
Cleeks not to be used in landing Fish, § 16.
Recited Act not to require the putting back into the River of foul Fish taken by Rod and Line, § 17.
Superintendent of Water Bailiffs may prosecute for Offences; Penalties and Forfeitures, §§ 18 to 20.
Saving Rights of the Admiralty, § 21.

Cap. lxxi.

"The *Bradford, Wakefield, and Leeds* Railway Act, 1859."

Recites Act of 1854; proposes to raise additional Capital, and to convert Mortgage Debt into Debenture Stock.
Power to raise 40,000*l.* by new Shares, with or without a Preference not exceeding 5*l.* per Centum, §§ 2 to 8.
Conversion of borrowed Money into Debenture Shares or Stock at 5*l.* per Centum, §§ 9 to 14.

Cap. lxxii.

"The *Ipswich* Fishery Act, 1859."

Recites that by a Charter granted by King Henry the Eighth in the Year One thousand five hundred and eighteen, "to "His Bailiffs, Burgesses, and Commonalty of the Town of "Ipswich" the Port of the said Town and Water running by the Flux and Reflux of the Sea from the said Port towards the South-east unto a Place called Pollesheved, otherwise called Polleshead, and also the Land and Soil at any Time overflown or covered with Water by such Flux and Reflux of the Sea, were declared and notified to have been and to be within the Liberty and Franchise and of the Liberty and Franchise of the Town aforesaid; and the same Port, Water, and Current of the Water, and the aforesaid Lands and Soil whensoever overflown or covered with Water by the Flux or Reflux of the Sea, although theretofore they had not been Parcel of the Town aforesaid, and within the Liberty, Franchises, and Privileges of the same Town, were annexed and united to the same Town as Parcel of the same Town, and within the Liberty and Franchise of the same, to have and to hold to them, the said Bailiffs, Burgesses, and Commonalty, and their Successors, as Parcel of the Town aforesaid as within the Liberty and Franchise of the same Town for ever; that the said River is well adapted to the growth of Oysters, and the Freemen of the said Borough have been in the habit of dredging for Oysters within the said River, and the Mayor, Aldermen, and Burgesses of Ipswich and their Predecessors have also granted Licenses to Persons not being Freemen of the said Borough to dredge for Oysters within the said River; and they likewise recently granted a Lease to Mr. William Colchester, of the exclusive Right to dredge for Oysters therein, upon the faith of which Lease the said William Colchester had expended considerable Sums of Money in the Propagation of Oysters there, but the exclusive Right so granted to him by the Corporation had been disputed by certain of the Freemen of the said Borough, and Actions were then pending in the Court of Queen's Bench at the Suit of and against the said William Colchester, to determine the Validity of the said Lease; and it had been agreed between all the Parties to the said Actions that the said Litigation should cease, and that the Lease so granted to William Colchester should be cancelled upon the Conditions herein-after contained; that it is essential to the Preservation of the said Fishery that the Powers of the Corporation with relation thereto, and for the Regulation and Improvement thereof, should be increased, and that the Corporation should be enabled to expend Money in the Cultivation of the said Fishery.

I. The Limits of this Act shall be such Part of the Water and Soil of the River and Estuary of the Orwell in the County of Suffolk, as lies within the following Boundaries, namely, the Southern Extremity of the new Cut made by the Ipswich Dock Commissioners on the North-west, thence along the Right Bank of the said River to Shotley Point; thence by a Line drawn in a due Eastward Direction to Fagborough Cliff, and then along the Left Bank of the said Estuary and River to the Southern Embankment of the Ipswich Wet Dock; together with all the Land covered by the Flux and Reflux of the Tide within the said Limits, such Limits being herein-after called the River Orwell.

Corporation to prepare Byelaws, §§ 3, 4.
As to Deposit of Refuse, § 5.
Water Bailiff and his Powers, § 6.
Dredger Men must be licensed, § 7.
Corporation to grant Licences, § 8.
As to Sale of Oysters and Proceeds of Sale, § 9.
Corporation to keep Account of Fishery, § 10.
As to Lease and Suits, § 11.
Depth of Orwell to be maintained, § 12.
Survey to be made, § 13.
Accumulations to be prevented, § 14.
Corporation may borrow 6,000*l.*, § 15.
Application of Penalties, § 16.
Saving Rights of Ipswich Dock Commissioners, § 17.
Saving Rights of Crown and Corporation, § 18.
Schedule.

Cap. lxxiii.

"*South Durham and Lancashire Union* Railway Deviation Act, 1859."

Recites 20 & 21 Vict. c. xl., that it is expedient to authorize a Deviation in the Line of the Company's Railway, and to enable them to issue further Capital and to grant a Preference Dividend thereon.
Incorporation of General Acts, § 1.
Power to make Deviation in Railway, §§ 4, 5.
Authority to make level Crossings, §§ 6, 7.
Inclination of Roads, § 10.
Two Years for compulsory Purchase of Land, § 11.
Four Years for Completion of Line, §§ 12, 13.
Power to abandon certain Portions of Railway; Compensation, § 15.
Tolls, §§ 16, 17.
Working Agreements with Stockton and Darlington Company, §§ 19, 20.
Power to create new Shares with Preference Dividend, and to convert into Stock, §§ 21, 22.
Power to convert Mortgage Debt into Debenture Stock, § 23.
Regulations as to Debenture Stock, §§ 24 to 29.

Cap. lxxiv.

"The *Birkenhead* Railway Act, 1859."

Recites their Consolidation Act of 1852; proposes to construct new Branches; to change the Corporate Name; to convert Part of Capital into Preference Stock; and to authorize Agreements with the London and North-western and the Great Western Railway Companies.
8 & 9 Vict. cc. 18. and 20. incorporated, § 2.
Power to construct Railways, § 3.
Board of Trade and Admiralty Provisions, §§ 4 to 12.
For the Protection of the Shropshire Union Railways and Canal Company, §§ 13 to 18.
Agreement between Company and Mr. George Cornwall Legh to be carried into effect, § 19.
Five Years for Completion of Railways, §§ 21, 22.
Power to apply surplus Capital to Purposes of Act, § 23.
Tolls, § 24.
Company, in certain Events, empowered to stop up Part of Canning Street in Birkenhead, and to purchase, &c. Land at Birkenhead and Poulton-cum-Seacombe, §§ 25, 26.
Name of the Company changed, § 27.
Saving of Rights, § 29.
To convert Part of Capital into 4*l.* 10*s.* per Cent. Preference Stock, §§ 30, 31.
Traffic Arrangements with the London and North-western and Great Western Railway Companies, §§ 32 to 39.
Extending Provisions in the Shrewsbury and Chester Acts of 1851 and 1854, as to the Use of the Railways, &c. to the Branch Railway to Tranmere Pool, § 40.
For facilitating the Interchange of Traffic between the Great Western Railway Company's System of Railways and the Birkenhead, Lancashire, and Cheshire Junction Railway Company's System of Railways, § 41.
Agreements for working, or Lease of joint Station, § 42.
Contracts and Obligations affecting joint Station to be binding on Person or Company entering into Agreement or taking Lease, § 43.
Saving Rights of Commissioners of Woods, &c., § 46.

Cap. lxxv.

"The *Bray Commons* Inclosure Act, 1859."

Proposes to inclose certain Commons in the Parish of Old Connaught in the County of Dublin, of which the Earl of Meath is the Lord of the Manor, and also a Proprietor, together with the Right Honourable Sidney Herbert, Phineas Riall, P. W. Jackson, and F. de Butts, Esquires.
Appointment of Commissioners, § 3.
Commissioners to make Declaration, § 4.
Penalty on Persons acting not qualified, § 5.
For appointing new Commissioners, § 6.
No Party interested to be appointed a Commissioner, &c., § 7.
What shall be a Refusal to act, § 8.
Commissioners to appoint a Clerk, § 9.
Allowance to Commissioners and their Clerk, § 10.
Until the Division be completed, the Lands may be entered by the Commissioners, or any Persons they may appoint to make Surveys, &c.; Maps, § 11.
Surveyor to make a Declaration; Penalty, §§ 12, 13.
Notices, §§ 14, 15.
Orders of Commissioners to be entered in a Book and signed, § 16.
Sittings of the Commissioners, § 17.
Proprietors to pay their own Expenses at Meetings, § 18.
Commissioners and Clerk not to be paid more than Two Thirds of Allowance until Three Months after the Execution of the Award, § 19.
Claimants of Rights in Lands to be inclosed to deliver to the Commissioners Schedules of Particulars; Objections to Claims, § 20.
Suits not to delay the Execution of the Act, § 21.
Deaths of Parties not to suspend Execution of the Act, § 22.
Extinguishment of Rights of Common, § 23.
Power to distrain Cattle doing Damage after the Right of Common extinguished, § 24.
Commissioners to set out Drains, to enlarge and turn Watercourses, and to direct Fences, Roads, &c. to be made, §§ 25, 26.
Encroachments, §§ 27, 28.
Act not to affect the Powers of the Grand Jury respecting Roads, § 29.
Allotment to the Lord of the Manor, § 30.
Commissioners empowered to sell Land for defraying the Expenses, § 31.
Application of Surplus Money arising from Sale of Land, § 32.
Allotment to be set out for the Recreation of the Inhabitants, § 33.
Allotment of Watering Places for Cattle, and as a Market or Fair Green, § 34.

Allotment of Residue, § 35.
Power to sell or lease Allotments, § 36.
Persons entitled to Allotments may require same to be allotted for public Walks, &c., § 37.
Residue to be awarded for public Walks, &c., under certain Circumstances, § 38.
In case of Sale before Award, Commissioners to allot to Purchaser, § 39.
Distinct Allotments to be made for Lands holden by distinct Titles, § 40.
Fencing the Allotments, § 41.
For preserving young Trees, § 42.
For enforcing the keeping up of Fences, § 43.
Deeds, Wills, &c. not to be affected, § 44.
Money advanced for Purposes of Act to be repaid with Interest, § 45.
Application of Moneys paid for Purchase or Exchange, §§ 46 to 48.
Power to borrow Money, § 49.
Power to make Exchanges, § 50.
For determining Objections to Allotments, § 51.
Alterations may be made in the Allotments or private Roads before Execution of Awards, § 52.
Award to be made and deposited, § 53.
Moneys may be recovered after Execution of the Award, § 54.
Accounts to be audited, § 55.
Appeal to Quarter Sessions, § 56.
Rights of the Lord of the Manor not to be prejudiced, § 57.

Cap. lxxvi.

"The *Oxford, Worcester, and Wolverhampton* Railway Act, 1859."

Recites the Acts relating to the Company, and that by their Act of 1858 they were authorized to relinquish a Portion of the Kingswinford Branch, and to enter into Agreements with respect to a Line of Railway to connect the Works of the Kingswinford Ironmasters and the Estates of Lord Ward with the Part of the Kingswinford Branch authorized to be constructed; that the Main Line of Railway is carried over certain Valleys in the Foreign of Kidderminster, in the Parish of Hagley, in the Hamlet of Amblecote, and in the Parish of Kingswinford, by means of lofty Timber Viaducts, and it is apprehended that such Viaducts, or some of them, may become insecure, and it is therefore expedient that the Company be empowered to purchase Lands adjoining to such Viaducts for the Purpose of strengthening them, and, if needful, of substituting solid Embankments; also expedient that further Time be granted to the Company for the compulsory Purchase of Lands for such Purposes; that the Company are by their Acts required to construct their Railway with a double Line of Rails on the Broad Gauge, and in other respects so as to be worked continuously with the Great Western Railway; that the Great Western Railway, at the Points at which it joins the Railway of the Company, is constructed with Rails on the Narrow Gauge as well as on the Broad Gauge; that the Railway of the Company has been constructed with Rails on the Narrow Gauge, and also to a certain Extent with Rails on the Broad Gauge, in connexion with the Broad Gauge Rails of the Great Western Railway; that by an Agreement dated the 2d Day of February, 1859, it has been agreed between the Great Western Railway Company and the Company that in consideration, amongst other things, of the Payment of 18,000*l.* to the Great Western Railway Company by the Company, and that each of such Companies may respectively for a Period of Nine Years run Trains over and use certain Portions of the Railway of the other of such Companies without any Payment of Toll or otherwise, the Company should be relieved from any Obligations in respect of the Broad Gauge, except in respect of those Portions of their Railway which lie between the Junction thereof with the Line of the Birmingham, Wolverhampton, and Dudley Railway, near Priestfield Furnaces, in the Parish of Wolverhampton, and the joint Station at Wolverhampton, authorized by "The Oxford, Worcester, and Wolverhampton Railway (Deviation) Act, 1848," and between the said joint Station and a certain Field numbered on the Plans referred to in "The Oxford, Worcester, and Wolverhampton Railway (Deviation) Act, 1848," Thirteen in the Parish of Wolverhampton in the County of Stafford, and it is now no longer expedient that the Railway of the Company, except as aforesaid, should be constructed or maintained on the Broad Gauge; that by their Capital Act of 1856, the Company are authorized to raise the Sum of 350,000*l.* by the Creation of a First Preference Stock, to be called "Debenture Stock," and such Sum is made applicable, with respect to 200,000*l.*, Part thereof, to the Purposes therein referred to, and with respect to 150,000*l.*, other Part thereof, to the Construction of the Works necessary for the Completion of the Main Line of Railway with a double Line of Rails in the Manner prescribed by "The Oxford, Worcester, and Wolverhampton Railway (Stratford and Stourbridge Branches) Act, 1854;" that the Company will require Part of such Sum of 150,000*l.* for certain Payments engaged to be made to the Great Western Railway Company as One of the Conditions of their Assent to the Repeal of the Obligation to lay down the Broad Gauge, and some of the said Sum is fairly applicable to such Purpose as relieving the Company from the Liabilities on account of which the said Debenture Stock was granted; that by the Capital Act of 1856, as an Indemnity to the Proprietors of the then existing Preference Stock of the Company for any Loss which might arise to them by reason of the Creation of such Debenture Stock, such existing Preference Stock was made a first guaranteed Stock, bearing a guaranteed Dividend of 6*l.* per Centum per Annum, and as an Indemnity to the Proprietors of the then existing guaranteed Stock of the Company for any Loss which might arise to them by reason of the creation of such Debenture Stock, the Rate at which such Stock is to be redeemable is 115*l.* instead of 110*l.*, as provided by the Resolution of the Meeting under which the same was created; that it is expedient that the Company should be authorized to apply such Sum of 150,000*l.* in or towards the Purposes herein-after mentioned; that the Stratford Canal Annuities, and the Principal Money due upon Mortgage, Bond, or other Security on that Canal, is a Charge upon the general Undertaking of the Company (subject nevertheless to any Money raised or which was authorized to be raised previous to the passing of "The Oxford, Worcester, and Wolverhampton Railway (Improvements and Branches) Act, 1855," by Mortgage or Bond, on the Security of such Undertaking, and subject also to any Rents or other Charges or Incumbrances payable by the Company in respect of Land or any other Undertaking purchased or held under Lease by them); that the Amount to which the Company is liable to indemnify and save harmless the Company of Proprietors of the Stratford-upon-Avon Canal Navigation, in respect of the Annuities, Mortgages, and other Debts and Liabilities of the last-named Company of Proprietors, is the Sum of 52,104*l.* 4*s.* 10*d.*, and the Amount the Company is liable to pay for Distribution amongst the Shareholders is 108,330*l.*; that by reason of

such existing Claims on the Company it is expedient that the Company should be authorized to issue Debenture Stock, ranking pari passu with the general Debenture Stock, and that upon such Redemption the Stratford Canal Annuities and Principal Moneys aforesaid, which now form a prior Charge on the Undertaking of the Company, should be extinguished; that by "The Oxford, Worcester, and Wolverhampton Railway (Chipping Norton Branch) Act, 1854," Provision is made for the Working of the Branch by the Company, and the said Act contains Arrangements for the Distribution of the Profits received in respect of such Branch, and it is expedient that such Arrangements should be altered; and that the Company's Acts be otherwise amended.

Incorporation of Lands Clauses Act and Railways Clauses Act, § 2.

Power to make connecting Railway, §§ 3, 4.

Regulating Mode of crossing the Dudley and Brettell Lane Turnpike Road, § 5.

Eighth Section of Act of 1855 to apply, § 6.

Board of Trade Provisions, §§ 7 to 11.

Connecting Railway to be deemed Railway contemplated by Act of 1858,—§ 12.

Lord Ward not to be paid for Land taken from him, § 13.

Two Years for compulsory Purchase of Lands for Railway by this Act authorized, § 14.

Three Years for Completion of Works, § 15 and § 17.

Same Tolls as on Oxford, Worcester, and Wolverhampton Railway, § 16.

Power to take certain Lands for Improvements in Main Line, § 18.

Seven Years for Purchase of Lands for Improvements, § 19.

Improvements to be deemed Part of Main Line, § 20.

XXI. From and after the passing of this Act the respective Sections following; (that is to say,) Section Thirty-eight of "The Oxford, Worcester, and Wolverhampton Railway Act, 1845," Section Eleven of "The Oxford, Worcester, and Wolverhampton Railway (Deviation) Act, 1848," Section Eight of "The Oxford, Worcester, and Wolverhampton Railway (Extension of Time) Act, 1852," Section Nineteen of "The Oxford, Worcester, and Wolverhampton Railway (Stratford and Stourbridge Branches) Act, 1854," Section Thirteen of "The Oxford, Worcester, and Wolverhampton Railway (Chipping Norton Branch) Act, 1854," Section Four of "The Oxford, Worcester, and Wolverhampton Railway (Extension of Time) Act, 1856," and all other Sections and Parts of Sections of the Company's Acts authorizing or requiring that the Railway, Branch Railways, and Works of the Company shall be made and maintained on the Broad Gauge, or of such Gauge and according to such Mode of Construction as will admit of the same being worked continuously with the Great Western Railway, shall (except in respect of such Portions of their Railway as lie between the Junction thereof with the Line of the Birmingham, Wolverhampton, and Dudley Railway, near Priestfield Furnaces, in the Parish of Wolverhampton, and the joint Station at Wolverhampton authorized by "The Oxford, Worcester, and Wolverhampton Railway (Deviation) Act, 1848," and between the said joint Station and a certain Field numbered on the Plans referred to in "The Oxford, Worcester, and Wolverhampton Railway (Deviation) Act, 1848," Thirteen in the Parish of Wolverhampton in the County of Stafford) shall be and the same are hereby repealed, and the Company may make, complete, and maintain their Railways, or any of them, save as aforesaid, on the Narrow Gauge only.

Company to run certain Trains daily to and from Oxford Station, § 22.

Confirmation of Agreement with Great Western Railway Company, §§ 23, 24.

XXV. So much of the Seventh Section of the Capital Act of 1856 as enacts that a Sum not exceeding 150,000*l.*, Part of the Sum of 350,000*l.* therein mentioned, shall be applied to the Construction of the Works necessary for the Completion of the Main Line of Railway with a double Line of Rails in the Manner prescribed by the Act of 1854, and to and for no other Purpose whatsoever, shall be and the same is hereby repealed.

XXVI. The Company may apply the said Sum of 150,000*l.*, Part of such Sum of 350,000*l.* authorized to be raised by the Capital Act of 1856, in the Manner following; (that is to say,)

As to a Sum not exceeding 60,000*l.*, Part thereof, in Payment to the Great Western Railway Company of the Sum of 18,000*l.* Pounds payable to them in respect of their consenting to the Company being relieved from the Obligation to lay down the Broad Gauge, and the Remainder of the said Sum of 60,000*l.* in compensating the Revenue of the Company for the Loss it is estimated to sustain by reason of the Great Western Railway Company being permitted by the Company to run Trains over and use certain Portions of the Railway of the Company without any Payment of Toll or otherwise under the hereinbefore mentioned Agreement;

As to a Sum not exceeding 10,000*l.*, further Part thereof, in completing the Branch to the Town of Stourbridge, as authorized by the Company's Acts;

As to a Sum not exceeding 20,000*l.*, further Part thereof, in completing the Kingswinford Branch, as authorized by the Company's Acts and this Act;

As to a Sum not exceeding 20,000*l.*, further Part thereof, towards the Completion of the Railway with a double Line of Rails on the Narrow Gauge;

As to a Sum not exceeding 25,000*l.*, Part thereof, towards the Completion of the Stratford Branch, as authorized by the Company's Acts; and

As to the Residue of such Sum of 150,000*l.*, towards the Expense of completing and laying down a double Line of Rails upon the Narrow Gauge upon the Railway, and for the general Purposes of the Undertaking, and to and for no other Purposes whatsoever.

XXVII. The Company may from Time to Time, in addition to any Moneys which they are authorized to raise by the Company's Acts, raise, in manner and for the Purposes hereinafter mentioned, any further Sum of Money not exceeding in the whole the Sum of 160,000*l.*

XXVIII. Such Sum of 160,000*l.* shall be raised by the Creation and Issue of additional Debenture Stock in manner prescribed by the Capital Act of 1856 with reference to the Debenture Stock thereby authorized to be issued, and such Debenture Stock may be issued at such Times, in such Manner, and to such Persons as the Directors of the Company from Time to Time determine.

XXIX. The additional Debenture Stock so to be issued shall be subject to the same Provisions in all respects as are contained in the Capital Act of 1856, with reference to the Debenture Stock by that Act authorized to be raised, except the Provisions contained in the Sixth Section of that Act with respect to the Offer of new Stock to the Proprietors of Shares in the Company.

XXX. And whereas the Stratford Canal Annuities, and the Mortgage and other Debts, to the Payment of which the Com-

pany became liable on the Purchase of the Canal, are a Charge on the Undertaking of the Company in priority of the existing Debenture Stock: Therefore the respective Holders of Debenture Stock issued under the Authority of the Capital Act of 1856 and this Act, and whether issued before or after the passing of this Act, shall proportionably, according to the Amounts thereof held by them respectively, be entitled to be paid out of the Revenues of the Company the preferential Dividend secured thereon, without any Preference one above another by reason of the Priority in Date of the Issue of such Debenture Stock or otherwise howsoever, and in priority to the Payment of Interest or Dividend upon all the existing Stock of the Company, whether preference, guaranteed, or ordinary, in manner provided by the Capital Act of 1856.

XXXI. Provided always, That the Debenture Stock to be issued under the Powers of this Act, and the Moneys raised by the Disposal thereof, shall be respectively applied exclusively for redeeming, paying off, or satisfying the Stratford Canal Annuities, and the said Mortgage or other Debts, referred to in the preceding Section, and, to the Extent of the nominal Amount of that Stock from Time to Time disposed of, the Powers of the Company to grant or re-issue those Annuities, and to reborrow on the Security of the Stratford Canal, shall cease.

XXXII. The Company may from Time to Time agree with the Holders of the Stratford Canal Annuities, and Mortgages and other Securities on the Stratford Canal, for the Acceptance by such Holders of Debenture Stock in discharge of such Annuities, Mortgages, Debts, and Securities.

XXXIII. Provided always, That the nominal Amount of the Debenture Stock created under this Act, and issued in satisfaction of any Annuity or Mortgage or other Debt, shall not exceed the Amount of the Principal Money thereby secured or of the Redemption Money payable in respect of any such Annuity.

XXXIV. In order that the due Application according to this Act of the Debenture Stock created under this Act for the Discharge of the Stratford Canal Annuities, Mortgages, and other Debts and Securities, and of the Moneys raised by the Disposal thereof, may appear, the Company shall keep separate and accurate Accounts of the Amount of that Stock from Time to Time created and disposed of, and of the Application of that Stock, and of the Money raised by the Disposal thereof.

XXXV. From and after the First Day of January One thousand eight hundred and fifty-nine the Twenty-fifth, Twenty-sixth, and Twenty-seventh Sections of the Chipping Norton Act shall be and are hereby repealed.

XXXVI. In lieu of the Payments by such Sections directed to be made in respect of the Chipping Norton Branch, the Company shall, from and after the First Day of January One thousand eight hundred and fifty-nine, pay in respect of the Chipping Norton Branch the following Sums; that is to say,

First, Interest from the said First Day of January One thousand eight hundred and fifty-nine, from Time to Time due in respect of the Principal Sums owing upon Mortgage or Bond upon the Chipping Norton Branch;

Secondly, Dividends upon the Chipping Norton Branch Shares, at and after the Rate of Three Pounds Five Shillings per Centum per Annum for a Period of One Year, commencing on the said First Day of January One thousand eight hundred and fifty-nine;

Dividends at and after the Rate of Three Pounds Ten Shillings per Centum per Annum for a Period of One Year, commencing on the First Day of January One thousand eight hundred and sixty;

Dividends at and after the Rate of Three Pounds Fifteen Shillings per Centum per Annum, for a Period of One Year, commencing on the First Day of January One thousand eight hundred and sixty-one;

Dividends at and after the Rate of Four Pounds per Centum per Annum, for each Year, from and after the First Day of January One thousand eight hundred and sixty-two:

And such Payments shall be accepted in lieu of any Payments under the Sections hereby repealed directed to be made by the Company in respect of the Chipping Norton Branch, but, save as aforesaid, the Holders of Chipping Norton Branch Shares shall not acquire or have any further Right, Power, or Qualification in respect of those Shares than they had previously to the passing of this Act.

Cap. lxxvii.

"*Swanage* Pier Act, 1859."

Incorporates Companies, Lands, and Railways, and, excepting certain Provisions, Harbours, &c. Clauses Acts, §§ 1 to 3.
Subscribers incorporated, with Capital of 16,000*l.*, in Shares of 10*l.*, §§ 5 to 10.
Power to borrow 5,300*l.*, § 11.
Meetings; Directors, §§ 12 to 19.
Power to make Pier and Tramways, § 21 to 23.
Board of Trade and Admiralty Provisions, §§ 24 to 32.
Power for Mrs. Serrell and her Sequels in Right to make Branch Tramways, § 33.
Lands to be bought by Compulsion in Three Years, § 34.
Four Years for Completion of Works, § 35.
Company may take Rates and Tolls for Foot Passengers on Pier, §§ 36, 37.
Officers of Customs to pass free, § 38.
Cranes, Weighing Machines, &c., § 39.
Tolls on Tramway, §§ 40 to 47.
Tramway not to be a Passenger Tramway, § 48.
Saving the Rights of the Earl of Eldon and of the Crown, §§ 51, 52.

Cap. lxxviii.

"*Llanrwst and Abergele* Road Act, 1859."

Trustees and Meetings, §§ 3 to 5.
Trustees may make Road and Branch Road, § 6.
Description of Roads, § 7.
If Mr. Nanney makes a certain Road in Llanrwst, Power to make a Portion of Road to cease, § 8.
Power to deviate from Plans, § 9.
And from Levels on Sections, § 10.
Land may be taken notwithstanding Errors in Books of Reference, &c., § 11.
Lands Clauses Act not to apply, § 12.
As to Construction of certain Provisions of General Turnpike Acts, § 13.
Freehold, &c. of Land to remain in Owners of adjoining Land, § 14.
Trustees to have Power of digging and using Land, &c., § 15.
Three Years for compulsory Purchase of Lands, § 16.
Four Years for Completion of Works, § 17.
Power to take Tolls, § 18.
Tolls, §§ 19 to 25.
Power to borrow 10,000*l.*, §§ 26, 27.
Application of Tolls, § 28.

As to the Mode of discharging Debt, § 29.
Mortgagees to take possession for Payment of Interest only, § 30.
Act to be in force for 25 Years, § 32.

Cap. lxxix.

"The *Great North Road* Act, 1859."

Recites 10 G. 4. c. lxi., 10 G. 4. c. lxxxiv., and 5 & 6 Vict. c. xci.; proposes to continue Powers.
Incorporation of General Turnpike Act, 1 & 2 W. 4. c. 43.,—§ 3.
Repeal of Parts of first-recited Act, §§ 4, 5.
Power to enter into Agreements, § 6.
Toll Bars, § 7.
Quorum of Trustees, § 8.
Continuing Powers of first-recited Act in other respects, § 9.

Cap. lxxx.

"The *Dublin and Wicklow* Railway (*Gorey* Extension) Act, 1859."

Recites several Acts relating to the Company; proposes to extend their Railway.
Incorporation of General Acts, §§ 2, 3.
Power to make Railway according to deposited Plans, § 4.
Crown Lands under Control of Secretary of State for War not to be interfered with without Consent, § 5.
For Protection of Lands of William Earl of Wicklow, § 6.
Admiralty Provisions, §§ 7 to 11.
Board of Trade Provisions, §§ 12 to 15.
Confirming an Agreement with Henry Hodgson, Esq., § 18.
Three Years for the compulsory Purchase of Lands, § 19.
Five Years for Completion of Works, § 20.
Tolls, § 22.
Power to raise Capital of 200,000*l.* by new Shares, with a Preference Dividend not exceeding 6*l.* per Cent., §§ 23 to 27.
Power to borrow 66,000*l.*, §§ 28, 29.
Schedule (Agreement).

Cap. lxxxi.

"The *Charing Cross* Railway Act, 1859."

Recites that the making and maintaining of a Railway commencing by a Junction on the Surrey Side of London Bridge with the North Kent and Greenwich Lines of the South-eastern Railway, and passing thence through Parts of Southwark and Lambeth and across the River Thames at or near to the Charing Cross Bridge, and terminating at Hungerford Street, West Strand, near to Charing Cross, with a Branch Line of Railway therefrom in Lambeth, to form a Junction with the Main Line of the London and South-western Railway, would afford additional Facilities for Communication by Railway between the Western Parts of the Metropolis and the South-eastern and Southern Parts of England, and would relieve several of the principal Thoroughfares of the Metropolis between Charing Cross and London Bridge from a considerable Portion of the Traffic by which they are now at Times overcrowded, and would in other respects be of great public Advantage; that it is expedient that the Company formed for this Purpose be authorized, if they think fit, to acquire the Charing Cross Bridge or Parts thereof, and to adapt the same to the Purposes of the Railway, and for a Thoroughfare across the Thames; proposes to authorize the South-eastern Railway Company to contribute towards the Funds of the Company, and to legalize Traffic and Working Arrangements between the Company and the South-eastern Company.
Incorporates General Acts, §§ 2, 3.
Company incorporated with a Capital of 800,000*l.*, in 20*l.* Shares, and Power to borrow 266,600*l.*, §§ 4 to 8.
Meetings; Directors, §§ 12 to 19.
Four Years for compulsory Purchases, § 21.
Railways described, § 24.
Junctions with Lines of South-eastern Railway Company, §§ 26 to 28.
Provisions relating to Junctions with Lines of South-western Railway Company, §§ 29 to 37.
Railway and Branch to be opened together, § 36.
Works for Brighton Railway Company, §§ 38 to 40.
Protection of Southwark and Vauxhall Water Company, §§ 41 to 43.
Admiralty Provisions, §§ 44 to 46.
Protecting Rights of Conservators of Thames, and Deposit of 5,000*l.* by Company before Erection of Bridge, §§ 47 to 53.
Company not to stop up or divert specified Streets in St. Olave, &c., § 54.
As to lighting Arches, § 55.
Steps at Tooley Street not to be removed until others erected, § 56.
Protection of Approach to London Bridge Stations, § 57.
Colonnade for St. Thomas's Hospital, § 58.
Company to throw Land open for Parish of St. Saviour, § 59.
Land so thrown open dedicated to the Public, § 60.
Saving Act of 56 G. 3. as to St. Saviour's, § 61.
Company to throw Land open to Borough Market Place, § 62.
Land so thrown open to be used as Part of Market Place, § 63.
Colonnade for Borough Market, § 64.
Rails to be laid on longitudinal Sleepers between Joiner Street and Counter Street, § 65.
Limit of Speed of Engines passing St. Thomas's Hospital, § 66.
Steam Whistle not to be sounded between Joiner Street and York Street, § 67.
Restriction on taking Land of St. Thomas's Hospital, &c., § 68.
Not to stop up or divert specified Streets in St. Saviour's and Christchurch, &c., § 69.
Company to enclose Arches in the Parish of St. Saviour, § 70.
Company, if required by President and Governors of College of St. Saviour's, to take all their Property shown on Plan, § 71.
Company, if required by Wardens of the Parish Church of St. Saviour, to take all their Property shown on Plan, § 72.
Agreements between Company and President and Governors and between Company and Wardens, § 73.
Removal of Human Remains from Land of President and Governors, § 74.
President and Governors may acquire Land for Almshouses and apply Compensation, § 75.
Wardens of St. Saviour may acquire Land for Almshouses and apply Compensation, § 76.
Cost of providing temporary Accommodation for Almspeople to be repaid by Company, § 77.
Provisions of Lands Clauses Act as to Costs to apply in respect of Purchases by Company of College Lands, &c., § 78.

Company not to stop up or divert specified Streets in Lambeth, &c., § 79.
Width and Headway of specified Streets, § 80.
Company to restore Streets, &c. in the Parish of St. Martin in the Fields and in the other Districts of Board of Works, § 81.
Company to restore Sewers, Drains, &c. in the Parish or District, § 82.
Drainage Works in the Parish or District to be subject to Vestry or District Board, and their Rights saved, § 83.
Local Rates to be made good, § 84.
Company to take Lands and convey same to Metropolitan Board of Works for new Street, § 85.
Payment to be made by the Board for Lands purchased from Metropolitan Board of Works, § 86.
For Completion of incomplete Purchases by Board, § 87.
Board to make new Street on Lands conveyed to them by Company, § 88.
Character of Houses to front new Street, § 89.
Mode of paying Purchase Money to Metropolitan Board of Works, § 90.
For Protection of Sewers of Metropolitan Board of Works, § 91.
Mode of Construction of Railway Bridge, § 92.
Agreement between Company and South-western Company as to Railway Bridge and Station, § 93.
Five Years for Completion of Railway, §§ 94, 95.
Company to form an Area in front of Station, § 96.
Company to make Footway from Northumberland Street to Duke Street, § 97.
Railway North of Thames to be used for Passenger Traffic only, § 98.
Tolls, §§ 99 to 109.
Power for Company and Two Railway Companies to make Working and Traffic and other Arrangements, §§ 110 to 116.
Application of Clauses of Companies Clauses Act to South-eastern Company, § 117.
Power for South-eastern Company to contribute 300,000*l.* towards Funds of Company, § 118.
Power for South-eastern Company to raise and apply Moneys, § 119.
Payment of preferential Dividend by South-eastern Company, §§ 120 to 122.
Power for South-eastern Company to nominate Persons to vote at Meetings of Company, §§ 123 to 125.
Notice to be given to weekly Tenants of Hungerford Market, &c., § 126.
Saving Rights of the Crown, of Admiralty, of Metropolitan Board of Works, Vestries, and District Boards, and of the Two Railway Companies, §§ 127 to 130.

Cap. lxxxii.

"The Lands Improvement Company's Amendment Act, 1859."

Recites that by "The Lands Improvement Company's Act, 1853," the Company were incorporated for the Purpose of undertaking and assisting the Improvement, Conversion, and Reclamation of Land, and Provisions were made for facilitating the Execution of such Improvements, and for carrying into effect the Purposes of the Company; that that Act was amended by another Act in 1855; proposes further Alterations and Amendments in the Provisions of the said Acts, and that the present Capital of the Company consists of 100,000*l.*, divided into Ten thousand Shares of 10*l.* each, all which Shares have been allotted and issued, and 2*l.* per Share has been paid, and it is expedient that Provision should be made for the Division of the 10*l.* Shares respectively into Two Shares of 5*l.* each.
This and recited Acts to be One, § 1.

III. The Fourth Section of the second-recited Act shall be and is hereby repealed; and the Improvements which may be made under the Provisions of this or the recited Acts, with the Approval of the Inclosure Commissioners as herein-after mentioned, shall be in respect of One or more of the following Matters; (that is to say,)

1. The Drainage of Land, and the Improvement of the Drains, Streams, and Watercourses of any Land:
2. The Irrigation and warping of Land:
3. The embanking of Land from the Sea or tidal Waters, or from Lakes, Rivers, or Streams, in a permanent Manner:
4. The inclosing of Land:
5. The Reclamation of Land:
6. The making of permanent Farm Roads and permanent Tramways and Railways for Agricultural or Farming Purposes:
7. The clearing of Land:
8. The Erection of Farmhouses and other Buildings required for Farm Purposes, and the Improvement of and Additions to Farmhouses, and other Buildings for Farm Purposes already erected, so as such Improvements or Additions be of a permanent Nature:
9. The planting for Shelter or for any beneficial Purpose, which will increase the permanent Value of the Land:
10. The constructing or erecting of any Engine Houses, Waterwheels, Saw and other Mills, Kilns, Shafts, Wells, Tanks, Reservoirs, Dams, Leads, Pipes, Conduits, Watercourses, Bridges, Weirs, Sluices, Floodgates, and Hatches which will increase the Value of any Lands for Agricultural or Farming Purposes:
11. The erecting of any Engines or Machinery of a permanent Nature, so as the same be erected in connexion with, and in the effecting of any Works of or Improvements in Drainage or Irrigation by this or the said recited Acts authorized:
12. The Construction or Improvement of Jetties or Landing Places on the Seacoast, or on the Banks of navigable Rivers or Lakes, for the Transport of Cattle, Sheep, and other Agricultural Stock and Produce, and of Lime, Manure, and other Articles and Things for Agricultural and Farming Purposes, provided that the Inclosure Commissioners shall be satisfied that such Works will add to the permanent Value of the adjoining Lands to an Extent proportioned to the Expense thereof:

For the Purpose of effecting any Improvement under this or the recited Acts, it shall be lawful to get and work Freestone, Limestone, Clay, Sand, and any other Mineral or Substance out of the Land to be improved or charged, and to make Tramroads and other Ways, and to burn and make Bricks, Tiles, and other Things to be used in effecting such Improvements; and also for the same Purpose to cut down and use any Timber and Trees not planted or serving for Shelter or Ornament.

V. The Sixth and Seventh Sections of the first-recited Act shall be and are hereby repealed, and the Company may, in addition to any other Land held by them, from Time to Time purchase any Land by Agreement with the Owner thereof, not being a Person under Disability, and being entitled to sell such Land absolutely in his own Right, independently of the Powers conferred by this or the recited Acts, and may improve and resell the same to any Person.
Option of converting Shares into Half Shares, § 6.

Half Shares to be registered and Certificates issued, § 7.
Apportionment of Amount paid up, § 8.
Calls, § 9.
Qualifications, § 10.
Reserve Fund, § 11.
Amending Section 32 of 16 & 17 Vict. c. cliv.,—§ 12.
Amending Section 33 of 16 & 17 Vict. c. cliv.,—§ 13.
16 & 17 Vict. c. cliv. ss. 35, 36, 38, 41, 43; 18 & 19 Vict. c. lxxxiv., s. 9 to 11, repealed, § 14.
Landowner or Company may make Application to the Inclosure Commissioners to sanction proposed Improvements, § 15.
Inclosure Commissioners may require Security for Expenses of Investigation, § 16.
Inspection of Lands to be made by an Assistant Commissioner or Engineer, who shall report his Opinion on the same, § 17.
Inclosure Commissioners, if satisfied, to sanction by Order the proposed Improvement, § 18.
Notice of Application to be given to Canal and other Companies, § 19.
Detailed Plan and Specification to be prepared and examined, and reported on, § 20.
Detailed Plan and Specification may be prepared for each Year's Work in succession, § 21.
Detailed Plan and Specification may be delivered with the Application, § 22.
Commissioners may sanction certain Modifications in Improvements, § 23.
Inclosure Commissioners to make Provisional Order, § 24.
Provisional Order not to be made until Notice of Application has been given by Advertisement, § 25.
Consent of Patron and Ordinary to be had in case of Glebe Land, § 26.
Landowner assessed under Public Act for Drainage, &c., may in certain Cases borrow the Money from the Company, and charge it on the Inheritance, §§ 27, 28.
The Company may, with the Approval of the Inclosure Commissioners, appropriate Rentcharge for Mortgage Debentures, §§ 29, 30.
Assignment of Debentures, § 31.
Power to Board of Trade to require Subscription of further Capital of 25,000*l.*, § 32.
Trust Moneys may be invested in Company's Mortgage Debentures as in Real Estate, § 33.
Power to borrow on unappropriated Rentcharges, § 34.
Mortgages of Rentcharges; Assignments, §§ 35 to 37.
Effect of Mortgages and Assignments, § 38.
Proviso for Receipt of Money, &c. paid by Company until Default, § 39.
Power to Mortgagee or Assignee to give Notice on Default, § 40.
Service of Notice, § 41.
Rights of Mortgagee, &c. after such Notice, § 42.
Saving Rights and Remedies of Mortgagee against the Company, § 43.
Power by Agreement to withdraw Notice given, § 44.
Mortgage to be Personal Property for certain Purposes; Trust Moneys may be invested thereon, § 45.
Registry of Mortgages and Assignments by Company, § 46.
Registration by the Company Notice to all Persons, § 47.
Inspection of Register, § 48.
Interest recoverable for more than Six Months where no Distress on Land, § 49.
16 & 17 Vict. c. cliv. s. 68. repealed; Improvements to be upheld, and Penalty in case of Default, § 50.
Farmhouses, &c. to be insured; Power to Company to insure in case of Default, § 51.
Company, if required, to certify to Commissioners State of Improvements, &c., § 52.
Works connected with the Thames to be executed under the Direction of the Conservators of the River Thames, § 53.
Protection of Metropolitan Board of Works; of Water Companies; of Rivers, Canals, &c., §§ 54 to 56.
Admiralty Provisions, §§ 57 to 59.
Schedules (Forms).

Cap. lxxxiii.

"The *Scottish Central* Railway Consolidation Act, 1859."

Recites that the several Acts enumerated in Schedule (A.) have been passed in relation to the Company, and that they are authorized by them to raise by Shares and on Mortgage or Bond the several Sums specified in Schedule (B.), amounting in the whole to 1,782,560*l.*; that they had on the Thirty-first Day of January One thousand eight hundred and fifty-nine received on Capital Account the Sum of 1,782,955*l.* 12*s.* 1*d.*, as also specified in Schedule (B.), and had at the said Date expended the Sum of 1,804,920*l.* or thereabouts; that they had at the said Date, under the Powers of "The Scottish Central Railway Act, 1853," issued the Debenture Stock specified in the said Schedule (B.) to this Act, in lieu of a corresponding Amount previously borrowed by them on Mortgage or Bond; that under the Authority of "The Dunblane, Doune, and Callander Railway Act, 1856," they have subscribed towards and now hold Shares in the Undertaking authorized by that Act to the Extent of 13,400*l.*, which Sum, so far as paid on the said Thirty-first Day of January One thousand eight hundred and fifty-nine, is included in the Amount herein-before mentioned as having been expended by the said Company; proposes to repeal Acts in Schedule (A.), to re-incorporate Company; to provide for Completion of the general Station at Perth; to divert and stop up Roads; to provide for Redemption and Consolidation of preferential Stock and the Creation of additional Capital.
Repeal of Acts in Schedule (A.), § 3.
Incorporation of General Acts (Scotland), § 4.
Company re-incorporated; Saving of Rights and Liabilities, §§ 5 to 10, and §§ 55 to 60.
Capital of the Company fixed at 1,388,400*l.*, § 11.
Vesting of Stock, §§ 12 to 16.
Power to create additional Debenture Stock, § 17.
Regulations and Conditions of Debenture Stock, §§ 18 to 24.
Dividends on Preference Shares, § 25.
Preference Stocks created on 17th July 1851, and 12th Sept. 1854, may be redeemed by Issue of new Preference Stock, § 26.
Mode of Redemption, §§ 27 to 29.
Power to issue 50,000*l.* additional Preference Stock, §§ 30, 31.
Consolidation of Preference Stocks, § 32.
Dividends; Certificates, &c., §§ 33 to 39.
Power to borrow, including outstanding Debt, 460,000*l.*, §§ 40 to 42.
Application of Moneys, § 43.
Transfers; Meetings; Directors; Auditors, &c., §§ 44 to 54.
Saving of Contracts, Rights, and Liabilities under former Acts, §§ 55 to 60.
Limits of general Station at Perth, § 61.
User of Station by Scottish North-eastern Company; Terms of User and Payments, §§ 62 to 65.
Power to complete joint Passenger Station, § 66.

General Station at Perth to be free to Scottish North-eastern and Edinburgh, Perth, and Dundee Railway Companies on their paying Proportion of the Expense of constructing said Station, § 67.
Authorizing Conversion of Contribution into annual Payments by the Scottish North-eastern Railway Company and the Edinburgh, Perth, and Dundee Railway Company, § 68.
Companies to be entitled to Use of said Station corresponding to their Traffic, § 69.
Power to construct improved Accesses to general Station at Perth, § 70.
Description of improved Accesses, § 71.
Land to be appropriated in lieu of Land taken for Accesses, § 72.
Provision as to Road under Dundee and Perth and Aberdeen Railway, § 73.
Defining the diverted Line of Road from Perth by Carr's Croft to Craigie, § 74.
St. Leonard Bank Road and the Road secondly authorized to be public Roads, § 75.
Road thirdly authorized to be private, § 76.
Power to Company to stop up certain Roads, § 77.
Cost of improved Accesses to form Part of Cost of general Station, § 78.
One Year for compulsory Purchase of Lands for improved Accesses, § 79.
One Year and Eighteen Months for Completion of Works, § 80.
Management of general Station and Apportionment of Expenses of Maintenance and Management, §§ 81 to 84.
For improving Communication between Dundee and Perth and Aberdeen Railway and general Station, § 85.
Improved Communication to be made according to a Plan to be approved of, § 86,
Power to alter Position or Levels of improved Communication when necessary, § 87.
Company to permit Edinburgh, Perth, and Dundee Railway Company to execute Works at Hilton Junction, for facilitating Interchange of Goods and Mineral Traffic, § 88.
Providing for Interchange of such Traffic, § 89.
Regulating Formation of Junction, § 90.
Edinburgh, Perth, and Dundee Railway Company to use certain Sidings without Payment, § 91.
Company to permit Edinburgh, Perth, and Dundee Railway Company to make Junctions with the Railway, and to be free from Toll, §§ 92, 93.
Powers vested in Arbitrators appointed under this Act, § 94.
Authorizing Agreements with Forth and Clyde Junction Railway Company for Use of Stations and Depôts at Stirling, § 95.
Agreements for Interchange of Traffic, § 96.
Agreements for working the Forth and Clyde Junction Railway, § 97.
Authorizing Agreements with the Crieff Junction Railway Company for working their Railway, § 98.
Authorizing Agreements with the Dunblane, Doune, and Callander Railway Company for working their Railway, §§ 99 to 103.
Company to have Rights of Shareholders in Dunblane, Doune, and Callander Railway Company, and may appoint Person to vote at Meetings of that Company, 104.
Company may acquire Right to Burgh Customs payable to Burghs of Perth and Stirling, § 105.
Definition of the Undertaking of the Company, § 106.
Completion of Denny Branch and Extensions according to Plans and Sections, § 107.
Period for completing Denny Branch and Extensions to cease on 27th July 1860,—§ 108.
Compulsory Purchase of Lands required for old Works limited, § 109.
Seven Years for disposing of superfluous Lands, § 111.
Tolls, §§ 112 to 119.
Schedule (A.)—Acts repealed.
Schedule (B.)—Statement of Capital and Borrowing Powers of Scottish Central Railway Company.

Cap. lxxxiv.

"The *Hereford, Hay, and Brecon* Railway Act, 1859."

Incorporation of General Acts, § 1.
Incorporation of Company, with Capital of 280,000*l.* in 20*l.* Shares, and Power to borrow 93,000*l.*, §§ 3 to 9.
Meetings; Directors, §§ 10 to 15.
Power to make Railway and Works, §§ 16 to 18.
Regulating Inclinations of certain Roads, § 19.
Deficiency in Income arising from Tolls of Whitney Bridge to be made good by the Company, §§ 20, 21.
Owner of Whitney Bridge to have Compensation for Injury to Bridge, § 22.
Provision for the Trephillip and Trevithel Court Farms, § 23.
Provision for Sheep House Farm, § 24.
Admiralty Provisions as to River Wye, §§ 25 to 32.
Regulations as to Junction with Shrewsbury and Hereford Railway Company, §§ 33 to 35.
Three Years for compulsory Purchase of Lands, § 37.
Five Years for Completion of Railway, §§ 38, 39.
Tolls, §§ 40 to 48.

Cap. lxxxv.

"The *Wansbeck* Railway Act, 1859."

Proposes to make a Railway and Branches, and to authorize Agreements with the North-eastern, the North British, the Blyth and Tyne, and the Border Counties Railway Companies, and Contribution of Capital by the North British and Blyth and Tyne Railway Companies.
Incorporation of General Acts, §§ 2, 3.
Wansbeck Railway Company incorporated, with Capital of 120,000*l.* in 10*l.* Shares, and Power to borrow 40,000*l.*, §§ 4 to 11.
Meetings; Directors, §§ 12 to 17.
Power to make and maintain Railways, § 18.
Three Years for compulsory Purchase of Lands, § 19.
Railway and Works authorized, § 21.
Main Line not to be diverted Southwards at Morpeth, § 22.
Company not to interfere with the North-eastern, Blyth and Tyne, and Border Counties Railways, § 23.
Provisions as to the Bridge for carrying the Morpeth Branch to the Blyth and Tyne Railway over the North-eastern Railway, § 24.
Junction of the thirdly-mentioned Railway with North-eastern Railway defined, § 25.
Company to be entitled to the free Use of the Junction Line on the North-eastern Property, § 26.
The Company to pay the Cost of constructing the Junction Line on the North-eastern Property, § 27.
Damage in constructing Works affecting the North-eastern Railway, the Blyth and Tyne Railway, and the Border Counties Railway to be made good by the Company, §§ 28 to 32.
Providing for Completion of Branch to Blyth and Tyne Railway, § 33.

Providing for Station at Hartburn, § 34.
Board of Trade Provisions, §§ 35 to 39.
Five Years for Completion of Works, §§ 40, 41.
Tolls, §§ 42 to 46.
Power for Company and the Four above-mentioned Companies to agree for Purposes authorized, §§ 47 to 55.
Power for North British and Blyth and Tyne Companies to contribute not exceeding 50,000*l.* in all towards Company's Undertaking, and to guarantee out of their Revenues Interest to Company, §§ 56 to 62.
Power for Four Companies to appoint Directors of Company, §§ 63 to 73.

Cap. lxxxvi.

"The *Hunslet and Leeds* Turnpike Road Act, 1859."

Recites 9 Geo. 4. c. lxvii., proposes to repeal it and to extend Time.
Repeal of recited Act, § 1.
Road to which this Act is applicable, § 4.
Moneys and Property to vest in new Trustees, § 5.
Appointment of new Trustees; Meetings, §§ 6 to 8.
Present Tolls continued for a Term, § 9.
Power to take Tolls, §§ 10 to 23.
When Bridge impassable Ferry to be provided, § 24.
For Protection of River Aire during Repairs of Bridge, § 25.
Extinguishing Arrears of Interest, § 27.
Application of Moneys, § 28.
Creditors not to take possession of Toll Gates, § 29.
As to Mode of discharging Debt, § 30.
Tolls to cease on Payment of Trustees Debts by Council of Leeds, and Amount paid apportioned between Townships of Leeds and Hunslet, § 31.
Roads to be thereafter Township Roads, and Bridge a Borough Bridge, § 32.
Trustees not to borrow Money on Credit of Tolls, § 33.

Cap. lxxxvii.

"The *Lawton, Burslem, and Newcastle-under-Lyme* Turnpike Road Act, 1859."

Recites Acts relating to the Roads, and proposes to repeal them and to extend Time.
Recited Acts repealed, and this Act to be put in force, § 1.
Moneys and Property vested in Trustees, and Saving of Rights and Liabilities, §§ 4 to 8.
Trustees, §§ 9 to 12.
Roads to which this Act is applicable, § 13.
Toll Gates and Tolls, §§ 14 to 18.
Power to reduce Tolls without Consent of Creditors, if all Interest and 500*l.* per Annum to account of Principal be paid, § 19.
Penalty on Evasion of Tolls, § 20.
Mortgagees to take possession for Payment of Interest only, § 21.
Application of Moneys, § 22.
As to Mode of discharging Debt, § 23.

Cap. lxxxviii.

"The *London and North-western* Railway (*Sutton Coldfield* Branch) Act, 1859."

Proposes to make a Railway from the Parish of Aston near Birmingham to Sutton Coldfield.
Incorporation of General Acts, § 1.
Power to make Railways to form Part of the Company's Undertaking, §§ 3 to 5.
As to Stonnall and Castle Bromwich Turnpike Road, § 6.
For Protection of the Birmingham Waterworks Company, and of the Birmingham Canal, §§ 7 to 14, and § 16.
Communications between Canal and Steam Engines not to be obstructed, § 15.
Two Years for compulsory Purchase of Lands, § 18.
Three Years for Completion of Works, §§ 19, 20.
Company may apply Moneys to Purposes of Act, § 21.
Extension Tolls, § 22.

Cap. lxxxix.

"The *Ludlow* Turnpike Road Act, 1859."

Recites the Acts constituting the several Trusts, and their Debts; proposes to amalgamate the Trusts and repeal Acts.
Repeal of Acts, § 1.
Saving of Rights and Liabilities, §§ 4 to 8.
Appointment of new Trustees, §§ 9 to 11.
Roads to which this Act applicable, § 12.
Present Tolls continued for a Time, § 13.
Toll Gates to be continued until removed by Order of the Trustees, § 14.
Power to take Tolls; Tolls, §§ 15 to 22.
Application of Moneys received in respect of the Ludlow First Turnpike Trust, § 23.
Mortgagees to take possession for Payment of Interest only, § 24.
As to Mode of discharging Debt, § 25.
Trustees not bound by Trusts affecting Sums owing, § 26.
Schedules. (Debts owing upon the respective Trusts).

Cap. xc.

"The *Sittingbourne and Sheerness* Railway (Increase of Capital) Act, 1859."

Recites that by their Act of 1856 the Company was incorporated and authorized to raise a Share Capital of 80,000*l.* divided into 8,000 Shares of 10*l.* each, and to borrow 26,600*l.*; that by their Act of 1857 the Company were authorized to make certain Deviations, and also to construct certain additional Lines of Railway, and a Pier or Landing Place at Queenborough Point in the Swale; that the Sum actually received by the Company in respect of all the Shares issued by them amounts to the Sum of 51,980*l.* only; that 1,455 Shares of the Company have been declared forfeited for Nonpayment of Calls, and the Sums due to the Company thereon amount to the Sum of 14,550*l.*; that 2,643 Shares of the Company are now liable to be declared forfeited for Nonpayment of Calls, and the Sums due to the Company thereon amount to the Sum of 15,355*l.*, making with the Sum due on the forfeited Shares the Sum of 29,905*l.*; proposes in order to supply the said Deficiency in the Capital that the Company be empowered to issue other Shares in lieu thereof; to raise additional Capital, and, if necessary, to confer on the whole or any Part thereof, and also on any new Shares issued in lieu of forfeited or cancelled Shares, a Preference or Priority in the Payment of Dividend; and also to grant a Lease of the Railway to the East Kent Railway Company.
Forfeited Shares which cannot be sold to pay the Sum owing thereon may be cancelled, § 2.
Power to cancel, by Consent, Shares liable to be forfeited, § 3.
Power to raise 40,000*l.* additional Capital, § 4.
Power to issue new Shares in lieu of cancelled Shares, § 5.
New Shares may be issued with a preferential Dividend not exceeding 5½ per Cent., §§ 6, 7.
Votes in respect of new Shares, § 8.

Capital not to be increased beyond authorized Amount, § 9.
Power to borrow 13,000*l.* more, §§ 10 to 12.
Power to lease the Railway to East Kent Railway Company, §§ 15 to 20.

Cap. xci.

"The *North-eastern* Railway Company's (*Bedale and Leyburn* and *Rosedale* Railways Amalgamation) Act, 1859."

Recites Acts relating to the Bedale and Leyburn, the North Yorkshire and Cleveland, and the North-eastern Railway Companies, and divers Agreements and Arrangements made in pursuance of them; proposes to amalgamate the Companies.
Bedale and Leyburn and North Yorkshire Railway Companies dissolved, and their Undertakings vested in the North-eastern Railway Company, § 2.
Saving of Rights and Liabilities, §§ 3 to 13.
Two Years Extension of Time for Completion of Guisbrough Branch Railways, § 14.
Restriction of Tolls for Traffic to or from the Middlesbrough and Guisbrough Railway, § 15.
Facilities to be afforded for the forwarding and Transmission of North Yorkshire Traffic over the Middlesbrough and Guisbrough Railway and to other Places, § 16.
Restriction of Tolls for Traffic to or from the North Yorkshire Railway, § 17.
Differences as to Traffic or Tolls to be referred to Arbitration, § 18.
Power to Company and Stockton and Darlington Railway Company to make Arrangements, § 19.
Bedale Capital added to the Capital of the Company and to be called "Bedale Capital Stock" until 31st December 1862, and then to be Part of the North-eastern Four per Cent. Stock, § 21.
Proprietors of Shares in the Bedale Company to become Proprietors of an equal Amount in the North-eastern Bedale Capital Stock, § 22.
Surplus Bedale Capital Stock may be issued by the Company, or cancelled and re-issued, § 23.
Bedale Stock to have limited Dividends until 31st December 1862, § 24.
Income of Bedale Company in hand to be divided amongst the Bedale Proprietors after satisfying its Liabilities, § 25.
Bedale Company's Power to borrow transferred to the Company, § 26.
North Yorkshire Shareholders to have their Certificates exchanged for Certificates of North-eastern Four per Cent. Stock, § 27.
Income of the North Yorkshire Company in hand to be divided amongst the North Yorkshire Proprietors after satisfying its Liabilities, § 28.
Surplus Capital authorized for the North Yorkshire Undertakings may be issued as North-eastern Four per Cent. Stock, or cancelled and treated as Part of their unissued Share Capital, § 29.

Cap. xcii.

"The *Finford Bridge and Banbury* Turnpike Road Act, 1859."

Recites 3 Geo. 4. c. xcv., and that 2,345*l.* is now owing upon the Trust.
Repeal of recited Act, and Saving of Rights and Liabilities, § 1 and §§ 4 to 6.
Trustees; Committees, §§ 7 to 14.
Tolls, §§ 15 to 23.
Defining the Amount of the Principal Debt, § 24.
Application of Moneys and Tolls, § 25.
Interest not to accrue until Expenses, &c. of Act, &c. paid, § 26.
No Money to be taken or laid out in Towns, § 27.
Mortgagees to take possession for Interest only, § 28.
As to Mode of discharging Debt, § 29.
The Trustees may grant Mortgages for the Sums contained in this Act, § 30.
Schedule (Debts).

Cap. xciii.

"The *Blackburn and Preston* Turnpike Road and Bridge Act, 1859."

Recites Acts regulating the Trust, and that the Debt is 15,358*l.*; proposes to extend Term and to alter Tolls.
Recited Act of 15 Vict. c. cxix. repealed, and this Act to be put in force, §§ 1, 2.
All Moneys due under recited Act vested in Trustees of this Act, § 5.
Trustees; Roads, §§ 6 to 10.
Power to build the Bridge and make Approaches thereto, §§ 11 to 16.
Tolls; Toll Gates, §§ 17 to 30.
Power to borrow 4,000*l.* more, § 31.
Contributions by Townships towards Funds of the Trust, § 32.
Application of Moneys, § 33.
Rate of Interest on Mortgage Debt, § 34.
Trustees to execute Mortgages for Money borrowed before the passing of this Act, § 35.
Arrears of Interest extinguished, § 36.
Mode of discharging Debt, § 37.
Mortgagees to take possession for Payment of Interest only, § 38.
No Tolls to be taken within prescribed Distance of Boundary of Preston Borough, or within the Borough or Limits of Improvement Act, nor Money laid out in Towns, § 39.
Term of Act, Thirty Years, § 40.
Schedules; 1. Debts on the Trust.
2. Townships and their Contributions.

Cap. xciv.

"The *Cowes and Newport* Railway Act, 1859."

Incorporation of General Acts, §§ 1, 3.
Subscribers incorporated, with a Capital of 30,000*l.* in Shares of 10*l.*, and Power to borrow 10,000*l.*, §§ 4 to 9.
Meetings; Directors, §§ 12 to 15.
Line of Railway, §§ 16, 17.
For Protection of West Hill Property, §§ 18, 19.
Mode of carrying Railway through Property of Messrs. Francis, §§ 20 to 22.
Level Crossings, § 23.
Locomotive Power not to be employed on Tramway, § 24.
Two Years for compulsory Purchase, § 26.
Four Years for Completion of Works, §§ 27, 28.
Tolls for Use of Railway, §§ 29 to 38.
Admiralty Provisions, §§ 39 to 45.
Saving Rights of Crown, of Corporation of Newport, and of Cowes Local Board, §§ 46 to 48.

Cap. xcv.

"*Ringwood, Christchurch, and Bournemouth* Railway Act, 1859."

Proposes to make a Railway from the London and South-western Railway at Ringwood to Christchurch, and a Road thereto.

Incorporation of General Acts, §§ 1, 2.
Subscribers incorporated, with a Capital of 45,000*l.* in 10*l.* Shares, and Power to borrow 15,000*l.*, §§ 4 to 10.
Directors; Meetings, §§ 11 to 19.
Power to make Railway, §§ 21, 22.
Communications with the London and South-western Railway, §§ 23 to 26.
Trains to stop by Signal for Avon Cottage, § 27.
For preventing Danger to certain Property by Fire, § 28.
Two Years for compulsory Purchase of Land, § 30.
Four Years for Completion of Works, §§ 31 and 35.
Board of Trade Provisions, §§ 32 to 34.
Tolls, §§ 36 to 43.
Tolls not to exceed those taken on the Southampton and Dorchester Line, § 44.
Working Arrangements between Company and London and South-western Railway Company, §§ 45 to 49.

Cap. xcvi.

"The *Charleston* Railway and Harbour Act, 1859."

Recites Formation of Railways by the Trustees of Lord Elgin, and the Improvement of the Harbour by them; proposes to transfer the Railways and Harbour to a Company to be incorporated.
Incorporation of General Acts, § 3.
Subscribers incorporated, with Capital of 72,000*l.* in Shares of 10*l.*, and Power to borrow 24,000*l.*, §§ 4 to 10.
Meetings; Directors, §§ 11 to 22.
Railway and Harbour to vest in the Company, § 23.
Mortgages and Real Securities not to be affected, § 24.
Conveyance to be executed, § 25.
Shares in the Company to be delivered to the Trustees, § 26.
Trustees may hold and transfer Shares, § 27.
Power to make and maintain Railway and Harbour and to take Lands, § 28.
Lines of Railway, § 29.
West of Fife Mineral Railway not to be interfered with, § 30.
Board of Trade Provisions, §§ 31 to 34.
Limits of Charleston Harbour, § 36.
Improvement of Harbour, § 37.
Admiralty Provisions, §§ 38 to 41.
Any Land reclaimed by the Harbour Works not to be taken without the Consent of the Commissioners of Woods, &c., § 42.
Three Years for purchasing Lands, § 43.
Four Years for Completion of Railway Works, § 44.
Tolls on the Railway, §§ 45 to 53.
Rates on Vessels at Harbour, § 54.
Rates on Goods at Harbour, § 55.
Rates for Cranes, Weighing Machines, &c. at Harbour, § 56.
Meters and Weighers; Pilots, §§ 57 to 60.
Leasing of Harbour Rates, § 61.
Agreements as to Accommodation at Harbour, §§ 62, 63.
Saving Agreements with West of Fife Mineral Railway Company and with Trustees of James Hunt, §§ 64, 65.
Power to divert Railway, § 66.
Coals and Minerals from Elgin Collieries to pay same Rates as others, § 67.
Saving Rights of Crown, § 71.
Schedules (Rates, &c.)

Cap. xcvii.

"The *Metropolitan* Railway Act, 1859."

Recites that by an Act of 1854 the Company was incorporated, and empowered to make a Railway from the Great Western Railway at Paddington to the General Post Office in Saint Martin's le Grand, with a Branch to the Euston Station of the London and North-western Railway Company; and by an Act of 1856 to make a short Branch to or a Junction with the Great Northern Railway, and which Branch or Junction is herein-after distinguished as "The Great Northern Western Junction," and is authorized to be made under the Road called the Old Saint Pancras Road, and within the Premises of the Great Northern Railway Company; that by their Act of 1857 the Time limited for purchasing Lands and completing Works was extended; that the Time limited for completing so much of the Railway as is in the Act of 1854 and in this Act referred to as "the original Railway" will expire on the Fifteenth Day of August One thousand eight hundred and fifty-nine; that the Company have entered into Contracts with respect to such of the Lands as they require on the original Railway, and also for the Purchase of Lands required for the Paddington Extension and the Branch to the Great Western Railway, and they do not require to take any Lands for the Purpose of the Great Northern Western Junction; that for the Purpose of avoiding the Coldbath Fields Prison, and for securing the most economical Route, it is expedient that a Deviation should be made in that Part of the Railway which is authorized to be made between Charlotte Street aforesaid and the City of London, and that the deviated Line of Railway should terminate near Victoria Street in the City of London; that by the Act of 1854, the Great Western Railway Company are authorized to subscribe towards the Company to the Amount of 175,000*l.*, and by the Act of 1856 the Great Northern Railway Company were authorized to subscribe for a similar Amount; that the Share Capital which the Company are authorized to raise is 1,000,000*l.*, whereof 850,000*l.* only will be required for the Main Line of the Railway and the other Works, inclusive of the Great Northern Western Junction, and the Company are authorized to borrow 333,000*l.*; and whereas the Great Western Railway Company have become Shareholders to the Extent authorized by the Act of 1854, but the Great Northern Railway Company have not hitherto exercised the Powers given by the Act of 1856; proposes to extend Time for Completion, and amend Acts.
Incorporation of General Acts, § 3.
Power to alter Line of Railway and to make Works, §§ 4, 5.
Company to relinquish Part of Railway, and Compensation, §§ 6, 7.
Contracts with Charles Cornelius Macfarland not to be affected, § 8.
Three Years for Completion of Works, § 9.
Powers of this Act to be in substitution of previous Powers, § 10.
Time for completing original Railway extended for 3 Years, § 11.
Section 103 of Act of 1854 not to be altered, § 13.
As to Deposit made under Section 102 of Act of 1854, § 14.
Additional Deposit of 5,500*l.* to be made, § 15.
For Protection of Metropolitan Board of Works, § 16.
As to Pavements, &c. in City of London, § 17.
Extension of Provisions for protecting Gas and Water Companies, § 18.
Railway to terminate at the Point marked in the Plan, § 19.
One Year for compulsory Purchase and Power to deviate, § 20.
As to Siding at Metropolitan Market, § 21.
Share Capital to be 850,000*l.*, § 22.
Limit of borrowing Powers to One Third of Capital, § 23.
Repeal of Eighty-eighth Section of Act of 1854 as to Coldbath Fields Prison, § 24.

Repeal of Power for Great Northern to subscribe, § 25.
Corporation of London may subscribe to the Undertaking and appoint One Fourth of the Directors, §§ 26 to 31.
Corporation may dispose at their Pleasure of Land acquired under the Clerkenwell Improvement Acts, and not sold by them to the Company, § 33.
The Assessment of Property purchased under Clerkenwell Acts to remain at the Amounts specified in those Acts, § 34.
Company may cancel forfeited Shares and issue new Shares in lieu, §§ 35 to 42.

Cap. xcviii.

"The *West London and Crystal Palace* Railway (Extension of Time) Act, 1859."

Extending Time for purchasing Part of Land for Farnborough Line for One Year, § 2.
Extending Time for completing Farnborough Line to 1st January 1861,—§ 3.
Parties aggrieved by Extension of Time may have Compensation for additional Damage, § 4.
Existing Contracts and Notices not to be affected, § 5.

Cap. xcix.

"The *Eastbourne* Waterworks Act, 1859."

Limits of Act, § 2.
Incorporation of General Acts, §§ 3, 4.
Incorporation of Company, with a Capital of 7,000*l.*, in Shares of 5*l.*, and Power to borrow 2,330*l.*,—§§ 5 to 11.
Meetings; Directors, §§ 12 to 17.
Power to purchase Lands, &c. by Agreement, §§ 19 to 23.
Power to make Works, § 24.
Reservoir to be made according to altered Plans, § 25.
Water from Motcombe Pond not to be taken without Consent, §§ 26.
Limits of Vertical Deviation, §§ 27.
Two Years for the compulsory Purchase of Lands, § 28.
Three Years for Completion of Works, § 29.
Water not necessarily under Pressure, § 31.
Rates for Supply of Water, §§ 32 to 38.
Purchase of Works, &c. of Eastbourne Waterworks Company (Limited), § 39.
Power to raise 5,000*l.* Capital for Purchase thereof, § 40.
Mode of effecting Transfer, §§ 41 to 51.
Dissolution of Eastbourne Waterworks Company (Limited), § 52.
Recovery of Rates, §§ 53 to 57.
Penalties not cumulative, § 58.
Reservoir Provisions, §§ 59 to 68.

Cap. c.

"The *North-eastern* Railway Company's (*Harrogate* Branches) Act, 1859."

Proposes to unite their Leeds and Thirsk and Church Fenton and Harrogate Branches, and to raise further Moneys.
8 Vict. cc. 18. 20. extended to this Act, § 2.
Power to make Railways and Works, § 3.
Board of Trade Provisions, §§ 4 to 7.
Lands not to be purchased compulsorily after Two Years, § 9.
Works to be completed within Three Years, §§ 10, 11.
Authorizing Enfranchisement of Copyholds and Sale of Waste Lands and Mines belonging to the Duchy of Lancaster, and Provisions as to the Working of Mines, §§ 12 to 14.
100,000*l.* additional Capital may be raised, to be divided into new Shares or Stock, §§ 15 to 18.
Power to assign Preference not exceeding 5*l.* per Cent. to new Shares or Stock, §§ 19 to 22.
Tolls of "The North-eastern Railway Company's Act, 1854," to be taken, § 23.
Power to apply Moneys raised under existing Acts to the Purposes of this Act, § 24.
Saving Rights of the Crown and the Duchy of Lancaster, § 29.
Schedule (Form of Deed).

Cap. ci.

"The *South Yorkshire* Railway and *River Dun* Company's Act, 1859."

Recites the several Acts relating to the Company; proposes to convert Debt into an irredeemable Stock; to confirm certain level Crossings; to define Tolls; and Rating of Property.
Conversion of Debt into Debenture Stock at not exceeding 5*l.* per Cent., § 1.
Regulations as to Debenture Stock, §§ 2 to 5.
Level Crossings may be maintained, §§ 6 to 9.
Same Tolls to be taken as on Main Line; maximum Tolls, § 10.
Extending "Railways Clauses Consolidation Act, 1845," § 11.
As to Rating of Company's Property in Wath-upon-Dearne, § 12.
Altering Quorum of Directors and of Meeting of Company, § 13.
Schedule.

Cap. cii.

"The *Bombay, Baroda, and Central India* Railway Act, 1859."

Recites that by "The Bombay, Baroda, and Central India Railway Act, 1855," a Company were incorporated for the Purpose of making and maintaining such Railways in India as might be agreed upon by the Company and the East India Company, and for other Purposes; that previously to the passing of the recited Act, and since the passing thereof, subject to the Provisions therein contained, the Company have been regulated by the Provisions of a Deed of Settlement, bearing Date the 24th Day of April 1855, and under the Deed of Settlement the Capital of the Company was in the first instance, and subject to the Power in the said Deed contained to increase the Capital of the Company by an Amount not exceeding 100,008*l.* by the Creation of new and additional Shares of 18*l.* each, to consist of the Sum of 500,004*l.*, divided into 27,778 Shares of 18*l.* each, and by the recited Act Power was given to the Company to increase the Capital by such an Amount as might be deemed necessary for carrying into effect any Contracts of the Company with the East India Company by the Creation of a Number of new Shares of 18*l.* each; and Power was also given to the Board of Directors of the Company to issue from Time to Time Debentures to such an Extent as might be agreed upon by and between the Company and the East India Company; that by an Indenture of the 21st Day of November 1855, and made between the East India Company of the one Part, and the Bombay, Baroda, and Central India Railway Company of the other Part, it was, amongst other

things, agreed that the Railway Company should construct and open a Line of Railway, to commence at Surat and to take a Direction to Baroda and Ahmedabad, to be determined by the East India Company, at an estimated Cost in the whole approved of by the East India Company, and that the Land required for the Purposes of the Railway should be provided by the East India Company, and that the Sum of 500,000*l.* Sterling, and such further Sums (if any) as might be required for the Completion of the Line of Railway and Works, should be paid by the Railway Company to the East India Company, to be from Time to Time drawn out for the Purposes of the Work; and that upon the Completion of the Line of Railway, or of any Part or Parts thereof required by the East India Company to be first completed, the same should be leased to the Railway Company for the Term of 99 years from the 1st Day of May 1855, determinable by Surrender or Purchase as therein and herein-after mentioned, and that the East India Company should pay to the Railway Company during such determinable Term Interest at the Rate of 5*l.* per Centum per Annum on so much of the Sum of 500,000*l.* as should for the Time being have been paid to the East India Company by the Railway Company, and Interest on such further Sums (if any) as might have been so paid at such Rate as should be agreed upon between the Two Companies; and that the net Receipts to be realized by the Railway Company from the working of the Line of Railway or any Part thereof, after making certain Deductions, should be applied in the first instance in relief of the Obligation on the Part of the East India Company to pay the current Interest on the Moneys paid to the East India Company, after which One Moiety of the Residue (if any) of such net Receipts should be applied in reimbursing the East India Company the Sums they should have paid for Interest, with Interest thereon, and the other Moiety thereof should belong to the Railway Company, and that after and subject to such keeping down and Repayment of Interest, the whole of the net Receipts should belong to the Railway Company; and by the same Indenture the Railway Company have Power to require the East India Company to purchase the Railway and Works, and the other Property of the Railway Company, and to pay for the same the Amount of the Capital expended by the Railway Company; and Power is also given to the East India Company, either at the End of the first 25 Years, or at the End of the first 50 Years of the determinable Term of 99 Years, to purchase the Railway and Works and the other Property of the Railway Company, paying for the same the full Value of all the Shares or Capital Stock in the Railway Company at the average Price thereof during the Three Years preceding such Purchase, with an Option to commute such Payment for an Annuity of the same Value for the Residue of the Term of 99 Years; that the East India Company selected the Direction of a Line of Railway from Surat to Baroda and Ahmedabad, in accordance with the recited Agreement; and the Railway Company are in process of executing such Line of Railway; that nearly the whole of the 27,778 Shares of 18*l.* each in the Capital of the Railway Company, numbered consecutively from 1 to 27,778, both inclusive, were issued, and a Sum of 13*l.* 10*s.* per Share has been called and paid up thereon, and the Sum so realized has been paid to the East India Company, as Part of the Sum of 500,000*l.* in pursuance of the recited Agreement; that in the Year 1856 the East India Company applied to the Railway Company to raise further Capital to the Extent of 250,000*l.* for the Purposes of their Undertaking, and agreed to guarantee Interest thereon at the Rate of 5*l.* per Centum per Annum; that upon the Receipt of such Application, the Capital of the Railway Company was increased by the Sum of 250,002*l.* by the Creation of 13,889 new Shares of 18*l.* each, numbered consecutively from 27,779 to 41,667, both inclusive, and a considerable Number of such Shares, under the Denomination of "Additional Capital A Shares," have been issued, and a Sum of 6*l.* per Share has been called and paid up thereon, and the Sum so realized has been paid to the East India Company as Part of the Sum of 250,000*l.*; that in the Year 1857 Proposals were made by the East India Company, and entertained by the Railway Company, for the Construction by the Railway Company of a Line of Railway to commence at or near Bombay, and to proceed to Surat, so as to form a Junction with the Line of Railway from Surat to Baroda and Ahmedabad, upon Terms, as to the Two Lines of Railway as One Undertaking, corresponding with the Terms of the herein-before recited Indenture of Agreement, and in order to carry such proposed Contract into effect, the East India Company applied to the Railway Company to raise further Capital to the Extent of 1,000,000*l.*, and agreed to guarantee Interest thereon at the Rate of 5*l.* per Centum per Annum; that upon the Receipt of such Application the Capital of the Railway Company was further increased by the Sum of 999,990*l.* by the creation of 55,555 new Shares of 18*l.* each, numbered consecutively from 41,668 to 97,222, both inclusive, and a considerable Number of such Shares, under the Denomination of "Additional Capital B Shares" have been issued, and a Sum of 4*l.* 10*s.* per Share has been called and paid up thereon, and the Sum so realized has been paid to the East India Company as Part of the Sum of 1,000,000*l.*; that by 21 & 22 Vict. c. 106., being an Act "For the better "Government of India," the Government of the Territories in the Possession or under the Government of the East India Company, and all Rights in relation to such Territories, or the Revenues thereof, have ceased to be vested in and exercised by the East India Company, and the same respectively are now vested in Her Majesty, and are to be exercised in Her Name by the Secretary of State in Council of India, subject to the Provisions of that Act, and of other Acts of Parliament; and by the Sixty-fourth Section of that Act, it is provided that all Acts and Provisions then in force, under Charter or otherwise, concerning India should, subject to the Provisions of that Act, be construed as referring to the Secretary of State in Council in place of the East India Company; and by the Sixty-seventh Section of that Act it is provided that all Contracts, Covenants, Liabilities, and Engagements of the East India Company made, incurred, or entered into before the Commencement of that Act might be enforced by and against the Secretary of State in Council, in like Manner and in the same Courts as they might have been by and against the East India Company if that Act had not been passed; that the last-mentioned Act commenced and took effect on the 2nd Day of September 1858; that an Agreement, bearing Date the 2nd Day of February 1859, has been entered into between the Secretary of State in Council of India and the Railway Company, in this Act called "The Second Agreement," for the Construction by the Railway Company of the Line of Railway from Bombay to Surat, in accordance with the Proposals herein-before mentioned, and such Line of Railway has been commenced by the Railway Company; that the Capital of the Company at present created Amounts to the Sum of 1,749,996*l.*, divided into 27,778 original Shares, 13,889 "Additional Capital A Shares," and 55,555 "Additional Capital B Shares," and upon each of the said Shares respectively as have been issued the respective Sums of 13*l.* 10*s.*, 6*l.*, and 4*l.* 10*s.* have been respectively called up and paid as herein-

before mentioned; and in addition thereto the Secretary of State in Council lately authorized the Issue of Debentures of the Company to the Extent of 300,000*l.*, and the Board of Directors are now proceeding to issue such Debentures; that the Company have, in pursuance of a Power in that Behalf given by the Deed of Settlement, received from certain Holders of Shares of each Denomination respectively in anticipation of Calls the whole or some Portion of the Amount uncalled for on their respective Shares, upon an Agreement to pay Interest on the Sums so received at the Rate of 5*l.* per Centum per Annum, and have paid such Sums to the East India Company, or into the Bank of England to the Account of the Secretary of State in Council of India, as Part of the herein-before mentioned Sums of 500,000*l.*, 250,000*l.*, and 1,000,000*l.* respectively; proposes to consolidate into Stock the Shares in respect of which the whole Amount subscribed has been paid for Calls and in anticipation of Calls, as herein-before mentioned; to give Power to enter into Contracts with the Secretary of State in Council of India for separate and distinct Undertakings, to regulate Capital, to annul Deed of Settlement, and repeal Act of 1855.

8 & 9 Vict. c. 16. incorporated, § 3.

Annulling of Deed of Settlement, and Repeal of recited Act, § 5.

Company to remain incorporated and entitled to their Property, §§ 6, 7.

Saving of Rights and Liabilities under Deed of Settlement and recited Act, §§ 8 to 18.

As to Contracts with the Secretary of State in Council of India, §§ 19, 20.

Additional Contracts with the Secretary of State in Council, § 21.

Arbitration in case of Difference on Contract, § 22.

Present Capital 1,749,996*l.* in Shares of 18*l.* each, § 23.

Additional Capital, §§ 24, 25.

As to the Division of Profits, § 26.

Distinction of Shares in case of separate Undertakings, § 27.

Offer of new Shares to existing Shareholders, § 28.

Distinct Capital Accounts and Revenue Accounts to be kept for separate Undertakings, § 29.

As to the Division of the Profits of separate Undertakings, § 30.

Seal for Use in India, § 31.

Certificates of Shares, § 32.

Calls, §§ 33, 34.

As to forfeited Shares, and Reverter thereof, § 35.

Closing Transfer Books, § 36.

Power to borrow on Bond at not exceeding 5*l.* per Cent. to One Third of Capital, §§ 37 to 40.

Power to consolidate Shares into Stock, §§ 41, 42.

Meetings; Voting; Directors; Committees; Auditors, &c., §§ 43 to 59.

Books to be balanced, § 60.

Office in India for the Issue and Registration, &c. of Shares and Bonds, § 61.

Registers to be kept in India, § 62.

Registers at several Offices in India to be distinguished, § 63.

As to Registry of Shares and Bonds, § 64.

Transfers of Shares and Bonds from one Register to another, § 65.

For determining the Laws affecting any Shares, &c., § 66.

Certified Copies of the respective Registers to be admitted in Evidence, § 67.

Newspapers for Advertisements; Notices; Byelaws; Penalties; Appeals from Justice in India, §§ 68 to 72.

Cap. ciii.

"The *Newcastle-under-Lyme* Burgesses Lands Act, 1859."

Recites that by 56 Geo. 3. c. xxxiii. certain Lands were directed to be allotted in lieu of Common Rights to Trustees therein-after nominated, by the Name and Style of "The Trustees for "the Burgesses of the Borough of Newcastle-under-Lyme, "in the County of Stafford, appointed by an Act passed in "the 56th Year of the Reign of King George the Third," and certain other Lands were directed to be allotted to the said Trustees for the Purpose of public Walks, and it was by the said Act declared that the Mayor, Recorder, Justices of the Peace, Bailiffs, Capital Burgesses, and Town Clerk of the Borough of Newcastle-under-Lyme aforesaid for the Time being, the Rector of the Parish of Newcastle-under-Lyme aforesaid for the Time being, and all Persons who were or should be Burgesses of the said Borough of Newcastle-under-Lyme for the Time being (they being severally qualified as therein-after mentioned), should be the Trustees for the Burgesses of the said Borough so far as regarded the Allotments, Estates, Rights, Powers, and Authorities by that Act given to the Trustees for the said Burgesses; and that by that Act the Trustees were directed to cause the Allotments made in lieu of Common to be fenced, and to let such Parts of them as they should find necessary to raise Funds for carrying out the Objects of the Trust, and should permit the Residue to be enjoyed by the Burgesses for the Time being as Stinted Pastures, subject to such Regulations as to the Use and Management of the Pastures as the Trustees should make; that the several Allotments vested in the said Trustees under the said Act for the Purposes of public Walks are now vested in the Local Board of Health of the said Borough; that the several Allotments made to the said Trustees in lieu of Rights of Common consisted of 205 Acres 1 Rood and 28 Perches, or thereabouts, of Lands situate in the several Parishes of Newcastle-under-Lyme, Trentham, Wolstanton, and Stoke-upon-Trent, and near to the Town of Newcastle-under-Lyme, which Lands were divided and fenced, and let and used as Pastures, for the Benefit of the Burgesses of the said Borough of Newcastle-under-Lyme; that under certain Acts of Parliament relating to the North Staffordshire Railway a Portion of the said Allotments, containing 13 Acres and 23 Perches, or thereabouts, was taken by the North Staffordshire Railway Company for the Purposes of the said Railway, and the Sum of 3,499*l.* was paid for the same; and under the said Acts the Sum of 2,500*l.*, Part of the said Purchase Money, was laid out in the Purchase of 21 Acres 2 Roods and 29 Perches of Land near the said Town of Newcastle-under-Lyme, which Lands were vested in the said Trustees upon the same Trusts, for the Benefit of the Burgesses of the said Borough as were subsisting in respect of the Lands so taken by the said Railway Company at the Time of taking the same; and the Sum of 999*l.*, the Residue of the said Purchase Money, was invested in the Public Funds in the Names of the Trustees; that the said Town of Newcastle-under-Lyme, and the Population and Trade thereof, have of late Years greatly increased, and some Parts of the said Allotments and Lands now vested in the said Trustees have, by reason of their Proximity to the said Town, become of

great Value for Building Purposes; and the limited Powers vested in the said Trustees in respect of such Lands now injuriously check the Extension of the said Town on the Sides adjoining the said Lands; that a Committee appointed by the said Trustees, and a Committee appointed by the Burgesses of the said Borough, to consider and report as to the Management of the Burgesses Lands, unanimously agreed to recommend a Scheme, being such as is embodied in this Act, for the Consideration of the Trustees and the Burgesses; that at a Public Meeting of the said Trustees, held on the 21st Day of October 1858, the said Scheme was approved, and an Act directed to be applied for; that at a Public Meeting of the said Burgesses, held on the 11th Day of October 1858, and convened for the Purpose of considering the said Scheme, it was resolved that the Opinion of the Burgesses should be taken by Signature to Copies of the said Scheme; and that in pursuance of such Resolution the Consent of a Majority of the said Burgesses has been given to the said Scheme, by signing their Names to a Copy thereof.

Repeal of the several Sections of the said recited Act in the Queen's Printers Copies thereof numbered respectively 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, and 87, so far as the same Sections or any of them relate to the said Trustees or the Burgesses Allotments in lieu of Rights of Common, § 3.

New Trustees incorporated, § 4.

Commissioners Clauses Act incorporated, with Exceptions, § 5.

First Election of Trustees; Qualification; Voting; Meetings, §§ 6 to 17.

Burgesses not to be Auditors, and Creditors not to be entitled to object to Accounts, §§ 18 to 26.

Expenses of Election of Trustees to be paid by Trustees, § 27.

Statement of Accounts to be prepared, and to be open for Inspection; Copies of such Statement to be furnished, § 28.

Accounts to be examined and settled at the Annual Meeting, § 29.

Lands in Schedule (A.) vested in Trustees, § 30.

Fund in Court to be transferred to Trustees, § 31.

Court of Chancery to make Orders for Transfer upon Petition in a summary Manner, § 32.

Power to divide and let Lands, § 33.

Resolutions of Trustees to apply Lands for Building or Mining Purposes to be submitted to General Meeting of Burgesses, § 34.

Power to sell and lease Lands set apart for Building Purposes, § 35.

Contracts, Sales, and Leases may be made on such Terms as the Trustees think proper, but Leases not to be renewable, § 36.

Power to grant Mining Leases, § 37.

Privileges which may be granted to Lessees of Minerals, § 38.

Rent to be reserved, § 39.

Covenants and Provisions in Leases, § 40.

Provision for enabling Lessor to purchase Plant, § 41.

Valuation for such Purpose, § 42.

General Conditions of Leases, § 43.

Lease of Lands to cease with Lease of Mines, § 44.

What Receipts to be a Discharge, §§ 48, 49.

Lettings to be made by Auction, of which Notice shall be given, § 50.

Lettings by private Contract, § 51.

Mode of investing Purchase Moneys, §§ 53 to 56.

Moneys to be carried to Capital and Income Accounts, § 57.

Application of Capital, § 58.

Application of Income, § 59.

Division of Surplus Fund, § 60.

Mode of Payment to Burgesses, § 61.

General Powers for the Management of the Pastures, &c., § 62.

To keep Boundary Fences in repair; make Drains, § 63.

Trustees may impound Cattle improperly depastured, and sell same, § 64.

Trustees may make Byelaws and impose Penalties, § 65 to 70.

Penalties, §§ 71 to 73.

Penalties, how to be applied, § 74.

Proceedings under this Act to bind all Parties interested, § 75.

Saving Rights of the Duchy of Lancaster in Mines, &c., § 76.

Schedule A. (Burgesses Lands now vested in Trustees.)

Schedule B. (Form of Voting Paper.)

Cap. civ.

"The *Nuneaton and Hinckley* Railway Act, 1859."

Proposes to make a Railway from the Trent Valley Line of the London and North-western Railway at Nuneaton to Hinckley in County of Leicester.

Incorporation of General Acts, § 1.

Subscribers incorporated, with Capital of 45,000*l.* in Shares of 10*l.*, §§ 3 to 6.

Directors; Meetings, §§ 9 to 16.

Power to make Railway and Branches, §§ 17, 18.

Junction with London and North-western Railway to be under Direction of Engineer of that Company, §§ 19, 20.

Power to erect a Bridge over the Canal; protective Clauses, §§ 21 to 25.

Two Years for compulsory Purchase, § 27.

Commissioners of Woods and Forests, with Consent of Vicar, may convey Part of Nuneaton Glebe, § 28.

Power to invest Purchase Money of Nuneaton Glebe in other Lands, § 29.

Power to Commissioners of Woods and Forests to make an Exchange with Company, § 30.

Three Years for Completion of Railway, §§ 31, 33.

Power to borrow 14,000*l.*, § 32.

Tolls, §§ 34 to 41.

Power to enter into Traffic Arrangement with London and North-western Railway Company, §§ 42 to 48.

Cap. cv.

"The *Berks and Hants* Extension Railway Act, 1859."

Proposes to make a Railway from the Newbury and Hungerford Branch of the Great Western Railway at Hungerford to the Devizes Branch of the Wilts, Somerset, and Weymouth Railway at Devizes, to be worked by the Great Western Railway Company.

Incorporation of General Acts, § 1.

Subscribers incorporated, with a Capital of 298,000*l.* in 10*l.* Shares, and Power to borrow 99,000*l.*, §§ 3 to 7.

Meetings; Directors, §§ 10 to 15.

Power to make Railway, §§ 16, 17.

Board of Trade Provisions, §§ 18 to 24.

Communications with Great Western Railway, §§ 25 to 28.

Regulations as to Kennet and Avon Canal, §§ 29 to 32.

Construction of Railway across High Street, Hungerford, § 33.

Lands to be bought by Compulsion in Three Years, § 35.

Five Years for Completion of Works, §§ 36, 37.

Tolls, §§ 38 to 46.

Company may contract with the Great Western Railway Company as to Working and Use of Railway, §§ 47 to 52.

Cap. cvi.

"The *British and Canadian* Telegraph (Northern Line) Act, 1859."

Proposes the laying down of Electric Wires between Great Britain and Canada from the North Coast of Scotland to Quebec and Montreal, or either of the said Cities, or to any other Part of the British Possessions in North America, and the using of such Wires as a Means of Telegraphic Communication between such Places.

III. Robert James Roy Campbell, James Wyld, Thomas Page, John Yates, and the several other Persons who have already subscribed or shall hereafter subscribe to or become Shareholders in the Undertaking, and their respective Executors, Administrators, Successors, and Assigns, shall be and are hereby united into One Body Corporate, under the Name of "The British and Canadian Telegraph Company," for the Purpose of making and maintaining Telegraphic Communication between Great Britain and Canada, by laying down, maintaining, working, and using Electric Wires or Telegraphs, from any Point or Place in Scotland to which Telegraphic Communication by Electric Wires or Telegraphs is already or may hereafter be established, to any Point or Points on the North Coast of Scotland, and thence by way of Orkney and Shetland, the Faroe Islands, Iceland, Greenland, or some of such Places, and the intervening Seas, to any Point or Points on the Coast of Labrador, or to the Island of Belle Isle, and thence to Quebec and Montreal, or either of them, or to any other Part of the British Possessions in North America, and between such other Places as may from Time to Time be deemed expedient, and also for the Purpose of working and using the Line or Lines of Telegraphic Communication for the Transmission of Messages, and also of doing and performing all such Matters and Things as are necessary or convenient for carrying into effect the Objects and Purposes of the Company, and the Company hereby incorporated by the Name aforesaid shall have perpetual Succession and a Common Seal, &c.

Incorporation of the Companies Clauses Consolidation Act, § 4.
Capital 350,000*l.* in 10*l.* Shares, § 5.
Meetings; Directors; Auditors, §§ 6 to 16.
Power to lay down Wires, Buoys, and Sea Marks, § 17.
Board of Trade may order Buoys, &c. to be removed, § 18.
Certain Works not to be executed without the Consent of the Commissioners of Woods, &c., and of the Admiralty, § 19.
Company may construct Works and Buildings on Lands taken, § 21.
Power to agree with other Electric Telegraph Companies for facilitating Telegraphic Communication, § 23.
Company may become interested in certain Patents, § 24.
Company may take Charges for Use of Telegraph, and for through Transmission by Telegraphs of other Companies, §§ 25, 26.
Lines of Telegraph to be open to all Persons, § 27.
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Provision as to Rights of the Crown, § 38.

Cap. cvii.

"The *Chichester* Harbour Embankment Act, 1859."

Lands Clauses Act incorporated, § 3.
Power to make Works according to Plans, § 4 to 7.
Power to Undertakers to embank and reclaim, § 8.
Temporary Occupation of Lands, § 9.
Works below High-water Mark to be executed according to Plans approved of by the Admiralty, § 10.
Undertakers not to injure the Drainage of adjoining Lands, § 11.
Undertakers to have no exclusive Property in the Land, Mud Bank, Sea Weed, or Shells outside the Embankment, § 12.
Compensation for Rights of the Crown, § 13.
Waste Lands vested in Undertakers, § 14.
Embankments, &c. to be maintained by Undertakers, § 15.
Commissioners to be appointed for maintaining Banks, §§ 16, 17.
Officers and Salaries, §§ 18, 19.
How Contributions to be assessed, § 20.
For Recovery of Assessment, § 21.
Three Years for taking Lands, § 22.
Five Years for Completion of Works, § 23.
Name of Agent to be registered with Clerk of the Peace, § 24.
Recovery of Damages and Penalties, § 25.
Saving Rights of the Crown, § 26.

Cap. cviii.

"The *Malltraeth and Corsddaugau Marsh* Act, 1859."

Recites 28 Geo. 3. c. lxxi., 30 Geo. 3. c. lix., and 51 Geo. 3. c. cxxxii.; that the Commissioners for embanking and draining the Marsh under the Powers of the First and Third Acts duly executed and enrolled their Award, and also executed Banks and other Works to prevent the said Marsh being overflowed by the Sea, and for the Drainage of the said Marsh and adjoining Lands; that under the Powers of the Third Act they have raised and expended the Sum of 44,400*l.*, Part of the Sum of 50,000*l.* by that Act authorized to be raised and expended, and the Sum of 5,600*l.* only now remains to be raised for the Purposes of the said Acts; that they have incurred various Debts and Liabilities in maintaining the Works authorized by the said Acts; and further Sums will be required for the Repair and Maintenance thereof, and the Sum of 5,600*l.* now remaining to be raised under the Third Act would be sufficient for such Purposes, but the Mode of raising the same by Assessments, as required by the said Act, is found inconvenient, and it would be less burdensome to the Owners and Occupiers of the Lands liable to be assessed thereto, if in lieu thereof such Lands were charged with yearly Rates and Taxes, and if such Principal Sum were raised by Mortgage on the Credit of such yearly Rates and Taxes; that it is expedient that the Provisions of the said Acts for regulating the Number, Qualification, and Election of Commissioners should be altered, and that some other of the Provisions of the said Acts should be repealed, altered, and amended, and further Powers vested in the Commissioners.
Limits of Act; First District; Second District, § 3.
Incorporation of Part of Commissioners Clauses Act, § 4.
Appointment and Qualification of Commissioners, §§ 5 to 10.
Meetings of Commissioners, §§ 11 to 17.
Works and Property of existing Commissioners vested in new Commissioners, §§ 18 to 21.
Commissioners to appoint a Surveyor, § 22.
General Powers of Delegation, § 23.
Commissioners may appoint Managing Commissioners, § 24.

One Managing Commissioner to go out of Office every Year, § 25.
Mode of supplying occasional Vacancies, § 26.
Power to execute Works on Emergencies, § 27.
An Estimate of Expenses for the Year to be presented to every Annual Meeting, § 28.
Power to make Rates, § 29.
Owners may agree for a Payment in discharge of their Share of existing Debts, § 30.
Power to borrow 5,600*l.*, §§ 31, 32.
Application of Moneys received from Railway Companies and for Redemption of Debt, § 33.
Application of Drainage Rates, § 34.
Additional Works and Rates, § 35.
Works of general Advantage to both Districts, § 36.
Local Works may be made at Cost of the Locality, § 37.
New Cuts not to exceed Eleven Feet in Width at the Bottom, § 38.
Power to lease and to receive Compensation or Purchase Moneys, § 39.
Remedy for Non-repair of Roads and Ditches, § 40.
Power to borrow Money in case of Floods, § 41.
Application of Moneys borrowed, § 42.
Payment of Principal and Interest of Debt, § 43.
Appointment of a Receiver, § 44.
Tenants to pay Rates and deduct them from Rents, § 45.
Creditors not to deduct the Amount of any Claim from Rates, § 46.
General Power of Appeal to Inclosure Commissioners; Expenses of Inclosure Commissioners; Costs of Parties, § 47.
Owners of inclosed Low Lands may appeal, § 48.
Penalty on throwing Rubbish into the Drains, §§ 49, 50.
Repeal of Sections 44 and 56 of First Act, § 51.
Saving of existing Powers, § 52.
Schedules: A. (Form).
„ B. Part I. Valuation of Lands in First District.
„ „ II. Valuation of Lands in Second District.

Cap. cix.

"*South Staffordshire* Railway Act, 1859."

Recites their several Acts, and describes Railways; that the whole of the Railway and Branches of the Company, though not yet completed, are now leased to one John Robinson M'Clean, or agreed to be so leased, for the Term of 21 Years from the 1st Day of August 1850; that in order to the Completion of the Company's Railways, so leased or agreed to be leased, it is expedient that the Time by "The South Staffordshire Railway Act, 1855," limited for the Completion of the Railways thereby authorized, be extended; proposes to purchase certain Lands which the Company require for the Purpose of a Communication between the Cannock Branch and the Wyrley and Essington Branch of the Birmingham Canal; recites that the total Capital which the Company are authorized to raise is 1,072,000*l.*, and that it has all been raised; that of the total Sum which the Company by the recited Acts are authorized to borrow, viz., 355,000*l.*, they have borrowed 314,015*l.*; proposes to raise further Moneys.
Incorporation of General Acts, §§ 2, 3.
Two Years Extension of Time for completing Railways authorized by Company's Act of 1855, §§ 4, 5.
Power for Company to purchase Lands in Walsall, § 6.
Two Years for compulsory Purchase thereof, § 7.
Not to take Lands of Philip Williams, Esquire, in Parish of Walsall, § 8.
Company may raise 25,000*l.* additional Capital by new Shares, § 9.
Power to cancel unissued new Shares, § 10.
Company may cancel forfeited Shares under certain Conditions, §§ 11 to 18.
Power to borrow 363,000*l.* in all, §§ 19 to 21.

Cap. cx.

"The *Lancashire and Yorkshire* and *East Lancashire* Railways Amalgamation Act, 1859."

Preamble recites that the Undertaking of the Lancashire and Yorkshire Railway Company consists in part of Railways extending from Liverpool to Wigan, Bolton, Manchester, Bury, Rochdale, and Burnley, and the Undertaking of the East Lancashire Railway Company consists mainly of Railways within the same District, and the Two Undertakings are in many Places intermingled, and at Liverpool, at Southport, at Manchester, and in other Places the Two Companies are either jointly interested in or have common Rights over the same Portions of Railway and Stations; and by virtue of an Act passed in the last Session of Parliament the Blackburn Railway, which extends from the Lancashire and Yorkshire Railway at Bolton to the East Lancashire Railway at Blackburn, and thence through Clitheroe to Chatburn, was vested in the Lancashire and Yorkshire and East Lancashire Railway Companies jointly and equally, Enactments being contained in the said Act to provide for the Contingency of the Two Companies being united by any Act passed in the last Session of Parliament; that it will conduce to the public Advantage and to the convenient and economical Working of the same Undertakings that they should be united under One Management, and the Two Companies have agreed and are desirous that their Undertakings should be amalgamated, and that the East Lancashire Railway Company should cease to be a separate Corporation, and that it should be united with and form Part of the Lancashire and Yorkshire Railway Company, and it is expedient that the said Agreement should be carried into effect; that the Lancashire and Yorkshire Railway Company have, by virtue of "The Lancashire and Yorkshire Railway Act, 1852," Power to convert their then existing Debt into perpetual irredeemable Annuities, and to raise such further Sums as they then had Authority to borrow by means of such Annuities, instead of by Mortgage or Bond, and the same Company have to a very limited Extent granted such Annuities; and by "The East Lancashire Railway Act, 1853," similar Powers were conferred on the East Lancashire Railway Company, who have not exercised such Powers; and it has been found that it would be more convenient if, instead of such Annuities, the united Company were authorized to create for the Purposes aforesaid an irredeemable Stock.
Dissolution of East Lancashire Railway Company, § 3.
Vesting Railways in Lancashire and Yorkshire Railway Company, §§ 4, 5.
Saving Rights and Liabilities, §§ 6 to 22.
Saving Rights of Leeds, Bradford, and Halifax Railway Company, § 23.
Debts on Mortgage and Bond of East Lancashire Company and of Lancashire and Yorkshire Company to be a Charge on respective Undertakings, § 24.
XXV. Upon the passing of this Act the Capital of the Lancashire and Yorkshire Railway Company shall consist of the Capital, as well in Stock and Shares as borrowed on Mortgage or Bond, which on that Day was the existing Capital of that Company, and of the Capital, as well in Stock and Shares as borrowed on Mortgage and Bond, which on that Day was the

existing Capital of the East Lancashire Railway Company; and all the Powers of the Lancashire and Yorkshire Railway Company as to the raising of further Capital, whether by the Issue of new Shares or Stock or by borrowing, which at the passing of this Act were subsisting, and not then exercised or not fully exercised, shall, subject to the Restrictions herein-after contained, continue in force; and all the Powers of the East Lancashire Railway Company as to the raising of further Capital, whether by the Creation and Issue of new Shares or Stock or by borrowing, which on that Day were subsisting, and not then exercised or not fully exercised, shall be vested in and may be exercised by the Lancashire and Yorkshire Railway Company in like Manner and to the same Extent as they might have been exercised by the East Lancashire Railway Company; and all Moneys thereafter paid upon or in respect of Shares of either of the Companies not fully paid up on that Day, and upon or in respect of Shares or Stock thereafter created, and upon any Mortgages or Bonds thereafter issued under any of the Powers and Authorities aforesaid, shall become and be Part of the Capital of the Lancashire and Yorkshire Railway Company.

XXVI. Whereas the present Capital of the Lancashire and Yorkshire Railway Company in Shares and Stock is set forth in the Second Schedule to this Act, and it is expedient that the same Capital be declared and limited: Be it enacted as follows, The Capital of the Company shall, in addition to the Capital of the East Lancashire Railway Company, consist of 11,071,811*l.*, and the Company shall not make any further Calls upon the Shares mentioned in the said Schedule as "West Riding Union Shares of 3*l.*," or "Manchester and Southport Shares of 20*l.*," or "F. Shares of 16*l.*;" and it shall be lawful for the Company to convert the Amounts paid upon the said Three Classes of Shares into Consolidated Stock of the Company as effectually as though the said Shares had been paid in full; and all the Powers of "The Companies Clauses Consolidation Act, 1845," with respect to the Consolidation of Shares into Stock, shall apply to the said Three Classes of Shares, and the Amounts paid up thereon respectively.

XXVII. And whereas the present Capital of the East Lancashire Railway Company in Shares and Stock is also set forth in the Second Schedule to this Act, and it is expedient that in like Manner the same Capital be declared and limited: Be it enacted, That the same Capital shall consist of 3,448,397*l.*, which Capital is by virtue of the Enactments herein contained merged in and become Part of the Capital of the Lancashire and Yorkshire Railway Company, and such united Capital is hereby declared to be 14,520,208*l.*, in addition to any other Stock or Shares which, by virtue of any other Act passed in this Session of Parliament, they may be authorized to create.

XXVIII. In addition to the Sums of Money which by the "Blackburn Railway Amalgamation Act, 1858," or any Act or Acts of Parliament to be passed in the present Session, they are or may be authorized to borrow, it shall be lawful for the Lancashire and Yorkshire Railway Company to have outstanding on Mortgage or Bond, and on such perpetual Annuities as aforesaid, upon the Security of the united Undertaking, any Sum not exceeding One Third of the united Capital of the Company for the Time being paid up, exclusive of the Blackburn Railway Purchase Shares, and in no Case exceeding the Sum of 4,660,720*l.*, in addition to the Sums of Money aforesaid; and all the Provisions of the "Companies Clauses Consolidation Act, 1845," with respect to the borrowing of Money on Mortgage or Bond, or to the Conversion of borrowed Money into Capital, shall apply to the Sum so from Time to Time to be borrowed or owing by the Lancashire and Yorkshire Railway Company.

Proprietors in East Lancashire Company to become so in Lancashire and Yorkshire Company, § 29.

XXXI. On and from the First Day of January One thousand eight hundred and fifty-nine the Proprietors of the several Classes of Stock and Shares respectively in the Capital of the Lancashire and Yorkshire Railway Company, as by this Act constituted, shall be entitled to Dividend out of the Profits of the united Undertaking, and shall rank for the Purposes of Dividend in the following Order of Priority:

1. The Proprietors of "the Guaranteed Six per Cent. Stock" of the Lancashire and Yorkshire Railway Company, and the Proprietors of "the Six per Cent. Preference Capital Stock" of the East Lancashire Railway Company, who shall rank and be entitled to Dividends pari passu:
2. The Proprietors of "the Preference Fifth Shares" of the last-mentioned Company:
3. The Proprietors of "the Four and a Half per Cent. Preference Stock" of the last-mentioned Company, and the Proprietors of "the Preference Fifth Shares, 1857," of the last-mentioned Company:
4. The Proprietors of the Lancashire and Yorkshire (Barnsley) Railway Stock:
5. The Proprietors of Preference Stock or Shares of the Blackburn Railway Company, or of Shares of the united Company substituted for the same:
6. The Proprietors of ordinary Stock or Shares of the same Company, or of Shares of the united Company substituted for the same:
7. The Proprietors of the ordinary Stock and ordinary Shares of both Companies, of whatever Denomination or Amount, who shall rank and be entitled to Dividends pari passu.

Saving Right of certain Preference Shares, § 32.
Certain Provisions of Lancashire and Yorkshire Acts to apply to Shares of East Lancashire Company, § 33.
Certain Provisions of "The Railways Clauses Consolidation Act, 1845," adopted, § 34.
Reconstruction of Lancashire and Yorkshire Board of Directors, § 35.
Introduction of Directors of East Lancashire Company therein, § 36.
Providing for the future Rotation of Directors, § 37.
Power to reduce Number of Directors, § 38.
Repealing Powers to create perpetual Annuities, 15 & 16 Vict. c. 132., 16 & 17 Vict. c. 163.,—§ 39.
Conversion of Debt into Debenture Stock, and Power to raise Money at 4*l.* per Cent. by means of that Stock, §§ 40 to 44.
As to Committee of Management of the Preston Station, 12 & 13 Vict. c. 71. ss. 19–23.,—§ 45.
As to Burnley Branch, 8 & 9 Vict. c. 54. s. 1.,—§ 46.
For giving Publicity to Agreements, 1 Vict. c. 83.,—§ 47.
Traffic not to be obstructed, § 48.
Ensuring certain Through Traffic, § 49.
How Duty to be enforced, § 50.
As to Traffic passing through Colne, § 51.
London and North-western Railway Company may use specified Parts of Lancashire and Yorkshire Railway, §§ 52, 53.
Lancashire and Yorkshire Company may use Parts of London and North-western Railway, § 54.
As to Stations at Wakefield and Macclesfield, § 55.
For protecting local Traffic, § 56.
Services at Stations, § 57.
Byelaws to be observed, § 58.
As to Enlargement of Stations, § 59.
Arbitration as to Byelaws, &c., § 60.
As to North Union and Preston and Wyre Railways, § 61.

Repeal of Tolls and Charges authorized by Acts of united Company, § 62.
Tolls for Use of united Railway, for Cattle, Goods, &c., §§ 63 to 72.
Company to provide locomotive Power, § 73.
Saving Section 39 of 12 & 13 Vict. c. 50. (as to certain Tolls), § 74.
Saving existing Limitations of Toll, § 75.
As to Particulars of Charges, § 76.
Toll Clauses of the Railways Clauses Consolidation Act applied to the Railway, § 77.
Tolls may be revised when the Dividends amount to 8*l.* per Centum, § 78.
Schedules: 1.—Acts relating to East Lancashire Company.
2.—Capital of Lancashire and Yorkshire Company.
3.—Agreement between East Lancashire, Lancashire and Yorkshire, and Midland Companies.

Cap. cxi.

"The *Leeds, Bradford, and Halifax Junction* Railway Act, 1859."

Recites the Acts relating to the Company, and authorizes them to convert their Mortgage Debt into Debenture Shares or Stock at not exceeding 5*l.* per Cent. under the usual Regulations.

Cap. cxii.

"The *Victoria Station and Pimlico* Railway Act, 1859."

Recites that by "The Victoria Station and Pimlico Railway Act, 1858," the Company were incorporated, and authorized to construct a Railway with a Bridge across the River Thames, and a Station and other Works at and adjoining the Grosvenor Basin, and were empowered to raise by Shares the Sum of 675,000*l.*, and 225,000*l.* by borrowing on Mortgage or Bond; that by such Act the London, Brighton, and South Coast Railway Company are authorized to become Shareholders to the Extent of 450,000*l.*; and Provision is made in such Act and in the Agreement between the Company and the Brighton Company, confirmed by such Act, for the Expenditure of the Capital of the Company so authorized to be raised upon the Execution of the Works by that Act authorized, and for the vesting in the Brighton Company of certain Lands, Easements, Powers, and Privileges, and for the ultimate Extinction of their Contribution as Part of the Capital of the Company; that the Brighton Company have subscribed the said Sum of 450,000*l.*, and the Works authorized by the said Act have been commenced; that Railways have been projected for the Purpose of affording a Railway Communication between the London and North-western and Great Western Railways and the South-western Districts of the Metropolis, and between various of the Suburban Districts and Westminster, and it may be found expedient that the Railway be used for Traffic of the London and North-western and the Great Western Railway Companies, as well as for Traffic of the Brighton Company and the East Kent Railway Company respectively; proposes to raise further Moneys for the Purpose of enabling them to accommodate Traffic of the London and North-western and Great Western Railway Companies.
Incorporation of Companies and Railways Clauses Acts, § 2.
Power to raise 75,000*l.*, §§ 3 to 5.
Power to borrow 25,000*l.*, §§ 6 to 8.
Money authorized to be raised by Act of 1858 to be applied to Purposes of that Act, § 9.
As to mixed Gauge, § 10.
Act not to prejudice Conditions of Act of 1858 as to Site of Bridge, nor Covenants, &c., § 11.
Protection of Marquis of Westminster and Cubitt's Trustees, § 12.

Cap. cxiii.

"The *London and North-western* Railway (new Works) Act, 1859."

Proposes to construct new Works; to sanction certain level Crossings; and Contribution towards the Oldham, Ashton-under-Lyne, and Guide Bridge Railway Company, and Agreements with them.
Incorporation of Lands Clauses Acts, and Power to construct Works, §§ 2, 3.
As to level Crossing of Road on the Northampton and Market Harborough Line, §§ 4 to 6.
Two Years for compulsory Purchase, § 7.
Power to subscribe not exceeding 50,000*l.* towards Undertaking of the Oldham Company, §§ 8, 9.
Power for Company and Oldham Company to enter into Working, &c. Arrangements, §§ 10 to 15.
Power to apply Corporate Funds to Purposes of this Act, § 16.
For giving Publicity to Agreements, § 17.

Cap. cxiv.

"The *Silverdale and Newcastle* Railway Act, 1859."

Recites Incorporation of the North Staffordshire Railway Company by 9 & 10 Vict. c. lxxxv., with Power to construct a Main Line of Railway with certain Branches, whereof One, called the Silverdale Branch, was to diverge out of the said Main Line at or near the Town of Stoke-upon-Trent in the County of Stafford, and to terminate at or near Silverdale in the Parish of Keele and County of Stafford, which said Silverdale Branch Railway was intended to terminate in or near certain Iron Works called "The Silverdale Iron Works," then and now belonging to Ralph Sneyd, Esquire, and his Lessee; that by "The North Staffordshire Railway Act, 1847," "The North Staffordshire Railway (Pottery Line) Act, 1846," and Two other Acts of the same Year relating to the North Staffordshire Railway Company, were repealed, and the Provisions thereof consolidated into One Act, and the Powers to construct the said Silverdale Branch Railway were re-enacted and vested in the said Company; that in the Years 1849 and 1850 the said Ralph Sneyd and his Lessee, seeing no Probability of the Silverdale Branch being constructed beyond the Town of Newcastle-under-Lyme so as to afford Accommodation to the Silverdale Iron Works, constructed upon and through certain Lands then and now belonging to the said Ralph Sneyd the Line of Railway now known as the Silverdale and Newcastle-under-Lyme Railway, extending from the said Silverdale Iron Works to a Point on the South Side of the Town of Newcastle-under-Lyme, on the North Side of the Road leading from Keele to Newcastle-under-Lyme, called the Pool Dam; that the North Staffordshire Railway Company afterwards constructed their Silverdale Branch Railway to the Town of Newcastle-under-Lyme, and for the Purpose of forming a Communication between such Branch and the said Silverdale and Newcastle-under-Lyme Railway (in this Act called the Silverdale and Newcastle Railway) the said Company, in the Year 1852, under a Guarantee from the Lessee of the

said Ralph Sneyd, extended the Silverdale Branch Railway from the Newcastle-under-Lyme Terminus to the Silverdale and Newcastle Railway, and there formed a Junction with the Rails of that Railway on Lands belonging to the said Ralph Sneyd, and by means of the said Silverdale and Newcastle Railway and such Junction with the Silverdale Branch Railway a Communication was formed from the Silverdale Iron Works to the Railways of the North Staffordshire Railway Company; that the Terminus of the Silverdale and Newcastle Railway at the said Road called the Pool Dam being near the Head of the Newcastle-under-Lyme Canal, the Newcastle-under-Lyme Canal Company, for the Purpose of facilitating the Passage of Traffic to and from the said Canal from and to the said Railway, constructed an Extension Line of Railway from the Head of their said Canal at Newcastle-under-Lyme to and terminating by a Junction with the Rails of the Silverdale and Newcastle Railway on the North Side of the said Road called the Pool Dam, and by means of the Silverdale and Newcastle Railway and the Canal Extension Railway the Town of Newcastle-under-Lyme is supplied with Coal, and Iron and Ironstone are conveyed to and from the said Canal; that in consequence of the Means of Communication afforded by the Silverdale and Newcastle Railway, Manufactories, Works, and Buildings have been erected, and a large Population established in and near Silverdale, and the said Railway has become of great public and local Advantage; that it would be beneficial to the said Ralph Sneyd and his Lessee, and also advantageous to the Public, if Provision were made for the Maintenance of the said Railway and the Works connected therewith, and for regulating and recovering the Tolls to be taken for the Use of the said Railway, and for other Purposes connected therewith; and it would also be advantageous to the Public if the said Ralph Sneyd and his Lessee and the Canal Company were authorized to enter into and carry out Arrangements for the Use by the said Ralph Sneyd and his Lessee of the said Canal Extension Railway.

Companies, Railways, and Lands Clauses Acts incorporated, §§ 3 to 5.
Power to make Railways, §§ 6, 7.
Level Crossings; Board of Trade Provisions, §§ 8 to 10.
Tolls, §§ 13 to 20.
Power to agree for the Use of Canal Extension Railway, §§ 21, 22.
Power to lay down Electric Telegraph, § 23.
Saving Rights under certain Leases, § 24.
Facilities to be given for making Branch Lines; Accommodation Works, §§ 25 to 27.
Gradients for Branch Lines, § 28.
Limiting Tolls on certain Traffic, § 29.
Provisions for ensuring Completion and Maintenance of Railway, §§ 30, 31.

Cap. cxv.

"The *Waveney Valley* Railway Act, 1859."

Recites 14 & 15 Vict. c. lxvi., 16 & 17 Vict. c. cxliv., 18 & 19 Vict. c. clvii., 19 & 20 Vict. c. cxxix.; proposes to authorize Extension of Time, and to extend Railway.
Lands and Railways Clauses Acts incorporated, §§ 1, 2.
Revival of Powers for the Purchase of certain Lands and Compensation, §§ 3 to 5.
Power to construct Railway, §§ 6, 7.
Board of Trade Provisions, §§ 8 to 11.
One Year for compulsory Purchase of Lands, § 12.
Two Years for the Completion of Works, §§ 13, 14.
Tolls, §§ 16 to 18.

Cap. cxvi.

"The *Margate* Railway Act, 1859."

Recites Incorporation in 1857, with a Capital of 80,000*l.*, and Power to borrow 26,000*l.*, and to enter into Agreements with the East Kent Railway Company; proposes Extension to Margate, and Change of Name.
Incorporation of General Acts, §§ 2 to 4.
Power to make Railway, §§ 5, 6.
Board of Trade Provisions, §§ 7 to 9.
Two Years for compulsory Purchase of Land, § 11.
Four Years for Completion, §§ 12, 13.
Power to take Tolls, § 14.
Extending Traffic Arrangements to Margate Extension, § 16.
Power to create new Shares to the Extent of 105,000*l.*, §§ 17 to 21.
Power to borrow 35,000*l.*, §§ 22 to 25.
Forfeited Shares which cannot be sold may be cancelled, §§ 26 to 30.
Company may create new Shares in lieu of Shares cancelled, § 31.
Company may issue Half Shares in lieu of Shares cancelled and Remainder of Capital, § 32.
Division of existing Shares into Half Shares, §§ 33 to 40.
Alteration of Name; Company to be called "Margate Railway Company," §§ 41 to 44.
Provision as to crossing certain Sewers, § 45.
For preserving the Rights of the Commissioners of Sewers for Kent, § 46.

Cap. cxvii.

"The *Epping* Railways Act, 1859."

Recites that it is expedient to establish direct Railway Communication between the Woodford and Loughton Branch of the Eastern Counties Railway at Loughton and Epping and Chipping Ongar, in the County of Essex; that an Agreement has been entered into between the Eastern Counties Railway Company, the Norfolk Railway Company, and the Eastern Union Railway Company, for the Working and Management by the Eastern Counties Railway Company of the Undertakings of the Three Companies for their common Benefit, and such Agreement was confirmed by the Eastern Counties, and the Norfolk, the Eastern Union, the East Anglian, and the Newmarket Railways Act, 1854, and is now in force; that the said intended Railways might be used by the Eastern Counties Railway Company upon Terms advantageous to the Proprietors thereof, and of the said associated Companies, and of the Public, and it is expedient that the said Companies and the Promoters of the Undertaking should be authorized to enter into Agreements with respect to the Use of the said intended Railways.
Incorporation of General Acts, § 1.
Subscribers incorporated, with Capital of 100,000*l.* in 10*l.* Shares, and Power to borrow 33,000*l.*, §§ 2 to 6.
Meetings; Directors, &c., §§ 9 to 16.
Power to make Railways, §§ 17, 18.
As to Junction with Eastern Counties Railway, §§ 19 to 22.
Two Years for compulsory Purchase of Lands, § 24.
Three Years for Completion of Works, §§ 25, 26.
Tolls, §§ 27 to 35.
Power for the Company to enter into Arrangements with the Eastern Counties, the Norfolk, and the Eastern Union Railway Companies, with respect to the Maintenance, Use, &c. of the Railways, §§ 36 to 43.
Saving Rights of the Crown, § 44.

Cap. cxviii.

"The *Norwich and Spalding* Railway Act, 1859."

Recites 16 & 17 Vict. c. cxxiv.; that their Powers of completing their Undertaking have lapsed, and proposes to revive them.
Lands and Railways Clauses Consolidation Acts incorporated, § 1.
Power to construct Railway, § 3, 4.
Level Crossings, §§ 5 to 10.
Two Years for compulsory Purchase of Lands, § 11.
Three Years for the Completion of the Railway, §§ 12 and 15.
As to Land of Guy's Hospital, § 13.
For ensuring Extension to Wisbeach, § 17.
Tolls in respect of Railway, § 18.

Cap. cxix.

"The *Tendring Hundred* Railway Act, 1859."

Proposes to make a Railway from the Hythe Branch of the Colchester, Stour Valley, Sudbury, and Halstead Railway to Wivenhoe.
Incorporation of General Acts, § 1.
Subscribers incorporated, with Capital of 15,000*l.* in 10*l.* Shares, and Power to borrow 5,000*l.*, §§ 3 to 8.
Meetings; Directors, &c., §§ 11 to 14.
Power to make Railway, §§ 15, 16.
Board of Trade Provisions, §§ 17 to 20.
Two Years for Purchase of Lands by Compulsion, § 22.
Three Years for Completion of Railway, §§ 23, 24.
Company may contract with other Companies as to working and Use of Railway, §§ 25 to 30.
Tolls, §§ 31 to 39.

Cap. cxx.

"The *Bridport* Railway Act, 1859."

Recites Incorporation by 18 & 19 Vict. c. xi., with a Capital of 65,000*l.*; proposes to authorize the raising of further Capital, and to sanction Agreement for Lease to Great Western Railway Company.
Certain Provisions of "The Companies Clauses Consolidation Act, 1845," extended to this Act, § 2.
Power to raise additional Capital of 20,000*l.*, with or without a Preference not exceeding 6*l.* per Cent., §§ 3 to 7.
Power to cancel Shares forfeited for Nonpayment of Calls, and to issue new Preference Shares in lieu thereof, §§ 8 to 10.
Dividends on new Shares, § 11.
Confirmation of Agreement in Schedule, and Power to lease Railway to Great Western Railway Company, §§ 14 to 19.
Money raised under this Act to be applicable to Debt due to Lessees, § 20.
Application of Rents under Lease, § 21.
Schedule (Agreement).

Cap. cxxi.

"The *Central Wales* Railway Act, 1859."

Proposes to make a Railway from the Knighton Railway at Knighton to Llandrindod Wells.
Incorporation of General Acts, § 1.
Subscribers incorporated, with a Capital of 160,000*l.* in Shares of 10*l.*, and Power to borrow 53,300*l.*, §§ 3 to 8.
Directors; Meetings, §§ 11 to 18.
Power to make Railway, §§ 19, 20.
Level Crossings, §§ 21 to 24.
Three Years for Lands to be purchased by Compulsion, § 26.
Five Years for Completion of Railway, §§ 27 and 43.
As to Communication with the Knighton Railway, §§ 28 to 30.
Tolls, §§ 31 to 38.
Power to enter into Agreements with the Shrewsbury and Hereford, the Knighton, the Vale of Towy, and the Llanelly Railway and Dock Companies, § 39.
Power to enter into Working Arrangements with the Knighton and the Shrewsbury and Hereford Companies, § 40.
Saving Rights of Crown, § 44.

Cap. cxxii.

"The *Colne Valley and Halstead* Railway (Extension) Act, 1859."

Recites 19 & 20 Vict. c. lxi., and proposes to extend Railway to Haverhill.
Extending Provisions of General Acts, § 1.
Power to construct Extension, §§ 3, 4.
Saving Lands of certain Persons, § 5.
Level Crossings; Board of Trade Provisions, §§ 6 to 9.
Three Years for compulsory Purchase of Lands, § 12.
Five Years for the Completion of the Works, §§ 13 and 17.
Tolls, §§ 15, 16.
Power to apply existing Funds to Purposes of Act, § 18.
Company may raise additional Capital of 80,000*l.*, §§ 19 to 21.
Dividends on new Shares, § 22.
As to Votes of Proprietors of new Shares, § 23.
Power to borrow 26,000*l.*, §§ 24 to 27.
Extending Clauses 29 and 30 of recited Act, empowering Agreements with Eastern Counties Railway Company, § 28.

Cap. cxxiii.

"The *Falkirk* Police and Improvement Act, 1859."

Recites the Act of 3 & 4 Will. 4. c. 77., relating to Appointment of Magistrates and Councillors for Burghs, and that the Magistrates and Councillors of Falkirk are elected under that Act; that the Limits of the ancient Royalty of the said Burgh and the Parliamentary Limits thereof are not co-extensive, and it is expedient that the Powers and Jurisdiction of the Magistrates should extend over the whole of the said Limits; recites also the Act 13 & 14 Vict. c. 33., for regulating the Police of Towns and populous Places in Scotland, and for paving, draining, cleansing, lighting, and improving the same, also 19 & 20 Vict. c. 103., being "The Nuisances Removal (Scotland) Act, 1856," by which last Act the preceding recited Act was amended, and the Sections 74 and 213 thereof were repealed, and other and further Provisions substituted, and that it is expedient that certain of the Provisions of the Two last-mentioned Acts should be applied to the said Burgh; that it is expedient that Provision should be made for regulating the Police Jurisdiction of the Magistrates of the Burgh of Falkirk, and for draining, cleansing, lighting, and improving the Burgh, and for paving, repairing, and maintaining the Streets and Roads within the said Burgh, and for empowering the Magistrates of the Burgh to put in force the Acts as to Weights and Measures within the Burgh, and to improve the Market Places and regulate the Markets within the same; that the Stintmasters of Falkirk hold certain Property in trust for behoof of the Community of Falkirk, and the said Stintmasters and the Feuars of Falkirk respectively have been in use to levy certain Assessments and Customs, also for behoof of the Common Good, and have been in use to supply Water and Gas to a limited Extent within certain Parts of the said Burgh, and it is expedient that these minor Jurisdictions

within the said Burgh should be abolished or altered, and that the Customs leviable by the Feuars and the Property belonging to the Stintmasters for behoof of the Town of Falkirk or the Common Good should be transferred to and vested in the Magistrates and Town Council of Falkirk, and that Provision should be made for the Management of the Property so transferred, and that Provision should also be made with reference to the Payment of the Debts incurred by the Stintmasters and Feuars on behalf of the Community; that the Reservoirs, Fountains, Pipes, Cisterns, and public Wells by which the Burgh of Falkirk is at present supplied with Water are transferred to and vested in the Magistrates and Council by this Act, and that it is expedient that they should be empowered to keep up the same, and to supply the Burgh and Inhabitants thereof with Water from the same.

13 & 14 Vict. c. 33., with certain Exceptions, incorporated, § 3.

Assessment of Land used as Arable Ground, &c., or as Canals or Railways, § 4.

Limits of Act, § 5.

Commencement of Act, § 6.

Magistrates and Council to be Commissioners, § 7.

Meetings of Commissioners and their Committees, § 8.

Commissioners may borrow on Cash Account, § 9.

Weights and Measures, § 10.

Property of the Stintmasters vested in Commissioners, § 11.

Customs and Property of the Feuars vested in the Commissioners, § 12.

Moneys held by Stintmasters to be paid to Commissioners, § 13.

Assessment levied by Stintmasters abolished, § 14.

Privileges, Powers, and Functions of Stintmasters and Feuars transferred to Commissioners, § 15.

Property transferred to belong to Commissioners for Purposes of Act, § 16.

Debts of Stintmasters to be paid by Commissioners, § 17.

Commissioners to release Feuars of a Portion of their Debt, § 18.

On Transfer of Callendar Rigs and Corn Market the Commissioners to take whole Debt of Market, § 19.

Stintmasters and Feuars Debt assumed by Commissioners, and Expenses of obtaining Act, how to be paid off and extinguished, § 20.

Provision for Payment of Stintmasters and Feuars Debt, § 21.

Pending Actions transferred, § 22.

Certain Provisions of the Waterworks Clauses Act incorporated, § 23.

Reservoirs, &c. to be maintained by Commissioners, § 24.

Supply of Water to Grahamston and Bainsford, § 25.

Rate for Water, § 26.

Supply of Water for domestic Purposes not to include Water for other Purposes, § 27.

Commissioners may give Supply of Water for Purposes other than domestic, § 28.

10 & 11 Vict. c. 15. in part incorporated with this Act, § 29.

Penalty for wilfully damaging Pipes, § 30.

Satisfaction for accidentally damaging Pipes, § 31.

Markets and Fairs Clauses Act incorporated with this Act, § 32.

Commissioners may improve Market Places, &c., § 33.

Charges for Use of Market Places, &c., § 34.

Stalls, &c. may be let, § 35.

Commissioners may lease Dues and Customs transferred to them, § 36.

Agreements with Trustees of Turnpike Road and Statute Labour Roads within the Burgh, § 37.

Mode of ascertaining Rackrent or annual Value, § 38.

Jurisdiction of Sheriff and Justices of the Peace reserved, § 39.

Duties of Superintendent of Police and Constables, § 40.

Lands Clauses Consolidation (Scotland) Act in part incorporated with this Act, § 41.

Dispositions and Conveyances of Property how to be executed, § 43.

Cap. cxxiv.

"*Lancaster and Carlisle* Railway Act, 1859."

Recites 7 & 8 Vict. c. xxxvii., and the several Acts since passed relating to the Company, the North-western Railway Act, 1852, the Incorporation of the Kendal and Windermere Railway Company, with Power to make and maintain the Kendal and Windermere Railway, and to grant a Lease thereof to the Company; also the Incorporation of the Lancaster and Preston Junction Railway Company, with Power to make and maintain the Lancaster and Preston Junction Railway, and that the Acts of 3 & 4 Vict. c. iv., and 6 & 7 Vict. c. iv., and the Lancaster and Preston Junction Railway Amendment Act, 1849, were afterwards passed with respect to the Preston Company; that by the Lancaster and Preston Junction Railway Amendment Act, 1849, the Preston Railway, and the Lands, Works, and other Property of the Preston Company (save as specified in the Schedule A. to that Act annexed), were transferred to the Company, and the Preston Railway is now vested in and managed and worked by the Company accordingly; that a Railway to commence by a Junction at Barnard Castle with the Haggerleases Branch of the Stockton and Darlington System of Railways, and to terminate by a Junction at Tebay with the Railway, is in course of Construction, and when it is completed there will be a continuous Line of Railway Communication across England between the Durham Coal Fields Eastward and that Part of the Railway which is near to Morecambe Bay Westward; that for the Purpose of affording additional Facilities for Traffic between the Durham Coal Fields and Morecambe Bay and Ireland, and other Parts communicating with Morecambe Bay, the Company are desirous and it is expedient that they be authorized to make and maintain near to Morecambe Bay the new Lines of Railway and Works connected therewith by this Act respectively authorized; that the North-western Company have provided a Line of Railway and a Harbour and Coal Dock and other Works near to and at Morecambe Bay; that for the Purpose of improving the Access to the Company's Citadel Station at Carlisle it is expedient that the Company be authorized to make and maintain the Deviation there by this Act authorized of the Line of the Railway, and to continue the Maintenance, for such Purposes as they think fit, of so much of the Railway as lies between the several Points of Junction with the Railway of the proposed Deviation, and also to alter the Line and Levels there of the public Highway from Carlisle to Upperby, also to provide additional Hotel Accommodation at Lancaster; that it is expedient that the Preston Company be authorized to contribute towards the Expense of the several new Works by this Act authorized, and to raise additional Funds for the Purpose; further recites that the Share Capital of the Preston Company is constituted as follows, that is to say, of 5,000 whole Shares of 50*l.* each, paid up to the Extent of 47*l.* 10*s.* a Share, being in aggregate nominal Amount 250,000*l.*, and in aggregate paid up Amount 237,500*l.*; 5,000 Three Quarters Shares of 37*l.* 10*s.* each, paid up to the Extent of 31*l.* 10*s.* a Share, being in aggre-

gate nominal Amount 187,500*l.*, and in aggregate paid up Amount 157,500*l.*; 8,333 Quarter Shares of 12*l.* 10*s.* each, being in aggregate nominal Amount and also in aggregate paid up Amount 104,162*l.* 10*s.*; 10,833 Twelfth Shares of 4*l.* 3*s.* 4*d.* each, being in aggregate nominal Amount and also in aggregate paid up Amount 45,137*l.* 10*s.*; 11,736 Shares of 11*l.* 5*s.* each, being in aggregate nominal Amount 132,030*l.*, of which the greater Part is paid up; 16,104 new Quarter Shares of 12*l.* 10*s.* each, being in aggregate nominal Amount 201,300*l.*, only Part of which has been at present paid up; and that all the Shares of the Capital of the Preston Company are ordinary Shares; that it is expedient that Provision be made for the Regulation of the Capital of the Preston Company, and the Conversion of their Shares as now held into Consolidated Stock; proposes to amend the Provisions with respect to the leasing of the Windermere Railway to the Company, and to authorize the Appointment of One of the Directors of the Windermere Railway to be a Director of the Company; and to provide for the Amalgamation of the Windermere Company and their Undertaking with the Company and their Undertaking, and in that Event for the Dissolution of the Windermere Company; and also for the Amalgamation of the Preston Company and their Undertaking with the Company and their Undertaking, and in that Event for the Dissolution of the Preston Company; also to make further Provision with respect to the Directors of the Company, and to authorize the raising of further Capital.

Incorporates Lands and Railways and Parts of Companies Clauses Acts, §§ 2 to 4.

Railways, §§ 5 and 10; to be completed in Five Years, § 18.

Two Years for compulsory Purchases, § 6.

Purchase of Lands for Hotel at Lancaster, § 7.

Power to continue certain Portions of Railway, §§ 11, 12.

Communication with North-western Railway, §§ 13, 14.

Level Crossings; Board of Trade Provisions, §§ 15 to 17.

Tolls, §§ 20, 21.

The Preston Company may contribute towards new Works of Company under Act, § 22.

XXIII. The several Powers of the Preston Company under the recited Acts relating to that Company for raising Capital by Shares are by this Act repealed, save with respect to the Remedies of the Preston Company for compelling Payment of the Amounts now unpaid on such of the 11,736 11*l.* 5*s.* Shares and such of the 16,104 new Quarter Shares of their Capital as are not yet fully paid up, and with respect to the forfeiting of Shares for Nonpayment of Calls thereon, and save also as is by this Act otherwise provided with respect to Shares retained as Shares instead of being converted into Consolidated Stock: Provided always, that the Preston Company from Time to Time, when any of the existing Shares not by this Act consolidated into Stock, or any of the Shares which may be created under this Act, are fully paid up, may consolidate the same into Stock in like Manner as the other Shares of the Preston Company are by this Act consolidated.

XXIV. Subject to the Provisions of this Act the Sum of 544,300*l.*, paid up on the following Shares; that is to say,

	£	*s.*	*d.*
On the 5,000 whole Shares -	237,500	0	0
On the 5,000 Three Quarter Shares	157,500	0	0
On the 8,333 Quarter Shares -	104,162	10	0
On the 10,833 Twelfth Shares -	45,137	10	0
	£544,300	0	0

is by this Act converted into the Sum of 544,300*l.* ordinary Stock of the Preston Company.

XXV. The before-mentioned Sum of 544,300*l.* ordinary Stock of the Preston Company is by this Act appropriated to and vested in the several Holders of those Shares in the following Proportions; (that is to say),

1. 237,500*l.*, Part thereof, to and in the several Holders of the 5,000 old Shares, in the Proportion of 47*l.* 10*s.*, Part thereof, for every old Share:
2. 157,500*l.*, further Part thereof, to and in the several Holders of the 5,000 Three Quarter Shares, in the Proportion of 31*l.* 10*s.*, Part thereof, for every Three Quarter Share:
3. 104,162*l.* 10*s.*, further Part thereof, to and in the several Holders of the 8,333 Quarter Shares, in the Proportion of 12*l.* 10*s.*, Part thereof, for every Quarter Share:
4. 45,137*l.* 10*s.*, further Part thereof, to and in the several Holders of the 10,833 Twelfth Shares, in the Proportion of 4*l.* 3*s.* 4*d.*, Part thereof, for every Twelfth Share:

In like Manner the 11,736 Shares of 11*l.* 5*s.* each, and any Stock into which they may when fully paid up be consolidated, are appropriated to and vested in the several Holders of those Shares in the Proportion of 11*l.* 5*s.* for each such Share:

And the 16,104 new Quarter Shares, and any Stock into which they may when fully paid up be consolidated, are appropriated to and vested in the several Holders of those Shares in the Proportion of 12*l.* 10*s.* for each such Share.

XXVI. Every Portion of ordinary Consolidated Stock created under the Provisions of this Act is substituted for and shall represent the ordinary Share so converted, and in respect of which it is so appropriated and vested, and so as to be subject to all such Trusts and Provisions, and to pass by Will and otherwise, as if it were the Share for which it is so substituted, and the Holders of the ordinary Stock so appropriated and vested shall in respect thereof be Shareholders of the Preston Company accordingly.

XXVII. All the Shares of the Capital of the Preston Company for which that ordinary Consolidated Stock is by this Act substituted, and all Rights and Liabilities with respect to the same, are by this Act extinguished.

XXVIII. The Preston Company shall, on Demand in Writing by any Person entitled under this Act to any Portion of the Stock, issue to him gratis a Certificate thereof: Provided always, that the Preston Company shall not issue any Certificate of any Portion of that Stock unless and until the Certificate of the Share for which the Portion of Stock is by this Act substituted be delivered to the Directors of the Preston Company to be cancelled, or it be shown to their Satisfaction that the Certificate of the Share is lost or destroyed, and on any such Certificate of a Share being so delivered to those Directors they shall immediately cancel it.

XXX. The Preston Company from Time to Time may create and issue new Shares to any Extent not exceeding 42,500*l.* in substitution for the aggregate Sum remaining uncalled on the 5,000 whole Shares and the 5,000 Three Quarter Shares, and to any further Extent not exceeding 15,000*l.*, for the Purposes of this Act.

Preston Company may cancel unissued new Shares, § 31.

Preston Company may issue new Shares instead of cancelled Shares, § 32.

Terms and Conditions of new Shares created by Preston Company, § 33.

Saving for existing preferential Shares of Preston Company, § 34.

General Power for Preston Company to dispose of new Shares, § 35.

XXXVII. The Share and Stock Capital of the Preston Company shall be the aggregate of the following Amounts; that is to say,

The Amount of the Consolidated Stock of the Preston Company by this Act created:

The Sum of 132,030*l.* in 11,736 Shares of 11*l.* 5*s.* each of the Preston Company not yet fully paid up:

The Sum of 201,300*l.* in 16,104 new Quarter Shares of the Preston Company of 12*l.* 10*s.* each, not yet fully paid up:

The Amount from Time to Time created by the Preston Company by new Shares under this Act:

The Amount, if any, of Capital of the Preston Company created by the Conversion of Loan into Capital.

Application of Moneys of Preston Company, § 38.
Powers for Lease of Windermere Railway to Company, § 39.
Powers for Amalgamation of Windermere Company with Company, § 40.
During Lease of Windermere Railway, One Director of Windermere Company, to be chosen by Company, shall be a Director of Company, § 41.
Powers and Period of Office of the Director so chosen, § 42.
Occasional Vacancies to be supplied, § 43.
If Company fail to appoint the Director, Windermere Company may appoint him, § 44.
Agreements between Company and Windermere Company for Purposes of Act, § 45.
Powers for Amalgamation of Preston Company with Company, § 46.
Agreements between Company and Preston Company for Purposes of Act, § 47.
Restrictions on Agreement between Companies under Act, § 48.
Tolls, &c., partly on Railway and partly on Windermere Railway, § 49.
Terms of Contracts for Amalgamation of Windermere Company or Preston Company with Company, § 50.
Compensation for Amalgamation, § 51.
Lease or Amalgamation to entitle Company to Property amalgamated, § 54.
Powers of Windermere Company or Preston Company to be exercised by Company, § 55.
Lease by Windermere Company to be made as agreed on, § 56.
Amalgamated Property to be vested in Company, § 57.
Deed of Amalgamation, § 58.
Company to perform Duties of Windermere Company or Preston Company as to Property leased or amalgamated, § 59.
Dissolution of Windermere Company or Preston Company on their Amalgamation with Company, §§ 60 to 65.
Increase of Number of elected Directors of Company on Amalgamation of Windermere and of Preston Companies, §§ 66 to 69.
Increase of Number of elected Directors of Company on Cesser of London and North-western Company to hold Shares of Company, § 70.
Rotation of Directors on Increase, § 71.
General Power for Company to raise 50,000*l.*, § 72.
Power for Company to apply Capital for Purposes relating to Windermere Company and Preston Company, § 73.
Company may cancel unissued new Shares and create other new Shares instead, § 74.
Power to create new Shares, with or without a Preference not exceeding 5*l.* per Cent., §§ 75 to 80.
Power for Company to borrow 10,000*l.* for new Works and general Purposes, §§ 81, 82.
Saving Rights of the Crown, of Duchy of Lancaster, and of Companies, §§ 85 to 88.

Cap. cxxv.

"The *Mid-Sussex and Midhurst Junction* Railway Act, 1859."

Proposes to make a Railway from the Coultershaw Branch of the Mid-Sussex Railway to Midhurst.
Incorporation of General Acts, § 1.
Incorporation of Company, with Capital of 70,000*l.* in 10*l.* Shares, and Power to borrow 20,000*l.*, §§ 3 to 7.
Power to enter into Traffic Arrangements with the Mid-Sussex and the London, Brighton, and South Coast Railway Companies, §§ 8 to 13.
Meetings; Directors, §§ 14 to 21.
Power to make Railway, §§ 22 to 24.
No Deviation from the Centre Line of Railway through Lord Egmont's Lands, § 26.
Company to make a Station at a Point where the Railway crosses the Parish Road from Lodsbridge to Graffham, and Sidings at the Point referred to, § 27.
Company, if required, to make a Deviation of Parish Road marked No. 9 in the said Plan, and permanently to fence and hedge the same, § 28.
Two Years for Lands to be purchased, § 29.
Three Years for Completion of Railway, §§ 30, 31.
Bridge Approach over Turnpike Road, No. 2 on the deposited Plan, in the Parish of Petworth, § 32.
As to Communication with the Mid-Sussex Railway, §§ 33 to 37.
Tolls, 38 to 47.
Schedule. (Classes of Goods liable to Toll.)

Cap. cxxvi.

"The *North Staffordshire* Railway Act, 1859."

Recites Acts relating to the Company; proposes to make a Branch Railway; to extend Time limited by Act of 1854; to authorize Contracts with London and North-western Railway Company; and to convert Debt into Debenture Stock.
Incorporation of General Acts, § 2.
Power to make Railways, §§ 3 to 5.
Eighteen Months for compulsory Purchase of Land, § 6.
Two Years for Completion of Works, §§ 7, 8.
Tolls, § 9.
Extending Period for Completion of Works, &c. under Act of 1854,—§§ 10, 11.
Power for Company and London and North-western Railway Company to make mutual Arrangements, §§ 12 to 25.
For regulating Tolls upon the Trent and Mersey Navigation, § 26.
Power to apply existing Capital, § 27.
Power to raise Money by Debenture Shares or Debenture Stock at not exceeding 5*l.* per Cent., § 29.
Provisions with respect to Debenture Stock, §§ 30 to 36.
Act not to affect Agreement between Company and Earl Granville with respect to Earl Granville's Branch Railway, § 38.
Saving Rights of the Crown and the Duchy of Lancaster, § 39.

Cap. cxxvii.

"The *Stockton and Darlington* Railway Act, 1859."

Recites the "Stockton and Darlington Railway Amalgamation," "Durham Lines," and "North Riding Lines" Acts of 1858; proposes further Works; to substitute a private Street belonging to the Company for a Deviation of the Highway authorized by the "Durham Lines" Act; and to acquire a private Railway.

Incorporation of General Acts, § 2.
Power to construct new Railway, &c., § 3.
Communications with North-eastern Railway to be made to the Satisfaction of the North-eastern Railway Company, §§ 4 to 6.
Company to abandon Alteration of a Highway, and may convert a private Street into a public Highway, and alter Street, &c., § 8.
Power to stop up Part of existing Highway, § 9.
Two Years for compulsory Purchase, § 11.
Three Years for Completion of Works, §§ 12, 13.
Compensation, § 14.
Tolls to be taken by North-eastern Railway Company for certain Traffic, § 15.
For affording Facilities for Traffic of Cleveland Railway Company, § 16.
Conveyance by Company of Cleveland Railway Traffic, § 17.
Company's Traffic not to have Preference over Cleveland Company's Traffic, § 18.
If Company neglect to provide Accommodation to Cleveland Company, or to certain Lessees of Mines, the Board of Trade to appoint a Person who shall report thereon; Penalty on Refusal, § 19.
As to Toll for Ironstone, &c. passing along the Guisborough Branch, &c., § 20.
If Owners of Mines, &c. make a private Tramway, &c. to join the Redcar Branch, Company to afford Facilities for so doing; Differences to be settled by Arbitration, § 21.
Company to afford Facilities for Transmission of Ironstone, &c. brought upon the Redcar Branch; as to Toll for such Ironstone, &c., § 22.
Two additional Staiths to be constructed at Dock at Middlesborough, § 23.
Company may apply Corporate Funds to Purposes of this Act, § 24.

Cap. cxxviii.

"The *Kensington Station and North and South London Junction* Railway Act, 1859."

Proposes to make a Railway from near Lillie Bridge in Kensington to a Point in the same Parish near the Junction of Love Lane with Red Field Lane, and to join the proposed Extension of the West London Railway.
Incorporation of General Acts, § 2.
Subscribers incorporated, with a Capital of 72,000*l.* in 10*l.* Shares, and Power to borrow 24,000*l.*, §§ 3 to 7.
Meetings; Directors, §§ 10 to 16.
Power to make Railway, § 17.
Two Years for compulsory Purchase of Lands, § 18.
Communications with Extension of West London Railway, §§ 20 to 22, and § 24.
Three Years for Completion of Works, §§ 23, 25.
Saving Rights of Metropolitan Board of Works and District Boards, §§ 26, 27.
For Protection of Metropolis Turnpike Roads, §§ 28 to 33.
For Protection of West Middlesex Waterworks, § 35.
Notice to be given to Surveyor of the Parish of Kensington, §§ 36 to 38.
Works involving Diversion of Traffic at Kensington; Diversion to be approved by Surveyor, § 39.
Restoration of Drains and Sewers, § 40.
Restoration of Roads and Streets, § 41.
Works to be lighted, § 42.
Temporary Works for Traffic, Gas, and Water Service, § 43.
Alteration of Roadway and Supply of Water, § 44.
In case of Delay or Omission, Vestry may reinstate, § 45.
Deposit of Subsoil in the Parish of Kensington, § 46.
Tolls, §§ 47 to 58.

Cap. cxxix.

"*Lancashire and Yorkshire* Railway (*Rochdale* and *Royton* Branches) Act, 1859."

Proposes to construct Branch Railways from Oldham to Rochdale and Royton.
Incorporation of General Acts, § 3.
Power to make Railways, §§ 4, 5.
Level Crossings; Board of Trade Provisions, §§ 6 to 9.
For Protection of Land of Abram Crompton, Esquire, § 10.
Company to construct Bridge over Rochdale Canal, and to keep same in repair, §§ 11, 12.
Protection of Rochdale Canal, §§ 13 to 16.
Protection of certain Turnpike Roads at Oldham, § 17.
As to Bridge over Railway at Oldham, § 18.
Bridges for Foot Passengers under certain Streets in Oldham, § 19.
As to Junction near Oldham, and Use of Railway and Station there, § 20.
Two Years for Purchase of Lands, § 22.
Four Years for Completion of Railways, §§ 23, 32.
Tolls, § 24.
Power to raise 200,000*l.*, with or without a Preference not exceeding 5*l.* per Cent., § 25.
Power to borrow 66,600*l.*, §§ 29, 30.
Extending certain Provisions of "The Companies Clauses Consolidation Act, 1845," and existing Acts, § 31.
For giving Publicity to Agreements, § 33.

Cap. cxxx.

"The *Midland* Railway (*Erewash Valley*) Act, 1859."

Proposes to make an Extension of the Erewash Valley Line, and to raise further Capital.
Incorporation of General Acts, § 2.
Power to make Railways, § 3.
Power to acquire Lands at Whitwick, § 4.
Three Years for compulsory Purchase of Lands, § 6.
Five Years for Completion of Works, §§ 7, 8.
Power to create new Capital of 190,000*l.*, § 9.
Capital under this Act and under any other Act of this Session may be raised by new Shares, with a Preference not exceeding 4*l.* 10*s.* per Cent., §§ 10 to 13.
Company may apply Corporate Funds to Purposes of Act, § 14.

Cap. cxxxi.

"*Londonderry and Coleraine* Railway Arrangements Act, 1859."

Recites Incorporation of Company by Act of 1845, with Power to raise 500,000*l.* by Shares and 166,666*l.* by borrowing; that by an "Amendment Act, 1848," they were authorized to alter their Line, to cancel existing Shares, and substitute others with a preferential Dividend attached; that the Company was dissolved by Act of 1852 and re-incorporated; that their Undertaking was defined to consist of a Railway and Branch, and of a certain Interest in the Waste Lands, Mudbanks, and Slobs of Loch Foyle acquired by them under a former Act; that by the Act of 1852 and an Act of 1853 the Share Capital was increased by 65,000*l.* and the borrowing Powers by 15,000*l.*; that the Company have completed their Railway and Branch; that their present Capital consists of 750 Shares of 25*l.* each and 11,962 Half Shares of 12*l.* 10*s.* each, the latter bearing a Right to Preference Dividend of 5*l.* per Cent., besides Shares which have been merged and may be re-issued; that the Mortgage Debt consists of 70,000*l.* to the Public Works Loan Commissioners

and 95,763*l.* to other Mortgagees; that the great Expense attending the Embankments and reclaiming of Lands from the Sea has involved the Company in Debt; that they owe large Arrears of Interest to the Public Works Commissioners and other Mortgagees, as well as Debts to Landholders and Judgment and other Creditors; that the said Commissioners had seized the Railway and had let it on Lease to William M'Cormick, and that they now apply the Rent in Payment of their own Interest and Principal, the other Creditors receiving nothing; that it is expedient to authorize the Company to raise a Sum by Mortgage to pay off the Public Works Commissioners, and to issue Mortgages and Bonds of various Classes and with several Priorities to the other Mortgagees and Creditors in lieu of the Securities now held by them.

Incorporation of Companies Clauses Act, § 3.

Power to borrow for certain Purposes by issuing Debentures, to be classed as A Debentures, § 4.

Power to issue certain Debentures, to be classed as B Debentures, § 5.

Similar Power to issue certain Debentures, to be classed as BB Debentures, § 6.

Similar Power to issue certain Debentures, to be classed as C Debentures, § 7.

Limiting Time for Exercise of Powers, and rendering certain Consents necessary, § 8.

Limiting Amount of Interest or Dividend, § 9.

Company not to reborrow Moneys which have been paid, § 10.

Application of Moneys raised by this Act, § 11.

The Debentures to be Charges upon the Undertaking in a certain Order; Deficiency to be carried over, § 12.

Scheduled Persons to be served with Copies of Act, and to be bound thereby, §§ 13, 14.

Judgments against the Company to be extinguished on Claims of Creditors being satisfied, § 15.

Surplus Revenue, after Payment of Interest on Debentures created under this Act, to be applied in Liquidation of Amount taken from Capital to pay Interest, &c. properly chargeable to Revenue, § 16.

Saving Rights as to existing Preferences, § 17.

Power to issue A Debentures to Creditors in Payment of Debts or Claims, instead of raising Money by the Issue thereof for such Payment, § 18.

Powers for raising Capital by recited Acts extinguished, § 19.

Saving Rights of certain Parties, § 20.

Schedule, Parts 1, 2, 3:—

1. Mortgage Creditors.
2. Judgment Creditors.
3. Other Creditors.

Cap. cxxxii.

"An Act to suspend in certain Cases the Operation of the Twenty-eighth Section of 'The *Liverpool* Sanitary Amendment Act, 1854,' and for other Purposes."

Recites that by "The Liverpool Sanitary Amendment Act, 1854," it was enacted that it should not be lawful to drive through or along any Street in the Borough any Carriage, Cart, Waggon, Lorry, Float, or other Vehicle which should, in the widest Part thereof, including the Wheels thereof, measure more than Seven Feet Six Inches in Breadth, and that any Person who should drive, lead, or conduct any Carriage, Cart, Waggon, Lorry, Float, or other Vehicle which should exceed such Width, and the Owner of any such Carriage, Cart, Waggon, Lorry, Float, or other Vehicle who should permit the same to be driven in or along any Street in any Part of the said Borough, should forfeit and pay a Sum not exceeding Five Pounds for every Day on which such Offence should be committed; provided that, until the First Day of June One thousand eight hundred and fifty-nine no such Penalty should be imposed, or should accrue or become payable in respect of any Carriage, Cart, Waggon, Lorry, Float, or other Vehicle which had been duly registered at the Office of the Town Clerk before the passing of the said Act under any Law then in force; provided also, that it should be lawful for the Mayor, by any written Order, to grant Permission for the Use of any Carriage, Cart, Waggon, Lorry, Float, or other Vehicle exceeding the Dimensions therein-before prescribed for the Conveyance of Boilers or other Machinery, or for or upon any special or extraordinary Purpose or Occasion; that the Provisions of the recited Section were not generally known, and many Persons having in ignorance thereof expended large Sums of Money in constructing Carts of Dimensions exceeding those prescribed by the recited Section, it is expedient that the Council of the Borough of Liverpool should be enabled, in certain Cases, to exempt Carts and other Vehicles for a further Period from the Operation of the said Section in manner herein-after mentioned.

I. It shall be lawful for the Council of the Borough of Liverpool from Time to Time, until the Expiration of Seven Years from the passing of this Act, by Byelaws, to exempt from the Operation of the Twenty-eighth Section of "The Liverpool Sanitary Amendment Act, 1854," above recited, for such Periods as they shall think proper, not exceeding in any Case Seven Years from the passing of this Act, any Carriage, Cart, Waggon, Lorry, Float, or other Vehicle, constructed previously to the passing of this Act, for such Purposes and under such Terms and Conditions as they shall think fit.

II. The Provisions of the Act Ninth and Tenth Victoria, Chapter One hundred and twenty-seven, "Liverpool Sanitary Act, 1846," with regard to Byelaws made under the Powers for that Purpose in the said Act contained, and which are contained in the 204th and 205th Sections of the said Act, shall be held and taken to apply to this Act and to Byelaws to be made in pursuance hereof.

III. No Penalty shall be imposed or shall accrue or become payable under the said recited Section in respect of the Use of any Carriage, Cart, Waggon, Lorry, Float, or other Vehicle from the 31st Day of May 1859 until the 1st Day of January 1860.

Cap. cxxxiii.

"Watermen's and Lightermen's Amendment Act, 1859."

Whereas by an Act passed in the Session holden in the Seventh and Eighth Years of the Reign of His late Majesty King George the Fourth, Chapter Seventy-five, intituled "An Act "for the better Regulation of the Watermen and Lightermen "on the River Thames, between Yantlet Creek and Windsor," the Company of Watermen, Wherrymen, and Lightermen were incorporated by the Name and Title of "The Master, Wardens, and Commonalty of Watermen and Lightermen of the River Thames:" And whereas in accordance with that Act, the Freemen of the said Company, and the Apprentices to Freemen or to Widows of Freemen of the said Company, enjoy certain exclusive Privileges of working and navigating, or causing to be worked or navigated for Hire, within the Limits of the said Act, Wherries, Lighters, and other Craft for carrying Passengers, Goods, and Merchandise: And whereas the Limits of the said Act are defined to extend to all Parts of the River Thames from and opposite to and including the Town of New Windsor in the County of Berks, to and opposite to and in-

cluding Yantlet Creek, in the County of Kent, and to all Docks, Canals, Creeks, and Harbours of or out of the said River, so far as the Tide flows therein: And whereas it is expedient that the Limits of the said Act should be altered, and such exclusive Privileges should be modified, and that proper Regulations should be made for the Navigation of Barges, Lighters, Boats, and other like Craft carrying Goods, Wares, and Merchandise within the Limits of this Act, and for the Regulation of the Persons employed to navigate the same, and for the Security of Passengers passing to and fro on the said River in Boats and other Craft, and for the orderly Conduct of the Traffic on the said River: And whereas by the Eighteenth Section of an Act passed in the Session holden in the Fourth and Fifth Years of Her late Majesty Queen Anne, Chapter Nineteen, and intituled "An Act for the Encouragement and Increase of Seamen, and for the better and speedier manning of Her Majesty's Fleet," certain Provisions are made whereby the Freemen of the said Company are obliged to serve on board Her Majesty's Fleet, under such Circumstances and subject to such Penalties as are therein mentioned: And whereas it is expedient that the Obligation so imposed on the Freemen of the said Company of serving on board Her Majesty's Fleet should be repealed: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. This Act may be cited for all Purposes as "The Watermen's and Lightermen's Amendment Act, 1859."

II. The Term "Passenger Boat," as used throughout this Act, shall mean any Sailing Boat, River Steam Boat, Row Boat, Wherry, or other like Craft, used for carrying Passengers within the Limits of this Act, unless there is something in the Context inconsistent with such a Meaning.

III. The Term "Lighterman" shall mean any Person working or navigating for Hire a Lighter, Barge, Boat, or other like Craft within the Limits of this Act; the Term "the Company" shall mean the Master, Wardens, and Commonalty of Watermen and Lightermen of the River Thames; the Term "the Court" shall mean the Court of Master, Wardens, and Assistants of the same Company; and the Term "Waterman" shall mean any Person navigating, rowing, or working for Hire "a Passenger Boat," unless there is something in the Context inconsistent with such Meanings.

IV. This Act shall commence and come into operation on the First Day of January One thousand eight hundred and sixty.

V. The Eighteenth Section of the said Act passed in the Session holden in the Fourth and Fifth Years of the Reign of Her late Majesty Queen Anne, Chapter Nineteen, shall be repealed.

VI. The said Act passed in the Session holden in the Seventh and Eighth Years of the Reign of His late Majesty King George the Fourth, Chapter Seventy-five, shall be repealed.

VII. Provided always, That such Repeal shall not affect—

1. The Existence of the Company, or its Property, whether Real or Personal, or any of its Rights and Obligations as a Body Corporate, except as altered by this Act:
2. Any Penalty, Forfeiture, or other Punishment incurred or to be incurred in respect of any Offence committed before this Act comes into operation:
3. Any Appointment or Licence duly made or granted under any Enactment hereby repealed.

VIII. This Act shall extend to all Parts of the River Thames from and opposite to and including Teddington Lock in the Counties of Middlesex and Surrey, to and opposite to and including Lower Hope Point near Gravesend in the County of Kent, and to all Docks, Canals, Creeks, and Harbours of or out of the said River, so far as the Tide flows therein.

IX. The Company shall have Power to purchase and hold Lands and Hereditaments, not exceeding in the whole the yearly Value of 2,000*l.* at the Time of the Purchase or taking thereof, without Licence in Mortmain, and also to sell, exchange, or mortgage all or any of such Lands or Hereditaments.

X. The Company shall consist of the several Freemen who would have composed the said Company if this Act had not passed, and of such other Persons as may be admitted Freemen of the said Company in manner herein-after mentioned.

XI. The Affairs of the said Company shall continue to be managed by the Court of Master, Wardens, and Assistants, and the present Members of the said Court shall continue Members of the same during their respective Lives, unless they resign or are removed in manner herein-after mentioned.

XII. One of the Members of the said Court shall continue to be styled the Master of the said Company, and shall continue in Office until another Master has been appointed in manner herein-after mentioned, unless he sooner dies, resigns, or ceases to be a Member of the said Court; and Four other Members of the said Court shall continue to be called Wardens of the said Company, One of whom shall be called the Senior Warden, and the remaining Three shall be called the Junior Wardens, and the said Four Wardens respectively shall continue in their respective Offices until other Wardens have been appointed, unless they sooner resign, die, or cease to be Members of the said Court.

XIII. The said Court of Master, Wardens, and Assistants shall meet Four Times in every Year, that is to say, on the First Tuesday after the Twenty-ninth Day of September, the Twenty-fifth Day of December, the Twenty-fifth Day of March, and the Twenty-fourth Day of June respectively, or on such other Day within Ten Days thereafter as shall be appointed at any prior Meeting; and every such Meeting shall be called a Quarterly Court for the Affairs and Business of the said Company; and it shall also be lawful for the said Court to hold an Extraordinary Meeting, whenever any Quarterly or Extraordinary Court shall so order, or on the written Requisition of Nine of the Members of the said Court for the Time being.

XIV. At every Court of Master, Wardens, and Assistants, the Master for the Time being of the said Company shall preside, and if he be unable from Illness or any other Cause to attend, the Senior Warden, if present, or in his Absence, One of the Junior Wardens, or if none of the Junior Wardens be present, then the Senior Member of the Court present, (the Members in any Election of Two or more Members being considered to have Seniority according to the Order in which they are named,) shall preside.

XV. No Business shall be transacted at any Court unless Nine Members be present; all Questions at any Court shall be decided by the Majority in Number of the Votes of the Members present, and every Member shall have One Vote; if on a Division there be an equal Number of Votes on each Side, the Master, Warden, or other Member presiding at such Court shall have a Second or Casting Vote.

XVI. The Proceedings of every Court shall be entered in a Book to be kept for that Purpose, and signed by the Master, Warden, or Member who presides.

XVII. That the present Master and Wardens shall continue in Office until the First Quarterly Court to be held after the

Twenty-fourth Day of June One thousand eight hundred and sixty, and shall then retire.

XVIII. At the First Quarterly Court to be held next after the Twenty-fourth Day of June in every Year the then Master and Wardens shall retire from Office, and the Court shall fill up the vacated Offices by electing thereto Members of the Court; all retiring Masters and Wardens shall be eligible for Re-election.

XIX. If no Election takes place of a Master or Wardens at any Court at which the same ought to be made, the retiring Master and Wardens, or such of them as have not had their Offices filled up, may continue in Office until the Quarterly Court next after the Twenty-fourth Day of June in the ensuing Year, and so from Year to Year, until their or his Offices or Office are or is filled up, or their Offices may be filled up in manner herein-after provided for casual Vacancies.

XX. Any casual Vacancy occurring in the Office of the Master, or of any Warden, may be filled up at an Extraordinary Court; but the Person elected to such Vacancy shall hold Office only until the ensuing Quarterly Court for the Election of such Officers.

XXI. Any Court of Master, Wardens, and Assistants may remove any of the Members of the said Court for ill Government, Misbehaviour, or other reasonable Cause, and any Member so removed shall not be eligible for Re-election.

XXII. That if any Master, Wardens, or other Members of the Court of the said Company shall neglect for the Space of Twelve Months to attend at any Quarterly or Extraordinary Court of the said Company, the next Quarterly Court to be held after the Expiration of the said Twelve Months shall remove him or them from being a Member or Members of the said Court.

XXIII. When and so often as any Member of the said Court dies, resigns, or is removed, the said Court of Master, Wardens, and Assistants shall elect, from amongst the Freemen for the Time being of the said Company, such Person as to them seems meet for supplying such Vacancy, and the Person so elected shall continue in the said Office during his Life, unless he resigns or is removed therefrom as aforesaid.

XXIV. Every Person who holds a Licence granted in pursuance of this Act, or is registered in manner herein-after mentioned as the Owner of any Barge, Lighter, Boat, or Craft, shall, subject as herein-after mentioned, be qualified to be admitted a Freeman of the said Company.

XXV. The Court of Master, Wardens, and Assistants of the said Company may admit as Freemen of the said Company such Persons as shall be qualified according to this Act, and apply to be admitted, and no other Persons, and such Persons when admitted by the said Court shall become Freemen of the said Company, upon Payment of such Fee as the said Court of Master, Wardens, and Assistants may determine, not exceeding Five Pounds as a Life Payment, or Ten Shillings annually, subject to this Proviso, that no registered Owner of any Barge, Lighter, or other like Craft who does not hold a Licence granted in pursuance of this Act, and no Person holding a Licence and not being an Apprentice to a Freeman or Widow of a Freeman, shall be admitted as a Freeman of the said Company, unless Three Fifths of the Members of the said Court, assembled at an ordinary Quarterly or Special Meeting, or at some Adjournment thereof, concur in electing such Owner or Person to be a Freeman of the Company; but nothing herein contained shall prejudice the Rights which any Person, being an Apprentice at the Time of the passing of this Act, may have against the Company, or which the Company may have against any Person being an Apprentice at the Time of the passing of this Act, so that any such Apprentice be examined in accordance with the Byelaws for the Time being in force, before he is permitted to work as a Lighterman or Waterman within the Limits of this Act.

XXVI. The said Court of Master, Wardens, and Assistants may appoint a Clerk, at such Salary as the said Court may from Time to Time determine, and assign to him such Duties as they think fit; and every such Clerk so appointed shall, previously to his entering on the Execution of his said Office, give Security to the Master and Wardens for the Time being in such Sum and with such Sureties as they may require.

XXVII. That the Accounts of the said Company shall be regularly kept by the said Clerk under Two distinct Heads, and in different Books, the One to be entitled "The Poor's Accounts," and the other to be entitled "The Company's Accounts," and that the said Accounts shall be audited by the said Court of Master, Wardens, and Assistants at their Quarterly Court, which shall be holden next after the Twenty-fourth Day of June in every Year, or by a Committee to be by them appointed for that Purpose, consisting of not less than Five Members of the said Court; and thereafter the same shall be laid before and audited by a professional Accountant, to be named by the Conservators of the River Thames, and that the Balance Sheet of the Company shall be open to the Inspection of any Person contributing to the Funds of the Company, on Payment of a Fee of One Shilling.

XXVIII. That it shall be lawful for the said Court, from Time to Time and as often as they shall think proper, to name, place, and appoint Plying Places, and Inspectors of Plying Places and Causeways adjoining or near unto the said River Thames, and of Passenger and other Boats and Wherries used for the carrying and conveying of Persons on the said River for Hire or Gain, and also Beadles and such other inferior Officers and Servants as shall be convenient, and allow them or any of them such Salaries or Wages as they shall think proper, and may remove the said Inspectors, Beadles, Officers, and Servants, or any of them, from Time to Time as they shall think fit: Provided always, that the Plying Places at Gravesend and Milton-next-Gravesend shall be named and appointed by the said Court, with the Consent of the Mayor, Jurats, and Common Council of Gravesend.

XXIX. The said Court of Master, Wardens, and Assistants shall, in their Discretion, appoint any Number of Watermen to ply and work on Sundays on the River Thames, between Chelsea and Bow Creek, at such Common Stairs or Places of plying as the Court thinks fit, so as not to interfere with any established private Ferry, and may pay such Sums of Money as may be agreed upon to such Watermen by way of Compensation for their Services.

XXX. No Sum exceeding Twopence shall be taken by any Waterman authorized in pursuance of this Act to ply on Sundays for carrying any Person across the River, or to or from any Ship or Vessel; and if any Waterman so plying on Sunday takes from any Person more than the said Sum of Twopence, he shall for each Offence incur a Penalty not exceeding Five Pounds.

XXXI. All Sums received by any Waterman so appointed to ply on Sunday shall, on the Monday following, or such other Day as the Court may appoint, be paid by him to the Clerk of the said Company, or to such other Person as the Court may appoint; and the Surplus of such Sums, after deducting the Sums paid by the Company to the Waterman for his Services, or the Rent received for such Ferries, if let as herein-after provided, shall be applied by the Company to the Use of the poor, aged, decayed, and maimed Watermen and Lightermen of the said Company, and their Widows, at the Discretion of the said Court of Master, Wardens, and Assistants.

XXXII. If any Waterman so appointed to ply on Sunday as aforesaid makes default in paying over in manner aforesaid all Sums received by him in respect of Sunday Fares, he shall for each Default or short Payment incur a Penalty not exceeding Forty Shillings.

XXXIII. Nothing herein contained shall empower the said Court of Master, Wardens, and Assistants to appoint any Sunday Ferries, or grant any Licences to any Watermen or others to ply on the River Thames on a Sunday, from or at the Stairs on either Side of the Bridge at Vauxhall, or at any Stairs or other Place within Two hundred Yards of any Part of the said Bridge, so as to interfere with, prejudice, or affect the Tolls authorized to be taken for crossing the same.

XXXIV. It shall be lawful for the said Court of Master, Wardens, and Assistants to let to Farm to any Person or Persons the said plying or working on Sundays at any Common Stairs or Places of plying for carrying and re-carrying of Passengers across the said River, or to or from any Ship or Vessel, for such Time as they shall think proper, provided they give or cause to be given Fourteen Days previous Notice thereof, by ordering a printed Paper, expressing their Intention to let the same, to be affixed in some conspicuous Place at or near such respective Common Stairs or Places of plying, and let the same accordingly to the highest Bidder or Bidders who shall give Security, to their Satisfaction, for Payment of the Rent; and if any Waterman whom the said Court shall appoint to ply and work as aforesaid, or any Person or Persons who shall take such plying and working to Farm, or any Person or Persons employed by or under him, shall demand or take from any Person or Persons whom he or they shall carry, any greater Sum of Money than Twopence as aforesaid, he or they shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds.

XXXV. If any Person or Persons appointed to ply and work, or taking such plying or working to Farm, as aforesaid, shall employ or wilfully permit or suffer any other Person or Persons to be employed in plying or working as aforesaid, until such last-mentioned Person or Persons, and the Boat or Boats to be used by him or them, shall have been approved of for that Purpose by the said Court of Master, Wardens, and Assistants, he or they shall for every such Offence forfeit and pay a Sum not exceeding Five Pounds.

XXXVI. Nothing in this Act contained shall extend to hinder or prevent the Watermen of the Parishes of Saint Margaret and Saint John, Westminster, from plying or working for Hire across the River Thames, from Westminster Bridge to Stangate, and from the Horse Ferry to Lambeth Stairs respectively, on every Sunday, and taking the Fare of One Penny for each Passenger, in their several Turns, as they have been accustomed and used to do; and the Money earned by them or any of them on that Day is hereby directed to be from Time to Time employed for the Use of the poor, aged, decayed, and maimed Watermen, and their Widows, of the said Parishes of Saint Margaret and Saint John, Westminster; and any Two Justices of the Peace of the said Parishes are hereby authorized from Time to Time to call the Watermen so working to account for the Moneys by them earned on the Sunday as aforesaid, and cause the same to be applied and disposed of as aforesaid; and that the said Watermen of the said Parishes of Saint Margaret and Saint John for the Time being shall choose Two Stewards and a Clerk on the Twenty-third Day of April in every Year yearly, unless such Day shall happen to be on the Lord's Day, and in such Case on the following Day; and such Watermen of the said Parishes, or the major Part of them which shall be present at a Meeting of their Society, shall and have hereby Power to appoint such of the Watermen of the said Parishes as shall, in their respective Turns, work on the Sunday as aforesaid; and no Freeman or Apprentice, except the Watermen of the said Parishes, shall ply or work across the said River at either of the said Places on a Sunday.

XXXVII. The Justices of the Peace acting in and for the Corporation, Villages, and Parishes of Gravesend and Milton, or any of them, may grant Licences to any Number of Freemen of the said Company residing at Gravesend, or any of the Apprentices of such Freemen or of the Widows of such Freemen residing at Gravesend, to carry Goods and Passengers for Hire at and from Gravesend on Sundays, and such Licence shall continue in force for the Time therein expressed: Nevertheless, the said Justices or any of them may from Time to Time recall such Licences before the Expiration of the Time therein respectively expressed.

XXXVIII. The Fares taken on Sundays by Freemen and Apprentices licensed to work at Gravesend as aforesaid shall be paid by them to such Persons as the said Court of Master, Wardens, and Assistants of the said Company from Time to Time appoint for that Purpose; and out of the said Moneys such Sum as the said Court shall from Time to Time fix shall be paid to each Freeman or Apprentice for his Day's Labour, and the Surplus thereof shall be distributed, twice in every Year, to or for the Benefit of the Freemen of the said Company residing at Gravesend, and the Widows of Freemen at the same Place, under such Regulations and in such Manner as the said Court of Master, Wardens, and Assistants may determine.

XXXIX. If any Person requests the said Justices acting in and for the Corporation, Villages, and Parishes of Gravesend and Milton, or any of them, to grant Permission to any Freeman of the Company, or any Apprentice of such Freeman or the Widow of such Freeman, to work for him, her, or them on a Sunday, the said Justices may grant such Permission to such Freeman to work for the Person making such Request, and such Freeman or Apprentice may retain the Fares received by him in respect thereof for his own Benefit or the Benefit of his Master or Mistress.

XL. If any Freeman or Apprentice, or other Person, except he be appointed by the said Court as aforesaid, plies for Hire, or takes or carries for Hire on a Sunday, at or from any Common Stairs or Place of plying on either Side of the said River at which the said Court appoints Watermen to ply and work as aforesaid, any Fare or Passenger across the said River, or to either of the Two Common Stairs or Places of plying on the opposite Side of the said River, next above or next below the Stairs or Place at which such appointed or licensed Watermen plies, or to any Place or Places to which the Fares and Passengers taken at such several and respective Common Stairs and Places of plying are usually conveyed by the Watermen appointed by the said Court to ply and work, or to or from any Ship or Craft lying or being on the said River, within the Distance of such Two other Stairs or Places of plying, he shall incur for each Offence a Penalty not exceeding Forty Shillings.

XLI. If any Freeman of the Company, or Apprentice, or other Person (without having such Licence or Permission as aforesaid from the said Justices,) plies or works at Gravesend on any Sunday, he shall for every such Offence incur a Penalty not exceeding Five Pounds.

XLII. The said Court of Master, Wardens, and Assistants shall have full Power to superintend, regulate, and control all the Affairs and Concerns of the said Company, and to order and to dispose of the Custody of their Common Seal, and the Use and Application thereof.

XLIII. The Owner for the Time being of any Lighter or Lighters, Barge or Barges, or other Boat or Craft used or to

be used within the Limits of this Act, for the carrying of Goods, Wares, or Merchandise, without Passengers, from or to any Place, Ships, or other Vessels, shall cause his Name and Place of Abode to be registered in a Book to be kept by the Company for that Purpose, and shall deliver to the Clerk of the said Company a Statutory Declaration of the Ownership of every Lighter, Barge, Boat, or other Craft which shall be so registered; and thereupon the said Company shall deliver to the said Owner a Certificate of such Registration to be renewed annually; and if any such Owner shall use or employ, or cause to be used and employed for the Purpose of carrying Goods for Hire, any such Lighter or Lighters, Barge or Barges, or other Boat or Craft, without having first so registered his Name and Place of Abode and obtained such Certificate, he shall forfeit and pay for every such Offence the Sum of Ten Pounds; and there shall be paid to the said Company for the original Registry of the Name and Abode of such Owner, if a Freeman, the Sum of Ten Shillings, if a Non-freeman, the Sum of One Pound, and for the Registry of any Change in the Place of Abode of such Owner, whether a Freeman or the Widow of a Freeman or Non-freeman, the Sum of Five Shillings, and for each annual Renewal of the said Certificate such Sum as the said Court shall from Time to Time determine, not exceeding Five Shillings.

XLIV. The Owner of any such Lighter, Barge, Boat, or other Craft as lastly herein-before mentioned shall cause its Name to be registered in a Book to be kept by the Company, and there shall be paid to the said Company for the original Registry of any such Lighter, Barge, or other Boat or Craft, and also for the Registry of any Change in the Ownership thereof, the Sum of One Shilling, and the Clerk shall, upon the original Registry of any such Craft, or upon the Registry of any Change of Ownership in any such Craft, issue a distinctive Number to the Owner of such Lighter, Barge, or other Boat or Craft, and such Number shall be the same for all Lighters, Barges, Boats, or Craft registered by the Company in the Name of such Owner.

XLV. The Owner or Owners of any such Lighter, Barge, or other Boat or Craft shall cause the Number so issued to them, together with the Name or Names of such Owner or Owners, and with the Name or Names of every Lighter, Barge, or other Boat or Craft, to be painted White on a Black Ground, in Capital Letters and Figures, of such Size as may from Time to Time be determined by any Byelaw for the Time being in force; such Figures and Letters to be painted on the Hudds Boards of Barges, and on the Bows of Lighters and other Craft, and to be preserved and kept legible, so as to be plainly seen in the Daytime by Persons passing on the said River; and no Person or Persons shall have Two Lighters, Barges, or other Boats or Craft of the same Name; and if any such Lighter, Barge, or other Craft is worked or navigated without being registered, or without the Number and Names being painted and kept legible as aforesaid, the Owner thereof, or the Person in charge thereof, shall for every such Offence incur a Penalty not exceeding Five Pounds.

XLVI. Every Freeman of the said Company, or Widow of a Freeman, may take such Apprentices as he or she thinks fit, for the Purpose of having them instructed in the Navigation of Barges, Lighters, Boats, Vessels, and other like Craft, subject to the following Conditions, that no Apprentice shall be bound for a less Period than Five Years, and that the Person to whom such Apprentice is bound shall undertake to find him proper Board and Lodging, either on his own Premises or elsewhere.

XLVII. Every registered Owner of a Barge, Lighter, or other like Craft, having in his Employ a Freeman of the said Company, or a Lighterman licensed as herein-after mentioned, and actually employed in navigating the Barge, Lighter, or other like Craft of his Employer, may take such Apprentices as he thinks fit, for the Purpose of having them instructed in the Navigation of Barges, Lighters, and other like Craft, subject to the following Conditions, that no Apprentice shall be bound for a less Period than Five Years, and that the Person to whom such Apprentice is bound shall undertake to find him proper Board and Lodging, either on his own Premises or elsewhere.

XLVIII. That after the Commencement of this Act it shall not be lawful for any Freeman of the said Company, or Widow of a Freeman, or registered Barge Owner, to bind or take any Person as an Apprentice who shall be under the Age of Fourteen or above the Age of Twenty Years; and no Indentures of Apprenticeship shall be executed unless it appear by a Certificate signed by the Registrar of Births for the District or Place where the Person to be bound was or shall be born or baptised, or by the Oath (or Affirmation, if of the People called Quakers) of a credible Witness, that such Person is of the Age of Fourteen Years and under the Age of Twenty Years.

XLIX. And if any such Freeman or Widow or Barge Owner, who shall bind any such Apprentice, shall neglect or refuse to lodge his Apprentice as aforesaid, he or she shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds, to be recovered by the said Company; and the Apprentice or Apprentices of such Person shall and may, upon Application made to the Court of Master, Wardens, and Assistants of the said Company at any of their Meetings, be by them turned over to any other Master or Mistress, any Indenture, Covenant, Contract, or Agreement to the contrary notwithstanding.

L. Every Person duly bound Apprentice to any Freeman of the said Company, or the Widow of any Freeman, or to a Barge Owner, shall serve and be compellable to serve the whole of his Apprenticeship, although he may previously have attained the Age of Twenty-one Years, any Law or Statute to the contrary notwithstanding.

LI. That at the Court to be holden next after the Twenty-fourth Day of June in every Year, Five of the Members of the said Court, not being the Master or Wardens, Preference being given to such of them (if any) as shall have served the Office of Master, shall be appointed, who, together with the Master and Wardens for the Time being of the said Company, and such other of the Assistants as shall think proper from Time to Time to attend, shall be a Court for the Admission of Freemen of the said Company, and the Execution of all Indentures of Apprenticeship authorized by this Act, and Assignment of Apprentices; and such Court shall meet from Time to Time during the Year for which they shall be appointed, when they shall think proper, but no Business shall be transacted at any such Meeting unless Five Persons be present, and the same Person shall preside, and all Questions shall be determined at the said Court in the same Manner as is herein-before provided with respect to the Meetings of the Court of Master, Wardens, and Assistants of the said Company; and that no Indenture of Apprenticeship, or the Assignment of any Apprentice from one Master to another, authorized by this Act, or the Admission of any Person to be a Freeman of the said Company, shall be executed or made except at a Meeting of the said Court.

LII. That after this Act shall come into operation, it shall be lawful for all Apprentices bound to a Party authorized by this Act to take Apprentices, to have or take the sole Charge of any Boat, Barge, or other Vessel, provided such Apprentices shall have worked and rowed upon the said River as Apprentices for the Space of Two Years at the least, and upon their being found qualified to act, upon Examination by the

said Court, and upon obtaining a Licence from the said Court, subject to an Appeal to the Conservators of the River Thames, as is herein-after provided with respect to licensed Lightermen; and the Master or Mistress of every such Apprentice not having worked or rowed as aforesaid, who shall permit or allow such Apprentice to take such sole Charge of any such Boat or other Vessel, shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds.

LIII. That if the Clerk of the said Company shall refuse or neglect to register the Name and Place of Abode or Work of any Freeman or Widow of a Freeman, or the Number of any Wherry, Boat, or other Vessel, or the Name and Place of Abode of any Person who may keep any Lighter, Barge, or other Boat or Craft, and the Name and Number thereof, or other Matter or Thing required by this Act to be registered by him, on being applied to and required so to do, he shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

LIV. If any Person, not being a Freeman licensed in pursuance of this Act, or an Apprentice, qualified according to this Act, to a Freemen or to the Widow of a Freeman of the said Company (except as herein-after is mentioned), shall at any Time act as a Waterman or Lighterman, or ply or work or navigate any Wherry, Passenger Boat, Lighter, Vessel, or other Craft upon the said River, from or to any Place or Places or Ship or Vessel within the Limits of this Act, for Hire or Gain (except as herein-after is mentioned), every such Person shall forfeit and pay for every such Offence any Sum not exceeding Forty Shillings: Provided always, that it shall be lawful for any Person who shall obtain a Licence as is herein provided, or is an Apprentice qualified as herein provided, to work as a Lighterman within the Limits of this Act.

LV. Any Person qualified as herein-after mentioned, if desirous of working as a Lighterman within the Limits of this Act, may apply to the said Court of Master, Wardens, and Assistants for a Lighterman's Licence authorizing him to work as a Lighterman within the Limits of this Act; and if any Person, qualified as herein-after mentioned, is desirous of working as a Waterman within the Limits of this Act, may apply to the said Court of Master, Wardens, and Assistants for a Waterman's Licence authorizing him to work as a Waterman within the Limits of this Act; and the Court, if satisfied of the Competency of such Applicant, shall grant to him a Lighterman's or Waterman's Licence accordingly.

LVI. No Person shall be deemed qualified for a Lighterman's Licence unless he is of the Age of Nineteen or upwards, is of good Character, and has served an Apprenticeship of Five Years at the least to some Person authorized by this Act to take Apprentices for the Purpose of having them instructed as Lightermen, and has, for a Period of Two Years at the least immediately preceding his Application, been continuously engaged in working a Barge, Lighter, or other like Craft within or through the Limits of this Act.

LVII. No Person shall be deemed qualified for a Waterman's Licence unless he is of the Age of Nineteen or upwards, is of good Character, and has served an Apprenticeship of Five Years at the least to some Freeman or Widow of a Freeman of the Company, and has, for a Period of Two Years at the least immediately preceding his Application, been continuously engaged in working a Boat or Craft within or through the Limits of this Act.

LVIII. There shall be paid to the said Company, in respect of any Licence granted to any Person, not being a Freeman, to work as a Lighterman within the Limits of this Act, the Sum of Three Pounds Eleven Shillings, or such less Sum as the Court may from Time to Time determine, and on each Renewal, such Sum not exceeding Two Shillings and Sixpence as the said Court may determine.

LIX. It shall be lawful for the Court to make any such Licence so to be granted as aforesaid renewable, provided the same is not made renewable more than once in any One Year, nor less than once in any Three Years.

LX. There shall be paid to the said Company, in respect of any Licence granted to any Freeman of the Company, or to the Widow of such Freeman, or his or her Apprentice, or on the Renewal thereof, such a Sum as the Court may from Time to Time determine.

LXI. Every Person who shall have served an Apprenticeship with a Freeman or the Widow of a Freeman shall be entitled to be admitted a Freeman, upon making such Payments and complying with such Regulations as may be fixed by the Court from Time to Time.

LXII. Every Person who at the Time of the passing of this Act is authorized under the said Act of the Seventh and Eighth Years of His late Majesty King George the Fourth to work as a Lighterman or Waterman within the Limits of this Act, shall be entitled, without any Examination, or the Production of any Evidence of his Competency, and without Payment of any Fee, to receive a Licence from the said Court of Master, Wardens, and Assistants, authorizing him to work as a Waterman or Lighterman within the Limits of this Act, and subject only to the annual Renewal Fee.

LXIII. If upon Complaint to the Conservators of the River Thames, it appears to them that the said Court of Master, Wardens, and Assistants has, without reasonable Cause, failed or refused to grant a Licence to any Person qualified to obtain the same under the Provisions of this Act, who has applied to them for a Licence, the said Conservators may, if satisfied of the Competency of the Applicant, and after hearing the said Court, order and direct the said Court to grant such Licence, and they shall be bound, on such Order being left with the Clerk of the said Company, to grant to such Applicant a Licence accordingly.

LXIV. If any Lighterman or Waterman to whom a Licence is granted in pursuance of this Act is guilty of such Misconduct or Acts of Incompetency, while working as a Lighterman or Waterman, as, in the Opinion of the said Court of Master, Wardens, and Assistants, to disqualify him, either wholly or partially, from holding such Licence, such Court may, after hearing what he has to urge in his Defence, and subject to an Appeal to the said Conservators of the River Thames, who may revoke or modify the Order of the said Court, endorse, suspend, or cancel altogether any Licence he may hold.

LXV. The said Company shall keep a Register of all Lightermen and Watermen licensed by them in pursuance of this Act; and any Person may inspect the same, on Payment of such Sum, not exceeding One Shilling, as the said Company may require.

LXVI. No Barge, Lighter, Boat, or other like Craft for the carrying of Goods, Wares, or Merchandise shall be worked or navigated within the Limits of this Act, unless there be in charge of such Craft a Lighterman licensed in manner hereinbefore mentioned, or an Apprentice qualified as herein-before mentioned; and if any such Craft be navigated in contravention of this Section, the Owner thereof shall in respect of such Offence incur a Penalty not exceeding Five Pounds, subject to this Proviso, that no such Penalty shall be payable if the Owner proves, to the Satisfaction of the Magistrate or Court before whom the Case is heard, that he is unable, for the usual Compensation, to obtain the Services of any such Lighterman or Apprentice.

LXVII. If after the Commencement of this Act any unlicensed Person rows, steers, or navigates for Hire, within the

Limits of this Act, any Passenger Boat, he shall incur for each Offence a Penalty not exceeding Five Pounds.

LXVIII. That the said Court shall grant a Licence to any Freeman of the said Company, or the Widow of any Freeman, to use and work for Hire any Wherry, Boat, or other Vessel, except River Steam Boats, for carrying Persons or Passengers on the said River Thames within the Limits of this Act, on a Certificate being produced to them, verified by the Oath of the Builder or Builders or Owner or Owners of such Wherry, Boat, or other Vessel, of the Burthen, Size, and Dimensions thereof, according to the Byelaws for the Time being of the Company; and in such Licence there shall be expressed the Number of Persons or Passengers such Wherry, Boat, or other Vessel respectively shall be permitted to take and carry, and for every such Licence One Shilling and no more shall be paid; and such Licence shall contain a Number for such Wherry, Boat, or other Vessel, which shall be registered in a Book or Books to be kept for that Purpose by the Clerk of the said Company; and the Owner or Owners of such Wherry, Boat, or other Vessel shall cause such Number, together with his, her, or their own Name or Names, to be painted and kept legible on such Wherry, Boat, or other Vessel, in such Manner as in any Byelaws or Regulations now in force or which may hereafter be made by the said Court shall from Time to Time be directed; and no Wherry, Boat, or other Vessel belonging to any Freeman of the said Company, or the Widow of any Freeman, shall at any Time hereafter be allowed to ply for Hire at any public Stairs or Plying Places for the carrying of Persons or Passengers for Hire within the Limits of this Act without such Licence as aforesaid, and without the Name and Number being painted thereon as aforesaid; and if any Wherry, Boat, or other Vessel shall be used or worked without such Licence for the same having been first obtained as aforesaid, or without such Name or Names and Number painted and legible thereon as aforesaid, the Owner or Owners thereof or the Person rowing or navigating the same shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds.

LXIX. All Licences granted by the said Court of Master, Wardens, and Assistants shall be registered by them.

LXX. If a greater Number of Passengers is taken in any Passenger Boat than she is licensed to carry, or, if not licensed, than she is calculated to carry, having reference to the Burthen and Construction thereof, the Owner or Person having Charge thereof shall, whether such Boat shall be licensed to carry Passengers or not, incur for the First Offence, in respect of every Passenger exceeding such Number, a Penalty not exceeding Forty Shillings, and in respect of any subsequent Offence shall incur the same Penalty, and be liable to have his Licence suspended, withheld, or withdrawn for such Time as the said Court of Master, Wardens, and Assistants may think just.

LXXI. The said Court of Master, Wardens, and Assistants are hereby empowered, with the Sanction of the Conservators of the River Thames, from Time to Time to limit and fix the Price or Fare that every Waterman is entitled to be paid for his Labour in conveying any Person or Persons in a Passenger Boat from Place to Place, or to and from Steamers or other Vessels on the said River, within the Limits of this Act, and with the like Sanction, from Time to Time to alter such Prices or Fares, or any of them: Provided always, that this Provision shall not enable the said Court of Master, Wardens, and Assistants to interfere in any way with the Sunday Ferries hereby authorized, or the Tolls thereof.

LXXII. The said Court of Master, Wardens, and Assistants shall cause a List of the Fares fixed and allowed from Time to Time as aforesaid, together with such of the Provisions contained in this Act, and of the Byelaws for the Time being in force relating to the Conduct of Watermen plying for Hire, as the said Court think proper, to be printed on a Card, or otherwise, as the Court think fit, and shall cause a Copy thereof to be given gratis to all licensed Watermen, and shall furnish Copies thereof to every Waterman upon Payment of the Sum of One Shilling for a Dozen Copies, and so in proportion for a less Number; and every Waterman shall have a Copy thereof in his Boat; and if any Waterman refuses to produce the same to any Person by whom a Fare may be payable, or produces a false Copy thereof, or does not permit such Person to examine the same, then and in any such Case every such Person is hereby discharged from paying his Fare, and the Waterman so offending shall for each Offence incur a Penalty not exceeding Forty Shillings.

LXXIII. If any Waterman plying within the Limits of this Act wilfully avoids or attempts to avoid any Passenger coming to or being at any Stairs or Plying Place for the Purpose of taking a Boat, or refuses or omits to take such Passenger inquiring for or desirous of taking such Boat, or represents that he is hired when he is not so hired, or does not answer when called by the Number of his Boat, then and in any such Case every such Waterman so offending shall incur for every Offence a Penalty not exceeding Forty Shillings.

LXXIV. If any Waterman refuses to take any Passenger to such Place or Places as he directs, or unnecessarily delays any Passenger by not bringing up his Boat for the Passenger to get into, or continues at the Stairs or Causeway after such Passenger is in his Boat, or does not proceed with due Diligence and Exertion, and without wilful Let or Hindrance, to such Place or Places as the said Passenger lawfully directs, then and in every such Case every Waterman shall for every Offence incur a Penalty not exceeding Forty Shillings.

LXXV. Every Person who demands or takes for his or their Labour or Fare in navigating any Passenger Boat within the Limits of this Act, more than the said Prices so fixed by the said Court of Master, Wardens, and Assistants, and allowed as aforesaid, shall incur for each Offence a Penalty not exceeding Forty Shillings.

LXXVI. If any Waterman refuses to permit any Person to read, or in anywise hinders any Person from reading the Name and Number painted on any Boat as aforesaid, or if any Waterman refuses to tell his Christian Name or Surname, or the Number of his Boat, to any Person who demands the same, on being paid any Fare, or in answer to such Demand gives a false Name or Number, or makes use of any scurrilous or abusive Language to any Passenger or Person, then and in every such Case every such Waterman shall incur for every such Offence a Penalty not exceeding Forty Shillings.

LXXVII. That the said Court shall, upon the Request in Writing, addressed to the Clerk of the said Company and left at the Hall of the said Company or the Office of such Clerk, of every Person or Persons who now keep or shall hereafter keep on the said River, within the Limits of this Act, any Wherry or other Boat to be let out for Hire or Gain, cause the Name or Names and Place or Places of Abode of such Person or Persons to be duly registered in a Book or Books to be kept by the Clerk of the said Company for that Purpose, to whom every such Person shall pay, for the Use of the said Company, Two Shillings and Sixpence for each Wherry or Boat for every such Registry; and also cause a Number for each Wherry or Boat to be forthwith delivered by the said Clerk to such Person or Persons, and such Number shall be painted in Capital Figures, in such Way as the Court may direct, on such Wherry or other Boat, and be preserved and kept legible, so as to be plainly seen in the Daytime by Persons passing on the said River; and if any such Person or Persons shall neglect to cause such Wherry or Boat to be

registered, or such Number, together with his Name and the Name of the said Boat, to be painted or preserved legible, they, he, or she shall for every such Offence forfeit and pay any Sum of Money not exceeding Forty Shillings.

LXXVIII. If any Person refuses to pay any Waterman the Fare justly due to him for carrying such Person in his Boat, the Lord Mayor or other Magistrate of the City of London, or any Justice of the Peace, Police or Stipendiary Magistrate, within whose Jurisdiction such Refusal is made, shall, upon Complaint made of such Refusal, summon such Person or Persons to answer the said Complaint, by causing such Summons to be served personally, or by leaving the same at his, her, or their last or usual Place of Abode or Business; and if any Person or Persons, being duly summoned as aforesaid, refuses or neglects to appear and answer to any Complaint or Complaints made against him for refusing any such Payment as last hereinbefore is mentioned, the Lord Mayor or other Magistrate of the City of London, or Justice, Police or Stipendiary Magistrate, shall issue his Warrant for apprehending such Person, upon Oath being made of such his Refusal as aforesaid and Service of such Summons, and cause the Party so offending to be brought before him; and the said Lord Mayor or other Magistrate of the City of London, or Justice, Police or Stipendiary Magistrate respectively, the Party accused being before him, either by means of such Summons or of such Warrant as last hereinbefore is mentioned, shall, upon due Proof made of such Refusal of Payment upon Oath or upon Confession of the Party or Parties, order Payment of the Sum due to any such Waterman, and also award reasonable Satisfaction to be made to him for his Loss of Time and Costs; and if the said Person so offending does not pay such Sum or Sums of Money, and make such reasonable Satisfaction (if awarded) as aforesaid, the said Lord Mayor or other Magistrate of the City of London, or Justice, Police or Stipendiary Magistrate respectively, shall commit the Person or Persons so refusing to some Prison within the City of London or the several Counties or Places adjoining to the said River of Thames, there to remain for any Space of Time not exceeding One Calendar Month, unless the Sum or Sums of Money ordered and awarded as aforesaid be sooner paid.

LXXIX. If any Person refuses to pay any Waterman the Money demanded by him for carrying such Person in his Boat, and refuses to give to such Waterman, upon Demand, his Name, or the Name of his Place of Abode, or instead thereof wilfully gives any false Name or Names, for the Purpose of preventing himself being summoned, every Person refusing to make such Payment, or to give his real Name, or the Name of the Place of his Abode, or giving any false or fictitious Name or Place of Abode as aforesaid, shall for every such Offence incur a Penalty not exceeding Five Pounds, and such Offender may thereupon be summoned, and otherwise proceeded against, not only for the Recovery of the Money justly due to such Waterman, and reasonable Satisfaction for his or their Loss of Time and Costs, but also for enforcing the Payment of the said Penalty.

LXXX. The said Court of Master, Wardens, and Assistants are hereby empowered from Time to Time to make such Byelaws as they think proper for the Government of the said Company, and for the Government and Regulation of Lightermen and Watermen, and for carrying into effect the Purposes of this Act and the several Powers and Authorities hereby vested in the said Company, with Power to annex reasonable Penalties and Forfeitures for the Breach of such Byelaws respectively, not exceeding the Sum of Five Pounds for any One Offence, so that the same Byelaws be not inconsistent with any of the Laws of this Kingdom, or with this Act, or with any of the Byelaws, Rules, Orders, or Regulations made or to be made by the Conservators of the River Thames under the Authority of the Thames Conservancy Act, 1857, or of any Act for the Time being in force relating to the Conservancy of the River Thames; and also from Time to Time to alter, amend, and repeal such Byelaws, or any of them: Provided always, that no such Byelaws shall in any way interfere with the Tolls of the Sunday Ferries herein-before authorized, and that no such Byelaws or Alterations in Byelaws shall be of any Validity, until they shall have been approved by the Conservators of the River Thames.

LXXXI. All Byelaws from Time to Time made, altered, or amended by the said Court of Master, Wardens, and Assistants in pursuance of this Act, shall be printed and sent to the several Police Courts of the Metropolis by the Court, to the Town Clerk of Gravesend and Milton, and also to the several Clerks of the Peace of the Counties and Places adjoining to the River Thames within the Limits of this Act, to be published in such Manner as the Court of Quarter Sessions in those Counties direct, and shall also be made public in such other Manner as the said Court shall from Time to Time order and direct.

LXXXII. All Byelaws, Rules, Prices, Fares, Orders, and Regulations made and fixed in pursuance of the said Act passed in the Session holden in the Seventh and Eighth Years of His late Majesty King George the Fourth, Chapter Seventy-five, which may be in force at the Time of the Commencement of this Act, and are not inconsistent with the Provisions of this Act, shall continue in force until other Byelaws have been made and approved and allowed in manner directed by this Act, but such Byelaws shall not continue in force for more than Twelve Months after the passing of this Act.

LXXXIII. Nothing herein contained shall vacate or affect any subsisting Indenture of Apprenticeship.

LXXXIV. For providing a Fund to defray the Expenses of the Company there shall be paid by every Freeman of the Company who is not a registered Owner of Craft for carrying Goods the Sum of Three Shillings per Annum, and by every Freeman who is such registered Owner the Sum of Six Shillings per Annum, such Payments to be made at Waterman's Hall on such Days as the Court shall appoint; and if any Freeman of the said Company shall neglect or refuse to pay such Sum of Money for the Space of Three Calendar Months next after the Time to be appointed for Payment thereof, such Freeman shall be disfranchised, and shall not be allowed to work, row, or navigate any Barge, Lighter, Boat, or other Vessel, or to enjoy any of the Privileges of a Freeman of the said Company, until he shall have paid all Arrears thereof.

LXXXV. Except as herein-after mentioned, all Penalties and Forfeitures imposed by this Act, or by any Byelaw made in pursuance thereof, shall be recovered in manner directed by an Act passed in the Eleventh and Twelfth Years of the Reign of Her present Majesty, Chapter Forty-three.

LXXXVI. That in every Case in which any Oath is by this Act directed to be made or taken, or any Matter or Thing is directed to be proved by Oath, the Conservators of the River Thames, or the said Court, or the said Master, or One of the Wardens or Assistants present at any Court of Master, Wardens, and Assistants, or any Court for Apprentices and the Admission of Freemen, or any Two or more of the said Master, Wardens, and Assistants, before whom such Oath is hereby directed to be made or taken, or such Matter or Thing to be proved, shall have full Power to administer the Oath, or instead thereof to receive a solemn Affirmation by any of the People called Quakers, as the Case may be.

LXXXVII. In case any Freeman, or the Widow of any Freeman, or any Apprentice of a Widow of a Freeman of the said Company, shall make Complaint to the said Master,

Wardens, and Assistants for the Time being of the said Company, or any Two or more of them, against any other such Freeman, Widow, or Apprentice, for any Offence or Misbehaviour against this Act, or any of the said Rules or Byelaws made or to be made and approved of as aforesaid, it shall be lawful for the said Master, Wardens, and Assistants, or any Two or more of them, (as well as for the Lord Mayor, Recorder, Alderman, or Justice respectively having Jurisdiction within the Limits of this Act,) and they are hereby required to hear and determine concerning any such Offence or Misbehaviour, and convict the Offender as herein-after is mentioned and directed; (that is to say,) in every such Case it shall be lawful for the Master, Wardens, or Assistants, or any Two or more of them, upon Complaint made by any such Freeman, Widow, or Apprentice as aforesaid of any such Offence or Misbehaviour, within Thirty Days after the Commission thereof, to cause the Freeman, Widow, or Apprentice offending as aforesaid to be summoned personally, or by leaving such Summons at his, her, or their last or usual Place of Abode, to appear and answer to the said Complaint; and the Party accused being before the said Master, Wardens, and Assistants, or any Two or more of them, to hear and examine upon Oath the Complainant, or any Witness or Witnesses, touching such Offence or Misbehaviour, and determine concerning the same; and if the Freeman, Widow, or Apprentice accused shall be convicted of any such Offence or Misbehaviour, it shall be lawful for the said Master, Wardens, and Assistants, or any Two or more of them, and they are hereby required to impose a Fine upon such Offender for the said Offence or Misbehaviour, not exceeding the Penalty or Penalties inflicted by this Act, or the said Rules or Byelaws made or to be made and approved of as aforesaid, or any of them; and if the Freeman, Widow, or Apprentice convicted shall not forthwith pay the Penalty or Forfeiture so imposed upon him, her, or them, it shall be lawful for the said Lord Mayor, Recorder, or any Alderman or Justice as aforesaid, within whose Jurisdiction as aforesaid the said Offence or Misbehaviour shall have been committed, and he is hereby required, upon Production to him or them respectively of such Conviction drawn up in Writing, to issue his Warrant for apprehending such Freeman, Widow, or Apprentice, and to cause such Penalty or Forfeiture to be forthwith paid or raised, or to commit the Party convicted, in the same Manner in all respects as he is entitled to do with respect to any Party who shall be convicted by or before the said Lord Mayor, Recorder, Alderman, or Justice respectively; and such Conviction by the said Master, Wardens, and Assistants, or any Two or more of them, shall be drawn up in the following Form of Words, or in any other Form of Words to the same Effect; (that is to say,)

'Form of Conviction by the Court of Master, Wardens, &c. to wit.'

'BE it remembered, That on the Day of , in the Year of Her Majesty's Reign, A.B. is convicted before us, [describe here Master, Wardens, or Assistants, as the Case may be,] of the Company of Watermen and Lightermen of the River Thames, for [here set forth the Offence], and we do adjudge him to pay and forfeit for the same the Sum of .

'Given under our Hands and Seals the Day and Year aforesaid.'

LXXXVIII. No Constable or other Officer shall, by virtue of any Warrant, apprehend or take any Freeman, Apprentice, or licensed Lighterman or Waterman out of any Passenger Boat or Craft on which he may happen to be rowing or navigating, until such Boat or Craft is safely moored, unless there are sufficient Hands on board to row or navigate or take care thereof; and Notice of this Provision shall be inserted in every Warrant for the Information of the Constable or other Officer who may have the Execution thereof.

LXXXIX. If any Person who shall be summoned as a Witness to give Evidence before the Conservators of the River Thames, or the Master, Wardens, or Assistants respecting any Matter of Fact relating to any Information or Complaint, for any Offence against this Act, or any such Rules or Byelaws as aforesaid, either on the Part of the Prosecutor or the Person or Persons accused, shall, after a reasonable Sum for his or her Costs shall have been paid or tendered to him or her, refuse or neglect to appear at the Time and Place by such Summons appointed, without a reasonable Excuse for such Neglect or Refusal, such Person or Persons shall forfeit for every such Neglect or Refusal any Sum not exceeding Forty Shillings.

XC. That all Penalties and Forfeitures which shall be levied or recovered and received in pursuance and by virtue of this Act shall be paid to the said Court of Master, Wardens, and Assistants of the said Company for the Time being, or to the Clerk of the said Company, at their Hall, within One Week after the same shall be levied, and shall be paid and distributed to the poor, aged, and decayed Freemen of the said Company and their Widows, except only that it shall be lawful for the said Lord Mayor, Recorder, and Alderman, or Justices, Master, Wardens, or Assistants respectively, before whom any Offender or Offenders shall be convicted, out of the said Forfeitures and Penalties, to reward any Person or Persons who shall inform of any Offence or Offences against this Act, or the said Rules or Byelaws, according to the Discretion of such Lord Mayor, Recorder, Aldermen, or Justices, Master, Wardens, or Assistants respectively, so as such Reward exceed not One Half Part of the respective Penalties or Forfeitures.

XCI. That no Plaintiff or Plaintiffs shall recover in any Action to be commenced against any Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, for anything done in pursuance of this Act, until Notice in Writing, signed by his, her, or their Attorney, specifying the Cause of Action, shall have been given to the Defendant or Defendants, or left at his or their usual or last Place or Places of Abode or Meeting at least Fourteen Days before the same shall have been commenced; nor shall the Plaintiff or Plaintiffs recover in any such Action, if Tender of sufficient Amends shall have been made to him, her, or them, or to his, her, or their Attorney, by or on the Behalf of the Defendant or Defendants before such Action brought, nor if such Tender of Amends shall be made after the said Action brought, and before the Trial thereof, together with Costs of Suit at the Time of such last-mentioned Tender; but on Proof of such Tender at any Trial to be had in such Action, the Plaintiff or Plaintiffs shall suffer Judgment, as in Cases of Nonsuit, with Double Costs, to be recovered in the same Manner as any Defendant or Defendants may recover Costs in any other Case by Law; and in case no such Tender of Amends shall have been made, it shall be lawful for the Defendant or Defendants, by Leave of the Court, if at any Time before Issue joined, to pay into Court such Sum or Sums of Money as he, she, or they shall think fit, whereupon such Proceedings, Order, and Judgments shall be made and given in and by such Court, as in other Actions wherein Defendants are allowed to pay Money into Court.

XCII. That no Proceedings to be had, touching the Conviction of any Offender or Offenders against this Act, or any Matter or Thing to be done or transacted in or relating to the Execution of this Act, shall be vacated or quashed for Want of Form only, or be removed or removable by Certiorari, or any other Writ or Process whatsoever, unto any of Her Majesty's Courts of Record at Westminster, any Law or Statute to the contrary notwithstanding.

XCIII. That no Action or Suit shall be commenced or prosecuted against any Person or Persons, Body or Bodies

Politic or Collegiate, for anything done in pursuance of this Act, after Three Calendar Months next after the Cause of such Action shall have arisen; and every such Action or Actions shall be brought in the County, City, or Place in which the Cause of Action shall have arisen, and not elsewhere, and the Defendant or Defendants in such Action or Suit may, at his, her, or their Option, either plead specially or plead the General Issue, and give this Act and the special Matter in Evidence at any Trial or Trials which shall be had thereon, and that the same was done in pursuance and by the Authority of this Act; and if the same shall appear to have been so done, or that such Action or Suit was brought without Fourteen Days Notice thereof having been given as aforesaid, or after sufficient Amends tendered as aforesaid, or if any such Action or Suit shall not be commenced within the Time lastly before limited, or shall be brought in any other County, City, or Place than where the Cause shall have arisen, then and in any of such Cases the Jury or Juries shall find a Verdict for the Defendant; and upon such Verdict, or if the Plaintiff or Plaintiffs shall become nonsuit, or shall discontinue his or their Action or Actions, after the Defendants or Defendant shall have appeared, or if, upon Demurrer, Judgment shall be given against the Plaintiff or Plaintiffs therein, then and in any of the Cases aforesaid, the Defendants or Defendant shall have Double Costs, and shall have such Remedy for recovering the same as any Defendant or Defendants hath or may have for his or their Costs in any other Cases by Law.

XCIV. Nothing in this Act contained shall extend to take away, abridge, lessen, alter, or prejudice any of the Jurisdiction, Franchises, Rights, Powers, or Privileges of the Master, Wardens, and Assistants of the Trinity House of Deptford Strond; nor shall any Mariner or seafaring Man licensed by the said Master, Wardens, or Assistants of the Trinity House, or any of the Men employed by the said Master, Wardens, and Assistants of the Trinity House, be subject to the Provisions of this Act, or to any Penalty imposed by this Act.

XCV. Except as is herein expressly provided, nothing in this Act contained shall prejudice or derogate from the Rights, Interests, Privileges, Franchises, or Authorities of the Mayor and Commonalty and Citizens of the City of London, or their Successors.

XCVI. Nothing in this Act contained shall take away, abridge, hinder, or otherwise impeach any Right belonging to or lawfully claimed by Charles Duke of Richmond and Lennox, Lord of the Manor of Gravesend, his Heirs, Executors, Administrators, or Assigns, for the holding of a certain Court within the said Manor, called Curia Cursus Aquæ, or the Court of the Watercourses; or any Right, Liberty, Power, and Privileges whatsoever belonging to the said late Duke, his Heirs, Executors, Administrators, and Assigns.

XCVII. Nothing in this Act contained shall take away, abridge, hinder, or impeach any Grant, Liberty, Franchise, Custom, or Usage, now or heretofore lawfully used, held, or enjoyed by the Mayor, Jurat, and Capital Inhabitants of the Villages and Parishes of Gravesend and Milton in the County of Kent.

XCVIII. Nothing in this Act contained shall take away, abridge, hinder, or impeach or affect any Estate, Right, Title, Interest, Liberty, Privilege, Power, or Authority which the Commissioners of Westminster Bridge have or are entitled in anywise relating to the Three several and respective Sunday Ferries across the River Thames, from Westminster Bridge to Stangate, and from the Horse Ferry to Lambeth, and from Millbank to Vauxhall, or any or either of them, or any other Estate, Right, Title, Interest, Liberty, Privilege, Power, or Authority whatsoever, of, belonging, or in anywise appertaining to the said Commissioners.

XCIX. Nothing in this Act contained shall prejudice or affect the Rights and Privileges to which the Owner or Owners of a Ferry or Ferries over or across the said River Thames, within the Limits of this Act, are now entitled to by Law.

C. Nothing in this Act contained shall interfere with, lessen, or abridge the Rights and Privileges of any Company of Proprietors of any Docks and Canals within the Limits of this Act, or any of their Officers, with respect to the Navigation in the said Docks or Canals respectively, or in anywise relating thereto.

CI. Nothing in this Act contained shall extend to any Person while actually engaged in working or navigating Boats, Barges, or Vessels belonging to or used by the Conservators of the River Thames, within the Limits of this Act, or shall extend or be construed to extend to prejudice or derogate from the Estates, Rights, Interests, Liberties, Privileges, or Franchises of the Conservators of the River Thames, or to prohibit, defeat, alter, or diminish any Power, Authority, or Jurisdiction which at the Time of passing this Act the said Conservators did or might lawfully claim, use, or exercise.

CII. Nothing in this Act contained shall prejudice or affect "The Merchant Shipping Act, 1854," or any Act amending the same, or any Power or Privilege thereby conferred.

CIII. The Costs, Charges, and Expenses of and incidental to the passing of this Act shall be defrayed as follows; that is to say, the Company shall pay to the Promoters of this Act, in respect of their Costs, Charges, and Expenses, the Sum of One thousand Pounds out of the first Fees which shall be paid to the Company under this Act by Persons not Freemen of the Company, or entitled to be Freemen under the said recited Act; and until such Sum of One thousand Pounds shall be paid, the Company shall keep a distinct and separate Account of all such Fees as aforesaid, and the Company shall pay their own Costs, Charges, and Expenses out of the general Funds of the Company.

Cap. cxxxiv.

"The *West London Extension* Railway Act, 1859."

Recites that by 5 G. 4. c. lxv., the Kensington Canal Company were incorporated, with Power to make the Canal and other Works therein mentioned, and further Powers were granted by the 7 G. 4. c. xcvi.; that the Canal has been completed, but the Traffic thereon is very limited; that by 6 W. 4. c. lxxix. a Company were incorporated by the Name of "The Birmingham, Bristol, and Thames Junction Railway Company," with Power to construct the Railway and Works therein mentioned, and to purchase the Canal and Works belonging to the Kensington Canal Company, which Power they exercised accordingly; that by the Act 3 & 4 Vict. c. cv., further Powers were granted to the Birmingham, Bristol, and Thames Junction Railway Company, and their Name was changed to that of "The West London Railway Company;" that the Railway is now in the Possession of and worked by the London and North-western Railway Company, (subject to the Right of the Great Western Railway Company jointly to become possessed of and to work that Railway,) in consideration of a fixed annual Payment to the West London Railway Company of 1,800*l.*; that the Kensington Canal is now vested in the West London Railway Company, and is worked and

used by them; that the Capital of the West London Railway Company now consists of

5,338 ordinary Shares of 20*l.* each - -	£106,760
3,200 First-class Preference Shares of 20*l.* each - - - -	64,000
760 Second-class Preference Shares of 20*l.* each - - - -	15,200
	£185,960

that they have no Mortgage or Bond Debt; that the net Revenues of the West London Railway Company are at present applicable for Payment of Dividends as follows:—First, in Payment of a Dividend of 10*s.* per Share on the 3,200 First-class Preference Shares (in this Act called Class A. Shares); Secondly, in Payment of a Dividend of 20*s.* per Share on the 760 Second-class Preference Shares (in this Act called Class B. Shares); Thirdly, as to all Surplus, in Payment of a Dividend on the 3,200 Class A. Shares, the 760 Class B. Shares, and the 5,338 ordinary Shares (in this Act called Class C. Shares); that it is expedient that a Company should be authorized to make and maintain the Railways, Dock, and Works by this Act authorized, and to appropriate Part of the Kensington Canal for the Purposes of the intended Railways, and to make a Deviation in another Part of the Canal; that it is expedient that the Company should be formed by the Incorporation into One Company of the London and North-western Railway Company and the Great Western Railway Company, and that the North-western Company and the London and South-western Railway Company, and the London, Brighton, and South Coast Railway Company should contribute the Capital of the Company, but with an Option for the Great Western Company to contribute Part of the Capital, and that if they do not contribute Part thereof they should pay in Tolls or otherwise a yearly Sum to the Company, and that the said Four Companies should be authorized to use and work over the Railways, Dock, and Works by this Act authorized; that it is expedient that the Kensington Canal and the Basin, Branches, Cuts, Railways, Tramways, and Works connected therewith, and all other the Lands and Property of the West London Railway Company, other than the Railway, Works, Lands, and Property comprised in a certain Indenture dated the 10th Day of March, 1846, and made between the West London Railway Company of the one Part, and the London and Birmingham Railway Company of the other Part, and all other the Property, Credits, and Effects of that Company, except only as is by this Act otherwise provided, should be vested in the Company, and that in consideration thereof the Company should be charged with the Payment to the Shareholders of the West London Railway Company of the yearly Sums by this Act made payable.

Incorporation of General Acts, §§ 2, 3.

West London Extension Railway Company incorporated, § 5.

Capital 300,000*l.*, § 6.

Option for Great Western Company to contribute to Capital, § 7.

Contribution of Capital by the Four Companies, § 8.

Contribution of Capital by North-western, South-western, and Brighton Companies, § 9.

Payment of Capital by contributing Companies, § 10.

Regulations as to Calls, §§ 11 to 14.

Yearly Payment by Great Western Company to Company, if Great Western Company do not contribute to Capital, § 16.

Abatement from yearly Payment in respect of net Tolls payable by Great Western Company for their Traffic on Railway, § 17.

For ascertaining the net Tolls so payable, § 18.

Great Western Company to bear Expense of laying down Broad Gauge Rails, § 19.

Allowance to Great Western Railway Company for Non-user of Narrow Gauge, § 20.

Power for contributing Companies to raise Money for Contributions by Shares and borrowing, § 21.

Restrictions as to preferential Shares, § 22.

Saving existing preferential Shares, § 23.

Application of Moneys for Payments by Four Companies, § 24.

Power to borrow, § 25.

Receiver for Mortgagees, § 26.

Application of Moneys by Company, § 27.

Directors Number and Quorum, § 29.

Four of the Directors to be appointed by each of North-western and Great Western Companies, and Two by each of South-western and Brighton Companies, § 30.

Appointment and Succession of Directors, §§ 31 to 36.

Appointment of Special Chairman by Directors, § 37.

Appointment of Special Chairman by Board of Trade, § 38.

Authority of Special Chairman, § 39.

Salary of Special Chairman, § 40.

Ordinary Chairman, § 41.

Period for Appointment of Chairman of Directors, § 42.

Accounts, § 43.

Auditors, § 44.

Inspection of Books of Company by Directors, &c. of Four Companies, § 45.

North-western and Great Western Companies to make good Deficiency of Income of Company for current Expenses, § 46.

Dividends, § 47.

Advertisements, § 48.

Kensington Canal and Premises vested in Company, § 49.

Power to construct Railways and other Works, § 50.

Saving certain Lands of Battersea Park Commissioners, § 51.

Protecting Messrs. Turner and Goodyear, § 52.

Railways and Branches to be made with double Line of Rails on Narrow and Broad Gauge, § 53.

Junctions with South-western Railway to be on Narrow Gauge only, § 54.

Company, in constructing Dock, may deviate to the Extent defined on Plan, § 55.

Power to convert and discontinue Portions of Canal, &c., § 56.

Suspension of Works near Victoria Station and Pimlico Railway, § 57.

Terminal Station at Kensington, § 58.

Works upon Shore of River Thames not to be commenced without Consent of Conservators of the River Thames, § 59.

Bridge and Works in the River Thames to be executed under the Direction of the Conservators, § 60.

Company not to interfere with the Bed of the River, § 61.

5,000*l.* to be invested in the Names of Trustees previously to the Erection of the Bridge over the River Thames, § 62.

Provision for Protection of West Middlesex Waterworks, § 63.

Provisions for Protection of Metropolis Turnpike Roads, §§ 64 to 70.

Notice to be given to Surveyor of the Parish of Kensington, §§ 71, 72.

Works to be executed under the Direction of Surveyor, § 73.

Works involving Diversion of Traffic in Kensington; Diversion to be approved by Surveyor, § 74.

Restoration of Drains and Sewers, § 75.
Restoration of Roads and Streets, § 76.
Works to be lighted, § 77.
Temporary Works for Traffic and for Gas and Water Service, § 78.
Alteration of Roadway and Supply of Water, § 79.
In case of Delay or Omission, Vestry may reinstate, § 80.
Deposit of Subsoil in the Parish of Kensington, § 81.
Clauses for Protection of Wandsworth Board of Works, §§ 82 to 92.
Company to make a new Road to the Imperial Gasworks at Fulham, in substitution for the present Access; Compensation to and Protection of Property of Imperial Gas Company, §§ 93 to 107.
Saving Rights of the Conservators of the River Thames, § 108.
Company not to take Gravel, &c. from River without Consent of the Conservators, § 109.
Admiralty Regulations, §§ 110 to 113.
Land Arches to be provided, § 114.
For Protection of Metropolitan Board of Works, § 115.
Execution and Maintenance of Works for Railways affecting South-western Railway, § 116 to 118.
Junction of Third Branch with South-western Railway not to be made without Consent, § 119.
Junction of Second Branch with South-western Railway, § 120.
Maintenance of Junction with South-western Railway, § 121.
Signals, &c., §§ 122, 123.
Company not to take Land of South-western Company out Consent, except for Main Line and First and Second Branches, § 124.
Protection of Rights and Property of South-western Company, §§ 125 to 128.
Execution and Maintenance of Works for Railway affecting West End and Crystal Palace Railway, §§ 129 to 131.
Junction of First Branch with Crystal Palace Railway; Signals, &c., §§ 132 to 135.
Company not to take Land of Brighton Company without Consent, except for First Branch, § 136.
Company to acquire only Easements in Land of Brighton Company, § 137.
Traffic on Crystal Palace Railway not to be interfered with, § 138.
Brighton Company to forward Traffic, § 139.
South-western Company to forward Traffic, § 140.
Company working West London Railway to forward Traffic, § 141.
North-western and Great Western Companies to forward Traffic, § 142.
Lower Wandsworth Road not to be interfered with, § 144.
Agreements between the Battersea Park Commissioners and West End of London and Crystal Palace Railway Company not to be prejudiced, § 145.
Lands for extraordinary Purposes, § 146.
Three Years for compulsory Purchase of Lands, § 147.
Five Years for Completion of Railways, § 148.
Tolls, §§ 151 to 160.
Rates payable on Vessels using Dock; Rates payable on Goods, § 161.
Rates to be charged for Use of Cranes, Weighing Machines, &c., § 162.
Tolls on Passengers landing at Dock Quay, § 163.
Limits of Dock-master's Authority, § 164.
Officers of Customs to have free Access to Dock without Payment of Toll, § 165.
Power to appoint Meters and Weighers, § 166.
Limit of Reduction of Tolls, § 167.
Local Traffic and Through Traffic, § 168.
Arrangements for Conveyance of Local Traffic, § 169.
The Four Companies to have equal User of Railways, Dock, and Works for Through Traffic, § 170.
Facilities for Traffic of the Four Companies, § 171.
Arrangements as to User and Working of Railway and Dock, § 172.
Company to pay yearly Sums to West London Shareholders, § 173.
1,800*l.* a Year now payable to West London Railway Company to be paid to Company, § 174.
Arrangements for Payment by Company of Dividends to Shareholders of the West London Railway Company, § 175.
Rights of the Corporation of London not to be prejudiced, §§ 180, 181.
Schedule (Dues and Rates).

Cap. cxxxv.

"The *Tacumshin* Embankment Act, 1859."

Proposes Extension of Time, and to amend Sects. 16 and 17 of "Tacumshin Embankment Act, 1854."
Extension of Time for Completion of Works for One Year, § 3.
Powers of Commissioners of Woods and Forests to convey Lands extended, § 4.
Commissioner or Valuator to be appointed by Commissioners of Public Works in Ireland, § 5.
Protecting Rights of H. Boxwell, Esq., § 6.
Saving the Rights of the Crown, § 7.

Cap. cxxxvi.

"The *Midland* Railway and *Burton-upon-Trent* Bridge Act, 1859."

Recites that the great Bridge of Burton-upon-Trent, crossing the River Trent at the Town of Burton-upon-Trent, and connecting the Counties of Stafford and Derby, is a very ancient Bridge, consisting of Thirty-seven Arches, and is upwards of a Quarter of a Mile in Length, and in many Parts thereof the Width of the Roadway between the Parapet Walls is only sufficient for the safe Passage of One Carriage; that by reason of the greatly increased and still increasing Traffic over the old Bridge, many Inconveniences and Accidents to Limb and Life are occasioned by the great Length and tortuous Course and Narrowness of the Roadway thereof; that it is expedient that a new Bridge be made across the River Trent near to the Site of the old Bridge, with proper Approaches thereto, and the old Bridge be removed, and the Channel and Waterway of the River be altered; that it is expedient that the Midland Railway Company be authorized to make and maintain, at and near to Burton-upon-Trent, the Branch Railways by this Act authorized; that Parts of the Railways could not be made unless Parts of the old Bridge were removed, and Parts of the River near to the old Bridge were diverted, and the Company are willing to make the new Bridge and the Approaches thereto, and to remove the old Bridge; that under a Grant from the Crown, made by Letters Patent of 25th July, 39th Elizabeth, to William Paget, the only Son of Thomas Lord Paget, Third Baron Paget, and a lineal Ancestor of Henry now Marquess of Anglesey, the old Bridge has hitherto been repaired by and at the Expense of the Persons from Time to Time entitled to the Family Estates of the Marquess; that by an Act of the Fifth Year of George the Fourth, Chapter 101, there was made payable half-yearly to Henry William then Marquess of Anglesey,

his Heirs and Assigns, by way of Indemnity from the increased Expense of repairing and maintaining the old Bridge, the yearly Sum of 20*l.* out of the Tolls arising on the Road, with a Proviso that if the Tolls should not amount to 100*l.* in any one Half Year, then One Tenth Part of the Tolls for the Half Year, instead of One Half of the 20*l.*, should be so paid; that the Act is still in force; that the estimated Cost of making the new Bridge, and removing the old Bridge, exceeds 15,000*l.*, and the Company are willing to bear the Cost thereof, exceeding 10,000*l.*, and the Marquess is willing that, to the Extent of not exceeding 10,000*l.*, the Cost thereof should be borne by his Family Estates in the manner herein-after provided, on the Condition that those Estates be freed from their Liability under the recited Letters Patent to the Repairs of the old Bridge; that in order to the making by the Company of the Railways and the new Bridge respectively, they will require to take and use Lands of the Marquess within the Manor of Burton-upon-Trent, and forming Part of his Family Estates, and the Company and the Marquess are willing that such Part of those Lands as the Company shall take for the Purposes of this Act, and the estimated Value whereof shall not exceed 10,000*l.*, be conveyed to the Company in consideration of their bearing the entire Cost of making the new Bridge and removing the old Bridge; that it is expedient that the new Bridge, when completed, be repaired and maintained in equal Shares by the Inhabitants of the Counties of Stafford and Derby; that it is expedient that the yearly Sums by the recited Act of the Fifth Year of George the Fourth made payable to Henry William heretofore Marquess of Anglesey, his Heirs and Assigns, by the Trustees of that Act, be made applicable towards the Expense of maintaining the new Bridge, instead of being paid to the Marquess, his Heirs or Assigns; and that it is expedient that Agreements should be made betwen the Company and the London and North-western Railway Company, in relation to the Construction of the Railways and Works, and Bridge and Works respectively, and the User of the Railways and Works.

Incorporation of Lands and Railways Clauses Acts, §§ 2, 3.
Power for Company to take Lands for Purposes of Act, § 4.
Company not compellable to take the whole of certain Property if Part only required, § 5.
Three Years for compulsory Purchase of Lands, § 6.
Power to make Works authorized by Act, §§ 8, 9.
Suspending Powers of Act as regards Parts of the First Branch, § 10.
Construction of Gates across Railway, Messrs. Allsopp's Premises, § 11.
Construction of Railway through Messrs. Allsopp's Land and of a Branch to their Brewery, §§ 12, 13.
Tolls, § 14.
Level Crossings; Board of Trade Provisions, §§ 15 to 17.
Contracts between Midland and North-western Companies, §§ 18 to 21.
New Bridge and Works authorized, §§ 22, 23.
Marquess to appoint an Engineer for Purposes of Act, § 24.
Company to submit Plans, &c. for new Bridge to Marquess's Engineer and County Surveyors, § 25.
Differences on Plans, &c. to be referred to Engineer appointed by the Board of Trade, § 26.
The Bridge to be made only according to Plans, &c. approved by Engineers and County Surveyors, or Referee, § 27.
Engineers and County Surveyors, or Referee, to certify when new Bridge fit for use, and when new Bridge and Works completed, §§ 28, 29.
Marquess's Engineer or County Surveyor failing (after Notice) to act, to be deemed to agree with Company's Engineer, § 30.
Materials of old Bridge, &c. vested in Company, § 31.
Errors and Omissions in deposited Plans and Books of Reference to be corrected, §§ 32, 33.
Entry on Lands for Surveys, &c., §§ 35, 36.
Fence to Bridge, § 37.
Limits of Deviation, §§ 38, 39.
Five Years for Completion of Railways, §§ 40, 41.
Penalty for destroying Bridge, &c., § 42.
New Bridge on Completion to become County Bridge of Staffordshire and Derbyshire, §§ 43, 44.
Trustees of Turnpike Road to make yearly Payment to Marquess or County Treasurers, §§ 45 to 47.
Not exceeding 10,000*l.* Value of Family Estates of Marquess taken by Company to be conveyed to them for nominal Consideration, § 48.
Company to pay whole Expense of new Bridge, § 49.
Company to be responsible for Damage to Bridge for Two Years, if occasioned by original Defect in Construction, § 50.
Parts of Companies Clauses Act incorporated, § 51.
Power to create 60,000*l.* new Capital, with or without a Preference, not exceeding 4*l.* 10*s.* per Cent., § 52.
Power to raise Capital under any other Act of this Session and this Act by new Shares of One Class, § 53.
For Payment of certain Costs incurred by Marquess out of Compensation Money, § 60.
Schedule (Agreement).

Cap. cxxxvii.

"The *Pneumatic Despatch* Company (Limited) Act, 1859."

Recites that the laying down Pneumatic Tubes under the Streets of the Metropolis, for the Conveyance of Parcels, Despatches, and Messages, would tend greatly to the Public Convenience, and a Company has been formed by the Name of "The Pneumatic Despatch Company (Limited)," for effecting this Object.
Power to lay Tubes under Streets, § 2.
Company not to interfere with Metropolitan Sewers without Consent, &c., § 3.
Notice to be served before breaking up Streets, § 4.
Streets to be broken up under Superintendence, § 5.
Streets broken up to be reinstated, § 6.
Penalty for Delay in reinstating Streets, § 7.
In case of Delay, other Parties may reinstate and recover the Expenses, § 8.
Company not to alter Position of Gas or Water Pipes, except Service Pipes, § 9.
Company to reinstate Service Pipes, make good all other Damage done by them, and pay Compensation, § 10.
Works connected with the Metropolis, Surrey and Sussex, and New Cross Turnpike Roads to be under the Superintendence of the General Surveyors, § 11.
Protection of the Roads against Damage, §§ 12 to 14.
Securing Superintendence of Commissioners of Sewers of City of London, § 15.
Works connected with the Thames to be executed under the Direction of the Conservators of the River, § 16.
Saving Rights of Trustees of the River Lea, § 17.
Towing Paths, Bridges, &c. belonging to any Canal Company not to be used without Consent, § 18.
Acts 1 & 2 Vict. c. 98., 7 & 8 Vict. c. 85., and 10 & 11 Vict. c. 85. extended to this Act, § 19.

This Act within the Intent of 1 Vict. c. 36,—§ 20.
Power to Postmaster-General to require Tubing to be laid down by the Company, § 21.
Restricting Powers of Company to Five Years, § 22.
Saving Right of Post Office to establish a Pneumatic Post, § 23.
Priority to Government Messages, § 24.
Penalty for injuring Company's Tubes, &c., § 25.
Extending Provisions of Railways Clauses Act as to Recovery of Damages, &c., § 26.

Cap. cxxxviii.

"The *Warrington and Stockport* Railway Leasing Act, 1859."

Recites that by "The Warrington and Altrincham Junction Railway Act, 1851," the Company was incorporated for the Purpose of making a Railway from Warrington in the County of Lancaster, to join the Manchester South Junction and Altrincham Railway near the Town of Altrincham in Cheshire; and by a subsequent Act passed in 1853 the Company were authorized to make Two short Branches near Warrington, and certain Powers were given to them to use the Undertakings of the Manchester South Junction and Altrincham Railway Company and of the Birkenhead, Lancashire, and Cheshire Junction Railway Company; and reciprocal Powers were given to the Two last-named Companies to use the Undertaking of the Warrington Railway Company; and whereas by another Act passed in the Year 1853 the Warrington Railway Company were authorized to extend their Railway from Altrincham to the Borough of Stockport, and the Name of the Company was changed from that of "The Warrington and Altrincham Junction Railway Company" to that of "The Warrington and Stockport Railway Company," but the Powers of the last recited Act have expired; that the Railway and Works authorized by the Two first-recited Acts to be constructed are completed and open for public Traffic, with the Exception of a certain Branch, which has been rendered useless because the Railway with which it was to be connected has not been constructed, and the Railway authorized by the first-recited Act is connected at the Western Extremity thereof with the Undertaking of the Saint Helens Canal and Railway Company, and at the Eastern Extremity thereof with the Manchester South Junction and Altrincham Railway, which is the joint Property of the Manchester, Sheffield, and Lincolnshire Railway and the London and North-western Railway Companies; and inasmuch as the Undertaking of the Warrington and Stockport Railway Company as at present completed is only 13 Miles in Extent, the working thereof as a separate Undertaking is unprofitable, and it is expedient that the Warrington Railway should be vested by Lease in the London and North-western Railway and the Saint Helens Canal and Railway Companies jointly for the Term and upon the Conditions herein-after mentioned, with a Power of Purchase; that the Ordinary and Preference Share Capital of the Warrington Railway Company, as limited and defined by the Warrington and Stockport Railway (Capital) Act, 1858, is 225,000*l.*, upon which a Sum of 187,093*l.* has been already paid up, and the Company are by the same Act authorized to borrow on Bonds or Mortgages, which they are further empowered to convert into Debenture Stock, the Sum of 75,000*l.*, of which 62,700*l.* has been already borrowed, making a total Capital in Shares and Loans of 300,000*l.*, and there are outstanding Liabilities of the Company which the unpaid Share Capital and Moneys so authorized to be borrowed will be sufficient to discharge.

Vesting Warrington Railway in Lessees, § 2.

III. There shall be paid by the Lessees to the Directors of the Warrington Railway Company, in equal half-yearly Sums, an annual Rent accruing from the First Day of January One thousand eight hundred and fifty-nine, which Rent shall be of such an Amount as will be sufficient to defray the several Charges following; that is to say,

Firstly, Interest on all the Liabilities of the Warrington Railway Company, incurred or necessarily consequent on Acts done or omitted before the passing of this Act, whether now payable or not, and whether consisting of Debts bearing Interest by Agreement or otherwise, or Bonds, Mortgages, or Debentures of the Company, and on Liabilities hereafter to be incurred with the Sanction of the Lessees at such Rate of Interest as such Liabilities shall respectively bear, and all Chief Rents to which the Warrington Railway Company is now liable: Provided always, that nothing herein contained shall revive any Remedies or Penalties which may have accrued or been recoverable against the Warrington Railway Company, but which have been lost by Effluxion of Time;

Secondly, Dividends on the Preference Shares of the Warrington Railway Company, created under the Authority of the recited Act of the last Session of Parliament, at the Rate of Dividend which such Preference Shares shall respectively bear;

Thirdly, Dividends on the Ordinary Share Capital for the Time being of the said Company at and after the Rate of 4*l.* per Centum for the First Year commencing on the said First Day of January One thousand eight hundred and fifty-nine, and of 4*l.* 5*s.* per Centum for every subsequent Year; and

Fourthly, the annual Sum of 100*l.* to the Directors of the said Company to defray their Expenses in the Distribution of the said Dividends and Interest, and in the Transaction of the Business of the said Warrington Railway Company:

Provided nevertheless, that the total Amount of Capital and Liabilities on which the said Lessees shall be liable to pay Interest or Dividends by way of Rent, whether consisting of Ordinary or Preference Shares, Debenture Stock, Bonds, Mortgages, Debts, or otherwise, shall not exceed the Sum of 300,000*l.*, except in respect of future Liabilities incurred with the Sanction of the said Lessees: Provided also, that if the said Amount of Capital and Liabilities, except such future Liabilities incurred with such Consent as aforesaid, shall in fact exceed the said Sum of 300,000*l.*, the Amount of Interest payable on such Excess shall be deducted from the Dividends on the Ordinary Share Capital of the Company.

IV. The said Rent shall be paid and payable as follows; that is to say, so much thereof as is herein-before provided to be paid for the Purpose of defraying any Charges other than Dividends on the Ordinary and Preference Share Capital of the Warrington Company, by Two equal Half-yearly Payments on the First Day of January and First Day of July in each Year; and so much thereof as is herein-before provided to be paid for the Purpose of defraying the Dividends on such Ordinary and Preference Share Capital by Two equal half-yearly Payments, on the First Day of February and First Day of August in each Year; the First of such Payments respectively to be made on the First Day of July and the First Day of August One thousand eight hundred and fifty-nine, or within Fourteen Days after the passing of this Act, if the same shall be after either of those Days respectively; and every such Payment shall, with all convenient Speed after the Receipt thereof by the Directors of the Warrington Railway Company,

be duly distributed among the Parties respectively entitled thereto.

As to Appointment of a Receiver, § 5.

VI. The said several Sums herein-before directed to be paid by the Lessees shall as between themselves, but not so as to affect the Rights of the Warrington Railway Company, be contributed by them in the Proportion of Two Third Parts thereof by the London and North-western Railway Company, and One Third thereof by the Saint Helens Canal and Railway Company; and if any Part of the said Rent shall be unpaid for the space of Two Months after Demand thereof in Writing by the Warrington Railway Company, under the Hand of their Chairman or Secretary, the Warrington Railway Company may recover the Sum so in arrear either by an Action of Debt against the Lessees or by Distress of any Goods and Chattels belonging to the said Lessees or either of them, which may be found upon the Warrington Railway; and if any of the said half-yearly Payments on account of Rent shall remain unpaid by both the Lessees for Six Months after Demand thereof in Writing as aforesaid, it shall be lawful for the Warrington Railway Company, in addition to the Remedies herein-before reserved, to re-enter upon their Undertaking, and to receive the Tolls, Rents, and Charges arising therefrom until the Amount due to them in respect of the said half-yearly Payments shall be discharged.

Saving existing Preference in Capital of Lessees, § 7.

Saving existing Agreements, § 8.

As to Use of Warrington Railway by Lessees, § 9.

As to Management of Railway, § 10.

As to Vacancies in Committee, § 11.

Meetings of Committee, § 12.

As to Settlement of Disputes, § 13.

Books of Account to be kept by Committee, § 14.

As to Disposal of Revenue, § 15.

As to Expenses of Managing Railway, § 16.

Companies may contract with each other, § 17.

As to Purchase, § 18.

Warrington Railway to vest in Purchasers, § 19.

Saving Preference Shares of Warrington Railway Company, § 20.

As to Disputes between Warrington Railway Company and Lessees, § 21.

Providing for Use of Warrington Railway by Great Western Railway Company, § 22.

Providing for Agreements with Great Northern and Sheffield Railway Company, § 23.

So long as the London and North-western Railway Company, as Lessees or Purchasers of the Warrington Railway, have Power to use the Birkenhead Railway, the Birkenhead Company to have Power to use the Manchester South Junction and Altrincham Railway, § 24.

Saving Rights of Companies to enter into Contracts, § 25.

Cap. cxxxix.

"The *Wells and Fakenham* Railway Act, 1859."

Recites Incorporation of Wells and Fakenham Company in 1854, with a Capital of 70,000*l.* in 20*l.* Shares, and Power to borrow 23,000*l.*; proposes to raise further Capital, to convert Debt into Debenture Stock, and to authorize the Norfolk Railway Company to contribute either by guaranteeing Dividends, or by taking Shares or Debenture Stock, or advancing Money on Mortgage.

Incorporation of General Acts, § 2.

Power to make Railway, §§ 3, 4.

Admiralty Provisions, §§ 5 to 9.

Three Years for compulsory Purchase of Lands, § 11.

Four Years for Completion of Works, §§ 12, 13.

Tolls, § 14.

Power to raise 3,800*l.* by Preference Shares, at not exceeding 6*l.* per Cent., §§ 15 to 18.

Power to borrow 1,200*l.*, § 20.

Power to raise 24,200*l.* in all by Debenture Stock, with Dividend not exceeding 5*l.* per Cent., §§ 24, 25.

Regulations as to Debenture Stock, §§ 26 to 30.

Norfolk Railway Company may guarantee Interest or Dividends, § 31.

Saving Rights of existing Preference Shareholders of Norfolk Railway Company, § 32.

Norfolk Railway Company may advance Money authorized to be borrowed, § 33.

Norfolk Railway Company may acquire and hold Shares or Stock of Company, § 34.

Saving Rights of Crown, § 35.

PRIVATE ACTS,

PRINTED BY THE QUEEN'S PRINTERS,

AND WHEREOF THE PRINTED COPIES MAY BE GIVEN IN EVIDENCE.

N.B.—*To each of these Acts is annexed a Clause in the Form following:*

" This Act shall not be a Public Act, but shall be printed by the several Printers to the Queen's most Excellent Majesty " duly authorized to print the Statutes of the United Kingdom, and a Copy thereof so printed by any of them shall be " admitted as Evidence thereof by all Judges, Justices, and others."

Cap. 1.

An Act to authorize the Exchange of certain detached Portions situate in the County of *Forfar* of the entailed Estate of *Haulkertoun* for the Lands of *Balbithan* and *Wester Fintray* in the County of *Aberdeen*, to be entailed in lieu thereof; and for other Purposes. [8th *August* 1859.]

Cap. 2.

An Act for authorizing the Trustees of the Settled Estates in *Wales* of Earl *Vane* and Countess *Vane* to raise Five thousand Pounds by Mortgage of the same Estates, and to become Shareholders to the Extent of such Sum in the *Newtown and Machynlleth* Railway Company, and to sell to the Company Part of the Settled Estates in consideration of a yearly Rentcharge; and for other Purposes. [8th *August* 1859.]

Cap. 3.

An Act for confirming and giving effect to an Agreement for a Lease by the *Westminster* Improvement Commissioners of Land in *Victoria Street* and *Dean Street* in the City of *Westminster* to *Alfred Lucette*, of which the Short Title is " *Lucette's* Estate Act, 1859." [8th *August* 1859.]

Cap. 4.

An Act for authorizing Leases of Parts of the Settled Estates, in the Parishes of *Huddersfield, Almondbury,* and *Kirkheaton,* in the West Riding of the County of *York,* of Sir *John William Ramsden* Baronet, and of which the Short Title is " *Ramsden's* Estate (Leasing) Act, 1859." [13th *August* 1859.]

Cap. 5.

An Act for effecting a Partition of the Landed Estates of *Josiah Robins* deceased in and near to *Birmingham* and elsewhere, and for facilitating the Erection and Endowment of a Church thereon, and for authorizing the Application of Moneys, subject to the Trusts of his Will, towards the Expenses of making Bridges for the Benefit of Parts of his Estates; and for other Purposes. [13th *August* 1859.]

TABLES

SHOWING THE EFFECT OF THE LEGISLATION OF SESSION 2, 1859.

TABLE I.

[In Order of Cap.]

23 Vict.	Effect.	Act affected.	Subject of Act affected.
Cap. III.	Makes perpetual, but repeals	21 & 22 Vict. c. 97. „ „ s. 8.	Act for vesting in Privy Council certain Powers for the Protection of Public Health.
IV. s. 6.*	Partly repeals	7 & 8 Vict. c. 71. s. 10.	Administration of Criminal Justice in Middlesex.
V.	Explains	2 & 3 Will. 4. c. 116.	Diplomatic Pensions.
VII.	Amends	17 & 18 Vict. c. 59.	Verdicts of Jury in Civil Causes in Scotland.
VIII.	Amends and applies	20 & 21 Vict. c. 45. 17 Vict. c. 17.	Boundaries of certain Lands in Ireland. Boundaries.
X.	Amends	17 & 18 Vict. c. 118.	Constitution of Canada.
XI.	Applies	21 & 22 Vict. c. 98.	Local Government Act.
XII.	Repeals†	54 Geo. 3. c. 15. ss. 1, 2, 3. 5 & 6 Will. 4. c. 62. ss. 15. 17.	Recovery of Debts in New South Wales. Declaration in lieu of Oaths and Affidavits.
XIV.	Extends	2 & 3 Vict. c. 71. ss. 32, 33, 34, and 35.	Regulation of Police Courts in the Metropolis.
XVI. s. 3.	Applies	15 Vict. c. 28.	Commissioners of Works and Public Buildings.
XVIII. s. 6.	Extends Amends	16 & 17 Vict. c. 34. „ „ s. 54.	Income Tax.
XIX.	Partly repeals	13 Eliz. c. 29.	Charters of Universities of Oxford and Cambridge.
XX. s. 14	Amends and consolidates Excepts	5 & 6 Vict. c. 71. 8 & 9 Vict. c. 27. 12 & 13 Vict. c. 71.‡ 9 Geo. 4. c. 92.	Military Savings Banks and Benefit Societies. Savings Banks Acts Consolidation.

* *i.e.* to take effect upon the Death of the present Judge.
† *i.e.* so far as they apply to the Colony of Victoria.
‡ *i.e.* the Operation of 12 & 13 Vict. c. 71., as to Money arising from dissolved Benefit Societies, is saved by s. 11.

Effect of the Legislation of Session 2, 1859—*continued.*

23 Vict.	Effect.	Act affected.	Subject of Act affected.
Cap.			
XXI. s. 5.	Continues*	5 & 6 Vict. c. 86.	Officers of Court of Exchequer.
s. 6.	Amends	1 & 2 Geo. 4. c. 121. s. 7.	Public Accounts and Proceedings in Exchequer.
s. 7.	Amends	7 Anne, c. 20.	Registry of Deeds in Middlesex.
s. 8.	Amends	5 & 6 Vict. c. 94.	Ordnance Department.
		16 & 17 Vict. c. 107.	Customs Consolidation Act.
s. 9.	Extends	15 & 16 Vict. c. 76. s. 222.	Common Law Procedure Act.
ss. 12. 15.	Amend	16 & 17 Vict. c. 51.	Succession Duty Act, 1853.
s. 16.	Extends	1 Will. 4. c. 22.	Examination of Witnesses upon Interrogatories.
		13 Geo. 3. c. 63.	Management of East India Company.
		15 & 16 Vict. c. 76. ss. 46, 47, 48, and 49.	Common Law Procedure Act.
ss. 28, 29.	Repeal	3 & 4 Will. 4. c. 99. s. 8. and part of s. 31.	Proceedings in the Exchequer.
s. 29.	Amends	„ „ s. 9.	
s. 30.	Amends	3 Geo. 4. c. 46. (Sch. A.)	Levying of Fines and Forfeitures.
		4 Geo. 4. c. 37.	„ „
s. 31.	Repeals	3 Geo. 4. c. 46. s. 14.	„ „
s. 37.	Applies	„ „ s. 10.	„ „
s. 40.	Applies	7 & 8 Vict. c. 92. s. 17.	County Coroners.
XXII.	Amends	6 Will. 4. c. 13.	Constabulary Force, Ireland.
		2 & 3 Vict. c. 75.	
		9 & 10 Vict. c. 97.	
XXIII.	Continues†	11 & 12 Vict. c. 32.	County Cess, Ireland.
		20 & 21 Vict. c. 7.	
XXIV.	Explains	16 & 17 Vict. c. 89.	Professors in Universities of Scotland.
		21 & 22 Vict. c. 83.	Universities of Scotland.
XXV.	Continues‡	5 & 6 Will. 4. c. 27.	Linen and Hempen Manufactures in Ireland.
		3 & 4 Vict. c. 91.	
		5 & 6 Vict. c. 68.	
		7 & 8 Vict. c. 47.	
XXVI.	Extends	1 & 2 Geo. 4. c. 66.	Fur Trade in North America.
XXVII.	Amends	16 & 17 Vict. c. 95.	Government of India.
XXVIII.	Amends	16 & 17 Vict. c. ccvii.	Galway Harbour.
XXIX.	Repeals	9 & 10 Vict. c. cccxlvi. ss. 17 to 24.	Billingsgate Market.
XXX.	Applies	2 & 3 Will. 4. c. 34.	The Coinage.
XXXI. s. 5.	Repeals	20 & 21 Vict. c. 79. s. 22.	Probates and Administrations, Ireland.
s. 7.	Repeals	„ „ s. 58.	„ „
s. 8.	Amends	„ „ s. 63.	„ „
s. 14.	Extends	38 Geo. 3. c. 87.	Administration of Assets.
		20 & 21 Vict. c. 79.	Probates, Ireland.
s. 25.	Amends	„ „ s. 94.	„ „

* *i.e.* the Provisions as to Fees. † *i.e.* for Two Years. ‡ *i.e.* for Five Years.

Effect of the Legislation of Session 2, 1859—*continued.*

23 Vict.	Effect.	Act affected.	Subject of Act affected.
Cap.			
XXXI. s. 27. -	Applies -	6 Geo. 4. c. 87. -	Salaries and Allowances to British Consuls abroad.
		18 & 19 Vict. c. 42. -	Consular Agents abroad to administer Oaths.
s. 35. -	Extends -	19 & 20 Vict. c. 92. ss. 19, 20. - - -	Chancery Appeal Court (Ireland).
XXXII. s. 1. -	Extends -	3 & 4 Vict. c. 88. s. 27. -	County Constables.
		19 & 20 Vict. c. 69. s. 4. -	Police in Counties.
s. 4. -	Amends - -	2 & 3 Vict. c. 93. s. 13. -	County Constables.
s. 5. -	Partly repeals -	2 & 3 Vict. c. 28. - -	Assessment of Watch Rates in Boroughs.
		3 & 4 Vict. c. 28. - -	
s. 7. -	Repeals - -	11 & 12 Vict. c. 14. -	Borough Police Superannuation Fund.
s. 13. -	Applies - -	5 & 6 Will. 4. c. 76. -	Municipal Corporations.
s. 18. -	Partly repeals -	13 & 14 Car. 2. c. 21. -	Sheriffs Accounts.
s. 23. -	Amends - -	6 Geo. 4. c. clxxix. -	Brighton Improvement.
s. 25. -	Applies - -	2 & 3 Will. 4. c. 4. -	Prevention of Embezzlements by Public Servants.
s. 28. -	Partly repeals -	3 & 4 Vict. c. 88. ss. 16, 17, and 18. - -	County Constables.
XXXIV. - -	Continues*-	19 & 20 Vict. c. 88. -	University of Cambridge and Eton College.
		Statutes of Elizabeth -	Relating to Cambridge University.
XXXV. ss. 19, 20.	Amend - -	3 & 4 Will. 4. c. 106. -	Law of Inheritance Amendment.
s. 22. -	Applies -	2 & 3 Vict. c. 11. - -	Protection of Purchasers of Land.
		18 & 19 Vict. c. 15. -	„ „
XXXVI. ss. 1, 2.	Amend† -	55 Geo. 3. c. 184. - -	Stamp Duties.
		5 & 6 Vict. c. 79. - -	Amendment of Stamp Acts.
s. 3. -	Amends -	50 Geo. 3. c. 41. - -	Hawkers and Pedlars.
		55 Geo. 3. c. 71. - -	Hawkers and Pedlars (Scotland).
XXXVII. s. 1. -	Repeals - -	3 & 4 Will. 4. c. 101. -	Tea Duties.
ss. 4. 7.	Amend -	16 & 17 Vict. c. 107. ss. 125, 43. and 77. -	Customs Consolidation Act, 1853.
		18 & 19 Vict. c. 96. -	Customs Tariff Act, 1855.
XXXVIII. s. 1.	Repeals‡ - -	51 Geo. 3. c. 118. ss. 8, 9.	Interchange of English and Irish Militias.
s. 8. -	Partly repeals§	17 & 18 Vict. c. 105. s. 38.	Militia.
		„ „ c. 106. s. 44.	„
		„ „ c. 107. s. 17.	„
s. 13.	Repeals -	„ „ c. 105. s. 18.	„
		„ „ c. 106. s. 59.	„
		„ „ c. 107. s. 23.	„
XXXIX. s. 12. -	Applies‖ - -	5 & 6 Will. 4. c. 64. -	Stamp Duties.
XL. s. 24. - -	Applies - -	11 & 12 Vict. c. 43. -	Performance of Duties of Justices out of Sessions.
XLI. - - -	Explains and amends -	21 & 22 Vict. c. 106. ss. 40 and 43. - -	Government of India.

* *i.e.* until the 1st of January 1861.
† *viz.* as to Scale of Probate Duties and Licences to practise in Physic.
‡ *i.e.* prospectively.
§ *i.e.* so far as relates to Times and Places of Training and Exercise.
‖ *viz.* the Provisions with respect to a Composition for Stamp Duties, &c.

Effect of the Legislation of Session 2, 1859—*continued.*

23 Vict.	Effect.	Act affected.	Subject of Act affected.
Cap. XLIII.	Amends	The General Inclosure Acts.	———
XLIV.	Continues*	3 & 4 Vict. c. 89.	Exemption of Stock in Trade from Rating.
XLV.	Continues†	10 & 11 Vict. c. 98.	Ecclesiastical Jurisdiction.
XLVI.	Continues‡ and amends	14 & 15 Vict. c. 104.	Episcopal and Capitular Estates.
XLVIII.	Continues§	17 & 18 Vict. c. 102.	Corrupt Practices at Elections.
L.	Continues	16 & 17 Vict. c. 137., Part of s. 62.‖ 18 & 19 Vict. c. 124. s. 47.	Charitable Trusts. Charitable Trusts Amendment.
LII.	Amends	6 & 7 Will. 4. c. 29., and subsequent amending Acts	The City of Dublin Police.
LVI.	Amends Explains	5 & 6 Will. 4. c. 63. „ „ c. 76.	Weights and Measures. Municipal Corporations.
LVII.	Amends	9 & 10 Vict. c. 95. s. 98.	County Courts.
LVIII.	Amends	16 & 17 Vict. c. 46.	Westminster Bridge.
LX.	Amends	13 & 14 Vict. c. 111.	Holyhead Harbour and Railways.
LXI.	Amends	20 & 21 Vict. c. 85.	Divorce and Matrimonial Causes.
LXII.	Amends Applies	20 & 21 Vict. c. 60. 6 Will. 4. c. 14. s. 128.	Bankruptcy and Insolvency (Ireland). Bankrupts (Ireland).
LXIV.¶	Applies	6 & 7 Will. 4. c. 86.	Registration of Births, Deaths, and Marriages.
LXV.	Amends	9 Geo. 4. c. 43.	Regulation of Divisions of Counties.
LXVI. s. 26.	Applies	20 Geo. 2. c. 43.	Abolishing Heritable Jurisdiction in Scotland.

* *i.e.* to 1st of October 1862, and to the End of the then next Session.

† *i.e.* so much as was continued by 21 & 22 Vict. c. 50. continued to 1st August 1862, and to the End of the then next Session.

‡ *i.e.* as amended by 17 & 18 Vict. c. 116. continued to the 1st January 1861, and to the End of the then next Session.

§ *i.e.* as amended by 21 & 22 Vict. c. 87. continued to 10th August 1860.

‖ *viz.* so much as relates to the Exemption of Roman Catholic Charities from the Operation of the Act.

¶ This Act is retrospective only so far as it confirms Marriages previously solemnized in the Chapel at Lisbon, the validity of which might have been supposed doubtful since the passing of 12 & 13 Vict. c. 68., relating to Marriages of British Subjects resident abroad.

TABLE II.

CHRONOLOGICAL.

[For Details, see TABLE I.]

Act affected.	Subject of Act affected.	How affected.	Act affecting.
			23 Vict. Cap.
13 Eliz. c. 29. - - -	Charters of Universities of Oxford and Cambridge.	Partly repealed -	XIX.
Statutes of Elizabeth -	University of Cambridge - -	Continued -	XXXIV.
13 & 14 Car. 2. c. 21. -	Sheriffs Accounts - - -	Partly repealed -	XXXII.
7 Anne, c. 20. - - -	Registry of Deeds in Middlesex -	Amended - -	XXI.
20 Geo. 2. c. 43. - -	Abolishing Heritable Jurisdiction in Scotland.	Applied - -	LXVI.
13 Geo. 3. c. 63. - -	Management of East India Company.	Extended - -	XXI.
38 Geo. 3. c. 87. - -	Administration of Assets - -	Extended - -	XXXI.
50 Geo. 3. c. 41. - -	Hawkers and Pedlars - - -	Amended - -	XXXVI.
51 Geo. 3. c. 118. - -	Interchange of English and Irish Militias.	Partly repealed -	XXXVIII.
54 Geo. 3. c. 15. ss. 1, 2, 3.	Recovery of Debts in New South Wales.	Repealed - -	XII.
55 Geo. 3. c. 71. - -	Hawkers and Pedlars (Scotland) -	Amended - -	XXXVI.
55 Geo. 3. c. 184. - -	Stamp Duties - - - -	Amended - -	XXXVI.
1 & 2 Geo. 4. c. 66. - -	Fur Trade in North America -	Extended - -	XXVI.
1 & 2 Geo. 4. c. 121. s. 7. -	Public Accounts and Proceedings in Exchequer.	Amended - -	XXI.
3 Geo. 4. c. 46. - -	Levying of Fines and Forfeitures -	Amended - -	XXI.
4 Geo. 4. c. 37. - -	" " " -	Amended - -	XXI.
6 Geo. 4. c. 87. - -	Salaries and Allowances of British Consuls abroad.	Applied - -	XXXI.
6 Geo. 4. c. clxxix. -	Brighton Improvement - -	Amended - -	XXXII.
9 Geo. 4. c. 43. - -	Regulation of Divisions of Counties	Amended - -	LXV.
9 Geo. 4. c. 92. - -	Savings Banks Act Consolidation -	Excepted - -	XX.
1 Will. 4. c. 22. - -	Examination of Witnesses upon Interrogatories.	Extended - -	XXI.
2 & 3 Will. 4. c. 4. - -	Prevention of Embezzlements by Public Servants.	Applied - -	XXXII.
2 & 3 Will. 4. c. 34. -	The Coinage (Consolidation) -	Applied - -	XXX.
2 & 3 Will. 4. c. 116. -	Diplomatic Pensions - -	Explained -	V.
3 & 4 Will. 4. c. 99. -	Proceedings in Exchequer - -	Amended - -	XXI.
3 & 4 Will. 4. c. 101. -	Tea Duties - - - - -	Repealed - -	XXXVII.
3 & 4 Will. 4. c. 106. -	Law of Inheritance Amendment -	Amended - -	XXXV.
5 & 6 Will. 4. c. 27. -	Linen and Hempen Manufactures in Ireland.	Continued -	XXV.
5 & 6 Will. 4. c. 62. ss. 15. and 17.	Declaration in lieu of Oaths, &c. -	Repealed - -	XII.
5 & 6 Will. 4. c. 63. -	Weights and Measures - -	Amended - -	LVI.
5 & 6 Will. 4. c. 64. -	Stamp Duties - - - -	Applied - -	XXXIX.
5 & 6 Will. 4. c. 76. -	Municipal Corporations - -	Applied - -	XXXII.
		Explained -	LVI.
6 Will. 4. c. 13. - -	Constabulary Force (Ireland) -	Amended - -	XXII.
6 Will. 4. c. 14. s. 128. -	Bankrupts (Ireland) - - -	Applied - -	LXII.
6 & 7 Will. 4. c. 29. and subsequent amending Acts.	City of Dublin Police - - -	Amended - -	LII.
6 & 7 Will. 4. c. 86. -	Registration of Births, Deaths, and Marriages.	Applied - -	LXIV.
2 & 3 Vict. c. 11. - -	Protection of Purchasers of Land -	Applied - -	XXXV.

Effect of the Legislation of Session 2, 1859—*continued.*

Act affected.	Subject of Act affected.	How affected.	Act affecting.
			23 Vict. Cap.
2 & 3 Vict. c. 28. - -	Assessment of Watch Rates in Boroughs.	Partly repealed -	XXXII.
2 & 3 Vict. c. 71. - -	Regulation of Police Courts in the Metropolis.	Extended - -	XIV.
2 & 3 Vict. c. 75. - -	Constabulary Force (Ireland) -	Amended - -	XXII.
2 & 3 Vict. c. 93. - -	County Constabulary - - -	Amended - -	XXXII.
3 & 4 Vict. c. 28. - -	Assessment of Watch Rates in Boroughs.	Partly repealed -	XXXII.
3 & 4 Vict. c. 88. - -	County Constabulary - - -	Extended and partly repealed.	XXXII.
3 & 4 Vict. c. 89. - -	Exemption of Stock in Trade from Rating.	Continued -	XLIV.
3 & 4 Vict. c. 91. - -	Linen and Hempen Manufactures in Ireland.	Continued -	XXV.
5 & 6 Vict. c. 68. - -	„ „ „ -	Continued -	XXV.
5 & 6 Vict. c. 71. - -	Military Savings Banks and Benefit Societies.	Amended and consolidated.	XX.
5 & 6 Vict. c. 79. - -	Amendment of Stamp Acts - -	Amended - -	XXXVI.
5 & 6 Vict. c. 86. - -	Officers of Court of Exchequer -	Continued -	XXI.
5 & 6 Vict. c. 94. - -	Ordnance Department - - -	Amended - -	XXI.
7 & 8 Vict. c. 47. - -	Linen and Hempen Manufactures in Ireland.	Continued -	XXV.
7 & 8 Vict. c. 71. s. 10. -	Administration of Criminal Justice in Middlesex.	Partly repealed -	IV.
7 & 8 Vict. c. 92. - -	County Coroners - - - -	Applied - -	XXI.
8 & 9 Vict. c. 27. - -	Military Savings Banks and Benefit Societies.	Amended and consolidated.	XX.
9 & 10 Vict. c. 95. s. 98. -	County Courts - - - -	Amended - -	LVII.
9 & 10 Vict. c. 97. - -	Constabulary Force (Ireland) -	Amended - -	XXII.
9 & 10 Vict. c. cccxlvi. -	Billingsgate Market - - -	Partly repealed -	XXIX.
10 & 11 Vict. c. 98. - -	Ecclesiastical Jurisdiction - -	Continued -	XLV.
11 & 12 Vict. c. 14. - -	Borough Police Superannuation Fund.	Repealed - -	XXXII.
11 & 12 Vict. c. 32. - -	County Cess (Ireland) - - -	Continued -	XXIII.
11 & 12 Vict. c. 43. - -	Performance of Duties of Justices out of Sessions.	Applied - -	XL.
12 & 13 Vict. c. 71. - -	Military Savings Banks and Benefit Societies.	Amended and consolidated.	XX.
13 & 14 Vict. c. 111. -	Holyhead Harbour and Railways -	Amended - -	LX.
14 & 15 Vict. c. 104. -	Episcopal and Capitular Estates -	Continued and amended.	XLVI.
15 Vict. c. 28. - -	Commissioners of Works and Public Buildings.	Applied - -	XVI.
15 & 16 Vict. c. 76. - -	Common Law Procedure Act -	Extended -	XXI.
16 & 17 Vict. c. 34. - -	Income Tax - - - - -	Extended and amended.	XVIII.
16 & 17 Vict. c. 46. - -	Westminster Bridge - - -	Amended - -	LVIII.
16 & 17 Vict. c. 51. -	Succession Duty Act - - -	Amended - -	XXI.
16 & 17 Vict. c. 89. -	Professors in Universities of Scotland.	Explained -	XXIV.
16 & 17 Vict. c. 95. - -	Government of India - - -	Amended - -	XXVII.
16 & 17 Vict. c. 102. -	Corrupt Practices at Elections -	Continued -	XLVIII.
16 & 17 Vict. c. 107. -	Customs Consolidation Act - -	Amended - -	XXI. and XXXVI.
16 & 17 Vict. c. 137. s. 62.	Charitable Trusts - - -	Continued -	L.
16 & 17 Vict. c. ccvii. -	Galway Harbour - - - -	Amended - -	XXVIII.
17 Vict. c. 17. - -	Boundaries - - - -	Applied - -	VIII.
17 & 18 Vict. c. 59. -	Verdicts in Civil Causes in Scotland.	Amended - -	VII.
17 & 18 Vict. c. 105. -	Militia - - - - - -	Amended - -	XXXVIII.
17 & 18 Vict. c. 106. -	„ - - - - -	„ -	„
17 & 18 Vict. c. 107. -	„ - - - - -	„ - -	„

EFFECT OF THE LEGISLATION OF SESSION 2, 1859—*continued.*

Act affected.	Subject of Act affected.	How affected.	Act affecting.
			23 Vict. Cap.
17 & 18 Vict. c. 118. -	Constitution of Canada - -	Amended - -	X.
18 & 19 Vict. c. 15. - -	Protection of Purchasers of Land -	Applied - -	XXXV.
18 & 19 Vict. c. 42. - -	Consular Agents abroad to administer Oaths.	Applied - -	XXXI.
18 & 19 Vict. c. 96. - -	Customs Tariff Act, 1855 - -	Amended - -	XXXVII.
18 & 19 Vict. c. 124. s. 47.	Charitable Trusts Amendment -	Continued -	L.
19 & 20 Vict. c. 69. -	Police in Counties - - -	Extended -	XXXII.
19 & 20 Vict. c. 88. -	University of Cambridge and Eton College.	Continued -	XXXIV.
19 & 20 Vict. c. 92. -	Chancery Appeal Court (Ireland) -	Extended -	XXXI.
20 & 21 Vict. c. 7. - -	County Cess (Ireland) - - -	Continued -	XXIII.
20 & 21 Vict. c. 45. -	Boundaries of certain Lands in Ireland.	Amended - -	VIII.
20 & 21 Vict. c. 60. -	Bankruptcy and Insolvency (Ireland).	Amended - -	LXII.
20 & 21 Vict. c. 79. -	Probates, &c. (Ireland) - -	Amended and partly repealed.	XXXI.
20 & 21 Vict. c. 85. -	Divorce and Matrimonial Causes -	Amended - -	LXI.
21 & 22 Vict. c. 83. -	Universities of Scotland - -	Explained -	XXIV.
21 & 22 Vict. c. 97. -	Vesting in Privy Council certain Powers for the Protection of Public Health.	Made perpetual, and s. 8. repealed.	III.
21 & 22 Vict. c. 98. -	Local Government Act - -	Applied - -	XI.
21 & 22 Vict. c. 106. -	Government of India - - -	Explained and amended.	XLI.

THE

STATUTES at Large, &c.

Anno Regni VICTORIÆ, Britanniarum Reginæ, Vicesimo Tertio.

'AT the Parliament begun and holden at *Westminster*, the Thirty-first Day of *May*, *Anno Domini* 1859, in the Twenty-second Year of the Reign of our Sovereign Lady *Victoria*, by the Grace of God of the United Kingdom of *Great Britain* and *Ireland* Queen, Defender of the Faith: And from thence continued by several Prorogations to the Twenty-fourth Day of *January* 1860; being the Second Session of the Eighteenth Parliament of the United Kingdom of *Great Britain* and *Ireland*.'

CAP. I.

An Act to render valid certain Marriages in the Chapel of *Saint Mary in Rydal* in the County of *Westmoreland*. [12th *March* 1860.]

'WHEREAS the Chapel of *Saint Mary in Rydal* in the Parish of *Grasmere* in the County of *Westmoreland*, and formerly in the Diocese of *Chester*, but transferred in the Year One thousand eight hundred and fifty-six from that Diocese to the Diocese of *Carlisle*, was erected in or before the Year One thousand eight hundred and twenty-five, and was duly consecrated in that Year for the Performance of Divine Service therein: And whereas divers Marriages have been solemnized in the said Chapel under the Opinion that according to the Terms of the Sentence of Consecration of the said Chapel, or otherwise, Marriages might be lawfully solemnized therein, and Entries of the said Marriages so solemnized have been from Time to Time made in the Register Books kept at the said Chapel, in compliance with the Provisions concerning Registry of Marriages: And whereas it is expedient, under the Circumstances aforesaid, to confirm the Marriages so solemnized:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Marriages in Chapel of St. Mary in Rydal declared valid.

I. All Marriages heretofore solemnized in the said Chapel, and the Publication of Banns in such Chapel previous to any such Marriage, shall be and be deemed to have been as good, valid, and effectual in the Law to all Intents and Purposes whatsoever as if such Marriages had been solemnized and such Publication of Banns had taken place in the Parish Church of *Grasmere*.

Ministers indemnified.

II. No Minister who has solemnized any of the said Marriages shall be liable to any Ecclesiastical Censures, or to any other Proceedings or Penalties whatsoever, by reason of his having so solemnized the same respectively.

Registers of such Marriages, or Copies thereof, to be Evidence.

III. The Registers of the Marriages so solemnized, or Copies of such Registers, shall be received in all Courts of Law and Equity as Evidence of such Marriages respectively, in the same Manner as Registers of Marriages in Parish Churches, or Copies thereof, are by Law receivable in Evidence.

CAP. II.

An Act to apply the Sum of Four hundred and seven thousand six hundred and forty-nine Pounds out of the Consolidated Fund to the Service of the Year ending the Thirty-first Day of *March* One thousand eight hundred and sixty. [12th *March* 1860.]

CAP. III.

An Act to apply the Sum of Four million five hundred thousand Pounds out of the Consolidated Fund to the Service of the Year One thousand eight hundred and sixty. [23d *March* 1860.]

CAP. IV.

An Act to enable the Commissioners of Her Majesty's Treasury to defray One Moiety of the Expense of the annual Revision of the Valuation of Rateable Property in *Ireland* out of the Consolidated Fund. [23d *March* 1860.]

15 & 16 Vict. c. 63. 17 & 18 Vict. c. 8.

WHEREAS the Tenement Valuation of Rateable Property in *Ireland*, made and revised in pursuance of the Provisions of an Act passed in the Fifteenth and Sixteenth Years of the Reign of Her Majesty, Chapter Sixty-three, and of an Act passed in the Seventeenth Year of the Reign of Her Majesty, Chapter Eight, is now used as the Basis of public general as well as local Taxation in *Ireland*, and it is expedient to provide that One Moiety of the Expense of the annual Revision of such Valuation shall be defrayed out of the Public Funds, and otherwise to amend the Laws relating thereto:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Commencement of Act.

I. This Act shall commence and take effect from and after the First Day of *April* One thousand eight hundred and sixty.

Power to Treasury to advance Money towards Expense of Annual Revision of Valuation.

II. From and after the Commencement of this Act it shall be lawful for the Commissioners of Her Majesty's Treasury and they are hereby authorized to order and direct that such Sum or Sums of Money as shall be required for defraying the Costs and Expenses of and incident to the annual Revision of the Tenement Valuation of Rateable Property in *Ireland*, made or to be made under the Provisions of the Acts relating to the Valuation of Rateable Property in *Ireland*, or to be incurred by the Commissioner of Valuation in carrying out the Provisions of this Act, shall be advanced quarterly out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*.

Commissioner of Valuation, &c. to continue to act.

III. The Commissioner of Valuation, and all other Persons heretofore appointed or acting under the Provisions of the said recited Acts, or either of them, shall, and they are hereby respectively authorized and required to continue to discharge and execute their several Duties and Offices for the Purpose of carrying the said recited Acts and this Act into execution, without any further or other Appointment thereto, until the Commissioners of Her Majesty's Treasury shall otherwise direct.

Power to Treasury to appoint Commissioner of Valuation, &c.

IV. Upon the Death, Resignation, or Removal of such Commissioner of Valuation, or any other Commissioner of Valuation hereafter to be appointed, it shall be lawful for the Commissioners of Her Majesty's Treasury from Time to Time to nominate and appoint One other fit and proper Person to be Commissioner of Valuation for the several Counties in *Ireland*, who shall hold such Office during the Will and Pleasure of the said Commissioners, and who shall carry into effect the Provisions of the said recited Acts and of this Act, at such Times, and in such Manner, and under such Regulations as such Commissioners of Her Majesty's Treasury shall order or appoint.

Commissioner of Valuation to appoint Surveyors, Writing Clerks, &c.

V. It shall be lawful for any such Commissioner of Valuation continued or appointed under this Act, with the Approval of the Commissioners of Her Majesty's Treasury, upon the Death, Resignation, or Removal of any of the other Persons aforesaid continued by this Act, to appoint from Time to Time such Person or Persons as he may deem necessary to assist him in carrying into effect the Provisions of the said Acts, and from Time to Time to remove any such Person or Persons, and to appoint any other Person or Persons to act in the Place and Stead of the Person or Persons so removed; and such Person or Persons so continued or to be appointed shall be entitled to receive such Salary, with such Allowances for Travelling, Hotel, and other Expenses, not exceeding the Salary and Allowances fixed by the said first-recited Act, as may from Time to Time be fixed by the Commissioners of Her Majesty's Treasury; and on the Discontinuance of his or their Office or Offices, or Removal therefrom, such Person or Persons shall be entitled to such Superannuation, Pension, or Allowance as the Commissioners of Her Majesty's Treasury may determine.

Valuation Lists may be in the Form annexed to this Act.

VI. The Lists of Valuation, and of every Revision thereof, which the said Commissioner of Valuation is by the said Acts, or either of them, required to make out and transmit to the Guardians of any Union, or to the Town Council of any Borough, or to the Treasurer of any County, shall be in the Form specified in the Schedule to this Act annexed, or in such other Form as the Commissioners of Her Majesty's Treasury shall from Time to Time approve of; and such Lists may be wholly or in part in Print or Writing; and no Alteration shall be made in any such List or Lists, or in the Name of any Occupier or Lessor named therein, save by the Commissioner of Valuation, or by some Person duly authorized by him for that Purpose, or by the Order of a Court of General or Quarter Sessions upon Appeal, or other Court of competent Jurisdiction: Provided, that for the Purpose of any Poor Rate, the Guardians of any Union may make such Departure, not affecting Value, from the Particulars contained in the said Lists, as may be necessary, at the Time of making the Rate, to enable them to make a valid Rating under the Laws in force for the Relief of the destitute Poor in *Ireland*, subject to such Appeal as is now by Law provided, and any such Departure shall be forthwith reported by the Guardians to the Commissioner of Valuation.

As to the Valuation of Mills, &c.

VII. In making the Valuation of any Mill or Manufactory, or Building erected or used for any such Purpose, the Commissioner of Valuation shall in each Case value the Water or other Motive Power thereof,

thereof, but shall not take into account the Value of any Machinery therein, save only such as shall be erected and used for the Production of Motive Power.

Proportion of Expense to be paid by Counties, &c., as provided by 15 & 16 Vict. c. 63.

VIII. One Moiety of the Expenses incurred in defraying the Costs and Expenses aforesaid, and of the total Amount expended in carrying out the Provisions of this Act, except as regards Superannuations, Pensions, or Allowances, shall be repaid to the Commissioners of Her Majesty's Treasury, and shall be levied and raised in like Manner as is provided by the Thirty-ninth Section of the said recited Act of the Fifteenth and Sixteenth Years of Her Majesty, Chapter Sixty-three, for the Payment of the Expenses in that Act mentioned.

Commissioner authorized to supply Copies of Valuations and Maps to Landed Estates Court, &c.

IX. The Commissioner of Valuation is hereby authorized to supply Copies and Extracts of the Valuation and all Revisions thereof, and of all Field Books and Documents relating thereto, and Copies from Maps or Plans and Portions thereof in his Custody, to the Landed Estates Court, *Ireland*, and to all other Courts, public Bodies, and Individuals requiring the same, and to charge for the same according to a Scale of Fees to be approved of by the Commissioners of Her Majesty's Treasury, which Fees shall be from Time to Time accounted for and applied in such Manner as the said Commissioners may direct; and every such Copy or Extract, signed by the Commissioner of Valuation, or by such Person as he shall from Time to Time depute for that Purpose, shall be deemed and taken to be a true Copy until the contrary is shown, and shall and may be received and given in Evidence in all Suits and other Proceedings, without Proof or Oath, in like Manner as if the Original was produced and proved.

Copies of Valuation to be received as Evidence.

Power to obtain Decision of Superior Courts on Questions of Law.

X. 'And whereas it is expedient that Provision should be made for obtaining the Decision of a Superior Court on any Question of Law which may arise in relation to the Acts relating to the Valuation or Revision of Rateable Property in *Ireland*;' Be it enacted, That within Three Months after the Hearing and Decision by any Court of General or Quarter Sessions of any Appeal which may be made under the Provisions of said recited Acts, or any of them, or of this Act against any Valuation or Exemption, the Commissioner of Valuation or any other Party to such Appeal, if dissatisfied with the Decision of such Court, may, by Notice in Writing, signed by the said Commissioner or by such other Party, or by the Attorney of such Commissioner or other Party, require the Chairman of such Court of General or Quarter Sessions to state and sign a Case, setting forth the Facts and the Grounds of such Decision, for the Opinion thereon of One of the Superior Courts of Law at *Dublin*; and such Chairman shall state such Case in Writing, and sign the same, and transmit it to the Commissioner of Valuation within Twenty-one Days after the Receipt of such Notice; and such Commissioner shall transmit the same to One of the Superior Courts of Law at *Dublin*, first giving Notice in Writing of such Appeal, with a Copy of the Case so stated and signed, to the other Party to the Proceedings in respect of which the Decision was given, or to the Attorney (if any) who shall have appealed for such Party at such Court of General or Quarter Sessions.

Chairman of Quarter Sessions may state Case for Opinion of Superior Court.

Power to Superior Court to decide such Questions as may be referred thereto.

XI. The Superior Court to which a Case is transmitted under this Act shall hear and determine the Question or Questions of Law arising thereon, and shall thereupon reverse, affirm, or amend the Decision in respect of which the Case has been stated, or remit the Matter to the Court of General or Quarter Sessions, with the Decision of such Superior Court thereon, or may make such other Order in relation to the Matter, and as to the Costs thereof, as to such Superior Court may seem fit, and all such Orders shall be final and conclusive on all Parties; and such Superior Court may send back the Case for Amendment, and thereupon the same shall be amended by such Chairman accordingly, and Judgment shall be delivered after it shall have been so amended: Provided always, that the Decision of the Court of General or Quarter Sessions shall be binding and conclusive on all Parties, and shall be acted on, notwithstanding the Pendency of any such Case, until such Decision shall have been reversed or altered by the Decision of such Superior Court.

Decision of Quarter Sessions to be binding until the Decision of Superior Court.

No Writ of Certiorari required.

XII. The Authority and Jurisdiction hereby vested in a Superior Court may (subject to any Rules and Orders of such Court in relation thereto) be exercised by a Judge of such Court sitting in Chamber, as well in Vacation as in Term Time; and no Writ of Certiorari or other Writ shall be required for the Removal from the Court of General or Quarter Sessions of any Appeal, Order, or Decision in relation to which a Case is stated, under this Act or otherwise, for obtaining the Judgment or Decision of the Superior Court on such Case under this Act; and the Judges of such Superior Court, or any Two or more of them, of whom the Chief of such Court shall be One, may, from Time to Time, and as often as they shall see Occasion, make and alter Rules and Orders to regulate the Practice and Proceedings in reference to the Cases herein-before mentioned.

Provisions of Acts inconsistent with this Act repealed.

XIII. From and after the Commencement of this Act, the Provisions contained in the Thirteenth Section of the Act Fifteenth and Sixteenth *Victoria*, Chapter Sixty-three, and all other Acts or Part of Acts in anywise relating to the Valuation or Revision of the Valuation of Rateable Property in *Ireland*, which may be inconsistent with this Act, shall be and the same are hereby repealed.

Acts to be construed together.

XIV. This Act and the several Acts relating to the Valuation of Rateable Property in *Ireland*, and also an Act passed in the Nineteenth and Twentieth Years of Her Majesty, Chapter Sixty-three, intituled *An Act to amend the Act relating to Grand Juries in* Ireland, shall be construed together, and deemed and taken as One Act.

Short Title.

XV. It shall be sufficient for all Purposes to cite this Act as "The Annual Revision of Rateable Property (*Ireland*) Amendment Act, 1860."

SCHEDULE referred to in the foregoing Act.

GENERAL VALUATION OF RATEABLE PROPERTY IN IRELAND.

*County of*_____

*Barony of*_____ *Parish of*_____

*Union of*_____ *Electoral Division of*_____

Names.		Description of Tenement.	Area.	Total Annual Valuation.		Total.	Amount of Rate at per £.	Arrears of former Rates (if any).	Total.
Townlands and Occupiers.	Immediate Lessors.			Land.	Buildings.				
KNOCKMAHON. (*Ord. S.* 20.)			A. R. P.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
James Jackson -	In Fee - -	Ho., Offices, & Land.	120 3 20	130 0 0	50 0 0	180 0 0			
William Richards -	James Jackson -	House and Land	50 0 0	20 0 0	5 0 0	25 0 0			
John Acheson -	Same - -	Land - -	40 2 0	30 0 0	—	30 0 0			
Samuel Smith -	John Acheson -	House - -	—	—	1 0 0	1 0 0			
Mining Co. of Ireland (*Robt. Heron, Secretary*).	In Fee - -	Engine House & Offs.	—	—	50 0 0	50 0 0			
		Copper Mine -	—	—	—	2,000 0 0			
Great S. & W. Railway Co. (*William Taylor, Secretary*).	In Fee - -	Railway (200 *lineal Perches*).	3 0 15	—	—	300 0 0			
Magnetic Telegraph Co. (*Thos. H. Sanger, Superintendent*).	In Fee - -	200 *lineal Perches* Telegraph Wire.	—	—	—	10 0 0			
John Smith - -	James Jackson -	Salmon Fishery	—	—	—	100 0 0			
William Jameson -	„	Land - -	92 1 10	90 0 0	—	90 0 0			
James Murphy -	William Jameson	Cottier's House	—	—	0 15 0	0 15 0			
James Murphy -	„	Turbary -	—	—	—	10 0 0			
		Total -	306 3 5	270 0 0	106 15 0	2,796 15 0			

Dated at the Office of the General Valuation of Ireland, Dublin, this Day of 18 .

A. B., Commissioner of Valuation.

CAP. V.

An Act to regulate Probate and Administration with respect to certain *Indian* Government Securities; to repeal certain Stamp Duties; and to extend the Operation of the Act of the Twenty-second and Twenty-third Years of *Victoria*, Chapter Thirty-nine, to *Indian* Bonds. [23d *March* 1860.]

'WHEREAS at various Times the Executive Government of *India* has raised Moneys for the Public Service by the Issue of Government Promissory Notes and by Government Loans severally payable in *India*, and by various public Notifications of the said Government, or Regulations to be made by the Secretary of State in Council, the Owners of such Notes have been or may be allowed the Privilege of having the current Interest thereon made payable in *London* by Drafts payable in *India*, and the Holders or Owners of Shares or Portions of such Loans have been or may be allowed the Privilege of having the same registered and made transferable, and the Interest thereon made payable in *London*: And whereas upon the Death of the Holders of Notes as to which the said Privilege shall have been claimed Questions may arise as to the Place in which the same are properly to be deemed Assets of the deceased Owner, and it is for the Convenience and Advantage of the Estates of such Persons that the same should be deemed Assets in this Country and not in *India*: And whereas by an Act passed in the Session holden in the Fifth and Sixth Years of the Reign of His late Majesty King *William* the Fourth, Chapter Sixty-four, Section Five, the Transfer of any Part of the Territorial Debt of the *East India* Company in *India* in the Books of the said Company in *England*, whether upon a Sale thereof or otherwise, was made chargeable with a Stamp Duty of One Pound Ten Shillings, and it is expedient to repeal so much of the said Act as imposes the said

Stamp

'Stamp Duty: And whereas under the Authority of various Acts of Parliament the *East India* 'Company were empowered to raise Money upon Bonds to be issued under their Common Seal, and 'the said Bonds formerly constituted the Bond Debt of the *East India* Company, and are commonly 'designated *East India* Bonds: And whereas by an Act passed in the Session holden in the Twenty-'first and Twenty-second Years of the Reign of Her present Majesty, Chapter One hundred and six, 'Section Sixty-seven, all Liabilities of the *East India* Company were transferred to the Secretary of 'State in Council: And whereas by an Act passed in the last Session of Parliament, Chapter Thirty-'nine, Power was given to the Secretary of State in Council to raise Money by Bonds or Debentures 'or the Creation of a Capital Stock or Annuities upon or for the Repayment of any Principal Money 'secured under the Authority of the said Act or of either of the Acts therein recited: And whereas 'it is expedient to extend such Power of raising Money to the Repayment of any of the *East India* 'Bonds aforesaid:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; (that is to say,)

Indian Government Notes on which Interest is payable in London, and certain Indian Government Promissory Notes, to be deemed Bona notabilia in England.

I. All *Indian* Government Promissory Notes, and Certificates issued or Stock created in lieu thereof, being Assets of a deceased Person, the Interest whereon or in respect of which shall be payable in *London* by Drafts payable in *India*, and which at the Decease of the Owner thereof shall have been registered in the Books of the Secretary of State in Council in *London*, or in the Books of the Governor and Company of the Bank of *England*, or shall have been enfaced in *India* for the Purpose of being so registered before the Decease of the Owner thereof, and all *Indian* Government Promissory Notes issued with Coupons attached which, under such Regulations and Conditions as may be determined from Time to Time by the Secretary of State in Council, shall be so registered, and all Certificates issued or Stock created in lieu thereof, shall be deemed and taken to be Personal Estate and *Bona notabilia* of such deceased Person in *England*, and Probate or Letters of Administration in *England*, or Confirmation granted in *Scotland*, and sealed with the Seal of the Principal Court of Probate in *England*, in pursuance of the Provisions of the "Confirmation and Probate Act, 1858," shall be valid and sufficient to constitute the Persons therein named the legal Personal Representatives of the Deceased with respect to such Notes and Moneys as aforesaid.

Probate, &c. or Confirmation granted in Scotland valid, &c.

Transfers of Territorial Debt and of Indian Government Loans not chargeable with Stamp Duty.

II. So much of the Fifth Section of the said first-recited Act as enacts that every Transfer of any Part of the said Territorial Debt in the Books of the *East India* Company in *England*, whether upon a Sale thereof or otherwise, shall be chargeable with a Stamp Duty of One Pound Ten Shillings and no more, is hereby repealed; and no Transfer of any Part of the said Territorial Debt or of *Indian* Government Loans registered and transferable in the Books of the Secretary of State in Council in *London*, or in the Books of the Governor and Company of the Bank of *England*, shall be chargeable with any Stamp Duty.

Power to raise Money under Act 22 & 23 Vict. c. 39. extended to Repayment of East India Bonds.

III. Upon or for the Repayment of any Principal Money secured by the said Bonds, the Secretary of State in Council may at any Time borrow or raise, by all or any of the Modes authorized by the said recited Act passed in the Session holden in the Twenty-second and Twenty-third Years of Her present Majesty, Chapter Thirty-nine, all or any Part of the Principal Money so repaid or to be repaid, and so from Time to Time as all or any Part of the Principal Money secured by the said Bonds may have been repaid or require to be repaid, but the Amount to be charged upon the Revenues of *India* shall not in any Case exceed the Principal Money repaid or required to be repaid; and the Provisions of the said recited Act with reference to the Creation of the Capital Stock and Annuities created under the Authority of the said Act, and with reference to the Issue, Payment, and Transfer of the Capital Stock, Annuities, Bonds, and Debentures issued under the Authority of the said Act, shall be held to be in force and to apply to the Creation, Issue, Payment, and Transfer of the Capital Stock, Annuities, Bonds, and Debentures created and issued under the Authority of this Act.

CAP. VI.

An Act to transfer to the Postmaster General Securities entered into with the Commissioners of the Admiralty in relation to the Packet Service. [23d *March* 1860.]

'WHEREAS it has been deemed expedient that the Superintendence and Management of the 'Business relating to the Packets and other Vessels employed in conveying the Mails and Letters 'by Sea should be transferred from the Department of the Commissioners for executing the Office of 'Lord High Admiral of the United Kingdom of *Great Britain* and *Ireland* to that of the Postmaster 'General, and it is therefore necessary, for the Security of the Public, to provide for the Transfer to 'the said Postmaster General of all the Interests, Powers, and Authorities at present existing in the 'said Commissioners by virtue of Contracts, Bonds, and other Securities taken in their Department, so 'far as relates to the Packet Service and the Persons employed therein:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. From

Powers of the Commissioners of the Admiralty under Contracts in relation to the Packet Service transferred to the Postmaster General.

I. From and after the passing of this Act all the Interests, Rights, Powers, and Authorities at present existing in the said Commissioners, or which might hereafter upon any Contingencies or otherwise become vested in the said Commissioners or their Successors, under any Contracts entered into with the said Commissioners or any of their Predecessors in Office, or with any Person on their Behalf, by any Body Corporate, Company, or Person, for the Conveyance by Sea of Mails and Letters by Steam Boats or other Ships or Vessels, or otherwise in relation to the Packet Service, or under any Bond or other Security given for the due Execution of any such Contract, and also under any Bond or other Security entered into by any Agent, Officer, or other Person hitherto employed under the said Commissioners in relation to the Packet Service, or entered into by any Sureties, either for the due Execution of any such Contract, or for the due Execution of the Duty of any such Agent, Officer, or other Person employed as aforesaid, shall be transferred to and vested in the said Postmaster General for the Time being, and shall be acted on, enforced, and carried into effect by such Postmaster General in the same Manner as if he had been contracted with and named in all such Contracts, Bonds, and Securities respectively instead of the said Commissioners; and all the Orders and Directions of the said Postmaster General shall be as fully observed, obeyed, and performed by the Contractors, and by the said Agents and Officers respectively, as if the same had proceeded from and been issued and given by the said Commissioners, and their Powers in relation to the Packet Service had remained in full Force.

CAP. VII.

An Act to amend the Medical Acts. [23d *March* 1860.]

21 & 22 Vict. c. 90.

22 Vict. c. 21.

'WHEREAS by an Act passed in the Twenty-first and Twenty-second Years of the Reign of Her Majesty, Chapter Ninety, intituled "The Medical Act," Provision is made for the Registration of Members of the Medical Profession, and the said Act was amended by an Act passed in the Twenty-second Year of the Reign of Her Majesty, Chapter Twenty-one; and certain Disabilities are imposed by the said Acts, after a Period mentioned therein, on Members of that Profession who are not then registered: And whereas it is expedient that the said recited Acts should be amended as herein-after mentioned;' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Licentiates in Surgery of any University in Ireland entitled to be registered under first-recited Act, &c.

I. From and after the passing of this Act the Diploma or Licence in Surgery, granted by any University of that Part of the United Kingdom called *Ireland*, legally authorized to grant the same, shall be considered a sufficient Qualification to practise under the said first-recited Act, and every Person to whom such Diploma or Licence has been granted shall be entitled to be registered under the Provisions of the said first-recited Act, in the like Manner, and with the like Effect, and subject to the like Provisions as are prescribed by the said first-recited Act in respect of the Registration of any Master in Surgery of any University of the United Kingdom.

Certain Powers given to Medical Council extended.

II. The Powers given to the Medical Council in the said first-recited Act with respect to the Studies and Examinations required for obtaining a Qualification under the said Act shall be extended to the Studies and Examinations required for a Qualification under this Act.

1st Jan. 1861 to be substituted in Sections 32. 34. 36. and 37. of Act, for 1st July 1859, as to Persons authorized to be registered under this Act.

III. The First Day of *January* One thousand eight hundred and sixty-one shall be deemed to be substituted in Sections Thirty-two, Thirty-four, Thirty-six, and Thirty-seven respectively of the said first-recited Act, as the same are amended by the said second-recited Act, for the First Day of *July* One thousand eight hundred and fifty-nine, so far as the same relate to any Person authorized to be registered under this Act; and the said several Sections, as so amended, and all the Provisions of the said Act having reference thereto, shall, with respect to any such Person so authorized to be registered under this Act, be construed and take effect as if the Words "the First Day of *January* One thousand eight hundred and sixty-one" had been originally inserted in each of the said Sections instead of the Words "the First Day of *July* One thousand eight hundred and fifty-nine."

Person authorized to be registered may hold certain Offices.

IV. No Person authorized to be registered under this Act who shall be acting as Medical Officer under an Order of the Poor Law Commissioners, or Poor Law Board, shall by reason of the said recited Acts, or either of them, be or be deemed to have been disqualified to hold such Office, or any Appointment mentioned in Section Thirty-six of the said first-recited Act, unless he shall have failed to be registered on or before the First Day of *January* One thousand eight hundred and sixty-one.

Acts to be construed together. Short Title.

V. The said recited Acts and this Act shall be construed together as One Act.

VI. This Act may for all Purposes be cited as "The Medical Acts Amendment Act, 1860."

CAP. VIII.

An Act to amend the Law relating to the unlawful administering of Poison. [23d *March* 1860.]

'WHEREAS the present Law has been found insufficient to protect Persons from the unlawful administering of Poison, except in Cases where the Intent is to commit Murder:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal,

Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Administering Poison, &c. with Intent to endanger Life or inflict grievous Harm to be Felony.

I. That whosoever shall unlawfully and maliciously administer to or cause to be administered to or taken by any other Person any Poison or other destructive or noxious Thing so as thereby to endanger the Life of such Person, or so as thereby to inflict upon such Person any grievous bodily Harm, shall be guilty of Felony, and being convicted thereof shall be liable to be sentenced to Penal Servitude for any Period not exceeding Ten Years and not less than Three Years, or to Imprisonment for any Term not more than Three Years, with or without Hard Labour, at the Discretion of the Court.

Any Person administering Poison, &c. to be guilty of a Misdemeanor.

II. Whosoever shall unlawfully and maliciously administer to or cause to be administered to or taken by any other Person any Poison or other destructive or noxious Thing with intent to injure, aggrieve, or annoy such Person, shall be guilty of a Misdemeanor, and being convicted thereof shall be liable to be sentenced to Imprisonment for any Period not exceeding Three Years, with or without Hard Labour, at the Discretion of the Court, and the Costs and Expenses of the Prosecution of any such Misdemeanor may be allowed by the Court as in Cases of Felony.

Persons charged with Felony may be found by Jury guilty of Misdemeanor.

III. If, upon the Trial of any Person charged with the Felony above mentioned, the Jury shall not be satisfied that such Person is guilty thereof, but shall be satisfied that he is guilty of the Misdemeanor above mentioned, then and in every such Case the Jury may acquit the Accused of such Felony, and find him guilty of such Misdemeanor, and thereupon the Delinquent shall be liable to be punished in the same Manner as if convicted upon an Indictment for the Misdemeanor.

CAP. IX.

An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters. [31st *March* 1860.]

[*Sections* 12, 13, 14, 16, 17, 28, 29, 30, 31, 32, 33, 34, 44, 45, 49, 54, 55, 56, 57, 63, 104, *and the first Portion of* § 73 *of the Act of last Year, are omitted. The Sections now printed are either entirely new, or are such as have been materially altered.*]

'WHEREAS the raising or keeping a Standing Army within the United Kingdom of *Great Britain* and *Ireland* in Time of Peace, unless it be with the Consent of Parliament, is against Law: 'And whereas it is adjudged necessary by Her Majesty and this present Parliament that a Body of 'Forces should be continued for the Safety of the United Kingdom, the Defence of the Possessions of 'Her Majesty's Crown, and the Preservation of the Balance of Power in *Europe*, and that the whole 'Number of such Forces should consist of One hundred and forty-three thousand three hundred and 'sixty-two Men, exclusive of Thirteen thousand four hundred and twenty Officers and Men, being the 'Depôts of Regiments in *India* stationed in *Great Britain*, and exclusive of the Officers and Men 'belonging to the Regiments and other Corps employed in Her Majesty's *East Indian* Possessions, but 'including the Officers and Men of the Troops and Companies recruiting for those Regiments and 'Corps: And whereas no man can be forejudged of Life or Limb, or subjected in Time of Peace to any 'Kind of Punishment within this Realm, by Martial Law, or in any other Manner than by Judgment 'of his Peers, and according to the known and established Laws of this Realm; yet nevertheless it 'being requisite, for the retaining all the before-mentioned Forces in their Duty, that an exact Discipline 'be observed, and that Soldiers who shall mutiny or stir up Sedition, or shall desert Her Majesty's 'Service, or be guilty of Crimes and Offences to the Prejudice of good Order and Military Discipline, 'be brought to a more exemplary and speedy Punishment than the usual Forms of the Law will allow:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Articles of War made by Her Majesty to be judicially taken notice of, and Copies printed by the Queen's Printer to be transmitted to Judges, &c.

I. It shall be lawful for Her Majesty to make Articles of War for the better Government of Her Majesty's Army, which Articles shall be judicially taken notice of by all Judges and in all Courts whatsoever; and Copies of the same, printed by the Queen's Printer, shall, as soon as may be after the same shall have been made and established by Her Majesty, be transmitted by Her Majesty's Secretary-at-War to the Judges of Her Majesty's Superior Courts at *Westminster*, *Dublin*, and *Edinburgh* respectively, and also to the Governors of Her Majesty's Dominions abroad; provided that no Person within the United Kingdom of *Great Britain* and *Ireland*, or within the *British Isles*, shall by such Articles of War be subject to suffer any Punishment extending to Life or Limb, or to be kept in Penal Servitude, except for Crimes which are by this Act expressly made liable to such Punishments as aforesaid, or shall be subject, with reference to any Crimes made punishable by this Act, to be punished in any Manner which shall not accord with the Provisions of this Act.

Persons subject to this Act.

II. All the Provisions of this Act shall apply to all Persons who are or shall be commissioned or in Pay as an Officer, or who are or shall be listed or in Pay as a Non-commissioned Officer or Soldier, other than Officers and Soldiers belonging to Her Majesty's *Indian* Forces, and to all Persons employed on the Recruiting Service receiving Pay in respect of such Service, and to the Officers and Soldiers belonging to Her Majesty's *Indian* Forces, while such Officers or Soldiers shall be in any Part of the United Kingdom, and to Persons who are or shall be hired to be employed in the Royal Artillery and Military

Military Store Department, and to Master Gunners, and to Conductors of Stores, and to the Corps of Royal Military Surveyors and Draftsmen, and to all Officers and Persons who are or shall be serving on the Commissariat Staff or in the Commissariat Staff Corps, and to Persons in the War Department, who are or shall be serving with any Part of Her Majesty's Army at home or abroad, under the Command of any Commissioned Officer, and (subject to and in accordance with the Provisions of an Act passed in the Sixth and Seventh Years of the Reign of Her present Majesty, Chapter Ninety-five), to any Out-pensioners of the Royal Hospital, *Chelsea*, who may be called out on Duty in aid of the Civil Power, or for Muster or Inspection, or who having volunteered their Services for that Purpose shall be kept on Duty in any Fort, Town, or Garrison, and to all Storekeepers and other Civil Officers who are or shall be employed by or act under the Secretary of State for War at any of Her Majesty's Establishments in the Islands of *Jersey*, *Guernsey*, *Alderney*, *Sark*, and *Man*, and the Islands thereto belonging, or at Foreign Stations; provided that nothing in this Act contained shall extend to affect any Security which has been or shall be given by any Storekeeper, Barrack Master, or other Officer, or their Sureties, for the due Performance of their respective Offices, but that all such Securities shall be and remain in full Force and Effect.

Powers of District or Garrison Courts-martial.

IX. Every District or Garrison Court-martial convened within the United Kingdom or the *British Isles* shall consist of not less than Seven Commissioned Officers, and shall have the same Power as a General Court-martial to sentence any Soldier to such Punishments as shall accord with the Provisions of this Act: Provided always, that no such District or Garrison Court-martial shall have Power to try a Commissioned Officer, or to pass any Sentence of Death or Penal Servitude.

Powers of Regimental or Detachment Courts-martial.

X. A Regimental or Detachment Court-martial shall consist of not less than Five Commissioned Officers, unless it is found to be impracticable to assemble that Number, in which Case Three shall be sufficient, and shall have Power to sentence any Soldier to Corporal Punishment, or to Imprisonment, and to Forfeiture of Pay, in such Manner as shall accord with the Provisions of this Act.

Powers of Detachment General Courts-martial.

XII. It shall be lawful for any Officer commanding any Detachment or Portion of Troops serving in any Place beyond Seas where it may be found impracticable to assemble a General Court-martial, upon Complaint made to him of any Offence committed against the Property or Person of any Inhabitant of or resident in any Country in which such Troops are so serving, by any Person serving with or belonging to Her Majesty's Armies, being under the immediate Command of any such Officer, to convene a Detachment General Court-martial, which shall consist of not less than Three Commissioned Officers, for the Purpose of trying any such Person; and every such Court-martial shall have the same Powers in regard to Sentence upon Offenders as are granted by this Act to General Courts-martial: Provided always, that no Sentence of any such Court-martial shall be executed until the General commanding the Army of which such Detachment or Portion forms Part shall have approved and confirmed the same.

No Second Trial for the same Offence, but Revision may be allowed.

XIV. No Officer or Soldier, who shall be acquitted or convicted of any Offence, shall be liable to be tried a Second Time by the same or any other Court-martial for the same Offence; and no Finding, Opinion, or Sentence given by any Court-martial, and signed by the President thereof, shall be revised more than once, nor shall any additional Evidence in respect of any Charge on which the Prisoner then stands arraigned be received by the Court on any Revision.

Judgment of Death may be commuted for Penal Servitude or other Punishments.

XVI. In all Cases where the Punishment of Death shall have been awarded by a General Court-martial or Detachment General Court-martial it shall be lawful for Her Majesty, or, if in any Place out of the United Kingdom or *British Isles*, for the Officer commanding in chief Her Majesty's Forces there serving, instead of causing such Sentence to be carried into execution, to order the Offender to be kept in Penal Servitude for any Term not less than Four Years, or to suffer such Term of Imprisonment, with or without Hard Labour, and with or without Solitary Confinement, as shall seem meet to Her Majesty, or to the Officer commanding as aforesaid.

Embezzlement, &c. of Stores punishable by Penal Servitude.

XVII. Any Officer or Soldier of Her Majesty's Army, or any Person employed in the War Department, or in any way concerned in the Care or Distribution of any Money, Provisions, Forage, Arms, Clothing, Ammunition, or other Stores belonging to Her Majesty's Army or for Her Majesty's Use, who shall embezzle, fraudulently misapply, wilfully damage, steal, or receive the same knowing them to have been stolen, or shall be concerned therein or connive thereat, may be tried for the same by a General Court-martial, and sentenced to be kept in Penal Servitude for any Term not less than Four Years, or to suffer such Punishment of Fine, Imprisonment, Dismissal from Her Majesty's Service, Reduction to the Ranks if a Warrant or Non-commissioned Officer, as such Court shall think fit, according to the Nature and Degree of the Offence; and every such Offender shall, in addition to any other Punishment, make good at his own Expense the Loss and Damage sustained, and in every such Case the Court is required to ascertain by Evidence the Amount of such Loss or Damage, and to declare by their Sentence that such Amount shall be made good by such Offender; and the Loss and Damage so ascertained as aforesaid shall be a Debt to Her Majesty, and may be recovered in any of Her Majesty's Courts at *Westminster* or in *Dublin*, or the Court of Exchequer in *Scotland*, or in any Court in Her Majesty's Colonies where the Person sentenced by such Court-martial shall be resident, after the said Judgment shall be confirmed and made known, or the Offender, if he shall remain in the Service, may be put under Stoppages not exceeding One Half of his Pay and Allowances until the Amount so ascertained shall be recovered.

XX. In

A Sentence of Penal Servitude may be commuted for Imprisonment.

XX. In any Case where a Sentence of Penal Servitude shall have been awarded by a General or Detachment General Court-martial it shall be lawful for Her Majesty, or, if in any Place out of the United Kingdom or *British Isles*, for the Officer commanding in chief Her Majesty's Forces there serving, instead of causing such Sentence to be carried into execution, to order that the Offender be imprisoned, with or without Hard Labour, and with or without Solitary Confinement, for the same or such lesser Term as shall seem meet to Her Majesty, or to the Officers commanding as aforesaid.

Of Forfeitures, when combined with Penal Servitude.

XXI. Where an Award of any Forfeiture, or of Deprivation of Pay, or of Stoppages of Pay, shall have been added to any Sentence of Penal Servitude, it shall be lawful for Her Majesty, or, if in any Place out of the United Kingdom or *British Isles*, for the Officer commanding in chief Her Majesty's Forces there serving, in the event of the Sentence being commuted for Imprisonment, to order such Award of Forfeiture, Deprivation of Pay, or Stoppages of Pay to be enforced, mitigated, or remitted, as may be deemed expedient.

Power to inflict Corporal Punishment.

XXII. Any Court-martial may sentence any Soldier to Corporal Punishment not extending to Life or Limb for Desertion, or for disgraceful Conduct, Misbehaviour, or Neglect of Duty, but no Sentence of Corporal Punishment awarded by a Regimental Court-martial shall, except in the Case of Mutiny or gross Insubordination herein-before mentioned, be put in execution in Time of Peace without the Leave in Writing of the General or other Officer commanding the District or Station in which the Court may be held; and no Sentence of Corporal Punishment shall exceed Fifty Lashes.

Power to inflict Corporal Punishment and Imprisonment.

XXIII. It shall be lawful for any General, District, or Garrison Court-martial, in addition to any Sentence of Corporal Punishment, to award Imprisonment, with or without Hard Labour, and with or without Solitary Confinement, such Confinement not exceeding the Periods prescribed by the Articles of War.

Power to commute Sentence of Cashiering.

XXV. It shall be lawful for Her Majesty in all Cases whatsoever, instead of causing a Sentence of Cashiering to be put in execution, to order the Offender to be reprimanded, or, in addition thereto, to suffer such Loss of Army or Regimental Rank, or both, as may be deemed expedient.

Power of Imprisonment by different Kinds of Courts-martial.

XXVII. A General, Garrison, or District Court-martial may sentence any Soldier to Imprisonment, with or without Hard Labour, and with or without Solitary Confinement, but such Solitary Confinement shall not exceed the Periods prescribed by the Articles of War; and any Regimental or Detachment Court-martial may sentence any Soldier to Imprisonment, with or without Hard Labour, for any Period not exceeding Forty-two Days, and with or without Solitary Confinement not exceeding the Periods prescribed by the Articles of War.

As to Imprisonment of Offenders already under Sentence for previous Offences.

XXVIII. Whenever Sentence shall be passed by a Court-martial on an Offender already under Sentence either of Imprisonment or of Penal Servitude, the Court may award a Sentence of Imprisonment or Penal Servitude, for the Offence for which he is under Trial, to commence at the Expiration of the Imprisonment or Penal Servitude to which he shall have been so previously sentenced, although the aggregate of the Terms of Imprisonment or Penal Servitude respectively may exceed the Term for which any of those Punishments could be otherwise awarded.

Provision for Subsistence of Soldiers when imprisoned in Common Gaols.

XXXII. The Gaoler or Keeper of any public Prison, Gaol, House of Correction, Lock-up House, or other Place of Confinement in any Part of Her Majesty's Dominions, shall diet and supply every Soldier imprisoned therein under the Sentence of a Court-martial or as a Deserter with Fuel and other Necessaries according to the Regulations of such Place of Confinement, and shall receive on account of every Soldier, during the Period of his Imprisonment, in *Great Britain* and *Ireland* One Shilling *per Diem*, and in other Parts of Her Majesty's Dominions Sixpence *per Diem*, which the Secretary-at-War shall cause to be issued out of the Subsistence of such Soldier, upon Application in Writing signed by any Justice within whose Jurisdiction such Place of Confinement shall be locally situated, together with a Copy of the Order of Commitment, and which Sum of One Shilling or of Sixpence *per Diem*, as the Case may be, shall be carried to the Credit of the Fund from which the Expense of such Place of Confinement is defrayed.

Desertion of Recruits prior to joining their Regiments or Corps.

XXXVI. Any Recruit for Her Majesty's Army who shall desert before joining the Regiment or Corps for which he has enlisted shall, on being apprehended, and committed for such Desertion by any Justice of the Peace upon the Testimony of One or more Witnesses upon Oath, or upon his own Confession, be liable to be transferred to any Regiment or Corps or Depôt nearest to the Place where he shall have been apprehended, or to any other Regiment or Corps to which Her Majesty may deem it more desirable that he should be transferred: Provided always, that such Deserters thus transferred shall not be liable to other Punishment for the Offence, or to any other Penalty except the Forfeiture of their personal Bounty.

No Person acquitted or convicted by the Civil Magistrate or by a Jury to be tried by a Court-martial for the same Offence.

XXXVIII. No Person subject to this Act, having been acquitted or convicted of any Crime or Offence by the Civil Magistrate, or by the Verdict of a Jury, shall be liable to be again convicted for the same Crime or Offence by a Court-martial, or to be punished for the same otherwise than by cashiering in the Case of a Commissioned Officer, or in the Case of a Warrant Officer by Reduction to an inferior Class or to the Rank of a Private Soldier by Order of the Commander-in-Chief, or in the Case of a Non-commissioned Officer by Reduction to the Ranks by Order of the Commander-in-Chief or of the Colonel, or in the Militia by Order of the appointed Commandant of the Regiment or Corps; and whenever any Officer or Soldier shall have been tried by any Court of ordinary Criminal Jurisdiction,

tion, the Clerk of such Court or other Officer having the Custody of the Records of such Court, or the Deputy of such Clerk, shall, if required by the Officer commanding the Regiment or Corps to which such Officer or Soldier shall belong, transmit to him a Certificate, setting forth the Offence of which the Prisoner was convicted, together with the Judgment of the Court thereon if such Officer or Soldier shall have been convicted, or of the Acquittal of such Officer or Soldier, and shall be allowed for such Certificate a Fee of Three Shillings.

Questions to be put to Recruits on enlisting.

XLI. Every Person authorized to enlist Recruits shall first ask the Person offering to enlist, whether he belongs to the Militia, and also such other Questions as the Military Authorities may direct to be put to Recruits, and shall immediately after giving him Enlisting Money serve him with a Notice in the Form set forth in the Schedule to this Act annexed.

Recruits, when deemed to be enlisted.

XLII. Every Person who shall receive Enlisting Money in manner aforesaid, knowing it to be such, shall upon such Receipt be deemed to be enlisted as a Soldier in Her Majesty's Service, and while he shall remain with the Recruiting Party shall be entitled to be billeted.

When Recruits to be taken before a Justice.

XLIII. Every Person so enlisted as aforesaid shall within Ninety-six Hours (any intervening *Sunday*, *Christmas Day*, or *Good Friday* not included), but not sooner than Twenty-four Hours after such Enlistment, appear, together with some Person employed in the Recruiting Service, before a Justice of the Peace, not being an Officer of the Army, in order that he may be attested by making the Declaration and taking the Oath herein-after mentioned, or may have an Opportunity of objecting to his Enlistment; and previously to or upon such Appearance, the Justice or some Person deputed by him shall fill up the Declaration set forth in the Schedule to this Act annexed, first asking the Recruit the Questions required to be put to Recruits, and cautioning him that if he should make any wilfully false Answer thereto, he will be liable to be punished as a Rogue and Vagabond.

Dissent and Relief from Enlistment.

XLIV. When a Recruit upon appearing before a Justice for the Purposes aforesaid shall dissent from or object to his Enlistment, and shall satisfy the Justice that the same was effected in any respect irregularly, he shall forthwith discharge the Recruit absolutely, and shall report such Discharge to the Inspecting Field Officer of the District, or in the Case of a Recruit enlisted at the Head Quarters or Depôt of a Regiment to the Officer commanding the same; but if the Recruit so dissenting shall not allege or shall not satisfy the Justice that the Enlistment was effected irregularly, nevertheless, upon Repayment of the Enlisting Money, and of any Sum received by him in respect of Pay, and of a further Sum of Twenty Shillings as Smart Money, he will be entitled to be discharged, and the Sum paid by such Recruit upon his Discharge shall be kept by the Justice, and, after deducting therefrom One Shilling as the Fee for reporting the Payment to the Secretary of State for War, and to the Inspecting Field Officer of the District, shall be paid to any Person belonging to the Recruiting Party who may demand the same; and the Justice who shall discharge any Recruit shall in every Case give a Certificate thereof, signed with his Hand, to the Recruit, specifying the Cause thereof.

Attesting of Recruits.

XLV. If the Recruit on appearing before a Justice shall not dissent from his Enlistment, or dissenting shall within Twenty-four Hours return and declare that he is unable to pay the Sums mentioned in the last Section, the Justice shall require him to make the Declaration herein-before mentioned in the usual Manner, and shall then administer to him the Oath of Allegiance in the Form set forth in the Schedule to this Act annexed; and when the Recruit shall have signed the said Declaration, and taken the said Oath, the Justice shall attest the same by his Signature, and shall deliver to the Recruiting Officer the Declaration so signed and attested; and the Fee for such Attestation shall be One Shilling and no more; and any Recruit shall, if he so wish, be furnished with a certified Copy of the above-mentioned Declaration by the Officer who finally approved of him for the Service.

Recruits improperly obtaining Enlisting Money, &c.

XLVI. If any Recruit shall, by means of any false Answer, obtain Enlistment Money, or shall make any false Statement in his Declaration, or shall refuse to answer any Question duly authorized to be put to Recruits for the Purpose of filling up such Declaration, or shall refuse or neglect to go before a Justice for the Purposes aforesaid, or having dissented from his Enlistment shall wilfully omit to return and pay such Money as aforesaid; in any of such Cases it shall be lawful for any Two Justices to adjudge such Recruit when brought before them, if in *England*, to be a Rogue and Vagabond, and to sentence him to be punished accordingly; and if in *Scotland* or *Ireland* to be imprisoned with Hard Labour in any Prison or House of Correction for any Period not exceeding Three Calendar Months; and after such Adjudication it shall rest with the Military Authorities to determine whether such Recruit shall thereafter be deemed to be enlisted as a Soldier.

Recruits absconding.

XLVII. If any Recruit shall abscond, so that it is not possible immediately to apprehend and bring him before a Justice for Attestation, the Recruiting Party shall produce to the Justice before whom the Recruit ought regularly to have been brought for that Purpose, a Certificate of the Name and Place of Residence, and Description of such Recruit, and of his having absconded, and shall declare the same to be true; and the Justice to whom such Certificate shall be produced shall transmit a Duplicate thereof to the Under Secretary of State for War in order that the same may appear in the Police Gazette.

Recruits not triable by Court-martial till attested.

XLVIII. No Recruit previously to his being attested shall be liable to be tried by Court-martial; but any Recruit who shall have been attested before a Justice in manner aforesaid, and who shall afterwards be discovered to have given any wilfully false Answer to any Question directed to be put to Recruits, or shall have made any wilfully false Statement in the Declaration herein-before mentioned, shall be liable,

liable, at the Discretion of the proper Military Authorities, to be proceeded against before Two Justices in the Manner herein-before mentioned, and by them sentenced accordingly, or to be tried by a District or Garrison Court-martial for the same, and punished in such Manner as such Court shall direct.

Militiamen enlisting into Regular Forces.

XLIX. If any Man while belonging to a Militia Regiment shall enlist in and be attested for Her Majesty's Army or Her Majesty's *Indian* Forces, he shall be liable to be tried before a Court-martial on a Charge for Desertion; but it shall be lawful for the Secretary of State for War, on the Confession thereof by such Militiaman, to order that in lieu of his being so tried he shall be subjected to a Stoppage of One Penny a Day of his Pay till he shall have made good the Sum of Eighteen Shillings and Sixpence, to be applied as the Secretary of State for War shall direct, and, further, to determine whether such Man shall be returned to his Militia Regiment after such Sum shall have been made good, or shall be deemed to be a Soldier, in the same Manner as he would have been if he had not been a Militiaman at the Time of his Attestation, in which latter Case his Service as a Soldier shall not be reckoned for Pension until the Day on which his Engagement for the Militia would have expired: Provided that should the Regiment be within the United Kingdom the Secretary of State for War shall not make such Order without the Consent of the Commanding Officer of the Militia Regiment from which the Man shall have deserted.

Punishment of Persons offending against Laws relating to Enlistment.

L. Every Person subject to this Act who shall wilfully act contrary to any of its Provisions in any Matter relating to the enlisting or attesting of Recruits for Her Majesty's Army or for Her Majesty's *Indian* Forces shall be liable to be tried for such Offence before a General, District, or Garrison Court-martial, and to be sentenced to such Punishments other than Death or Penal Servitude as such Courts may award.

Re-engagement of Soldiers or of Persons having been Soldiers for a further Term.

LII. Any Soldier at any Time during the last Six Months of the Term of limited Service for which he shall have first engaged, with the Consent of his Commanding Officer, or any Person having been a Soldier after the Completion of such Term of Service and his Discharge therefrom, may be re-engaged or re-enlisted, to serve for the further Term of Eleven Years in the Infantry, and Twelve Years in the Cavalry, and Nine Years in the Artillery or Engineers, upon making a Declaration, in the Form given in the Schedule annexed to this Act, before any One of Her Majesty's Justices of the Peace in *Great Britain* or *Ireland*, or if not in *Great Britain* or *Ireland* before any Person duly appointed by Her Majesty, by any Warrant signed by the Secretary of State for War in that Behalf, to enlist and attest out of *Great Britain* and *Ireland* any Soldiers or Persons desirous of enlisting or re-enlisting into Her Majesty's Service.

Apprentice enlisting to be liable to serve after the Expiration of his Apprenticeship.

LV. Any Person duly bound as an Apprentice in *Great Britain* or *Ireland*, or as an indentured Labourer in any of Her Majesty's Colonies or Possessions abroad, who shall enlist as a Soldier in Her Majesty's Army or in Her Majesty's *Indian* Forces, and shall falsely state to the Magistrate before whom he shall be carried and attested that he is not an Apprentice or indentured Labourer as aforesaid, shall be deemed guilty of obtaining Money under false Pretences, if in *England* or in *Ireland*, or in the Colonies or Possessions aforesaid, and of Falsehood, Fraud, and wilful Imposition, if in *Scotland*, and shall after the Expiration of his Apprenticeship, or of his Indenture as a Labourer, whether he shall have been so convicted and punished or not, be liable to serve as a Soldier in Her Majesty's Army or in Her Majesty's *Indian* Forces, according to the Terms of the Enlistment; and if, on the Expiration of his Apprenticeship, or of his Indenture as a Labourer, he shall not deliver himself up to some Officer authorized to receive Recruits, such Person may be taken as a Deserter from Her Majesty's Army; and no Master shall be entitled to claim an Apprentice or an indentured Labourer as aforesaid who shall enlist as a Soldier in Her Majesty's Army or in Her Majesty's *Indian* Forces, or shall be serving in the Embodied Militia, unless he shall, within One Calendar Month after such Apprentice or indentured Labourer shall have left his Service, go before some Justice, and take the Oath mentioned in the Schedule to this Act annexed, and shall produce the Certificate of such Justice of his having taken such Oath, which Certificate such Justice is required to give in the Form in the Schedule to this Act annexed, and unless such Apprentice shall have been bound, if in *England*, for the full Term of Five Years, not having been above the Age of Fourteen when so bound, and if in Ireland or in the *British Isles*, for the full Term of Five Years at the least, not having been above the Age of Sixteen when so bound, and if in *Scotland*, for the full Term at least of Four Years, by a regular Contract or Indenture of Apprenticeship, duly extended, signed, and tested, and binding on both Parties by the Law of *Scotland*, prior to the Period of Enlistment, and unless such Contract or Indenture in *Scotland* shall, within Three Months after the Commencement of the Apprenticeship, and before the Period of Enlistment, have been produced to a Justice of the Peace of the County in *Scotland* wherein the Parties reside, and there shall have been endorsed thereon by such Justice a Certificate or Declaration signed by him, specifying the Date when and the Person by whom such Contract or Indenture was so produced, which Certificate or Declaration such Justice of the Peace is hereby required to endorse and sign, and unless such Apprentice shall, when claimed by such Master, be under Twenty-one Years of Age: Provided always, that any Master of an Apprentice indentured for the Sea Service, or of any indentured Labourer in Her Majesty's Colonies or Possessions abroad, shall be entitled to claim and recover him in the Form and Manner above directed, notwithstanding such Apprentice or indentured Labourer may have been bound for a less Term than Five or Four Years as aforesaid: Provided also, that any Master who shall

Claims of Masters to Apprentices.

give up the Indentures of his Apprentice or of his Labourer as aforesaid within One Month after the enlisting of such Apprentice or indentured Labourer shall be entitled to receive to his own Use so much of the Bounty payable to such Recruit as shall not have been paid to such Recruit before Notice given of his being an Apprentice or an indentured Labourer.

Authorized Deductions only to be made from the Pay of the Army.

LVIII. No Secretary-at-War, Paymaster General of the Army, Paymaster, or any other Officer whatsoever, or any of their under Officers, shall receive any Fees or make any Deductions whatsoever, out of the Pay of any Officer or Soldier in Her Majesty's Army, or from their Agents, which shall grow due from and after the Twenty-fifth Day of *April* One thousand eight hundred and sixty, other than the usual Deductions, or such other necessary Deductions as shall from Time to Time be authorized or required by Her Majesty's Regulations or Articles of War, or by Her Majesty's Order signified by the Secretary-at-War; and every Paymaster or other Officer who having received any Officer's or Soldier's Pay shall unlawfully detain the same for the Space of One Month, or refuse to pay the same when it shall become due, according to the several Rates and agreeably to the several Regulations established by Her Majesty's Orders, shall, upon Proof thereof before a Court-martial, be discharged from his Employment, and shall forfeit One hundred Pounds, and the Informer, if a Soldier, shall, if he demand it, be discharged from any further Service.

Interpretation of Act.

Powers and Regulations as to Billets.

LXV. All Powers and Provisions relating to Soldiers shall be construed to extend to Non-commissioned Officers, unless when otherwise provided; and all Powers and Provisions relating to Justices shall be construed to extend to all Magistrates authorized to act as such in their respective Jurisdictions, and to Chief Magistrates of exclusive local Jurisdictions; and all the Powers given to and Regulations made for the Conduct of Constables in relation to the billeting of Officers and Soldiers, and all Penalties and Forfeitures for any Neglect thereof, shall extend to all Tithingmen, Headboroughs, and such like Officers, and to all Inspectors or other Officers of Police, and to High Constables and other Chief Officers and Magistrates of Cities, Towns, Villages, Hamlets, Parishes, and Places in *England* and *Ireland*, and to all Justices of the Peace, Magistrates of Burghs, Commissioners of Police, and other Chief Officers and Magistrates of Cities, Towns, Villages, Parishes, and Places in *Scotland*, who shall act in the Execution of this Act in relation to billeting; and all Powers and Provisions for billeting Officers and Soldiers in Victualling Houses shall extend and apply to all Inns, Hotels, Livery Stables, Alehouses, and to the Houses of Sellers of Wine by Retail, whether *British* or Foreign, to be drunk in their own Houses, or Places thereunto belonging, and to all Houses of Persons selling Brandy, Spirits, Strong Waters, Cider, or Metheglin, by Retail, in *Great Britain* and *Ireland*; and in *Ireland*, when there shall not be found sufficient Room in such Houses, then to billeting Soldiers in such Manner as has been heretofore customary: Provided that no Officer or Soldier shall be billeted in *Great Britain* in any private Houses, or in any Canteen held or occupied under the Authority of the War Department, or upon Persons who keep Taverns only, being Vintners of the City of *London* admitted to their Freedom of the said Company in right of Patrimony or Apprenticeship, notwithstanding such Persons who keep such Taverns only have taken out Victualling Licences, nor in the House of any Distiller kept for distilling Brandy and Strong Waters, nor in the House of any Shopkeeper whose principal Dealing shall be more in other Goods and Merchandise than in Brandy and Strong Waters, so as such Distillers and Shopkeepers do not permit tippling in such Houses, nor in the House of Residence in any Part of the United Kingdom of any Foreign Consul duly accredited as such.

Exemptions from Billets.

Tolls.

LXXI. All Her Majesty's Officers and Soldiers, on Duty or on their March, and their Horses and Baggage, and all Recruits marching by Route, and all Prisoners under Military Escort, and all enrolled Pensioners in Uniform when called out for Training or in aid of the Civil Power, and all Carriages and Horses belonging to Her Majesty or employed in Her Service under the Provisions of this Act, or in any of Her Majesty's Colonies, when conveying any such Persons as aforesaid, or their Baggage, or returning from conveying the same, shall be exempted from Payment of any Duties and Tolls on embarking or disembarking from or upon any Pier, Wharf, Quay, or Landing Place, or in passing along or over any Turnpike or other Roads or Bridges, otherwise demandable by virtue of any Act already passed or hereafter to be passed, or by virtue of any Act or Ordinance, Order or Direction of any Colonial Legislature or other Authority in any of Her Majesty's Colonies; provided that nothing herein contained shall exempt any Boats, Barges, or other Vessels employed in conveying the said Persons, Horses, Baggage, or Stores along any Canal from Payment of Tolls in like Manner as other Boats, Barges, and Vessels are liable thereto, except when employed in Cases of Emergency as herein-before enacted.

Administration of Oaths.

Perjury.

XCV. All Oaths and Declarations which are authorized and required by this Act may be administered (unless where otherwise provided) by any Justice of the Peace, or other Person having Authority to administer Oaths and Declarations; and any Person taking a false Oath or Declaration where an Oath or Declaration is authorized or required by this Act shall be deemed guilty of wilful and corrupt Perjury, or of wilfully making a false Declaration, and being thereof duly convicted shall be liable to such Pains and Penalties as by Law any Person convicted of wilful and corrupt Perjury is subject and liable to; and every Commissioned Officer convicted before a General Court-martial of Perjury, or of wilfully making a false Declaration, shall be cashiered, and every Soldier or other Person amenable to the Provisions of this Act, found guilty thereof by a General, District, or Garrison Court-martial, shall be punished at the Discretion of such Court.

XCVII. This

Mutiny.

XCVII. This Act shall be and continue in force within *Great Britain* from the Twenty-fifth Day of *April* One thousand eight hundred and sixty inclusive until the Twenty-fifth Day of *April* One thousand eight hundred and sixty-one; and shall be and continue in force within *Ireland*, and in *Jersey*, *Guernsey*, *Alderney*, *Sark*, and *Isle of Man* and the Islands thereto belonging, from the First Day of *May* One thousand eight hundred and sixty inclusive until the First Day of *May* One thousand eight hundred and sixty-one; and shall be and continue in force within the Garrison of *Gibraltar*, the *Mediterranean*, and in *Spain* and *Portugal*, from the First Day of *August* One thousand eight hundred and sixty inclusive until the First Day of *August* One thousand eight hundred and sixty-one; and shall be and continue in force in all other Parts of Europe where Her Majesty's Forces may be serving, and in the *West Indies* and *America*, from the First Day of *September* One thousand eight hundred and sixty inclusive to the First Day of *September* One thousand eight hundred and sixty-one; and shall be and continue in force within the *Cape of Good Hope*, the *Isle of France* or *Mauritius* and its Dependencies, *Saint Helena*, and the Settlements on the Western Coast of *Africa*, from the First Day of *January* One thousand eight hundred and sixty-one inclusive until the First Day of *January* One thousand eight hundred and sixty-two; and shall be and continue in force within *British Columbia* and *Vancouver's Island*, from the Date of the Promulgation thereof in General Orders there inclusive until the First Day of *January* One thousand eight hundred and sixty-two; and shall be and continue in force in all other Places from the First Day of *February* One thousand eight hundred and sixty-two inclusive until the First Day of *February* One thousand eight hundred and sixty-three: Provided always, that this Act shall, from and after the Receipt and Promulgation thereof in General Orders in any Part of Her Majesty's Dominions or elsewhere beyond the Seas, become and be in full Force, anything herein stated to the contrary notwithstanding. Duration of this Act.

SCHEDULES referred to by the foregoing Act.

NOTICE to be given to a RECRUIT at the Time of his ENLISTMENT.

Date 186 .

A. B.

TAKE Notice, That you enlisted with at o'Clock* on the Day of for the Regiment [*instead of the Words* "for the Regiment," *any Words may be substituted which are applicable to the Case*], and if you do not come forward on or before o'Clock* on the Day of for the Purpose of being taken before a Justice, either to be attested or to release yourself from your Engagement by repaying the Enlisting Shilling and any Pay you may have received as a Recruit, and by paying Twenty Shillings as Smart Money, you will be liable to be punished as a Rogue and Vagabond.

You are hereby also warned that you will be liable to the same Punishment if you make any wilfully false Representation at the Time of Attestation.

Signature of the Non-commissioned Officer serving the Notice. }

* A.M. or P.M., as the Case may be.

DECLARATION to be made by RECRUIT on ATTESTATION.

I of the Parish of in or near the Town of in the County of , do solemnly and sincerely declare, That I am to the best of my Knowledge and Belief Years of Age; that I am not an Apprentice; that I am not married; that I do not belong to the Militia, or to the Naval Coast Volunteers, or to any Portion of Her Majesty's Land or Sea Forces; that I have never served Her Majesty by Land or Sea in any Military or Naval Employment whatsoever, except ; that I have never been marked with the Letter D; that I have never been rejected as unfit for Her Majesty's Service on any previous Enlistment; that I was enlisted at on the Day of 186 , at o'Clock M. by of , and that I have read [*or* had read to me] the Notice then given to me and understood its Meaning; that I enlisted for a Bounty of and a free Kit, and have no Objection to make to the Manner of my Enlistment; that I am willing to be attested to serve in the Regiment of [*instead of the Words* "in the Regiment," *any Words may be substituted which are applicable to the Case in or for whatever Part of Her Majesty's Dominions the Enlistment may be made*] for the Term of [*the Blank after the Words* "Term of" *to be filled up with Ten Years for Infantry and Twelve for Cavalry or Artillery or other Ordnance Corps, if the Person enlisted is of the Age of Eighteen Years or upwards; but if under that Age, then the Difference between his Age and*

and Eighteen is to be added to such Ten or Twelve Years (as the Case may be)], provided Her Majesty should so long require my Services, and also for such further Term, not exceeding Two Years, as shall be directed by the Commanding Officer on any Foreign Station.

_____ *Signature of Recruit.*
_____ *Signature of Witness.*
_____ *Signature of Justice.*

OATH to be taken by a RECRUIT on ATTESTATION.

I do make Oath, That I will be faithful and bear true Allegiance to Her Majesty, Her Heirs and Successors, and that I will, as in Duty bound, honestly and faithfully defend Her Majesty, Her Heirs and Successors, in Person, Crown, and Dignity, against all Enemies, and will observe and obey all Orders of Her Majesty, Her Heirs and Successors, and of the Generals and Officers set over me. So help me GOD.

Witness my Hand, _____ *Signature of Recruit.*
_____ *Witness present.*

The above Declaration and Oath were made before me at this Day of One thousand eight hundred and at o'Clock.

Signature of Justice _____

DECLARATION to be made by a SOLDIER, or PERSON having been a SOLDIER, on renewing his Service.

I do declare, That I am at present (*or* was, *as the Case may be,*) in Captain Company in the Regiment [*the foregoing Portion of this Declaration may be altered to suit each particular Case*]; that I enlisted on the Day of for a Term of Years; that I am of the Age of Years; and that I will serve Her Majesty, Her Heirs and Successors, for a further Term of Years [*to be filled up with Eleven Years in the Infantry, or Twelve in the Cavalry, or Nine in the Artillery or Engineers, and, in the Case of a Soldier about to embark for Foreign Service, with such Number of Years as shall be required to complete a total Service of Twenty-one Years in the Artillery, Engineers, and Infantry, or Twenty-four in the Cavalry,*] provided my Services should so long be required, and also for such further Term, not exceeding Two Years, as shall be directed by the Commanding Officer on any Foreign Station.

Declared before me _____

_____ *Signature of Soldier.*
_____ *Signature of Witness.*

FORM of DECLARATION of ATTESTATION of the ACCOUNTS of a MILITARY ACCOUNTANT.

I HEREBY solemnly and sincerely declare, That this Account, comprised in Folios, is just and true, according to the best of my Knowledge, Information, and Belief; and I make this Declaration, conscientiously believing the same to be true.

Declared before me, at , this Day of 18 .

_____ *Military Accountant.*
_____ *Justice of the Peace for* _____.

CAP. X.

An Act for the Regulation of Her Majesty's Royal Marine Forces while on shore.

[31st *March* 1860.]

[*Sections* 19, 22, 59, 60, 61, 67, *and* 93 *are omitted; the Sections now printed are either entirely new or are such as have been materially altered.*]

'WHEREAS it is judged necessary for the Safety of the United Kingdom, and the Defence of the Possessions of this Realm, that a Body of Royal Marine Forces should be employed in Her Majesty's Fleet and Naval Service, under the Direction of the Lord High Admiral of the United Kingdom, or the Commissioners for executing the Office of Lord High Admiral aforesaid: And whereas the said Forces may frequently be quartered or be on shore, or sent to do Duty or be on board Transport Ships or Merchant Ships or Vessels, or Ships or Vessels of Her Majesty, or other Ships or Vessels, or they may be under other Circumstances in which they will not be subject to the

'Laws

'Laws relating to the Government of Her Majesty's Forces by Sea: And whereas no Man can be 'forejudged of Life or Limb, or subjected in Time of Peace to any Kind of Punishment within this 'Realm, by Martial Law, or in any other Manner than by the Judgment of his Peers, and according to 'the known and established Laws of this Realm; yet nevertheless it being requisite for the retaining 'of such Forces in their Duty that an exact Discipline be observed, and that Marines who shall 'mutiny or stir up Sedition, or shall desert Her Majesty's Service, or be guilty of any other Crime 'or Offence in breach of or to the Prejudice of good Order and Discipline, be brought to a more 'exemplary and speedy Punishment than the usual Forms of the Law will allow:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Lord High Admiral, &c. may make Articles for the Punishment of Mutiny, Desertion, &c.

I. It shall be lawful for the said Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral aforesaid, from Time to Time to make, ordain, alter, and establish Rules and Articles of War, under the Hand of the said Lord High Admiral, or under the Hands of any Two or more of the said Commissioners, for the better Government of Her Majesty's Royal Marine Forces, and for the Punishment of Mutiny, Desertion, Immorality, Breach of Discipline, Misbehaviour, Neglect of Duty, and any other Offence or Misconduct of which they shall be guilty, in any Place on shore or afloat in or out of Her Majesty's Dominions, or at any Time when or under any Circumstances in which they shall not be amenable to the Laws for the Government of Her Majesty's Ships, Vessels, and Forces by Sea, and for regulating the Proceedings of Courts-martial, which Rules and Articles shall be judicially taken notice of by all Judges and in all Courts whatsoever; and Copies of the same shall, as soon as conveniently may be after the same shall have been made, be transmitted by the Secretary of the Admiralty for the Time being (certified under his Hand) to the Judges of Her Majesty's Superior Courts at *Westminster*, *Dublin*, and *Edinburgh* respectively, and also to the Governors of Her Majesty's Dominions abroad; provided that no Person within the United Kingdom of *Great Britain* and *Ireland* or within the *British Isles* shall by such Articles of War be subject to suffer any Punishment extending to Life or Limb, or to be kept in Penal Servitude, except for Crimes which are by this Act expressly made liable to such Punishment as aforesaid, or shall be subject, with reference to any Crimes made punishable by this Act, to be punished in any Manner which may be inconsistent with the Provisions of this Act.

Offences against former Mutiny Acts and Articles of War.

II. All Crimes and Offences committed against any former Act made for the Regulation of the Royal Marine Forces while on shore, or against any of the Rules, Regulations, or Articles of War made and established by virtue of the same, may, during the Continuance of this Act, be tried, inquired of, and punished in like Manner as if they had been committed against this Act; and every Warrant for holding any Court-martial under any former Act shall remain in full Force notwithstanding the Expiration of such Act; and all Proceedings of any Court-martial upon any Trial begun under the Authority of such former Act shall not be discontinued by the Expiration of the same: Provided always, that no Person shall be liable to be tried and punished for any Offence against any of the said Acts or Articles of War which shall appear to have been committed more than Three Years before the Date of the Commission or Warrant for such Trial, unless the Person accused, by reason of his having absented himself, or of some other manifest Impediment, shall not have been amenable to Justice within that Period, in which Case such Person shall be liable to be tried at any Time not exceeding Two Years after the Impediment shall have ceased; and provided also, that if any Officer or Marine in any Place beyond the Seas shall commit any of the Offences punishable by Court-martial under this Act, and shall escape and come or be brought into this Realm before he be tried for the same, he shall, when apprehended, be tried for the same as if such Offence had been committed within this Realm.

Limitation as to Time.

Provisions this Act to extend to Jersey, &c.

III. This Act shall extend to the Islands of *Jersey*, *Guernsey*, *Alderney*, *Sark*, and *Man*, and the Islands thereto belonging, as to the Provisions herein contained for enlisting of Recruits, whether Minors or of full Age, and swearing and attesting such Recruits, and for mustering and paying, and to the Provisions for Trial and Punishment of Officers and Marines who shall be charged with Mutiny and Desertion or any other of the Offences which are by this Act declared to be punishable by the Sentence of a Court-martial, and also to the Provisions which relate to the Punishment of Persons who shall conceal Deserters, or shall knowingly buy, exchange, or otherwise receive any Arms, Medals for good Conduct or for distinguished or other Service, Clothes, Military Furniture, or Regimental Necessaries from any Marine or Deserter, or who shall cause the Colour of any such Clothes to be changed; and also to the Provisions for exempting Marines from being taken out of Her Majesty's Service for not supporting or for leaving chargeable to any Parish any Wife or Child or Children, or on account of any Breach of Contract to serve or work for any Employer, or on account of any Debts under Thirty Pounds in the said Islands.

Power of General Courts-martial.

VIII. Every General Court-martial convened within the United Kingdom or the *British Isles* shall consist of not less than Thirteen Commissioned Officers, and shall have Power to sentence any Officer of Marines or Marine to suffer Death, Penal Servitude, Imprisonment, Forfeiture of Pay or Pension, or any other Punishment which shall accord with the Usage of the Service; but no Judgment of Death by a Court-martial shall pass unless Two Thirds at least of the Officers present shall concur therein.

IX. Every

Powers of District or Garrison Courts-martial.

IX. Every District or Garrison Court-martial convened within the United Kingdom or the *British Isles* shall consist of not less than Seven Commissioned Officers, and shall have the same Power as a General Court-martial to sentence any Marine to such Punishments as shall accord with the Provisions of this Act; provided that the Sentence of a District or Garrison Court-martial shall be confirmed by the General Officer, Governor, or Senior Officer in command of the District, Garrison, Island, or Colony, and that no such District or Garrison Court-martial shall have Power to try a Commissioned Officer, or to pass any Sentence of Death or Penal Servitude.

Powers of Divisional and Detachment Courts-martial.

X. A Divisional or Detachment Court-martial shall consist of not less than Five Commissioned Officers, unless it be found impracticable to assemble that Number, in which Case Three shall be sufficient, and shall have Power to sentence any Marine to Corporal Punishment or to Imprisonment, and Forfeiture of Pay, in such Manner as shall accord with the Provisions of this Act.

Officers of the Marine and Land Forces may sit in conjunction on Courts-martial.

XIII. When it is necessary or expedient, a Court-martial composed exclusively of Officers of the Royal Marines, or a Court-martial composed of Officers of Her Majesty's Army, or of Her Majesty's *Indian* Army, or of both or of either, together with Officers of the Royal Marines, whether the Commanding Officer by whose Order such Court-martial is assembled belongs to the Land or to the Marine Forces, may try a Person belonging to any One of the said Three Services; provided that when the Person to be tried shall belong to Her Majesty's Royal Marine Forces, then the Provisions of this Act, or of such Act as shall be then and there in force for the Regulation of Her Majesty's Royal Marine Forces while on shore, and the Oaths therein respectively prescribed, and the Rules and Articles of War relating to the Royal Marines then and there in force, shall be applicable to such Court, and the Proceedings thereof and relating thereto; but where the Person to be tried shall belong to Her Majesty's Army, or shall belong to Her Majesty's *Indian* Army, and be within the United Kingdom, then the Proceedings of such Court shall be regulated as if the Court were composed of Officers of Her Majesty's Army only, and the Provisions of the Act then and there in force for the Punishment of Mutiny and Desertion, and for the better Payment of the Army and their Quarters, and the Oaths therein prescribed, and the Rules and Articles of War relating to Her Majesty's Army then and there in force, shall be applicable to such Court, and the Proceedings thereof and relating thereto; and where the Person to be tried shall belong to Her Majesty's *Indian* Army and be out of the United Kingdom, the Provisions of such Act or Acts as shall be then and there in force for punishing Mutiny and Desertion of Officers and Soldiers in Her Majesty's *Indian* Army, and the Rules and Articles of War, if any, relating to such Officers and Soldiers then and there in force, shall be applicable to such Court, and the Proceedings thereof and relating thereto.

Proceedings at Trial.

XVI. In all Trials by Court-martial, as soon as the President and other Officers appointed to serve thereon shall be assembled, their Names shall be read over in the Hearing of the Prisoner, who shall thereupon be asked if he objects to being tried by the President or by any of such Officers, and if the Prisoner shall then object to the President, such Objection, unless allowed by Two Thirds at least of the other Officers appointed to form the Court, shall be referred to the Decision of the Authority by whom such President shall have been appointed; but if he object to any Officer other than the President, such Objection shall be decided by the President and the other Officers so aforesaid appointed to form the Court; and when the Place of the President or other Officer in respect of whom any Challenge shall have been made and allowed shall be supplied by some Officer in respect of whom no Challenge shall be made or allowed, or if no Challenge whatever shall have been made, or, if made, not allowed, the President and the other Officers composing a General Court-martial shall take the Oaths in the Schedule to this Act annexed before the Judge Advocate or his Deputy, or Person officiating as Judge Advocate, and on Trials by other Courts-martial, before the President of such Court, who are hereby respectively authorized to administer the same, and any sworn Member may administer the Oath to the President; and as soon as the said Oaths shall have been administered to the respective Members, the President of the Court is hereby authorized and required to administer to the Judge Advocate, or the Person officiating as such, the Oath in the Schedule to this Act annexed; and no Proceeding or Trial shall be had upon any Offence but between the Hours of Eight of the Clock in the Morning and Four in the Afternoon, except in Cases which require an immediate Example, and except in the *East Indies*, where such Proceedings or Trial may be had between the Hours of Six in the Morning and Four in the Afternoon.

No Second Trial, but Revision allowed.

XIX. No Officer or Marine who shall be acquitted or convicted of any Offence shall be liable to be tried a Second Time by the same or any other Court-martial for the same Offence; and that no Finding, Opinion, or Sentence given by any Court-martial, and signed by the President thereof, shall be revised more than once, nor shall any additional Evidence in respect of any Charge on which the Prisoner then stands arraigned be received by the Court on any Revision.

Commutation of Death for Penal Servitude or other Punishment.

XXI. In all Cases where the Punishment of Death shall have been awarded by a General Court-martial or by a Detachment General Court-martial it shall be lawful for Her Majesty, or, if in any Place out of the United Kingdom or *British Isles*, for the Officer commanding in chief Her Majesty's Forces there serving, instead of causing such Sentence to be carried into execution, to order the Offender to be kept to Penal Servitude for any Term not less that Four Years, or to suffer such Term of Imprisonment, with or without Hard Labour, and with or without Solitary Confinement, as shall seem meet to Her Majesty or to the Officer commanding as aforesaid.

XXII. Any

Embezzlement punishable by Penal Servitude, &c.

XXII. Any Officer or Marine, or any Person employed or in any way concerned in the Care or Distribution of any Money, Provisions, Forage, Arms, Clothing, Ammunition, or other Stores belonging to any of Her Majesty's Forces or for Her Majesty's Use, who shall embezzle, fraudulently misapply, wilfully damage, steal, or receive the same knowing them to have been stolen, or shall be concerned therein or connive thereat, may be tried for the same by a General Court-martial, and sentenced to be kept in Penal Servitude for any Term not less than Four Years, or to suffer such Punishment of Fine, Imprisonment, Dismissal from Her Majesty's Service, Reduction to the Ranks, if a Warrant or Non-commissioned Officer, as such Court shall think fit, according to the Nature and Degree of the Offence; and every such Offender shall, in addition to any other Punishment, make good at his own Expense the Loss and Damage sustained; and in every such Case the Court is required to ascertain by Evidence the Amount of such Loss or Damage, and to declare by their Sentence that such Amount shall be made good by such Offender; and the Loss and Damage so ascertained as aforesaid shall be a Debt to Her Majesty, and may be recovered in any of Her Majesty's Courts at *Westminster* or in *Dublin*, or the Court of Exchequer in *Scotland*, or in any Court in Her Majesty's Colonies where the Person sentenced by such Court-martial shall be resident after the said Judgment shall be confirmed and made known, or the Offender, if he shall remain in the Service, may be put under Stoppages not exceeding One Half of his Pay and Allowances until the Amount so ascertained shall be recovered.

Sentence of Penal Servitude may be commuted for Imprisonment.

XXV. In any Case where a Sentence of Penal Servitude shall have been awarded by a General or Detachment General Court-martial, it shall be lawful for Her Majesty, or, if in any Place out of the United Kingdom or *British Isles*, for the Officer commanding in chief Her Majesty's Forces there serving, instead of causing such Sentence to be carried into execution, to order that the Offender be imprisoned, with or without Hard Labour, and with or without Solitary Confinement, for the same or such lesser Term as shall seem meet to Her Majesty or to the Officer commanding as aforesaid.

Of Forfeitures, when combined with Penal Servitude.

XXVI. Where an Award of any Forfeiture, or of Deprivation of Pay, or of Stoppages of Pay shall have been added to any Sentence of Penal Servitude, it shall be lawful for the said Lord High Admiral or the said Commissioners, or, if in any Place out of the United Kingdom or *British Isles*, for the Officer commanding in chief Her Majesty's Forces there serving, in the event of the Sentence being commuted for Imprisonment, to order such Award of Forfeiture, Deprivation of Pay, or Stoppages of Pay to be enforced, mitigated, or remitted as may be deemed expedient.

Power to inflict Corporal Punishment.

XXVIII. Any Court-martial may sentence any Marine to Corporal Punishment, not extending to Life or Limb, for Desertion or for disgraceful Conduct, Misbehaviour, or Neglect of Duty; but no Sentence of Corporal Punishment awarded by a Divisional Court-martial shall, except in the Case of Mutiny or gross Insubordination, be put in execution in Time of Peace without the Leave in Writing of the Officer commanding the Division or Station in which the Court may be held, and no Sentence of Corporal Punishment shall exceed Fifty Lashes.

Power to inflict Corporal Punishment and Imprisonment.

XXIX. It shall be lawful for any General, District, or Garrison Court-martial to award Imprisonment, with or without Hard Labour, and with or without Solitary Confinement, such Confinement not exceeding the Periods prescribed herein-after or by the Articles of War, and in case of a Marine in addition to Corporal Punishment.

Power to commute Corporal Punishment.

XXX. In all Cases in which Corporal Punishment shall form the whole or Part of the Sentence awarded by any Court-martial, it shall be lawful for the Lord High Admiral of the United Kingdom of *Great Britain* and *Ireland*, or the Commissioners for executing the Office of Lord High Admiral of the United Kingdom of *Great Britain* and *Ireland*, or for the Officer authorized to confirm the Sentences of Courts-martial, to commute such Corporal Punishment to Imprisonment for any Period not exceeding Forty-two Days, with or without Hard Labour, and with or without Solitary Confinement, or to mitigate such Sentence, or instead of such Sentence to award Imprisonment, for any Period not exceeding Twenty Days, with or without Hard Labour, and with or without Solitary Confinement, and Corporal Punishment, to be inflicted in the Prison, not exceeding Twenty-five Lashes, and the Solitary Confinement herein-before mentioned shall in no Case exceed Seven Days at a Time, with Intervals of not less than Seven Days between each Period of such Confinement.

Power to commute a Sentence of cashiering.

XXXI. It shall be lawful for Her Majesty, in all Cases whatsoever, instead of causing a Sentence of cashiering to be put in execution, to order the Offender to be reprimanded, or, in addition thereto, to suffer such Loss of Army or Divisional Rank, or both, as may be deemed expedient.

Imprisonment of Offender already under Sentence for previous Offence.

XLI. Whenever Sentence shall be passed by a Court-martial on an Offender already under Sentence, either of Imprisonment or of Penal Servitude, the Court may award Sentence of Imprisonment or Penal Servitude for the Offence for which he is under Trial to commence at the Expiration of the Imprisonment or Penal Servitude to which he shall have been so previously sentenced, although the aggregate of the Terms of Imprisonment or Penal Servitude respectively may exceed the Term for which either of those Punishments could be otherwise awarded.

Their Subsistence in Common Gaols.

XLV. The Gaoler or Keeper of any public Prison, Gaol, House of Correction, Lock-up House, or other Place of Confinement in any Part of Her Majesty's Dominions, shall diet and supply every Marine imprisoned therein under the Sentence of a Court-martial or as a Deserter with Fuel and other Necessaries according to the Regulations of such Place of Confinement, and shall receive on account of every Marine during the Period of his Imprisonment Sixpence *per Diem*, or such other Sum as the

said Lord High Admiral or the said Commissioners may at any Time or Times direct, which the Secretary of the Admiralty shall cause to be issued out of the Subsistence of such Marine, upon Application in Writing signed by any Justice within whose Jurisdiction such Place of Confinement shall be locally situated, together with a Copy of the Order of Commitment, and which Sum of Sixpence *per Diem*, or such other Sum as aforesaid, shall be carried to the Credit of the Fund from which the Expense of such Place of Confinement is defrayed.

Questions to be put to Recruits on enlisting.

LX. Every Person authorized to enlist Recruits for the Royal Marines shall first ask the Person offering to enlist whether he belongs to the Militia, and also such other Questions as the said Lord High Admiral or the said Commissioners may direct to be put to Recruits, and shall, immediately after giving him Enlisting Money, serve him with a Notice in the Form set forth in the Schedule to this Act annexed.

Recruits when deemed to be enlisted.

LXI. Every Person who shall receive Enlisting Money in manner aforesaid, shall upon such Receipt be deemed to be enlisted as a Marine in Her Majesty's Service, and while he shall remain with the Recruiting Party shall be entitled to be billeted.

When Recruits to be taken before a Justice.

LXII. Every Person so enlisted as aforesaid shall, within Ninety-six Hours (any intervening *Sunday*, *Christmas Day*, or *Good Friday* not included), but not sooner than Twenty-four Hours after such Enlistment, appear, together with some Person employed in the Recruiting Service, before a Justice of the Peace, not being an Officer of the Marines, in order that he may be attested by making the Declaration and taking the Oath herein-after mentioned, or may have an Opportunity of objecting to his Enlistment; and previously to such Appearance, some Person employed in the Recruiting Service shall fill up the Declaration set forth in the Schedule to this Act annexed, first asking the Recruit the Questions required to be put to Recruits, and cautioning him that if he should make any wilfully false Answer thereto, he will be liable to be punished as a Rogue and a Vagabond.

Dissent and Relief from Enlistment.

LXIII. When a Recruit, upon appearing before a Justice for the Purposes aforesaid, shall dissent from or object to his Enlistment, and shall satisfy the Justice that the same was effected in any respect irregularly, he shall forthwith discharge the Recruit absolutely, and shall report such Discharge to the Commandant of the Division for which the Marine shall have enlisted; but if the Recruit so dissenting shall not allege or shall not satisfy the Justice that the Enlistment was effected irregularly, nevertheless, upon Repayment of the Enlisting Money and of any Sum received by him in respect of Pay, and of a further Sum of Twenty Shillings as Smart Money, he shall be entitled to be discharged; and the Sum paid by such Recruit upon his Discharge shall be kept by the Justice, and after deducting therefrom One Shilling, as the Fee for reporting the Payment to the Secretary of the Admiralty and to the said Commandant, shall be paid to any Person belonging to the Recruiting Party who may demand the same; and the Justice who shall discharge any Recruit shall, in every Case, give a Certificate thereof, signed with his Hand, to the Recruit, specifying the Cause thereof.

Attesting of Recruits.

LXIV. If the Recruit on appearing before a Justice shall not dissent from his Enlistment, or dissenting shall within Twenty-four Hours return and declare that he is unable to pay the Sums mentioned in the last Section, the Justice shall require him to make the Declaration herein-before mentioned in the usual Manner, and shall then administer to him the Oath of Allegiance in the Form set forth in the Schedule to this Act annexed; and when the Recruit shall have signed the said Declaration and taken the Oath, the Justice shall attest the same by his Signature, and shall deliver to the Recruiting Officer the Declaration so signed and attested, and the Fee for such Attestation shall be One Shilling, and no more; and any Recruit shall, if he so wish, be furnished with a certified Copy of the above-mentioned Declaration by the Officer who finally approved of him for the Service.

Recruits improperly obtaining Enlistment Money, &c.

LXV. If any Recruit shall by means of any false Answer obtain Enlistment Money, or shall make any false Statement in his Declaration, or shall refuse to answer any Question duly authorized to be put to Recruits for the Purpose of filling up such Declaration, or shall refuse or neglect to go before a Justice for the Purposes aforesaid, or having dissented from his Enlistment shall wilfully omit to return and pay such Money as aforesaid, in any of such Cases it shall be lawful for any Two Justices to adjudge such Recruit when brought before them, if in *England*, to be a Rogue and Vagabond, and to sentence him to be punished accordingly, and if in *Scotland* or *Ireland*, to be imprisoned with Hard Labour in any Prison or House of Correction for any Period not exceeding Three Calendar Months, and after such Adjudication it shall rest with the said Lord High Admiral or the said Commissioners to determine whether such Recruit shall thereafter be deemed to be enlisted as a Marine.

Recruits absconding.

LXVI. If any Recruit shall abscond so that it is not possible immediately to apprehend and bring him before a Justice for Attestation, the Recruiting Party shall produce to the Justice before whom the Recruit ought regularly to have been brought for that Purpose a Certificate of the Name and Place of Residence, and Description of such Recruit and of his having absconded, and shall declare the same to be true, and the Justice to whom such Certificate shall be produced shall transmit a Duplicate thereof to the Secretary of the Admiralty, in order that the same may appear in the Police Gazette.

Recruits not triable by Court-martial till attested.

LXVII. No Recruit previously to his being attested shall be liable to be tried by Court-martial, but any Recruit who shall have been attested before a Justice in manner aforesaid, and who shall afterwards be discovered to have given any wilfully false Answer to any Question directed to be put to Recruits, or shall have made any wilfully false Statement in the Declaration herein-before mentioned, shall be liable

liable at the Discretion of the said Lord High Admiral or the said Commissioners to be proceeded against before Two Justices in the Manner herein-before mentioned, and by them sentenced accordingly, or to be tried by a District or Garrison Court-martial for the same, and punished in such Manner as such Court shall direct.

Militiamen enlisting into Regular Forces.

LXVIII. If any Man while belonging to a Militia Regiment shall enlist in and be attested for Her Majesty's Royal Marines, he shall be liable to be tried before a Court-martial on a Charge for Desertion; but it shall be lawful for the Commanding Officer of the Division into which such Militiaman shall have so unlawfully enlisted, on his Confession or on other Proof thereof, to order that in lieu of his being so tried he shall be subjected to a Stoppage of One Penny a Day of his Pay till he shall have made good the Sum of Eighteen Shillings and Sixpence, to be applied as the said Lord High Admiral or the said Commissioners shall direct; and upon such Order being made by such Commanding Officer, such Man shall be deemed to be a Marine in the same Manner as he would have been if he had not been a Militiaman at the Time of his Attestation, and his Engagement to serve in the Militia shall thereupon be deemed to have ended from the Time of his having been so attested for the Marines.

Penalty on Officers offending as to Enlistment.

LXIX. Every Person subject to this Act who shall wilfully act contrary to any of its Provisions in any Matter relating to the enlisting or attesting of Recruits for Her Majesty's Service shall be liable to be tried for such Offence by a General Court-martial, and to be sentenced to such Punishment, other than Death or Penal Servitude, as such Court may award.

As to Re-enlistment abroad.

LXX. It shall be lawful for the Officer commanding any Ship or Vessel of Her Majesty on the Books of which any Marine may be borne, or on board of which any such Marine may be, or, notwithstanding anything in this Act contained, for the Commanding Officer of any Battalion or Detachment of Royal Marines, whether borne on the Books of any One of Her Majesty's Ships or otherwise, to re-engage or enlist and attest out of *Great Britain* or *Ireland* any Marine desirous of re-enlisting or re-engaging into Her Majesty's Royal Marine Forces, if such Marine be considered by such Commanding Officer a fit Person to continue in Her Majesty's Service, and every such Commanding Officer shall have the same Powers in that Behalf as are by this or any other Act of Parliament given to Justices of the Peace in the United Kingdom for all such Purposes of Enlistment and Attestation, and any Marine so re-enlisted or re-engaged shall be deemed to be an attested Marine.

Exemption from Tolls.

LXXXIII. All Officers and Marines on Duty or on their March, being in proper Uniform, Dress or Undress, and their Horses and Baggage, and all Recruits marching by Route, and all Prisoners under Military Escort, and all Carriages and Horses belonging to Her Majesty or employed in Her Service under the Provisions of this Act, or in any of Her Majesty's Colonies, when employed in conveying any such Persons as aforesaid or their Baggage or returning from conveying the same, shall be exempted from the Payment of any Duties and Tolls on embarking or disembarking from or upon any Pier, Wharf, Quay, or Landing Place, or in passing along or over any Turnpike or other Roads or Bridges, otherwise demandable by virtue of any Act already passed or hereafter to be passed, or by virtue of any Prescription, Grant, or Custom, or by virtue of any Act or Ordinance, Order or Direction, of any Colonial Legislature or other Authority in any of Her Majesty's Colonies; and if any Toll Collector shall demand or receive Toll from any Marine Officer or Marine on Duty or on their March, who shall be in proper Uniform, Dress or Undress, or for their Horses, and who by this Act is exempted from Payment thereof, or from any Recruits marching by Route, or from any Prisoners under Military Escort, or for any Carriages or Horses belonging to Her Majesty or employed in Her Service under the Provisions of this Act, when conveying Persons or Baggage, or returning therefrom, every such Collector shall for every such Offence be liable to a Penalty not exceeding Five Pounds; provided that nothing herein contained shall exempt any Boats, Barges, or other Vessels employed in conveying the said Persons, Horses, Baggage, or Stores along any Canal from Payment of Tolls in like Manner as other Boats, Barges, and Vessels are liable thereto, except when employed in Cases of Emergency as herein mentioned; and that when any Officers or Marines on Service shall have Occasion in the March by Route to pass regular Ferries in *Scotland*, the Officer commanding shall be at liberty to pass over with his Marines as Passengers, paying for himself and each Marine One Half only of the ordinary Rate payable by Passengers, or he shall be at liberty to hire the Ferry Boat for himself and his Party, debarring all others for that Time, and shall in such Case pay only Half the ordinary Rate for such Boat.

Penalty for forcible Entry.

LXXXVIII. Every Marine Officer or Marine who shall, without Warrant from One or more of Her Majesty's Justices, forcibly enter into or break open the Dwelling House or Outhouse of any Person whomsoever, in pursuit of any Deserters, shall, upon due Proof thereof, forfeit the Sum of Twenty Pounds.

Definition of Terms.

XCVIII. All Clauses and Provisions in this Act contained relating to *England* shall be construed to extend to *Wales* and to the Town of *Berwick-upon-Tweed;* and the Provisions of this Act shall apply to all Persons who are or shall be commissioned or in Pay as an Officer of Royal Marines, or who are or shall be listed or in Pay as a Non-commissioned Officer or Marine; and all Clauses and Provisions relating to Marines shall be construed to include Non-commissioned Officers and Drummers, unless when otherwise provided; and all Clauses and Provisions relating to Justices shall be construed to extend to all Magistrates authorized to act as such in their respective Jurisdictions; and all the Powers given to and Regulations made for the Conduct of Constables, and all Penalties and Forfeitures for any Neglect thereof,

thereof, shall extend to all Tithingmen, Headboroughs, and such like Officers, and to all Inspectors or other Officers of Police, and to High Constables and other Chief Officers and Magistrates of Cities, Towns, Villages, and Places in *England* and *Ireland*, and to all Justices of the Peace, Magistrates of Burghs, Commissioners of Police, and other Chief Officers and Magistrates of Cities, Towns, Villages, Parishes, and Places in *Scotland*, who shall act in the Execution of this Act; and all Powers and Provisions for billeting Marines in Victualling Houses shall extend and apply to all Inns, Hotels, Livery Stables, Alehouses, and to the Houses of Sellers of Wine by Retail, whether *British* or Foreign, to be drunk in their own Houses or Places thereunto belonging, to all Houses of Persons licensed to sell Beer, Ale, Porter, Cider, or Perry by Retail, to be consumed or drunk in their Dwelling Houses or Premises, and to all Houses of Persons selling Brandy, Spirits, Strong Waters, Cider, or Metheglin, by Retail in *Great Britain* and *Ireland;* and in *Ireland*, when there shall not be found sufficient Room in such Houses, then Marines may be billeted in such Manner as has been heretofore customary: Provided always, that no Officer or Marine shall be billeted in *Great Britain* in any private Houses or in any Canteen held or occupied under the Authority of the Admiralty, War, or Marine Department, or upon Persons who keep Taverns only, being Vintners of the City of *London* admitted to their Freedom of that Company in right of Patrimony or Apprenticeship, notwithstanding such Persons who keep such Taverns only have taken out Victualling Licences; nor in the House of any Distiller kept for distilling Brandy and Strong Waters; nor in the House of any Shopkeeper whose principal Dealings shall be more in other Goods and Merchandise than in Brandy and Strong Waters, so as such Distillers and Shopkeepers do not permit Tippling in such Houses; nor in the House or Residence in any Part of the United Kingdom of any Foreign Consul duly accredited as such.

Marines not to be billeted in private Houses, &c.

Duration of Act.

XCIX. This Act shall be in force within *Great Britain* from the Twenty-fifth Day of *April* One thousand eight hundred and sixty until the Twenty-fifth Day of *April* One thousand eight hundred and sixty-one inclusive; and within *Ireland*, and in *Jersey*, *Guernsey*, *Alderney*, *Sark*, and the *Isle of Man*, and the Islands thereto belonging, from the First Day of *May* One thousand eight hundred and sixty until the First Day of *May* One thousand eight hundred and sixty-one inclusive; and within the Garrison of *Gibraltar*, and in *Spain* and *Portugal*, from the Twenty-fifth Day of *July* One thousand eight hundred and sixty until the Twenty-fifth Day of *July* One thousand eight hundred and sixty-one inclusive; and in all other Parts of *Europe* where Royal Marine Forces may be serving, and the *West Indies* and *North America*, and *Cape of Good Hope*, from the Twenty-fifth Day of *September* One thousand eight hundred and sixty until the Twenty-fifth Day of *September* One thousand eight hundred and sixty-one inclusive; and in all other Places from the Twenty-fifth Day of *November* One thousand eight hundred and sixty until the Twenty-fifth Day of *November* One thousand eight hundred and sixty-one inclusive.

SCHEDULE referred to by this Act.

NOTICE to be given to a RECRUIT at the Time of his ENLISTMENT.

Date 186 .

A.B.

TAKE Notice, That you enlisted with at o'Clock * on the Day of for the Royal Marines, and if you do not come forward on or before o'Clock * on the Day of for the Purpose of being taken before a Justice, either to be attested or to release yourself from your Engagement by repaying the Enlisting Shilling and any Pay you may have received as a Recruit, and by paying *Twenty* Shillings as Smart Money, you will be liable to be punished as a Rogue and Vagabond.

You are hereby also warned that you will be liable to the same Punishment if you make any wilfully false Representations at the Time of Attestation.

Signature of the Non-commissioned Officer serving the Notice. } _____

* At A.M. or P.M., as the Case may be.

DECLARATION to be made by RECRUIT on ATTESTATION.

I of the Parish of in or near the Town of in the County of do solemnly and sincerely declare, That I am to the best of my Knowledge and Belief Years of Age; that I am not an Apprentice; that I am not married; that I do not belong to the Militia, or to the Naval Coast Volunteers, or the Royal Naval Volunteers, or to any Portion of Her Majesty's Land or Sea Forces; that I have never served Her Majesty by Land or Sea in any Military, Marine, or Naval Employment whatsoever, except ; that I have never been marked with the Letter D; that I have never been rejected as unfit for Her Majesty's Service on any previous Enlistment; that I

was enlisted at on the Day of 186 , at o'Clock M. by of , and that I have read [*or* had read to me] the Notice then given to me and understood its Meaning; that I enlisted for a Bounty of and a free Kit [*as the Case may be*] and have no Objection to make to the Manner of my Enlistment; that I am willing to be attested to serve in the Royal Marines for the Term of [*the Blank after the Words* "Term of" *to be filled up with Twelve Years, if the Person enlisted is of the Age of Eighteen Years or upwards; but if under that Age, then the Difference between his Age and Eighteen is to be added to such Twelve Years*], provided Her Majesty should so long require my Services, and also for such further Term, not exceeding Two Years, as shall be directed by the Commanding Officer on any Foreign Station.

_____ *Signature of Recruit.*
_____ *Signature of Witness.*
_____ *Signature of Justice.*

DECLARATION to be made by a MARINE renewing his Service.

I do declare, That I am at present [*or* was, *as the Case may be*,] in the Division of the Royal Marine Forces; that I enlisted on the Day of for a Term of Years; that I am of the Age of Years; and that I will serve Her Majesty, Her Heirs and Successors, as a Marine, for a further Term of Years [*to be filled up with such Number of Years as shall be required to complete a total Service of Twenty-one Years*], provided my Services should so long be required, and also for such further Term, not exceeding Two Years, as shall be directed by the Commanding Officer on any Foreign Station.

_____ *Signature of Marine.*
_____ *Signature of Witness.*

Declared before me, _____

FORM of OATH to be taken by a MASTER whose Apprentice has absconded.

I of do make Oath, That I am by Trade a , and that was bound to serve as an Apprentice to me in the said Trade, by Indenture dated the Day of for the Term of Years; and that the said did on or about the Day of last, abscond and quit my Service without my Consent, and that to the best of my Knowledge and Belief the said is aged about Years. Witness my Hand at the Day of One thousand eight hundred and .

Sworn before me at this Day of One thousand eight hundred and .

FORM of JUSTICE'S CERTIFICATE to be given to the MASTER of an Apprentice.

to wit. } I One of Her Majesty's Justices of the Peace of certify, That of came before me at the Day of One thousand eight hundred and , and made Oath that he was by Trade a , and that was bound to serve as an Apprentice to him in the said Trade, by Indenture dated the Day of , for the Term of Years; and that the said Apprentice did on or about the Day of abscond and quit the Service of the said without his Consent, and that to the best of his Knowledge and Belief the said Apprentice is aged about Years.

CAP. XI.

An Act to amend the Law relating to Endowed Schools. [31st *March* 1860.]

'WHEREAS it is expedient that some Restrictions upon the Government and Teaching of certain 'Endowed Schools should be removed or modified:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. It shall be lawful for the Trustees or Governors of every Endowed School from Time to Time to make, and they shall be bound to make, such Orders as, whilst they shall not interfere with the religious Teaching of the other Scholars as now fixed by Statute or other legal Requirement, and shall not authorize any religious Teaching other than that previously afforded in the School, shall nevertheless provide for admitting to the Benefits of the School the Children of Parents not in communion with the Church,

Power to Trustees of Endowed Schools to make Orders for the Admission of Chil-

dren of Denominations herein stated.

Church, Sect, or Denomination according to the Doctrines or Formularies of which religious Instruction is to be afforded under the Endowment of the said School: Provided that in the Will or Wills, Deed or Deeds, or other Instrument or Instruments regulating such Endowment, nothing be contained expressly requiring the Children educated under such Endowment to learn or to be instructed according to the Doctrines or Formularies of such Church, Sect, or Denomination.

Act not to apply to certain Institutions or to Scotland or Ireland.

II. This Act shall not apply to any of the Institutions mentioned in Section Twenty-four of the Act of the Third and Fourth of *Victoria*, Chapter Seventy-seven, entitled *An Act for improving the Condition and extending the Benefits of Grammar Schools*, nor to any School established or to be established by or in union with or to be in union with the National Society for promoting the Education of the Poor in the Principles of the Established Church, nor to any Institution maintained wholly by voluntary Subscriptions, or partly by voluntary Subscriptions and partly by School Payments, nor to *Scotland* or *Ireland*.

Short Title.

III. This Act may be cited as "The Endowed Schools Act, 1860."

CAP. XII.

An Act to apply the Sum of Eight hundred and fifty thousand Pounds out of the Consolidated Fund to the Service of the Year ending the Thirty-first Day of *March* One thousand eight hundred and sixty. [31st *March* 1860.]

CAP. XIII.

An Act to prevent the Members of Benefit Societies from forfeiting their Interest therein by being enrolled in Yeomanry or Volunteer Corps. [31st *March* 1860.]

'WHEREAS the Rules and Regulations of many Benefit Societies provide that any Member who 'shall enter himself into the Queen's Service by Sea or Land shall be excluded from such Society: 'And whereas a Doubt has arisen whether such a Provision applies to Members who enrol themselves 'in Yeomanry or Volunteer Corps: And whereas it is expedient to put an End to that Doubt:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Members of Benefit Societies not to incur Forfeiture by Enrolment as Volunteers. Provision in case of Disputes arising.

I. No Man by reason of his Enrolment or Service in any Corps of Yeomanry or Volunteers shall lose or forfeit or be deemed to have lost or forfeited any Interest he may possess or may have possessed, at the Time of his so being enrolled or serving, in any Friendly or Benefit Society, any Laws, Rules, or Regulations of such Society to the contrary notwithstanding; and in case any Dispute shall arise between any such Society and any such Man by reason of such Enrolment or Service, it shall be considered as being a Dispute directed by the Rules of such Society to be decided by Justices of the Peace, pursuant to the Provisions of the Acts in force relating to Friendly Societies.

CAP. XIV.

An Act for granting to Her Majesty Duties on Profits arising from Property, Professions, Trades, and Offices. [3d *April* 1860.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of *Great Britain* and *Ireland* in Parliament assembled, towards raising the necessary Supplies to defray Your Majesty's Public Expenses, and making an Addition to the Public Revenue, have freely resolved to grant unto Your Majesty the several Rates and Duties herein-after mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted; and be it enacted, by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Grant of Duties on Property, &c. for One Year.

I. There shall be charged, collected, and paid for One Year, commencing on the Sixth Day of *April* One thousand eight hundred and sixty, for and in respect of all Property, Profits, and Gains mentioned or described as chargeable in the Act passed in the Session of Parliament held in the Sixteenth and Seventeenth Years of Her Majesty's Reign, Chapter Thirty-four, either by Assessment, Contract of Composition, or otherwise, the following Rates and Duties; that is to say, upon the annual Value or Amount of any Property, Profits, or Gains, (except Property, Profits, and Gains described as chargeable under Schedule (B.) of the said Act) the Rate or Duty of Tenpence for every Twenty Shillings of the annual Value or Amount of all such Property, Profits, and Gains respectively; and for and in respect of the Occupation of Lands, Tenements, Hereditaments, and Heritages described as chargeable under Schedule (B.) of the said Act, the Rate or Duty of Fivepence in *England* and Threepence Halfpenny in *Scotland* and *Ireland* respectively for every Twenty Shillings of the annual Value thereof.

Duties to be assessed and raised under

II. The Duties hereby granted shall be assessed, raised, levied, and collected under the Regulations and Provisions of the said last-mentioned Act and of the several Acts therein mentioned or referred to, so far as the same are or may be applicable, consistently with the express Provisions of this Act; and

all

all the Powers, Regulations, and Penalties of the said Acts shall, so far as aforesaid, be applied, enforced, and put in execution with respect to the Duties granted by this Act. Provisions of former Acts.

III. The Sum charged as the annual Value of any Property, Profits, or Gains in the several and respective Assessments made under Schedules (A.) (B.) (D.) and (E.) of the said Act for the Year ending on the Fifth Day of *April* One thousand eight hundred and sixty, shall (except as to Railways and otherwise as herein-after provided,) be taken as the annual Value or Amount of such Property, Profits, or Gains for the Year commencing on the Sixth Day of *April* One thousand eight hundred and sixty; and the Duties granted by this Act shall be computed and charged according to such annual Value or Amount, and shall be collected, levied, and paid for the said Year commencing on the Sixth Day of *April* One thousand eight hundred and sixty, subject, nevertheless, to be increased, abated, or discharged in like Manner as the Assessments made for the Year ending on the said Fifth Day of *April* One thousand eight hundred and sixty: Provided, whenever it shall appear that any Property, Profits, or Gains chargeable under this Act have not been charged by the Assessments made for the said last-mentioned Year, such Property, Profits, and Gains shall be assessed to the Duties granted by this Act, under the Provisions of the said several Acts applicable thereto. The Sums assessed under certain Schedules for the last Year to be taken as the annual Value for this Act. Property, &c. not charged for last Year to be assessed under this Act.

IV. If since the making of any Assessment under Schedules (A.) and (B.) for the Year ending the Fifth Day of *April* One thousand eight hundred and sixty the Lands thereby charged shall have been divided into Two or more distinct Occupations, the Commissioners for General Purposes shall, on the Appeal of the Parties interested respectively, settle and adjust what Proportion of the Duties granted by this Act under the said Schedules shall be paid or borne by each Occupier; and the Amount apportioned on the respective Parties shall be collected and levied in like Manner as an original Assessment. Where since the last Assessment Property has been divided, Proportions of Tax to be settled.

V. No Assessment shall be made under this Act by the Commissioners for General Purposes in respect of the annual Value or Profits and Gains arising from any Railway, but in lieu thereof every such Assessment shall be made by the Commissioners for Special Purposes, and upon the Value or Profits and Gains for the Year ending the Fifth Day of *April* One thousand eight hundred and sixty, and the said last-mentioned Commissioners shall notify the Assessment to the Secretary or other Officer of the Company upon which the same shall be made, and the Amount of such Assessment shall be paid, collected, and levied in like Manner as any other Assessment made by the said Commissioners for Special Purposes. Commissioners for Special Purposes to assess Railways;

VI. In like Manner as aforesaid the Commissioners for Special Purposes shall assess the Duties payable under Schedule (E.) in respect of all Offices and Employments of Profit, held in or under any Railway Company, and shall notify to the Secretary or other Officer of such Company the Particulars thereof, and the said Assessment shall be deemed to be and shall be an Assessment upon the Company, and paid, collected, and levied accordingly; and it shall be lawful for the Company or such Secretary or other Officer to deduct and retain out of the Fees, Emoluments, or Salary of each such Officer or Person the Duty so charged in respect of his Profits and Gains. and also the Persons employed by Railway Companies.

VII. It shall be lawful for any Person assessed to the Duty chargeable under Schedule (A.) of the said Act in respect of any Mine of Coal, Tin, Lead, Copper, Mundic, or Iron, or any other Mine, or any Quarry of Stone or Slate, to appeal against any such Assessment to the Commissioners for Special Purposes, instead of the Commissioners for General Purposes, if he shall think fit, and give due Notice of his Intention so to do, and thereupon such Appeal shall be heard and determined by Two or more of the Commissioners for Special Purposes in like Manner as any Appeal against an Assessment of the Duties contained in Schedule (D.) of the said Acts may lawfully be heard and determined by them; and all Powers and Authorities, Rules and Regulations, contained in the said Acts in relation to any such last-mentioned Assessment and Appeal, and to the carrying into execution and enforcing the Determination of the said Commissioners for Special Purposes thereon, shall be exercised and put in force in relation to any Appeal by this Act authorized to be made to the said last-mentioned Commissioners and their Determination thereon. Power for Persons assessed for Mines or Quarries to appeal to the Special Commissioners.

VIII. The several Collectors shall pay to the proper Officer for Receipt or to his Deputy all the Monies of the said Duties collected and levied by such Collectors, on the respective Days to be appointed by such Officer for Receipt or his Deputy next after the Receipt of the said Duties by the said Collectors, and shall at the same Time account for the Duties given them in charge respectively, and then payable by Law, in like Manner as they are now by Law required to account half-yearly. Duties to be collected and accounted for.

IX. Any Person assessed or charged to any of the Duties granted by this Act who shall prove that his aggregate annual Income is less than One hundred Pounds shall be exempt from the said Duties; and any Person who shall be assessed or charged to any of the said Duties, or shall have paid the same, either by Deduction or otherwise, and who shall claim and prove that his total Income from every Source, although amounting to One hundred Pounds, or upwards, is less than One hundred and fifty Pounds a Year, for the Year of the Assessment of his Profits or Gains, shall be entitled to be relieved from so much of the said Duties assessed upon or paid by him as shall exceed the Rate of Sevenpence for every Twenty Shillings of his Profits or Gains, and such Relief shall be given in the Manner provided or directed in the like Cases by the said Act of the Sixteenth and Seventeenth Years of Her Majesty, and the Act of the Fifth and Sixth Years of Her Majesty, Chapter Thirty-five, therein mentioned. Exemption where Income under 100*l.*, and Abatement where less than 150*l.*

X. No

Repayment must be claimed within Three Years.

X. No Claim for Repayment of Duty under this Act, or any former Act relating to the Income Tax, shall be allowed unless it shall be made within Three Years next after the End of the Year of Assessment to which the Claim shall relate.

Relief in respect of Life Insurances, &c. continued.

XI. The Clauses and Provisions contained in the following Acts, that is to say, the Act of the Sixteenth and Seventeenth Years of Her Majesty, Chapter Thirty-four, Section Fifty-four, another Act of the same Years, Chapter Ninety-one, an Act of the Eighteenth and Nineteenth Years of Her Majesty, Chapter Thirty-five, for granting Relief to Persons who have made such Insurances or contracted for such Annuities as in the said Acts mentioned, shall be continued in force and be applied for the granting of the like Relief in regard to the Duties imposed by this Act.

CAP. XV.

An Act for granting to Her Majesty certain Duties of Stamps. [3d *April* 1860.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of *Great Britain* and *Ireland* in Parliament assembled, towards raising the necessary Supplies for defraying Your Majesty's Public Expenses, and making a permanent Addition to the Public Revenue, have freely and voluntarily resolved to grant unto Your Majesty the Duties herein-after mentioned; and do humbly beseech Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Duties on Instruments described in Schedule repealed.

I. The Stamp Duties now payable in the United Kingdom of *Great Britain* and *Ireland* for or in respect of the several Instruments, Matters, and Things mentioned or described in the Schedule to this Act annexed, whereon other Duties are by this Act granted, shall respectively cease and determine, and shall be and the same are hereby repealed; provided that the Stamp Duties now chargeable on any of the said Instruments, Matters, and Things shall be payable in respect of such of them as shall have been or shall be made, signed, or dated at any Time before the passing of this Act; save and except that the Stamp Duties on Foreign Bills of Exchange by this Act granted shall be payable on all such Bills as shall, after the passing of this Act, be first negotiated, or, if not negotiated, paid in the United Kingdom.

New Duties as set forth in Schedule granted.

II. There shall be granted, raised, levied, and paid in and throughout the United Kingdom of *Great Britain* and *Ireland*, to and to the Use of Her Majesty, Her Heirs and Successors, for and in respect of the several Instruments, Matters, and Things described or mentioned in the said Schedule, or for or in respect of the Vellum, Parchment, or Paper upon which any of them respectively shall be written, the several Stamp Duties or Sums of Money set down in Figures against the same respectively, or otherwise specified and set forth in the said Schedule; which said Schedule, and the several Provisions, Regulations, and Directions therein contained, with respect to the said Duties, and the Instruments, Matters, and Things charged therewith, shall be deemed and taken to be Part of this Act, and shall be applied and put in execution accordingly.

Provisions of former Acts to apply.

III. All the Powers, Provisions, Clauses, Regulations, Directions, Allowances, and Exemptions, Fines, Forfeitures, Pains, and Penalties, contained in or imposed by any Act or Acts, or any Schedule thereto, relating to any Duties of the same Kind or Description, heretofore payable in the United Kingdom, and in force at the Time of the passing of this Act, shall respectively be of full Force and Effect with respect to the Duties by this Act granted, and to the Vellum, Parchment, Paper, Instruments, Matters, and Things charged and chargeable therewith, and to the Persons liable to the Payment of the said Duties, so far as the same are or shall be applicable, in all Cases not hereby expressly provided for, and shall be observed, applied, allowed, enforced, and put in execution for and in the raising, levying, collecting, and securing of the said Duties hereby granted, and otherwise in relation thereto, so far as the same shall not be superseded by and shall be consistent with the express Provisions of this Act, as fully and effectually, to all Intents and Purposes, as if the same had been herein repeated and specially enacted, *mutatis mutandis*, with reference to the Duties by this Act granted.

Personal Estate appointed by Will under general Powers to be chargeable with Probate and Inventory Duties.

IV. The Stamp Duties payable by Law upon Probates of Wills and Letters of Administration, with a Will annexed, in *England* and *Ireland*, and upon Inventories in *Scotland*, shall be levied and paid in respect of all the Personal or Moveable Estate and Effects which any Person, hereafter dying, shall have disposed of, by Will, under any Authority enabling such Person to dispose of the same as he or she shall think fit; and for the Purpose of this Act such Personal or Moveable Estate and Effects shall be deemed to be the Personal or Moveable Estate and Effects of the Person so dying in respect of which the Probate of the Will or the Letters of Administration with the Will annexed of such Person are or is granted, or the Inventory is or is required to be exhibited and recorded, as the Case may be; and such Estate and Effects, and the Value thereof, shall accordingly be included in the Affidavit required by Law to be made on applying for Probate or Letters of Administration, in order to the full and proper Stamp Duty being paid.

Probate and Inventory Duties in re-

V. The said last-mentioned Duties shall be a Charge or Burden upon the Property in respect of which the same are so payable, and shall be paid thereout by the Trustees or Owners thereof to the Person

Person for the Time being lawfully having or taking the Burden of the Execution of the Will or Testamentary Instrument, or the Administration or Management of the Personal or Moveable Estate and Effects of the Deceased, for the Benefit of the Persons entitled to the Personal or Moveable Estate and Effects of the Deceased.

spect thereof to be a Charge on the Property.

VI. Money secured on Heritable Property in *Scotland*, and Money secured by *Scotch* Bonds in favour of Heirs and Assignees, excluding Executors, shall, for the Purposes of this Act, be held and interpreted to be Moveable Property, and shall be included in any Inventory to be exhibited and recorded in any Commissary Court in *Scotland* of the Estate and Effects of any Person deceased entitled thereto, and in *England* and *Ireland* respectively shall be deemed to be Estate and Effects for or in respect whereof any Probate of Will or Letters of Administration shall be granted; and every such Inventory, Probate, and Letters of Administration shall be chargeable with Stamp Duty in respect of such Moveable Property; and such Property, and the Value thereof, shall be included in any such Affidavit as aforesaid made on applying for Probate or Letters of Administration in respect thereof in *England* or *Ireland*.

Money secured on Heritable Property and by Heritable Bonds in Scotland to be chargeable with Probate and Inventory Duties.

VII. 'Whereas it is considered that certain Testamentary Dispositions in *Scotland* are chargeable 'with Stamp Duty, and it is expedient that the same should be exempted:' Be it enacted, That no Will, Testament, Testamentary Instrument, or Disposition *mortis causâ* shall be chargeable with any Stamp Duty.

Certain Testamentary Dispositions in Scotland not subject to Duty.

VIII. The Duties by this Act granted of One Penny and Threepence respectively specified in the said Schedule, and also of Sixpence, therein specified, under the Head of Cost Book Mines, may be denoted either by a Stamp impressed upon the Paper, or by an adhesive Stamp affixed thereto; and the Commissioners of Inland Revenue shall provide Stamps of both Descriptions for the Purpose of denoting the said Duties; and the Provisions and Regulations relating to adhesive Stamps contained in the next succeeding Section of this Act shall apply to all Cases where the Paper upon which the Instrument, Document, or Writing charged with the Duty shall not, at the Time of its being written, made, or signed, have thereon the proper impressed Stamp for denoting the said Duty.

Certain Duties in the Schedule to be denoted either by impressed or adhesive Stamps.

IX. The Person who shall make, sign, or issue any Instrument, Document, or Writing in the Schedule to this Act mentioned, and chargeable with any of the Duties of One Penny and Threepence, shall, before he shall deliver the same out of his Hands, Custody, or Power, affix to it the proper adhesive Stamp denoting the Duty chargeable thereon or in respect of it, and shall effectually cancel and obliterate the Stamp by writing upon it his Name, or the Name of his Firm or Principal, or the Initials thereof respectively, and the Date of the Day and Year on which he shall so write the same, and so and in such Manner as clearly and distinctly to indicate that the said Stamp has already been used, and so that it cannot, without Fraud, be again made use of; and if any Person who ought so to affix any such Stamp, and to cancel and obliterate the same, shall refuse or neglect so to do, or if any Person shall receive or take by way of Security or Indemnity any of the said Instruments, Documents, or Writings, or shall deliver out or authorize the Delivery out of any Goods, Wares, or Merchandise to which the same relates, the said Instrument, Document, or Writing not having a proper adhesive Stamp affixed thereto, and cancelled and obliterated as hereby required, every such Person shall for every such Offence forfeit the Sum of Twenty Pounds; and no Charge for Brokerage, Commission, Agency, or otherwise, made or to be made by any Broker, Agent, or other Person in or about the Sale or Purchase mentioned or referred to in any such Instrument, Document, or Writing made by him, shall be lawful, unless such Instrument, Document, or Writing shall be duly stamped as by this Act is required: Provided that no Person shall be subject or liable to the said Penalty for delivering any Goods, Wares, or Merchandise, under the Authority of any unstamped Order, in any Case where the Value of such Goods, Wares, and Merchandise shall therein be stated by the Person making, signing, or issuing the same to be under the Value of Forty Shillings.

The Persons making the Instruments to affix adhesive Stamps, and cancel same.

In default, Penalty 20*l.*

No Charge for Brokerage, &c. to be lawful unless Instrument, &c. shall be duly stamped.

X. If any Person who shall make, sign, or issue any Order for, or any Writing or Document authorizing the Delivery of any Goods, Wares, or Merchandise by this Act charged with the Stamp Duty of One Penny, shall knowingly and wilfully state or permit to be stated therein that the said Goods, Wares, or Merchandise are or is under the Value of Forty Shillings, he shall, unless the said Order, Writing, or Document shall, at the Time of its being issued, be stamped to denote the said Duty, forfeit the Sum of Twenty Pounds.

Penalty for fraudulently stating Goods to be under the Value of 40*s.*

XI. The Person who shall write or sign any Note, Instrument, or Writing requesting or authorizing the Purser or other Officer of any Mining Company conducted on the Cost Book System to enter or register the Transfer of any Share or Shares or Part of any Share in any Mine, or shall give any Notice in Writing to such Purser or other Officer of any such Transfer, in whatever Form such Notice shall be, shall, in like Manner as herein-before provided, affix thereto the proper adhesive Stamp to denote the Duty by this Act charged thereon, and cancel and obliterate the same; and if he shall refuse or neglect so to do, or if the Purser or other Officer to whom such Request, Authority, or Notice shall be addressed, delivered, sent, or given shall enter or register the Transfer of any Share mentioned or referred to in such Notice, or shall comply with or in any way give effect to such Notice, the same not being stamped as by this Act is required, every such Person so offending shall forfeit the Sum of Twenty Pounds.

Person requesting Entry of Transfer of any Share to affix and cancel Stamp.

In default, Penalty 20*l.*

XII. Whenever any Bill of Exchange, Draft, or Order having thereon an adhesive Stamp shall be presented for Payment, the Person to whom the same shall be presented shall, upon paying the same, write

The Payers of Foreign Bills to cancel Stamps.

write or impress or cause to be written or impressed upon every Stamp affixed to the Bill the Word "paid," to the end that the Stamp may be more effectually cancelled, and made incapable of being used again; and in default of so doing he shall forfeit the Penalty of Twenty Pounds.

In default, Penalty 20*l.*

XIII. The Duties by this Act granted upon or in respect of Bills of Exchange, Drafts, or Orders, drawn out of the United Kindom shall be denoted by adhesive Stamps, in like Manner as the Duties now payable on Bills of Exchange drawn out of the United Kingdom; and all the Clauses, Provisions, Directions, Regulations, Penalties, and Forfeitures contained in the Act passed in the Seventeenth and Eighteenth Years of Her Majesty's Reign, Chapter Eighty-three, relating to adhesive Stamps on Bills of Exchange drawn out of the United Kingdom, as well as in this Act, so far as the same are applicable, shall be applied and put in force in respect of the Stamp Duties on Bills of Exchange by this Act granted, as fully and effectually as if the same were herein repeated and re-enacted.

The Stamps on Foreign Bills to be adhesive.

The Provisions of 17 & 18 Vict. c. 83. to be applied.

XIV. If any Person shall fraudulently remove or cause to be removed, or assist in removing, from any Instrument, Document, or Writing of any kind, any adhesive Stamp, or shall affix any Stamp which shall have been so removed to any other Instrument, Document, or Writing chargeable with Stamp Duty, or to any Paper, with Intent that such Stamp might be used again; or if any Person shall sell, or offer for Sale, or utter any Stamp, or shall utter any Instrument, Document, or Writing with any Stamp thereon which shall have been so as aforesaid removed, knowing the same to have been removed, or shall practise or be concerned in any fraudulent Act, Contrivance, or Device not specially provided for, with Intent to defraud Her Majesty of the Duty, he shall forfeit, over and above any other Penalty to which he may be liable, the Sum of Fifty Pounds.

Penalty on committing Frauds in relation to adhesive Stamps.

XV. Where an Instrument or Writing chargeable under this Act with the Duty of Sixpence, as an Agreement, shall be unstamped, and it shall appear thereby that the Matter thereof is under the Value of Twenty Pounds, the Penalty payable to Her Majesty, Her Heirs or Successors, on stamping the same, shall be Twenty Shillings, over and above the said Duty, in lieu of the Penalty now by Law payable on stamping an Agreement under Hand only.

Penalty on stamping an Agreement under the Value of 20*l.* to be 20*s.* only.

SCHEDULE referred to,

CONTAINING

THE DUTIES IMPOSED BY THIS ACT.

SCHEDULE.	Duty.
AGREEMENT for a Lease or Tack of any Lands, Tenements, Hereditaments, or Heritable Subjects for any Term not exceeding Seven Years; and Agreement, Minute, or Memorandum of Agreement, containing the Terms and Conditions on which any Lands, Tenements, Hereditaments, or Heritable Subjects are let, held, or occupied for any such Term as aforesaid.	The same Duty as on a Lease or Tack for the Term, Rent, Consideration, and Conditions mentioned in such Agreement, Minute, or Memorandum.
Provided that any Lease or Tack of the same Lands, Tenements, Hereditaments, or Heritable Subjects afterwards made in pursuance of and conformably to any such Agreement, Minute, or Memorandum, which shall have actually paid the Duty payable on such Lease or Tack as aforesaid, shall not be chargeable with any higher Stamp Duty than Two Shillings and Sixpence, exclusive of progressive Duty, notwithstanding any Variation in the Terms or Conditions only, not affecting the Stamp Duty; and in any such Case the Lease or Tack shall, if required for the sake of Evidence, be stamped with a particular Stamp for denoting or testifying the Payment of the full and proper Stamp Duty on the Agreement, Minute, or Memorandum, on the same and the Agreement, Minute, or Memorandum being produced, and appearing to be executed or signed, and duly stamped in all other respects.	
AGREEMENT, or any Minute or Memorandum of an Agreement, made in England or Ireland under Hand only, or made in Scotland without any Clause of Registration, and not otherwise charged nor expressly exempted from all Stamp Duty, where the Matter thereof shall be of the Value of Five Pounds or upwards, whether the same shall be only Evidence of a Contract, or obligatory upon the Parties from its being a written Instrument; together with every Schedule, Receipt, or other Matter put or endorsed thereon or annexed thereto - - - - - -	£ s. d. 0 0 6

SCHEDULE.	Duty.
	£ s. d.
And where the same shall contain 2,160 Words or upwards, then for every entire Quantity of 1,080 Words contained therein over and above the first 1,080 Words a further progressive Duty of - - - -	0 0 6
Provided always, that where divers Letters shall be offered in Evidence to prove any Agreement between the Parties who shall have written such Letters, it shall be sufficient if any of such Letters shall be stamped with a Duty of One Shilling, although the same shall in the whole contain any Quantity of Words exceeding 2,160.	
BILL OF EXCHANGE, Draft, or Order for the Payment of Money exceeding 4,000*l.*, now chargeable with the Stamp Duty of 2*l.* 5*s.*; For every 1,000*l.* or Part of 1,000*l.* of the Money thereby made payable -	0 10 0
BILL OF EXCHANGE (Foreign) drawn in a Set of Three or more for the Payment of Money exceeding 4,000*l.*, where every Bill of the Set is now chargeable with the Stamp Duty of Fifteen Shillings; Every Bill of the Set, for every 1,000*l.* or Part of 1,000*l.* of the Money thereby made payable - - - - - - - -	0 3 4
BILL OF EXCHANGE, DRAFT, or ORDER (Foreign) drawn or endorsed out of the United Kingdom for the Payment of Money on Demand - - -	The same Duty as on an Inland Bill of Exchange for the Payment of Money otherwise than on Demand, according to the Amount thereby made payable.
All Bills, Drafts, or Orders for the Payment by any Banker or Person acting as a Banker of any Sum of Money, though not made payable to the Bearer or to Order, and whether delivered to the Payee or not; and all Writings or Documents entitling or intended to entitle any Person whatever to the Payment from or by any Banker or Person acting as a Banker of any Sum of Money, whether the Person to whom Payment is to be made shall be named or designated therein or not, or whether the same shall be delivered to him or not, shall respectively be deemed to be Bills, Drafts, or Orders for the Payment of Money chargeable with Stamp Duty, as if the same had been made payable to Bearer or to Order.	
Provided always, that any One Document or Writing, although directing the Payment of several Sums of Money to different Persons, shall be chargeable with Stamp Duty as One Order only.	
Exemptions.	
Any Draft or Order drawn by any Banker upon any other Banker, not payable to Bearer or to Order, and used solely for the Purpose of settling or clearing any Account between such Bankers.	
Any Letter written by a Banker to any other Banker directing the Payment of any Sum of Money, the same not being payable to Bearer or to Order, and such Letter not being sent or delivered to the Person to whom Payment is to be made, or to any Person on his behalf; and all Warrants or Orders for the Payment of any Annuity granted by the Commissioners for the Reduction of the National Debt, or for the Payment of any Dividend or Interest on any Share in the Government or Parliamentary Stocks or Funds, and all Drafts or Orders drawn by the Accountant-General of the Court of Chancery in England or Ireland, shall be exempt from all Stamp Duty.	
COPY.—Certified Copy or Extract of or from any Register of Births, Baptisms, Marriages, Deaths, or Burials - - - - - - - -	0 0 1
The said Duty to be paid by the Person requiring any such Copy or Extract.	
Exemptions.	
Copies of Entries of Baptisms, Marriages, and Burials transmitted to the Registrar of the Diocese, in pursuance of the 52 *Geo.* 3. *c.* 146.	
Certified Copies of Registers sent by Superintending Registrars to the General Registrar, in pursuance of the 6 *&* 7 *W.* 4. *c.* 86.	
And Copies or Extracts made or given under or in pursuance of the 7 *Victoria, c.* 15., *to amend the Laws relating to Labour in Factories.*	

SCHEDULE.	Duty.
COST BOOK MINES.—Any Note, Instrument, or Writing requesting or authorizing the Purser or other Officer of any Mining Company conducted on the Cost Book System to enter or register any Transfer of any Share or Shares or Part of a Share in any Mine; or any Notice to such Purser or Officer of any such Transfer - -	£ s. d. 0 0 6
DECLARATION in lieu or in the Nature of an Affidavit, in any Case where, if the same were an Affidavit, it would be chargeable with any Stamp Duty - -	The same Duty as would be chargeable on such Affidavit.
DELIVERY ORDER.—Any Writing or Document commonly called a Delivery Order, or by whatever Name the same shall be designated, entitling or intended to entitle any Person therein named, or his Assigns, or the Holder thereof, to the Delivery of any Goods, Wares, or Merchandise of the Value of Forty Shillings or upwards, lying in any Dock or Port or in any Warehouse in which Goods are stored or deposited on Rent or Hire, or upon any Wharf, such Writing or Document being signed by or on behalf of the Owner of such Goods, Wares, or Merchandise, upon the Sale or Transfer of the Property therein - - - - - -	0 0 1
DOCK WARRANT.—Any Warrant or Document commonly called a Dock Warrant, or any other Writing or Document, by whatever Name the same shall be designated, which shall evidence the Title of any Person therein named, or his Assigns, or the Holder thereof, to the Property in any Goods, Wares, or Merchandise lying in any Dock or Warehouse or upon any Wharf, such Writing or Document being signed or certified by or on behalf of the Company or Person in whose Custody such Goods, Wares, or Merchandise may be - - - - - - -	0 0 3
Exemption. *Any Writing or Document given by any Inland Carrier acknowledging the Receipt of Goods conveyed by such Carrier.*	
LETTER or POWER of ATTORNEY for the Sale, Transfer, or Acceptance of any of the Government or Parliamentary Stocks or Funds not exceeding in Value 20*l.*; or for the Receipt of any Sum of Money, or any Cheque, Note, or Draft for any Sum of Money, not exceeding 20*l.*; or Dividends or Interest of any such Stocks or Funds, or any other periodical Payments not exceeding the annual Sum of 10*l.* -	0 5 0

CAP. XV.

An Act to make further Provision concerning Mortgages and other Dispositions of Property belonging to Municipal Corporations in *England* and *Ireland*. [15th *May* 1860.]

'WHEREAS it is expedient to make further Provision concerning Mortgages and other Dispositions of Property belonging to Municipal Corporations:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Treasury, in approving Mortgages by Municipal Corporations, may require Money borrowed to be repaid within a limited Time, by Instalments or by a Sinking Fund, or by both.

I. In any Case where the Commissioners of Her Majesty's Treasury approve of any Mortgage of any Hereditaments of the Body Corporate of any Borough, the said Commissioners may, as a Condition of their Approval, require that the Money borrowed on the Security of such Mortgage shall be repaid, with all Interest thereon, in Thirty Years, or any less Period, and either by Instalments or by means of a Sinking Fund, or both, as the said Commissioners may think fit; and in every such Case the Sums required for providing for the Repayment of the Principal and Interest of the Money borrowed shall by virtue of this Act become charged upon the Hereditaments comprised in such Mortgage (without Prejudice to the Security thereby created), or any other Hereditaments (if any) of the said Body Corporate, or the Borough Fund, or the Borough or other Rates legally applicable for the Payment or Discharge of the Money borrowed, or the Expenses which such Money may be borrowed to defray, or on all or any of the Securities aforesaid, as the said Commissioners may direct.

How Sinking Fund to be raised.

II. When any Money to be borrowed as aforesaid is directed to be repaid by means of a Sinking Fund, the Council of the Borough shall, out of the Rents and Profits of the Hereditaments, or out of the Borough Fund or Rates on which the Sums required for such Sinking Fund are charged under this Act, invest or cause to be invested such Sums, and at such Times and in such Government Annuities, as the said Commissioners may direct, and shall also from Time to Time invest or cause to be invested

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in like Manner all Dividends of such Annuities, so as to accumulate at Compound Interest, and all Annuities in which such Investments are made shall, in the Books of the Governor and Company of the Bank of *England* and of the Governor and Company of the Bank of *Ireland* respectively, be placed to the Account of the Body Corporate, and "In the Matter of the Municipal Corporation Mortgages, &c. Act, 1860," and the Dividends of such Annuities shall be paid to such Person or Persons as the said Council by Power of Attorney under the Corporate Seal of the Borough from Time to Time appoint, and shall be invested as herein directed; but the Annuities to be purchased shall not be sold or transferred without the Consent in Writing of the said Commissioners, addressed to the Chief Accountant of the Bank of *England* or of the Bank of *Ireland* (as the Case may require); and the Direction in Writing of the Council of the Borough by Power of Attorney under the Corporate Seal of the Borough, with such Consent in Writing of the said Commissioners, shall be sufficient Authority to the Governor and Company of the Bank of *England* or of the Bank of *Ireland* (as the Case may be) for permitting the Transfer of such Annuities or any Part thereof.

When Money paid into the Bank, under any Act of Parliament, for Purchase of Lands, &c. of a Municipal Corporation, is paid out, Treasury may require Provision to be made for replacing the Amount.

III. Where any Purchase Money or Compensation has been paid into the Bank of *England* or *Ireland*, under any Act of Parliament, in respect of any Hereditaments, or any Interest therein, purchased or taken from any such Body Corporate, or in respect of any permanent Damage to any Land of any such Body Corporate, and the said Commissioners approve of the Payment of such Money or Compensation, or of any Money to arise from the Sale of any Government Securities in which the same may have been invested, to such Body Corporate or their Treasurer, the said Commissioners may, as a Condition of their Approval, require Provision to be made for raising in manner herein-before provided with respect to a Sinking Fund for Repayment of Money borrowed on Mortgage, and investing in Government Annuities a Sum equivalent to the Amount of Money so paid to such Body Corporate or their Treasurer; and the Provisions herein-before contained in the Case of a Sinking Fund, as to the Mode of investing, Payment of Dividends, and Transfer of Annuities, shall be applicable in the Case of Investments under this Provision; and the said Commissioners shall, when it appears to them that an Amount of Annuities equivalent to the Amount paid as aforesaid has been raised by Investment under this Enactment, direct that the Accumulation shall cease; and such Annuities and the Dividends thereof shall thenceforth be applicable as the same would have been if such Annuities had arisen from Investment under the Act of Parliament under which such Purchase Money or Compensation as aforesaid became payable: Provided always, that this Section shall not apply to any Money payable to a Body Corporate, when Provision for the Application of such Money, or of the Price or Compensation from which such Money has been derived, is contained in any Local Act of Parliament relating thereto, and the Money is to be paid to such Body Corporate, to be applied in conformity with such Provision.

Not to apply to Money, when Provision for its Application is contained in any Local Act.

Treasury may, where they authorize a Sale of Land of any Municipal Corporation, direct Investment of Proceeds.

IV. Where the said Commissioners approve of the Sale of any Hereditaments, or any Interest therein, of any such Body Corporate, their Approval may be subject to such Conditions for and in relation to the Investment of the Proceeds of such Sale for the Benefit of such Body Corporate as the said Commissioners may see fit, and where they direct the same to be invested in Government Annuities, the Provisions herein-before contained as to the Mode of investing, Payment of Dividends, and Transfer of such Annuities, shall be applicable, but not so as to render necessary any Accumulation; or if the said Commissioners see fit to consent to the Application of the Proceeds of such Sale or any Part thereof for the Benefit of the Inhabitants of the Borough, they may as a Condition of their Consent require the like Provision to be made as they are authorized to require in the Case of their Approval of Payment to any such Body Corporate or their Treasurer as herein-before mentioned; and this Enactment shall apply as well to any Money received for Equality of Exchange by any such Body Corporate as to the Proceeds of the Sale of any Hereditaments or Interest in Hereditaments of any such Body Corporate.

Power to apply certain Investments for the Benefit of the Borough.

V. The said Commissioners may at any Time consent to the Application of any Annuities arising from Investments under either of the Two last preceding Sections, or of the Monies to arise from the Sale thereof or any Part thereof respectively, for the Benefit of the Inhabitants of the Borough, and as a Condition of their Consent may require the like Provision to be made as they are authorized to require in the Case of their Approval of Payment to any such Body Corporate or their Treasurer as herein-before mentioned, and so from Time to Time, as often as the said Commissioners think fit, and the Provisions of this Act shall be applicable accordingly: Provided always, that nothing in this Act shall be deemed to make it imperative on the said Commissioners to require such Provision as aforesaid as a Condition of their Assent to the Application of such Annuities or Monies, or to the Payment of any Purchase Money or Compensation in respect of Hereditaments of a Body Corporate (or Money to arise from the Sale of Investments thereof,) to such Body Corporate or its Treasurer, where by reason of the Application of such Annuities or Monies to Improvement of the Property of such Body Corporate, or for the permanent Benefit of the Borough or otherwise, under the special Circumstances of the Case, the Commissioners in their Discretion think fit to dispense with such Provision.

Proviso, setting aside, in certain Cases, Direction as to Investment of Proceeds.

Provision for Cases of Mortgage, &c. before the passing of this Act.

VI. Where before the passing of this Act the Commissioners of Her Majesty's Treasury have approved of any Mortgage of the Hereditaments of the Body Corporate of any Borough, and on such Approval have required a Sinking Fund to be formed from Time to Time in the Name of Trustees, or have approved of the Payment to any such Body Corporate or their Treasurer of any such Purchase Money or Compensation as aforesaid, or of any Money arising from the Sale of any Government Securities

Securities in which the same may have been invested, and have on such Approval required Provision to be made for raising, by means of Investments in the Names of Trustees, an Amount equivalent to the Amount paid with such Approval to such Body Corporate or their Treasurer, or have approved of the Sale or Alienation of any Hereditaments or Interest therein of any such Body Corporate, and have required on such Approval the Investment of the Proceeds of such Sale in the Names of Trustees, the said Commissioners may require any Securities in which any such Investments may have been already made to be transferred into the Name of such Body, and "In the Matter of the Municipal Corporation Mortgages, &c. Act, 1860," or may require any Money applicable for the Purposes of such Sinking Fund to be invested in the Purchase of Government Annuities in the Name of such Body, and "In the Matter of the Municipal Corporation Mortgages, &c. Act, 1860;" and the Order in Writing of the said Commissioners for that Purpose shall be a sufficient Discharge to such Trustees from all Claims in respect of the Transfer of such Securities in pursuance of such Order, and the said Commissioners may in the respective Cases aforesaid give such Directions as they might give in the analogous Cases herein-before provided for, arising after the pasing of this Act, or as near thereto as the Circumstances of the Case may require, and the Provisions of this Act shall be applicable accordingly.

Penalty for Misappropriation of Monies, as stated in 20 & 21 Vict. c. 54.

VII. If any Person authorized to receive the Monies to arise from the Sale of any Annuities or Securities purchased or transferred under this Act, or any Dividends, or any other such Money as aforesaid, appropriate the same otherwise than as directed by this Act, or by the said Commissioners in pursuance thereof, he shall be guilty of a Misdemeanor, and shall be subject in respect thereof to the Provisions of the Act of the Session holden in the Twentieth and Twenty-first Years of Her Majesty, Chapter Fifty-four, applicable to any Person guilty of a Misdemeanor under that Act.

Councils of Cities or Boroughs may acquire Lands, &c. with the Consent of the Treasury.

VIII. In every Case in which the Council of any City or Borough in *England*, the Body Corporate of which has not Power to purchase or acquire Land and Hereditaments, or to hold Land in Mortmain, deem it expedient to purchase or otherwise acquire, for public Purposes, any Hereditaments, such Council shall represent the Circumstances of the Case to the Commissioners of Her Majesty's Treasury, and it shall be lawful for such Council, with the Approbation of the said Commissioners, to purchase or acquire any Hereditaments in such Manner and on such Terms and Conditions as may have been approved of by the said Commissioners, and such Hereditaments may be conveyed to and holden by the Body Corporate of such Borough accordingly; and in any such Case as aforesaid, and also in any other Case where the said Commissioners are satisfied, upon Representation of the Circumstances, that all or any Part of the Purchase Money of any Hereditaments proposed to be purchased for public Purposes by the Council of a Borough should be raised by Mortgage or Charge as herein-after mentioned, the Council may, with the Approbation of the Commissioners, charge and make liable, by way of Mortgage or otherwise, the Hereditaments so to be purchased, or any other Hereditaments of the Body Corporate, or the Borough Fund, or Borough Rates of the Borough, or all or any of the Securities aforesaid, with the Payment of any Money necessary for effecting such Purchase, and Interest; and the Provisions herein-before contained with reference to the Approval of Mortgages shall be applicable in the Case as well of Charge on the Borough Rates or Borough Fund as of Mortgages under this Provision; provided that Notice of the Intention of the Council to make such Application shall be given, and a Copy of the Memorial intended to be sent be open to Inspection as by Law required in the Case of a like Application in relation to a Disposition of Hereditaments.

Answer of the Treasury to Applications of the Council to be published, &c.

IX. Where any Application by the Council of any Borough is made for the Approbation of the said Commissioners to any proposed Disposition, Purchase, or Acquisition of any Property, and the said Commissioners either altogether refuse the Application or grant their Approbation conditionally, or otherwise qualify the same, Notice of the Correspondence between the said Commissioners and the Council shall forthwith and for One Month be fixed on the outer Door of the Town Hall, or in some public and conspicuous Place within the Borough, and a Copy of such Correspondence shall during the same Period be kept in the Town Clerk's Office, and be freely open to the like Inspection as by Law provided with respect to the Copy of the Memorial containing such Application required to be kept in such Office.

Corporations may submit Schemes to Commissioners of Treasury for Payment of Borough Mortgage Debt.

X. 'Whereas in certain Boroughs Mortgage Debts have been heretofore incurred, for the Payment and 'Discharge of which no adequate legal Provision now exists:' It shall be lawful for the Corporation of any such Borough to submit to the Commissioners of Her Majesty's Treasury any Scheme for the Discharge of any such Debts, by Instalments, or by a Sinking Fund, or by both, extending over any Term of Years; and if the said Commissioners approve of such Scheme, the Sums required for providing for the Discharge of the Debt to which such Scheme relates, in the Manner proposed therein, shall, by virtue of this Act, become charged upon all or any of the Hereditaments of the Body Corporate, or the Borough Fund, or the Borough Rates, or any other Rates which would have been applicable to or towards the Discharge of such Debts, or on all or any of the Securities aforesaid, as the said Commissioners may approve and direct; and the Provisions herein-before contained applicable where Provision is made for Repayment of Money borrowed on Mortgage by a Sinking Fund and Instalments, or both, except the Limitation to a Period of Thirty Years, shall be applicable to the Provision for the Discharge of a Mortgage Debt under this Provision; provided that Notice of the Intention of the Council to make Application to the said Commissioners for the Approval of any such Scheme shall be given, and a Copy of

of the Memorial intended to be sent shall be open to Inspection, in like Manner as in Cases of Application to the Commissioners for their Approval of a Disposition of Hereditaments.

As to Payment of Debts due under Authority of Acts of Parliament.

XI. 'And whereas in certain Boroughs sundry Debts have from Time to Time been incurred under the 'Authority of Acts of Parliament, with different Periods assigned for the Discharge of the same:' Be it enacted, That it shall be lawful for the Corporations of such Boroughs respectively, with the Consent of the Commissioners of Her Majesty's Treasury, and with the Consent in Writing of the Persons or Bodies Corporate to whom such Debts respectively may be owing, previously obtained, to consolidate all such sundry Debts into One, and thereon to make Provision for the Discharge of such consolidated Debt, by annual Instalments or by a Sinking Fund, or by both, extending over a Period not exceeding Thirty Years, and to make such annual Instalments or Payments a legal Charge upon the Borough Fund or the Borough Rates, or any other Rates which would have been applicable to or towards the Discharge of such Debts, or on all or any of the Securities aforesaid, as the said Commissioners may approve and direct; provided that Notice of the Intention of the Council to make Application to the said Commissioners for the Purpose aforesaid shall be given, and a Copy of the Memorial intended to be sent shall be open to Inspection, in like Manner as in Cases of Application to the Commissioners for their Approval of a Disposition of Hereditaments.

Power of Local Boards in Boroughs.

XII. Where in any Borough subject to the Provisions of the Act passed in the Session holden in the Fifth and Sixth Years of the Reign of His late Majesty King *William* the Fourth, Chapter Seventy-six, and intituled *An Act to provide for the Regulation of Municipal Corporations in* England *and* Wales, a Surplus is standing to the Credit of the Borough Fund arising from the Rents and Profits of the Property of the Corporation, and not from a Borough Rate, and such Borough is a District within the Meaning of the "Public Health Act (1848)," the Corporation, acting as the Local Board of Health of such Borough, may, with the Consent of such Corporation, apply such Surplus in Payment of any Expenses that have been previously to the passing of this Act or may hereafter be incurred by them acting as the Local Board of Health of such Borough in the Improvement of the Borough or of any Part thereof, by Drainage, Enlargement of Streets, or otherwise, in pursuance of the "Public Health Act (1848)," and the "Local Government Act (1858)," or of One of such Acts.

Not to affect Powers under Local Acts.

XIII. Provided always, That nothing in this Act shall repeal, abridge, or affect any Power or Authority of any Body Corporate, or the Council of any Borough, under any Local Act of Parliament relating to such Body Corporate or Borough.

Act to be construed with 5 & 6 W. 4. c. 76. and 3 & 4 Vict. c. 108. (I.)

XIV. This Act shall, as regards *England*, be construed with the Act of the Session holden in the Fifth and Sixth Years of King *William* the Fourth, Chapter Seventy-six, as One Act; and shall, as regards *Ireland*, be construed with the Act of the Session holden in the Third and Fourth Years of Her Majesty, Chapter One hundred and eight.

Short Title.

XV. This Act may be cited as "The Municipal Corporation Mortgages, &c. Act, 1860."

CAP. XVII.

An Act to authorize the Inclosure of certain Lands in pursuance of a Report of the Inclosure Commissioners for *England* and *Wales*. [15th *May* 1860.]

'WHEREAS the Inclosure Commissioners for *England* and *Wales* have in pursuance of "The "Acts for the Inclosure, Exchange, and Improvement of Land," issued their Provisional Orders 'for and concerning the proposed Inclosures mentioned in the Schedule to this Act, and have in their 'Fifteenth Annual General Report certified their Opinion that such Inclosures would be expedient; 'but the same cannot be proceeded with without the previous Authority of Parliament:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Inclosures may be proceeded with.

I. That the said several proposed Inclosures mentioned in the Schedule to this Act be proceeded with.

Short Title.

II. In citing this Act in other Acts of Parliament and in legal Instruments it shall be sufficient to use either the Expression "The Annual Inclosure Act, 1860," or "The Acts for the Inclosure, Exchange, and Improvement of Land."

SCHEDULE to which this Act refers.

Inclosure.	County.	Date of Provisional Order.
Ashley	Southampton	2d June 1859.
Horsted Keynes Broadhurst	Sussex	18th May 1859.
Easington	York	7th July 1859.
Stokerow	Oxford	21st July 1859.
Rhos-y-Gad Common	Anglesey	28th July 1859.
Highside Pasture	York	17th November 1859.

Marriages (England and Ireland). *Dwellings for Labouring Classes (Ireland).*

Inclosure.	County.	Date of Provisional Order.
Llanvihangel-y-Croyddin and Gwnws	Cardigan	15th December 1859.
Ven Ottery	Devon	24th November 1859.
Boughrood and Llanstephan	Radnor	22d December 1859.
Battle Common	Brecon	22d December 1859.
Hurstley Common	Hereford	24th November 1859.
Kennington and Boughton Aluph	Kent	12th January 1860.
Thaxted	Essex	22d December 1859.
Broullys Commonable Fields	Brecon	22d December 1859.

CAP. XVIII.

An Act to amend the Acts relating to Marriages in *England* and *Ireland*, by extending certain Provisions thereof to Persons professing with the Society of Friends called Quakers.

[15th *May* 1860.]

6 & 7 W. 4. c. 85.

7 & 8 Vict. c. 81.

'WHEREAS by an Act passed in the Session holden in the Sixth and Seventh Years of the Reign of King *William* the Fourth, Chapter Eighty-five, intituled *An Act for Marriages in* England, it was enacted, that the Society of Friends, commonly called Quakers, might continue to contract and solemnize Marriage according to the Usages of the said Society, and every such Marriage was thereby declared and confirmed good in Law, provided that the Parties to such Marriage were both of the said Society; provided also, that Notice to the Registrar should have been given, and the Registrar's Certificate should have issued in manner therein-after provided: And whereas by an Act passed in the Session holden in the Seventh and Eighth Years of the Reign of Her present Majesty, Chapter Eighty-one, intituled *An Act for Marriages in* Ireland, *and for registering such Marriages*, it was enacted, that the Society of Friends, commonly called Quakers, might continue to contract and solemnize Marriage according to the Usages of the said Society, and that every such Marriage should be deemed good in Law, provided that the Parties to such Marriage were both of the said Society; provided also, that Notice to the Registrar should have been given and the Registrar's Certificate should have issued in manner therein-after provided: And whereas it is expedient to extend and amend the said recited Provisions in manner herein-after mentioned:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Marriages of Quakers may be solemnized in Cases where One only or where neither of the Parties shall be a Member of the Society of Friends, under Provisions herein named.

I. From and after the Thirtieth Day of *June* One thousand eight hundred and sixty Marriages may be contracted and solemnized according to the Usages of the said Society of Friends, commonly called Quakers, in *England* and *Ireland* respectively, not only in the Case provided for by the said recited Provisions, but also in Cases where One only or where neither of the Parties to the Marriage shall be a Member of the said Society: Provided always, that the Party or Parties who shall not be a Member or Members of the said Society shall profess with or be of the Persuasion of the said Society; provided also, that no Person who is not a Member of the said Society shall be married according to the Usages thereof unless he or she shall be authorized thereto under or in pursuance of some General Rule or Rules of the said Society in *England* and *Ireland* respectively; and a Copy of such General Rule or Rules purporting to be signed by the Recording Clerk for the Time being of the said Society in *London* and in *Dublin* respectively shall be admitted as Evidence of such General Rule or Rules in all Proceedings touching the Validity of any such Marriage.

Enactments now in force to extend to every Marriage contracted under the Authority of this Act.

II. All the Enactments now in force, whether contained in the said recited Acts or in any other Act or Acts of Parliament, and relating to Marriages contracted and solemnized according to the Usages of the said Society in *England* and *Ireland* respectively, and to the Registration thereof, so far as the same are not inconsistent with this Act, shall extend and be applicable to every Marriage contracted and solemnized by the Authority of this Act in *England* and *Ireland* respectively, as fully and effectually as if the same Enactments were repeated herein.

CAP. XIX.

An Act to extend the Act to facilitate the Improvement of Landed Property in *Ireland*, and the Acts amending the same, to the Erection of Dwellings for the Labouring Classes in *Ireland*.

[15th *May* 1860.]

10 & 11 Vict. c. 32.

12 & 13 Vict. c. 23.

'WHEREAS an Act was passed in the Tenth Year of Her Majesty, intituled *An Act to facilitate the Improvement of Landed Property in* Ireland: And whereas an Act of the Twelfth and Thirteenth Years of Her Majesty, Chapter Twenty-three, was passed "to authorize further Advances "of Money for the Improvement of Landed Property, and the Extension and Promotion of Drainage

'"and other Works of public Utility in *Ireland*:" And whereas another Act of the Thirteenth and 'Fourteenth Years of Her Majesty, Chapter Thirty-one, was passed "to authorize further Advances of 13 & 14 Vict. '"Money for Drainage and the Improvement of Landed Property in the United Kingdom, and to c. 31. '"amend the Acts relating to such Advances:" And whereas, under the Eighth Section of the said 'last-recited Act, Loans were authorized to be made for the Erection of Farm Buildings in *Ireland*, and 'it is expedient to authorize Loans to be made in like Manner for the Erection of Dwellings for the 'Labouring Classes in *Ireland*:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same,

I. That out of any Money authorized to be advanced for facilitating the Improvement of Landed Property in *Ireland*, under the said recited Act of the Tenth Year of Her Majesty, or under the said secondly-recited Act, or under such Part of the thirdly-recited Act as relates to the Improvement of Landed Property in *Ireland*, Loans may be made for the Erection of Dwellings for Labourers and their Families in any Case in which it shall appear to the Commissioners for Public Works in *Ireland* that more or improved Accommodation for such Labourers is required; and the Commissioners, as the Condition of such Loan, shall require existing Dwellings to be removed, if they shall consider such Removal expedient, and shall not sanction the Erection of any greater Number of Dwellings by means of such Loan than they shall consider sufficient for the Accommodation of the Labourers required for the proper Cultivation of the Estate on which any such Loan is to be advanced, or of the Portion of such Estate on which such Dwellings are to be erected; and all the Provisions of the said recited Act of the Tenth Year of Her Majesty, and the said secondly and thirdly recited Acts, so far as the same are applicable, shall be construed in like Manner as if the Erection of Dwellings, as aforesaid, for the Labouring Classes had been enumerated in such recited Act of the Tenth of Her Majesty among the Purposes for which Loans might be made under that Act. Loans may be made out of Money granted for the Improvement of Landed Property in Ireland for the Erection of Dwellings for the Labouring Classes in Cases herein stated.

II. This Act shall continue in force until the Expiration of Ten Years from the passing thereof, and thenceforth until the End of the then next Session of Parliament. Term of Act.

CAP. XX.

An Act for raising the Sum of Thirteen million two hundred and thirty thousand Pounds by Exchequer Bills for the Service of the Year One thousand eight hundred and sixty. [15th *May* 1860.]

CAP. XXI.

An Act to amend the Act for better regulating the Business of Pawnbrokers. [15th *May* 1860.]

'WHEREAS by an Act of Parliament passed in the Thirty-ninth and Fortieth Years of the Reign 'of King *George* the Third, intituled *An Act for better regulating the Business of Pawnbrokers*, 39 & 40 G. 3. 'it is enacted, that every Pawnbroker shall, at the Time of the taking of every Pawn, Pledge, or Exchange c. 99. 'whatsoever, give to the Person or Persons so pawning, pledging, or exchanging the same a Note or 'Memorandum containing a Description thereof, with other Particulars, as in the Sixth Section of the 'said Act mentioned, and that every such Note, where the Sum lent shall be less than Five Shillings, 'shall be delivered gratis: And whereas it is expedient that Amendment should be made with respect 'to such Delivery:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; that is to say,

I. Upon and from the Commencement of this Act it shall be lawful for all Persons using and exercising the Trade or Business of a Pawnbroker to take One Halfpenny for every such Note or Memorandum as aforesaid where the Sum lent shall be less than Ten Shillings, anything in the said Act contained to the contrary notwithstanding; and the said Sixth Section of the said Act shall be read and construed as if it contained no Enactment for the Delivery of any Note or Memorandum gratis. Pawnbrokers may charge One Halfpenny for Notes describing Things pawned under 10*s*.

II. Provided always, That for every such Note or Memorandum where the Sum lent shall be Ten Shillings or upwards, the respective Sum specified in such Behalf in the said Sixth Section shall and may be taken as heretofore. Payment for Pawns of 10*s*. or upwards to remain as stated in Sect. 6. of recited Act.

CAP. XXII.

An Act to amend the Laws relating to the Customs. [15th *May* 1860.]

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. The following Duty of Customs shall be charged on the Article next herein-after mentioned, on Importation into *Great Britain* and *Ireland*, on and after the Eleventh Day of *February* One thousand eight hundred and sixty; that is to say, Duty of Customs on Chicory.

	£	*s*.	*d*.
Chicory, or any other Vegetable Matter applicable to the Uses of Chicory or Coffee; viz.			
——— raw or kiln dried - - - - - - - - - the Cwt.	0	6	0

As to Duties and Drawbacks of Customs on Wine.

II. In lieu of the Duties and Drawbacks of Customs now charged or allowed on the Articles under mentioned, the following Duties of Customs shall, on and after the Twenty-ninth Day of *February* One thousand eight hundred and sixty, be charged thereon, on Importation into *Great Britain* and *Ireland*, until the Thirty-first Day of *December* One thousand eight hundred and sixty inclusive; that is to say,

	£	s.	d.
Wine of or from Foreign Countries:			
——— Red - - - - - - - - - the Gallon	0	3	0
——— White - - - - - - - - - the Gallon	0	3	0
——— Lees of such Wine - - - - - - - - the Gallon	0	3	0

With an Allowance for Drawback on Exportation until the said Thirty-first Day of December One thousand eight hundred and sixty inclusive of Three Shillings per Gallon on such Wine exported or used as Ship's Stores, but no Drawback shall be granted on Lees of Wine.

On and after the 1st Day of January 1861—
And without any Allowance for Drawback.

Wine containing less than the following Rates of Proof Spirit, verified by Sykes's Hydrometer; viz.

	18 Degrees.			26 Degrees.			40 Degrees.			If imported in Bottles.		
	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
——— of or from Foreign Countries:—												
Red - - - - - the Gallon	0	1	0	0	1	6	0	2	0	0	2	0
White - - - - - the Gallon	0	1	0	0	1	6	0	2	0	0	2	0
Lees of such Wine - - - the Gallon	0	1	0	0	1	6	0	2	0	0	2	0
——— the Growth and Produce of any British Possession:—												
Red - - - - - the Gallon	0	1	0	0	1	6	0	2	0	0	2	0
White - - - - - the Gallon	0	1	0	0	1	6	0	2	0	0	2	0
Lees of such Wine - - - the Gallon	0	1	0	0	1	6	0	2	0	0	2	0

Power to Commissioners of Customs to limit Ports of Importation.

Provided always, that the Commissioners of Customs may by their Order from Time to Time determine into what Ports in *Great Britain* and *Ireland* Wine may or may not be imported; and all Wine imported into any Port contrary thereto shall be forfeited or otherwise dealt with as the said Commissioners may see fit to direct.

Power to Commissioners of Inland Revenue to make Allowances on Wine in Stock.

III. It shall and may be lawful for the Commissioners of Inland Revenue, and they are hereby authorized and empowered, to allow or cause to be allowed to all and every Licensed Dealer and Dealers in Wine in *Great Britain* and *Ireland* Two Shillings and Ninepence for every Gallon of Wine (reckoning Six reputed Quart Bottles to the Gallon) for which all the Duties repealed by this Act shall have been paid, and which was in Stock, and was the sole Property of any such Dealer or Dealers, on the Tenth Day of *February* One thousand eight hundred and sixty; provided always, that such Dealer shall prove, to the Satisfaction of the Commissioners of Inland Revenue, that the Customs Duty has been paid by him within the respective Times herein-after limited on an equal or greater Quantity of Wine of the like Description, (that is to say,) if the Wine be *Portugal* or *French* Red Wine, within Two Years, or, if the same be any other Foreign Wine, within Six Months, preceding respectively the said last-mentioned Day; and if the Wine in Stock be greater than the Quantity on which he shall have paid Duty as last aforesaid, then he shall be allowed the said Two Shillings and Ninepence *per* Gallon on the said last-mentioned Quantity: Provided also, that no such Allowance shall be made to any such Dealer or Dealers in Wine unless he or they respectively shall hold a Licence to deal in Wine for which he shall have paid the Duty of Ten Guineas, or a Licence to retail Wine to be consumed on the Premises, and a Licence to deal in Spirits, or be a Person authorized to sell Wine under the Provisions of the Act Six *George* Fourth, Chapter Eighty-one, Section Thirty; nor unless such Dealer shall show to the Satisfaction of the Officers of Excise or Inland Revenue that he has not received into his Stock or had on the same Premises any *Cape* Wine, Wine from the *Channel Islands*, or Sweets, and that he has conformed in all other respects to the Regulations of the Commissioners of Excise or Inland Revenue and Customs issued from Time to Time in relation to Wine on which any Allowance of Duty was intended to be claimed in the event of a Reduction of the Customs Duty thereon; nor unless such Dealer shall have made the Declaration in respect of his Stock of Wine as the Commissioners of Excise or Inland Revenue shall have required, and the Truth whereof shall have been verified, when required, by Examination of the said Stock and of the Stock and Bin Book of such Dealer; nor unless all such Wine entered by such Dealers shall have been accompanied by a Duplicate Warrant from the Customs, and every such Warrant shall have been lodged with the Excise within One Month from its Date; nor unless such Dealer shall have at all Times kept open to the Inspection of the Officers of Excise or Inland Revenue a Stock Book containing the Stock originally declared, and also Entries of every Parcel subsequently received in or delivered out, and a separate Entry of all Wine exported;

exported; nor unless at the Time of claiming the Allowance hereby granted such Dealer shall make a Declaration of the Quantity and Description of his Stock, verified as aforesaid, and the same, and the Stock Book, shall be found correct; provided also, that every such Dealer shall, on claiming such Allowance, make a solemn Declaration whether any and how much of such Wine in his Possession on the Tenth Day of *February* One thousand eight hundred and sixty has been exported on Drawback between the said Tenth Day of *February* One thousand eight hundred and sixty and Twenty-eighth Day of the same Month inclusive; and no Allowance shall be granted in respect of Wine so exported on Drawback between those Days.

Power to Treasury to authorize Payment of Monies advanced by Commissioners of Inland Revenue.

IV. The Commissioners of Inland Revenue shall cause a separate Account to be kept of all Sums of Money paid or advanced by them as Allowances under the Authority of this Act; and it shall be lawful for the Commissioners of the Treasury and they are hereby empowered, by Warrant under their Hands, from Time to Time to authorize and require the Comptroller of the Exchequer to pay over, out of the Consolidated Fund or the growing Produce thereof, such Sum or Sums of Money so paid or advanced as they shall think proper to the Account of the Receiver General of Inland Revenue; and all such Sums of Money so paid over to such last-mentioned Receiver General shall be applied and dealt with in the same Manner as Monies arising or coming to his Hands from Duties of Inland Revenue.

Duties charged upon Goods, &c. herein mentioned, imported, to cease on and after March 3, 1860, except as to Articles against which other Dates are inserted.

V. The Duties of Customs chargeable upon the Goods, Wares, and Merchandise next herein-after mentioned, imported into *Great Britain* and *Ireland*, shall cease and determine on and after the Third Day of *March* One thousand eight hundred and sixty, except as to Articles against which other Dates are inserted; that is to say,

Agates or Cornelians, set	for every 100*l.* Value.
Apples, raw	the Bushel.
——— of and from British Possessions	the Bushel.
Arms; viz.	
——— Swords, Cutlasses, Matchets, Bayonets, Gun Barrels, Gun Locks, Cannon and Mortars of Iron, not mounted, nor accompanied with Carriages	the Cwt.
——— Cannon and Mortars of Brass not mounted, nor accompanied with Carriages	the Cwt.
——— Cannon and Mortars, mounted, or accompanied with Carriages, and other Fire-arms, viz., Muskets, Rifles, Carbines, Fowling Pieces, or Guns of any other Sort not enumerated, and Pistols	for every 100*l.* Value.
Brass, Manufactures of, not otherwise enumerated	the Cwt.
Brocade of Gold	the lb.
——— of Silver	the lb.
Bronze, Manufactures of, or of Metal, bronzed or lacquered	the Cwt.
Canes, Walking Canes or Sticks, mounted, painted, or otherwise ornamented	the 100.
——— Umbrella and Parasol Sticks	the 100.
Caoutchouc, Manufactures of	the lb.
Cherries, raw	the Bushel.
China or Porcelain Ware, plain, painted, gilt, or ornamented	the Cwt.
Clocks; viz.	
——— not exceeding the Value of 5*s.* each	the Dozen.
——— exceeding the Value of 5*s.* and not exceeding the Value of 12*s.* 6*d.* each	the Dozen.
——— exceeding the Value of 12*s.* 6*d.* and not exceeding the Value of 3*l.* each	each.
——— exceeding the Value of 3*l.* and not exceeding the Value of 10*l.* each	each.
——— exceeding the Value of 10*l.* each	each.
Corks, squared for rounding	the Cwt.
Cotton Manufactures; viz.	
——— Fringe	the lb.
——— Gloves of Cotton or Thread	the Dozen Pairs.
——— Stockings of Cotton or Thread	the Dozen Pairs.
——— Socks or Half Hose of Cotton or Thread	the Dozen Pairs.
——— Articles or Manufactures of Cotton, wholly or in part made up, not otherwise enumerated,	every 100*l.* Value.
Earthenware, not otherwise enumerated or described	the Cwt.
Embroidery and Needlework; viz.	
——— on Silk, or Silk mixed with other Materials, not being Silk Net	every 100*l.* Value.
——— of and from British Possessions	every 100*l.* Value.
——— Silk Net, figured with the Needle, being imitation Lace, and Articles thereof	the lb.
——— Cotton Net, figured with the Needle, being imitation Lace, and Articles thereof	the lb.
——— Curtains, commonly called Swiss, embroidered on Muslin or Net	the lb.
——— all other Embroidery not enumerated	every 100*l.* Value.
——— of and from British Possessions	every 100*l.* Value.
Feathers:	
——— Ostrich, dressed	the lb.

Customs.

Feathers—*continued.*
——— Paddy Bird, dressed - - - - - - - - - the lb.
——— not otherwise enumerated or described; viz.
Dressed - - - - - - - - - - - the lb.
Flowers, Artificial - - - - - - - - - per Cubic Foot.
Fruit, raw, not otherwise enumerated - - - - - - - - the Bushel.
Grapes - - - - - - - - - - - the Bushel.
Gutta Percha, Manufactures of, not moulded - - - - - - - the Cwt.
——— Articles, moulded - - - - - - - - - - the lb.
Hair: Manufactures of Hair or Goats Wool, or of Hair or Goats Wool and any other Material, wholly or in part made up - - - - - for every 100*l.* Value.
Hats or Bonnets; viz.
——— of Chip - - - - - - - - - - the lb.
——— of Bast, Cane, or Horsehair - - - - - - - - the lb.
——— of Straw - - - - - - - - - - the lb.
——— of Hair, Wool, or Beaver - - - - - - - - each.
——— of Felt - - - - - - - - - - each.
Hats, of Silk or Silk Shag, laid upon Felt, Linen, or other Material - - - each.
Iron and Steel, wrought or manufactured; viz.
——— Machinery, Wrought, Castings, Tools, Cutlery, and other Manufactures of Iron or Steel, not enumerated - - - - - - - - the Cwt.
——— fancy ornamental Articles of Iron or Steel - - - - - the Cwt.
——— Manufactures of, coated with Brass or Copper by any Galvanic Process - - the Cwt.
Jewels, Emeralds, and other Precious Stones, set - - - - for every 100*l.* Value.
Lace, and Articles thereof; viz.
——— Mohair or Worsted - - - - - - - - - the lb.
——— Thread or Cotton Pillow Lace (not being Brussels, Point, or Saxon Bone Lace), not exceeding One Inch in Width - - - - - - - - the lb.
Lace, exceeding One Inch in Width - - - - - - - - the lb.
—— Silk Pillow Lace (not being Saxon Wire Ground Lace), and Application - - the lb.
—— Silk Saxon Wire Ground Lace, and all Lace known as Maltese - - - the lb.
—— Brussels Point and other Lace made by the Hand, not otherwise enumerated, for every 100*l.* Value.
Lead, Manufactures of, not otherwise enumerated - - - - - the Cwt.
Leather Manufactures (except Gloves); viz.
——— Boots, Shoes, and Calashes - - - - - - the Dozen Pairs.
——— Women's Boots and Calashes - - - - - - the Dozen Pairs.
—— if lined or trimmed with Fur or other Trimmings - - the Dozen Pairs.
—— Shoes with Cork or double Soles, quilted Shoes and Clogs - - the Dozen Pairs.
—— if trimmed or lined with Fur or any other Trimming - - the Dozen Pairs.
—— of Silk, Satin, Jean, or other Stuffs, Kid, Morocco, or other Leather, the Dozen Pairs.
—— if trimmed or lined with Fur or any other Trimming - - the Dozen Pairs.
——— Girls Boots, Shoes, and Calashes, not exceeding Seven Inches in Length - the Dozen Pairs.
——— Men's Boots and Shoes:
—— if the Quarter do not exceed Two and Three Quarter Inches, or the Vamp Four Inches in Height from the Sole inside - - - - - the Dozen Pairs.
—— if either the Quarter or Vamp exceed the above Dimensions, but do not exceed Six Inches in Height from the Sole inside - - - - the Dozen Pairs.
—— if either the Quarter or Vamp do exceed Six Inches in Height from the Sole inside, the Dozen Pairs.
——— Boys Boots, not exceeding Seven Inches in Length - - - the Dozen Pairs.
—— Shoes, not exceeding Seven Inches in Length - - - the Dozen Pairs.
——— Boot Fronts, not exceeding Nine Inches in Height - - - the Dozen Pairs.
—— exceeding Nine Inches in Height - - - - the Dozen Pairs.
——— Boot Backs - - - - - - - - - the Dozen Pairs.
—— cut into Shapes - - - - - - - - the Cwt.
Gloves of Leather, after the 1st August 1860:
Habit Mitts - - - - - - - - - the Dozen Pairs.
—— Gloves - - - - - - - - - the Dozen Pairs.
Men's Gloves - - - - - - - - - the Dozen Pairs.
Women's Gloves or Mitts - - - - - - - the Dozen Pairs.
Any Article made of Leather, or any Manufacture whereof Leather is the most valuable Part, not otherwise enumerated or described - - - - - for every 100*l.* Value.

Customs.

Linen or Linen and Cotton Manufactures; viz.	
——— Cambric Handkerchiefs, hemmed or hem stitched, not trimmed	the Dozen.
——— Articles, Manufactures of Linen, or of Linen mixed with Cotton or Wool, wholly or in part made up, not particularly enumerated	for every 100*l.* Value.
Lucifers, of Wood	the Cubic Foot.
——— Vesta, of Wax	the 1,000 Matches.
Medlars	the Bushel.
Morphia and its Salts	the lb.
Musical Instruments; viz.	
——— Musical Boxes, small not exceeding Four Inches in Length	the Air.
——— ——— large	the Air.
——— ——— Overtures or extra Accompaniments	the Air.
——— Pianofortes, viz., Horizontal Grand	each.
——— ——— Upright or Square	each.
——— Harmoniums or Seraphines	each.
——— Accordions, viz., commonly called Chinese	the 100 Notes.
——— ——— other Sorts, including Flutinas and Concertinas	the 100 Notes.
——— of Brass, Copper, or any other Metal, and Parts of such	the lb.
——— not otherwise enumerated or described	for every 100*l.* Value.
Oil of Almonds	the lb.
——— Bays	the lb.
Oil, Chemical, Essential, or Perfumed; viz.	
——— Bergamot	the lb.
——— Carraway	the lb.
——— Cassia	the lb.
——— Cloves	the lb.
——— Lavender	the lb.
——— Lemon	the lb.
——— Mint and Spearmint	the lb.
——— Oil or Otto of Roses	the lb.
——— Peppermint	the lb.
——— Spike	the lb.
——— Thyme	the lb.
——— unenumerated	the lb.
Opera Glasses, single	each.
——— double, and all Marine and Race Glasses, not being Telescopes	each.
Pears, raw	the Bushel.
Percussion Caps	the 1,000.
Perfumery, not otherwise enumerated	the lb.
Quinces	the Bushel.
Quinine, Sulphate of	the oz.
Silk; viz.	
——— Millinery of Silk, or of which the greater Part of the Material is Silk; viz.	
Turbans or Caps	each.
Hats or Bonnets	each.
Dresses	each.
——— Corahs, Choppas, Bandannas, Tussore Cloths, Romals, and Taffaties; viz.	
in Pieces not exceeding 6¼ Yards in Length	the Piece.
——— exceeding 6¼ and not exceeding 7¼ Yards in Length	the Piece.
——— exceeding 7¼ and not exceeding 12 Yards in Length	the Piece.
——— China Crape Shawls, Scarfs, Handkerchiefs, and Pieces; viz.	
Plain and Damask	the lb.
Embroidered	the lb.
Damask	the running Yard.
——— Pongees; viz.	
in Pieces not exceeding 15 Yards in Length	the Piece.
——— exceeding 15 and not exceeding 21 Yards in Length	the Piece.
——— exceeding 21 and not exceeding 31 Yards in Length	the Piece.
——— Handkerchiefs, plain and figured, in Pieces not exceeding 9 Yards in Length	the Piece.
——— exceeding 9 Yards and not exceeding 18 Yards in Length	the Piece.
——— Manufactures of Silk or of Silk and any other Material, not being Articles wholly or in part made up, not particularly enumerated	for every 100*l.* Value.
——— ——— of and from a British Possession	for every 100*l.* Value.

Customs.

Silk—*continued.*
——— Articles, Manufactures of Silk, or of Silk and any other Material, not particularly enumerated, for every 100*l.* Value.
——————— of and from a British Possession - - - - - for every 100*l.* Value.
——— Manufactures of Silk, or of Silk mixed with Metal or any other Material the Produce of Europe; viz.
Silk or Satin, plain, striped, figured, or brocaded; viz.
Broad Stuffs - - - - - - - - - the lb.
Articles thereof not otherwise enumerated - - - - - the lb.
——— Gauze or Crape, plain, striped, figured, or brocaded; viz.
Broad Stuffs - - - - - - - - - the lb.
Articles thereof not otherwise enumerated - - - - - the lb.
——— Gauze, mixed with Silk, Satin, or any other Materials, the Gauze being in less Proportion than One Half Part of the Fabric; viz.
Broad Stuffs - - - - - - - - - the lb.
Articles thereof not otherwise enumerated - - - - - the lb.
——— Velvet, plain or figured; viz.
Broad Stuffs - - - - - - - - - the lb.
Articles thereof not otherwise enumerated - - - - - the lb.
——— Broad Stuffs, the Foundation of which is wholly composed of Cotton or other Materials than Silk - - - - - - - - - the lb.
——— Ribbons, plain Silk, of One Colour only - - - - - - the lb.
Plain Satin, of One Colour only - - - - - - - the lb.
Silk or Satin, striped, figured, or brocaded, or plain Ribbons of more than One Colour - - - - - - - - - the lb.
Gauze or Crape, plain, striped, figured, or brocaded - - - - the lb.
Gauze, mixed with Silk, Satin, or other Materials, the Gauze being in less Proportion than One Half Part of the Fabric - - - - - - - the lb.
Velvet or Plush, wholly of Silk, or of Silk mixed with Cotton, not exceeding Nine Inches in Width; viz.
Plain, or embossed by Depression, without Satin or Fancy Edge - - the lb
Figured, brocaded, striped, or spotted, or with Fancy or Satin Edge, and Silk Ribbons in any way mixed or ornamented with Velvet or Plush - - - the lb.
Fancy Silk Net or Tricot - - - - - - the lb.
Plain Silk Lace or Net called Tulle - - - - - the lb.
Manufactures of Silk, or of Silk mixed with other Materials, called Plush, not being Ribbons - - - - - - - - the lb.
Articles thereof not otherwise enumerated - - - - - the lb.
Black Plush, commonly used for making Hats - - - - the lb.
Parasols and Umbrellas - - - - - - - - each.
Damask of Silk and Wool, or of Silk and other Materials, for Furniture - the lb.
Manufactures of Silk, or of Silk mixed with any other Materials, not particularly enumerated - - - - - - - for every 100*l.* Value.
Stays or Corsets of Linen or of Cotton, or of Linen and Cotton mixed - the Dozen Pairs.
Sulphuric Acid - - - - - - - - - - the lb.
Toys; viz.
Marbles - - - - - - - - - - - the Cwt.
All other Toys - - - - - - - - - - the Cubic Foot.
Turnery, not otherwise described - - - - - - - the Cubic Foot.
Watches; viz.
Watches of Gold, Silver, or any other Metal, exceeding the Value of 10*l.* each - each.
——————— Gold, open Faces - - - - - - - - - - each.
——————— Hunter - - - - - - - - - - each.
——————— Repeaters - - - - - - - - - - each.
——————— Silver or any other Metal, not Gold - - - - - - each.
——————— ——————— open Faces - - - - - - - - each.
——————— ——————— Hunters - - - - - - - - each.
——————— ——————— Repeaters - - - - - - - - - each.
Woollens; viz.
——————— Articles or Manufactures of Wool (not being Goat's Wool) or of Wool mixed with Cotton; viz.
——————— Carpets and Rugs - - - - - - - the Square Yard.

Woollens—*continued.*

——— Shawls, Scarfs, and Handkerchiefs, plain	-	-	the lb.
——— ——— Printed	-	-	the lb.
——— Gloves	-	-	the Dozen Pairs.
——— wholly or in part made up, not otherwise charged with Duty	-	-	for every 100*l.* Value.

Goods being either in part or wholly manufactured, and not being enumerated or described, and not prohibited to be imported into or used in Great Britain or Ireland; but if any such Goods shall be composed of any Article liable to Duty as a Part or Ingredient thereof, then such Goods shall be chargeable with the full Duty payable on such Article, or if composed of more than One Article liable to Duty then with the full Duty payable on the Article charged with the highest Rate of Duty.

In lieu of Duties on Articles under mentioned, the Duties herein named shall be charged until the Days herein-after mentioned; after those Days the Duties to cease.

VI. In lieu of the Duties of Customs now chargeable on the Articles next herein-after mentioned, on their Importation into *Great Britain* and *Ireland*, the following Duties of Customs shall, on and after the Sixth Day of *March* One thousand eight hundred and sixty, be charged, until the respective Days herein-after mentioned; and from and after those Days respectively the said Duties shall cease and determine; that is to say,

Until the 31st Day of March 1862 inclusive.

		£	*s.*	*d.*
Corks, ready made	the lb.	0	0	3

Until the 31st Day of March 1861 inclusive.

		£	*s.*	*d.*
Hats or Bonnets; viz.				
Of Chip	the lb.	0	1	3
Of Bast, Cane, or Horsehair	the lb.	0	1	3
Of Straw	the lb.	0	1	3

Until the 1st Day of August 1860 inclusive.

		£	*s.*	*d.*
Leather Manufactures; viz.				
——— Gloves of Leather—				
——— Habit Mitts	the Dozen Pairs	0	1	2
——— ——— Gloves	the Dozen Pairs	0	1	9
——— Men's Gloves	the Dozen Pairs	0	1	9
——— Women's Gloves or Mitts	the Dozen Pairs	0	2	3

Duties on Paper, &c.

VII. In lieu of the Duties of Customs now chargeable on the under-mentioned Articles on their Importation into *Great Britain* and *Ireland* the following Duties of Customs shall, on and after the Sixth Day of *March* One thousand eight hundred and sixty, and until the Fifteenth Day of *August* One thousand eight hundred and sixty, inclusive, be charged, and that from and after that Date the Duties shall be the same as the Excise Duties for the Time being on Paper of *British* Manufacture.

		£	*s.*	*d.*
Paper; viz.				
——— Printed, painted, or stained Paper Hangings, or Flock Paper	the Cwt.	0	14	0
——— Pasteboard	the Cwt.	0	15	0

In lieu of Duties now charged on Spirits the Duties herein named to be charged.

VIII. In lieu of the Duties of Customs now charged on the Articles under mentioned the following Duties of Customs shall, on and after the Sixth Day of *March* One thousand eight hundred and sixty, be charged thereon on Importation into *Great Britain* and *Ireland*; viz.

		£	*s.*	*d.*
Spirits or Strong Waters, not being sweetened or mixed with any Article so that the Degree of Strength thereof cannot be ascertained by Sykes's Hydrometer, for every Gallon of the Strength of Proof by such Hydrometer, and so in proportion for any greater or less Strength than the Strength of Proof, and for any greater or less Quantity than a Gallon	the Gallon	0	8	6
Spirits of and from a British Possession in America or the Island of Mauritius, and Rum of and from any British Possession within the Limits of the East India Company's Charter, in regard to which the Conditions of the Act 4 Vict. c. 8. have or shall have been fulfilled	the Gallon	0	8	3
——— Rum Shrub, Liqueurs and Cordials, of and from a British Possession in America or the Island of Mauritius, or a British Possession within the Limits of the East India Company's Charter, qualified as aforesaid	the Gallon	0	8	3
——— Rum of and from any Foreign Country, being the Country of its Production,	the Gallon	0	8	3
——— Rum from any Country not being the Country of its Production	the Gallon	0	8	6
——— Tafia of and from any Colony of France	the Gallon	0	8	3
——— other Spirits, being sweetened or mixed, so that the Degree of Strength cannot be ascertained as aforesaid, and perfumed Spirits, to be used as Perfumery only	the Gallon	0	12	0

	£	s.	d.
Spirits—*continued.*			
Spirits or Strong Waters, imported into the United Kingdom, mixed with any Ingredient, and, although thereby coming under some other Designation, except Varnish, shall nevertheless be deemed to be Spirits or Strong Waters, and be subject to Duty as such.			
——— Water, Cologne, the Flask (Thirty of such Flasks containing not more than One Gallon) - - - - - - - - - - each	0	0	5
——— ——— when not in Flasks, as perfumed Spirits - - the Gallon	0	12	0

Duties on Articles herein named to cease on and after March 7, 1860.

IX. The Duties of Customs chargeable upon the Goods Wares, and Merchandise herein-after next mentioned, imported into *Great Britain* and *Ireland*, shall, on and after the Seventh Day of *March* One thousand eight hundred and sixty, cease and determine; that is to say,

Almonds, not Jordan, nor bitter - - - - - - - - -	the Cwt.
Jordan - - - - - - - - - - -	the Cwt.
Ammunition; viz.	
Shot, large and small, of Lead - - - - - - - -	the Cwt.
of Iron - - - - - - - -	the Cwt.
Rockets and other Combustibles for Purposes of War, and not otherwise enumerated or described - - - - - - - - -	Value.
Apples, dried - - - - - - - - - - -	the Bushel.
Baskets - - - - - - - - - - -	the Cubic Foot.
Beads; viz.	
Arango - - - - - - - - - -	the lb.
Coral - - - - - - - - - - -	the lb.
Crystal - - - - - - - - - -	the lb.
Jet - - - - - - - - - - -	the lb.
not otherwise enumerated or described - - - - - -	the lb.
Boxes; viz.	
Brass - - - - - - - - - -	the Cwt.
not otherwise charged with Duty - - - - - - - -	Value.
Butter - - - - - - - - - -	the Cwt.
of and from a British Possession - - - - - - -	the Cwt.
Candles; viz.	
Spermaceti - - - - - - - - -	the Cwt.
Stearine - - - - - - - - - -	the Cwt.
Tallow - - - - - - - - - -	the Cwt.
Wax - - - - - - - - - -	the Cwt.
Capers, including the Pickle - - - - - - - - -	the lb.
Cassia Lignea - - - - - - - - - -	the lb.
Cheese - - - - - - - - - -	the Cwt.
of and from a British Possession - - - - - - -	the Cwt.
Cinnamon - - - - - - - - - -	the lb.
Cloves - - - - - - - - - -	the lb.
Coculus Indicus - - - - - - - - - -	the Cwt.
Copper, Manufactures of, not otherwise enumerated or described, and Copper Plates engraved - - - - - - - - - -	the Cwt.
Coral Negligees - - - - - - - - - -	the lb.
Daguerreotype Plates - - - - - - - - - -	the lb.
Dates - - - - - - - - - -	the Cwt.
Eggs - - - - - - the Cubic Foot of the Package, internal Measurement.	
of and from a British Possession - -	
Extract; viz.	
of Cardamoms - - - - - - - - -	Value.
Coculus Indicus - - - - - - - - -	Value.
Guinea Grains of Paradise - - - - - - - -	Value.
Liquorice - - - - - - - - - -	Value.
Nux Vomica - - - - - - - - -	Value.
Opium - - - - - - - - - -	Value.
Guinea Pepper - - - - - - - -	Value.
Peruvian or Jesuits Bark - - - - - - - -	Value.
Quassia - - - - - - - - - -	Value.
Radix Rhataniæ - - - - - - - - -	Value.
Vitriol - - - - - - - - - -	Value.
or Preparation of any Article, not particularly enumerated - - -	Value.
Ginger - - - - - - - - - - -	the Cwt.

Customs.

Glass; viz.	
Flint Cut Glass, Flint Coloured Glass, and Fancy ornamental Glass of whatever Kind	the Cwt.
Gongs	the Cwt.
Grains, Guinea and of Paradise	the Cwt.
Japanned or Lacquered Ware	the Cwt.
Liquorice; viz.	
Paste	the Cwt.
—— of and from British Possessions	the Cwt.
Powder	the Cwt.
—— of and from British Possessions	the Cwt.
Juice	the Cwt.
Mace	the lb.
Mustard; viz.	
Flour	the Cwt.
mixed or manufactured, except Flour	the Cwt.
Nutmegs; viz.	
except those commonly called Wild	the lb.
Wild in the Shell	the lb.
—— not in the Shell	the lb.
or other Spices, or Admixtures thereof, ground	the lb.
Nuts; viz.	
Small Nuts	the Bushel.
Walnuts	the Bushel.
Nux Vomica	the Cwt.
Oilcloth	the Square Yard.
Onions	the Bushel.
Opium	the lb.
Oranges and Lemons	the Bushel.
Pears, dried	the Bushel.
Pewter, Manufactures of, not otherwise enumerated	the Cwt.
Pimento	the Cwt.
Platting; viz.	
of Chip, not being of greater Value than Sixpence per Piece of 60 Yards	the lb.
or other Manufactures of Straw, Chip, or other Materials to be used in or proper for making or ornamenting Hats or Bonnets, not otherwise enumerated	the lb.
Cordonet Single, and Twist of Straw or of other Materials	the lb.
Willow Squares	the Cwt.
Pomatum	the lb.
Quassia	the Cwt.
Rice; viz.	
not rough nor in the Husk	the Cwt.
rough and in the Husk	the Quarter.
Salacine	the oz.
Sauces not otherwise enumerated	the lb.
Scaleboards	the Cwt.
Seeds, Caraway	the Cwt.
—— of and from British Possessions	the Cwt.
Ships, Foreign-built, broken up, or sold to be broken up, or abandoned by the Owners, or sold as Wreck, whether afterwards recovered or repaired or not	Value.
Soap; viz. Hard	the Cwt.
Soft	the Cwt.
Naples	the Cwt.
Scented or Fancy Soap	the lb.
Soy	the Gallon.
Spa Ware	the Cubic Foot.
Spelter or Zinc, Manufactures of, not otherwise enumerated	the Cwt.
Stearine	the Cwt.
Tallow	the Cwt.
—— of and from British Possessions	the Cwt.
Tin; viz. Foil	the Cwt.
Manufactures of, not otherwise enumerated	the Cwt.

Veneers	the Cwt.
Washing Balls	the lb.
Yarn, Woollen or Worsted; viz.	
Commonly called Berlin Wool, or Zephyr Yarn, and Woollen and Worsted Yarn of Two or more Threads; viz.	
Scoured, bleached, or coloured	the lb.
Not scoured, bleached, or coloured	the lb.

In lieu of Duties now charged on Articles herein named, the reduced Duties to be charged on and after March 7, 1860.

X. In lieu of the Duties of Customs now chargeable on the Articles next mentioned, imported into *Great Britain* and *Ireland*, the following Duties of Customs shall, on and after the Seventh Day of *March* One thousand eight hundred and sixty, be charged; that is to say,

		£	s.	d.
Plate of Gold	the oz. Troy	0	17	0
——— Silver, Gilt or Ungilt	the oz. Troy	0	1	6
Powder; viz.				
Hair Powder	the Cwt.	0	0	4½
Perfumed	the Cwt.	0	0	4½
Vermicelli and Maccaroni	the Cwt.	0	0	4½
Currants	the Cwt.	0	7	0
Figs	the Cwt.	0	7	0
Fig Cake	the Cwt.	0	7	0
Raisins	the Cwt.	0	7	0

Duties now charged on Tea, Sugar, &c., continued until 1st July 1861.

XI. The Duties of Customs now charged on the Articles next mentioned shall continue to be levied and charged, on and after the First Day of *April* One thousand eight hundred and sixty until the First Day of *July* One thousand eight hundred and sixty-one, on Importation into *Great Britain* and *Ireland*; that is to say,

		£	s.	d.
Tea (without any Allowance for Draft)	the lb.	0	1	5
Cherries, dried	the lb.	0	0	2
Comfits, dry	the lb.	0	0	2
Confectionery	the lb.	0	0	2
Ginger, preserved	the lb.	0	0	2
Marmalade	the lb.	0	0	2
Plums, preserved in Sugar	the lb.	0	0	2
Succades, including all Fruits and Vegetables preserved in Sugar, not otherwise enumerated	the lb.	0	0	2
Sugar; viz,				
Candy, Brown or White, Refined Sugar, or Sugar rendered by any Process equal in Quality thereto	the Cwt.	0	18	4
White Clayed Sugar, or Sugar rendered by any Process equal in Quality to White Clayed, not being Refined or equal in Quality to Refined	the Cwt.	0	16	0
Yellow Muscovado and Brown Clayed Sugar, or Sugar rendered by any Process equal in Quality to Yellow Muscovado or Brown Clayed, and not equal to White Clayed	the Cwt.	0	13	10
Brown Muscovado or any other Sugar, not being equal in Quality to Yellow Muscovado or Brown Clayed Sugar	the Cwt.	0	12	8
Cane Juice	the Cwt.	0	10	4
Molasses	the Cwt.	0	5	0

The following Drawbacks shall be allowed on Exportation to Foreign Parts, or on Removal to the *Isle of Man* for Consumption there, of the several Descriptions of Refined Sugar herein-after mentioned, on and after the First Day of *April* One thousand eight hundred and sixty until the First Day of *July* One thousand eight hundred and sixty-one; that is to say,

		£	s.	d.
Upon Refined Sugar, in Loaf, complete or whole, or Lumps duly refined, having been perfectly clarified and thoroughly dried in the Stove, and being of an uniform Whiteness throughout, or Sugar Candy, or Sugar refined by the Centrifugal Machine, or by any other Process, and not in any way inferior to the Export Standard No. 3. approved by the Lords of the Treasury	for every Cwt.	0	17	2
Upon such Refined Sugar already described, if pounded, crushed, or broken in a Warehouse approved by the Commissioners of Customs, such Sugar having been there first inspected by the Officers of Customs in Lumps or Loaves, as if for immediate Shipment, and then packed for Exportation in the Presence of such Officers, and at the Expense of the Exporters	for every Cwt.	0	17	2

	£	s.	d.
Upon Refined Sugar unstoved, pounded, crushed, or broken, and not in any way inferior to the Export Standard Sample No. 1. approved by the Lords of the Treasury, and which shall not contain more than 5 per Centum Moisture over and above what the same would contain if thoroughly dried in the Stove, for every Cwt.	0	16	4
Upon Bastard or Refined Sugar, unstoved, broken in Pieces, or being ground, powdered, or crushed, not in any way inferior to the Export Standard Sample No. 2. approved by the Lords of the Treasury - - - for every Cwt.	0	15	1
Upon Bastard or Refined Sugar being inferior in Quality to the said Export Standard Sample No. 2. - - - - - for every Cwt.	0	12	8

Duties on Timber and Wood.

XII. In lieu of the Duties of Customs now chargeable on Wood and Timber, as denominated in the Table A. to the "Tariff Act, 1855," Foreign and Colonial, on Importation into *Great Britain* and *Ireland*, the following Duties of Customs shall, on and after the Eighth *March* One thousand eight hundred and sixty, be charged; that is to say,

	£	s.	d.
Wood and Timber, hewn, and Lathwood - - - - - the Load	0	1	0
Sawn or split, planed or dressed - - - - - - the Load	0	2	0
Firewood, not exceeding 3 Feet in Length - - - - the Load	0	1	0

The following Duties of Customs shall be charged on and after the Eighth of *March* One thousand eight hundred and sixty, on the Goods under mentioned, on Importation into *Great Britain* and *Ireland*; that is to say,

	£	s.	d.
Teak and Wood for Shipbuilding Purposes - - - - - the Load	0	1	0
Mahogany, Hard Wood, or Furniture Woods; viz.			
Box Wood, Beef Wood, Cedar, Ebony, King Wood, Lignum Vitæ, Maple, New Zealand Wood, Olive Wood, Purple Wood, Rose Wood, Satin Wood, Santa Maria Wood, Speckled Wood, Sweet Wood, Tulip Wood, Walnut Wood, Zebra Wood, Furniture Wood unenumerated, not being Ash, Beech, Birch, Elm, Oak, and Wainscot - - - - - - - - the Ton	0	1	0
Staves, not exceeding 72 Inches in Length, nor 7 Inches in Breadth, nor $3\frac{1}{4}$ Inches in Thickness (except Staves for Herring Barrels) - - - - the Load	0	1	0

Drawback on Wood Goods.

The following Drawbacks shall, from and after the Eighth Day of *March* One thousand eight hundred and sixty, be allowed on Exportation to Foreign Parts of the several Descriptions of Wood and Timber, whether Foreign or Colonial, herein-after mentioned; that is to say,

	£	s.	d.
Wood and Timber, hewn, and Lathwood - - - - - the Load	0	1	0
Sawn or split, planed or dressed - - - - - the Load	0	2	0
Teak and Wood for Shipbuilding Purposes - - - - - the Load	0	1	0
Mahogany, Hard Wood, or Furniture Woods - - - - the Ton	0	1	0
Staves not exceeding 72 Inches in Length, nor 7 Inches in Breadth, nor $3\frac{1}{4}$ Inches in Thickness (except Staves for Herring Barrels) - - the Load	0	1	0

Provided that no such Drawback shall be allowed unless the Person claiming the same shall make and subscribe a Declaration that the Goods in respect of which he claims such Drawback are of Foreign or Colonial Produce, as the Case may be.

Duties on Timber to be paid on First Importation.

XIII. The Duty on Timber and Wood Goods shall be paid on the First Importation thereof, and no such Goods shall be warehoused under the Laws in force for the warehousing of Goods in Warehouses approved for the warehousing of Goods without Payment of Duty on the First Entry thereof, either for Home Consumption, Exportation, or otherwise.

Duty on Ships.

XIV. On and after the Twenty-first Day of *March* One thousand eight hundred and sixty there shall be charged upon all Ships, Foreign-built, of Wood, and upon all Ships built of Wood in any of Her Majesty's Possessions abroad, on the Registration thereof as *British* Ships at any Port or Place for the Registry of *British* Ships in *Great Britain* and *Ireland*, the Duties of Customs following; that is to say,

	s.	d.
For every Ton of the gross Registered Tonnage of such Ships, without any Deduction in respect of Engine Room or otherwise - - - - - - -	1	0

Rates payable on Delivery of Goods from Warehouse for Home Consumption.

XV. Upon Goods deposited in any Warehouse for the Security of Duties of Customs, and in addition to such Duties of Customs, or any other Charges payable thereon, there shall be paid at the Time of Delivery from the Warehouse for Home Consumption the Rates following; that is to say,

For every 100*l.* of Customs Duty payable on the Goods.

	£	s.	d.
Upon such Goods, not being Tobacco or Sugar, as shall not have been removed under Bond from any such Warehouse in any Port or Place to any other Warehouse in any other Port or Place - - - - - - - - - -	0	5	0
Upon such Goods, not being Tobacco or Sugar, as shall have been so removed under Bond - - - - - - - - - - -	0	10	0

	£	s.	d.
Upon Tobacco which shall not have been so removed under Bond - - -	0	2	6
Upon Tobacco which shall have been so removed under Bond - - - -	0	5	0
Upon Sugar which shall not have been so removed under Bond - - - -	0	5	0
Upon Sugar which shall have been so removed under Bond - - - -	0	10	0

Provided that the extra Rates above charged upon any Goods which shall have been removed under Bond shall not apply to Removals under Bond to Warehouses in Ports or Places which now possess the Privilege of bonding.

Rates on Imports as herein stated.

XVI. There shall be charged (irrespective of any Duties of Customs or other Rates or Charges payable by Law) upon the Importation of all Goods into *Great Britain* and *Ireland*, except Corn, Grain, and Flour, and Timber and Wood Goods, and Goods in Transit exported under Bond, and Goods imported for Exportation in the same Ship, provided they be so reported, the respective Rates and Charges following; that is to say,

	s.	d.
Goods in Packages or Parcels, per Package or Parcel or other Unit of Entry - -	0	1
Goods in Bulk by Weight, Measure, or Number, for each Unit of Entry - - -	0	1
Animals, per Head or other Unit of Entry - - - - - - - -	0	1
And there shall be charged upon every Customs Bill of Lading, on the Exportation of any Goods from Great Britain and Ireland - - - - - - - -	1	6

Definition of Unit of Entry.

XVII. The Term Unit of Entry shall mean the Number of Packages or Animals or Quantity of Goods made chargeable with the Rate of One Penny in manner herein-after provided.

Power to adjust Unit of Entry.

XVIII. It shall be lawful for the Lords of the Treasury or the Commissioners of Customs to fix or adjust the Number or Quantity of Goods which shall constitute the Unit of Entry chargeable with the Rate of One Penny, having regard to the Value of the Goods, and from Time to Time to alter and vary the same as they may see fit, so that the said Rate of One Penny shall exceed as little as may be in their Judgment Five Shillings for every Hundred Pounds Sterling upon the lowest ordinary Value of the Article to which such Charge attaches.

Rates to be paid by Stamps.

XIX. The Rates of One Penny *per* Unit of Entry on Goods imported into *Great Britain* and *Ireland* imposed by this Act shall be paid or denoted by adhesive Stamps provided in pursuance of this Act; and every Person liable to pay such Rates or Charges shall affix the proper Stamp or Stamps, representing the Amount required for that Purpose, to such Document or Documents, at such Time or Times and in such Manner, and shall present the same to such Officer of Customs, as the Commissioners of Customs shall at any Time and from Time to Time order or direct; and no such Document shall be received or acted upon by the proper Officer of Customs for the Purpose for which the same is intended if the Stamp or Stamps affixed thereto shall be of less Value or Amount than the Rates due and payable in respect of the Goods or Packages comprised in such Document, nor unless the same shall be the proper Stamp or Stamps applicable to such Document, and be clear and unobliterated, and not have been used before.

Particulars of Free Goods Inwards.

XX. The Importer of any Goods liable to the Rate of One Penny *per* Unit of Entry, but free of Duties of Customs upon Importation thereof, shall at the Time of Entry, or before Delivery of such Goods, furnish Particulars according to the Description of the Goods imported and other Characters and Circumstances set forth in respect of such Goods in the Tariff to this or any other Act relating to the Customs in force for the Time being, or in the event of any Alteration in the Mode of describing such Goods or any of them being directed by the Lords of the Treasury, then as to such Goods according to such Alteration or Direction, and shall make and subscribe a Declaration at the Foot thereof of the Truth of such Particulars; and the same may be written upon the Entry or other Document to which the Stamps representing the Sum payable in respect of such Unit of Entry are affixed at the Time of presenting the same, or in case of Entry by Bill of Sight, or by imperfect Entry for the Purpose of clearing the Ship, then on the perfect Entry at the Time of perfecting such Entry, and in the latter Cases the One Penny *per* Unit of Entry shall be paid on the perfecting of such Entry before the Delivery of the Goods; and if such Particulars shall be untrue the Person making such Declaration shall forfeit and pay a Penalty of Forty Shillings.

Construction of the Term "Bill of Lading."

XXI. The Term "Bill of Lading" shall be construed to mean and include any Bill of Lading or other Instrument equivalent thereto or used in the Place thereof, on the Consignment or forwarding of any Goods to Foreign Parts, or which shall or may be used by any Shipper, Carrier, Forwarder, or Consignee, Broker, or other Person as and for or to serve the Purpose of a Bill of Lading on the Exportation of Goods, whether shipped direct from the Port of Shipment, or forwarded by Railway, Canal, or other Mode of Transit or Carriage, to any Port or Place for Shipment, and also to mean and include the Shipping Bill now required under "The Customs Consolidation Act, 1853," if the Commissioners of Customs shall order and direct that the same shall be used and accepted in *London*, or at any other Port or Place, as and for the Bill of Lading required by this Act; and the Customs Bill of Lading shall be a Counterpart of such Bill of Lading or other Instrument as aforesaid, except where the Shipping Bill shall be used and accepted as aforesaid as and for the Bill of Lading, in which Case such Shipping Bill shall be the Customs Bill of Lading, and shall contain the Name and Address of the Exporter of the Goods

Goods therein mentioned, or his Agent, and an accurate Specification of the Marks, Numbers, Description, Quantity, and Value of the Goods comprised therein, showing separately those which are of *British* Manufacture and those which are Foreign, imported free of Duty, or on which all Duties have been paid, and are not to be drawn back, shall be endorsed on such Counterpart or annexed thereto, or be included in such Shipping Bill where the same shall be used and accepted as aforesaid; and shall, when received by the proper Officer of Customs, be deemed to be the Entry Outwards, so far as relates to any Goods comprised therein in respect whereof no Bond is required on the Exportation thereof; and no such Bill of Lading or other Instrument as aforesaid in respect of any Goods exported shall be valid if it contain or include the Goods of more than One Consignor, nor if the Goods be for Delivery from such Consignor to more than One Person or Firm under the Consignment thereby made; and every Person who shall make, sign, or utter any Bill of Lading or other Instrument as aforesaid contrary hereto shall be deemed to have evaded the Stamp Duty on each separate Consignment mentioned therein, and shall forfeit and pay a Penalty of Five Pounds, in addition to treble the Amount of Stamp Duty so evaded.

Bill of Lading to be deemed the Entry Outwards of Free Goods, but not to include more than One Consignment.

Penalty.

XXII. The "Customs Bills of Lading," not being in the Form of a Shipping Bill, relating to the Goods exported by any Ship, together with the Specification herein-before required to be endorsed thereon or annexed thereto, shall either before or within Twenty-four Hours after the final Clearance of such Ship be delivered by the Exporter of such Goods or his Agent to the proper Officer of Customs, with a Declaration subscribed by him that such Specification is true, except where it shall be found more convenient to the Exporter of the Goods to postpone the Endorsement or Delivery of such Specification, in which Case he shall by himself or his Agent, either before or within such Twenty-four Hours, deliver to the proper Officer of Customs the "Customs Bills of Lading," and shall within Six Days thereafter deliver to the proper Officer of Customs separately the Specification of the Goods contained in such "Customs Bill of Lading," with the like Declaration of the Truth thereof; provided that where the Shipping Bill shall be used and accepted as and for the Customs Bill of Lading, the same shall be delivered prior to the Shipment of the Goods, and shall contain all the Particulars required to be given in the Endorsement on the Bill of Lading or Specification herein-before referred to, unless it shall be found more convenient to postpone the Delivery of such Particulars, in which Case the Shipping Bill shall not be required to contain more than the Marks and Numbers, and Number of the Packages and general Denomination of the Goods, with the Name and Address of the Exporter or his Agent; but in such Case the Specification herein-before required shall be delivered within Six Days after the final Clearance of the Ship, as in the Case of Postponement of Specification, and with the like Declaration of the Truth thereof; and it shall be lawful for the proper Officer of Customs to call for the Invoice, Bills of Lading, Bills of Parcels, and such other Documents as relate to the Goods as he may think necessary to test the Accuracy of such Specification, and every Person in whose Hands the same may be shall produce the same when so required; and if such Exporter or his Agent, or other Person, shall fail to comply with such of the foregoing Requirements as respectively relate to him, he shall forfeit and pay for every such Offence a Penalty of Forty Shillings: Provided also, that these Requirements shall not apply to any Cargoes or Parts of Cargoes which shall have been shipped under the Regulations in force prior to the passing of this Act: Provided also, that it shall be lawful for the Commissioners of Customs to extend the Time or Times within which the Customs Bill of Lading, with or without the Specification endorsed thereon or annexed thereto, or the Specification separately, at any Port or Place as they may see fit, shall or may be delivered to the proper Officer of Customs.

Bills of Lading to be delivered within Time prescribed.

Penalty on failing to comply with foregoing Requirements.

XXIII. When any Goods are delivered by any Exporter or his Agent to any Carrier or Forwarder, for the Purpose of being conveyed by Railway, Canal, or other Mode of inland Carriage or Transit, to and to be exported from any Port of Shipment, by or for such Carrier or Forwarder, such Exporter or his Agent shall in all Cases where a Shipping Bill is now required by Law prepare and sign, adding thereto his Address, Place of Abode or Business, and deliver to such Carrier or Forwarder, the Customs Bill of Lading or Shipping Bill as required by this Act on the Exportation of Goods, and such Carrier or Forwarder shall obtain the Signature of the Master of such Ship to such Bill of Lading, and shall, either before or within Twenty-four Hours after the final Clearance of such Ship, deliver such Bill of Lading to the proper Officer of Customs at the Port of Shipment; and if such Customs Bill of Lading shall not at the Time of the Delivery thereof to such proper Officer be endorsed with the Specification by this Act required on the Exportation of Goods, the Exporter or his Agent shall, within Six Days after the final Clearance of the exporting Ship, transmit to the proper Officer of Customs of the Export Department at the Port of Shipment the separate Specification by this Act required in Cases where the Exporter or his Agent postpones the Endorsement upon or Delivery of such Specification, with the Customs Bill of Lading; and every Exporter, Agent, Carrier, Forwarder, or Broker who shall fail to comply with such of the Requirements hereby made as relate to him or them respectively shall forfeit and pay a Penalty of Forty Shillings; and every such Carrier or Forwarder who shall convey any Goods to any Port of Shipment, to be there shipped and exported by or for him, without such Customs Bill of Lading in respect thereof, shall forfeit and pay for every such Offence the Sum of Forty Shillings.

Bills of Lading, &c., relating to Goods conveyed by Forwarders.

Penalty on Exporter, &c. failing to comply with Requirements hereby made.

XXIV. The Term "Carrier or Forwarder" shall be understood to mean and apply to any public Carrier or other Person undertaking the Through-Carriage by Land and Sea of any Goods to Foreign Parts,

Meaning of the Terms "Carrier or For-

warder" and "Goods" as used in this Act.

Parts, or the Carriage of any Goods to any Port or Place of Shipment, to be there shipped and exported to Foreign Parts by or for him; and the Term "Goods" as used in this Act shall be understood to mean Goods, Wares, and Merchandise exported in the Way of Trade, and shall not apply to small Parcels or other Articles in respect of which Shipping Bills have not been required under the Customs Laws prior to the passing of this Act.

Penalty on Exporter, &c. shipping without Bill of Lading.

XXV. If any Exporter, Shipper, or other Person shall have shipped or caused to be shipped for Exportation to Parts beyond the Seas any Goods for which the Customs Bill of Lading shall not have been delivered within the Time specified by this Act after the final Clearance of the Exporting Ship to the proper Officer of Customs, or for which the Shipping Bill, where the same shall be used and accepted as aforesaid as and for the Customs Bill of Lading, shall not have been so delivered prior to the Shipment of the Goods, such Exporter, Shipper, or other Person so offending shall forfeit and pay a Penalty of Twenty Pounds.

Master or Owner to deliver a Manifest of Goods shipped.

XXVI. The Master or Owner of every Ship in which any Goods shall be shipped for Exportation shall by himself or his Agent, within Six Days after the final Clearance outwards of such Ship, deliver to the proper Officer of Customs a Manifest of all the Goods so shipped, containing the Marks and Numbers and the Number and Description of the Packages, distinguishing each Consignment, and furnishing the Names of the respective Consignors and the Number of Consignees according to the Sets of Bills of Lading relating to such Consignments; and the Person delivering such Manifest as hereinbefore required shall make and subscribe a Declaration at the Foot thereof that such Manifest contains a true Account of all the Goods exported in such Ship in accordance with the Requirements of this Act; and if he shall fail to deliver such Manifest within the Time hereby required, or to make and subscribe such Declaration at the Foot thereof, he shall forfeit and pay a Penalty of Twenty Pounds; but if the whole of the Bills of Lading relating to the Goods exported in any Ship, and duly signed by the Master or his Agent, shall be delivered by him to the proper Officer of Customs either at or within Twenty-four Hours after the final Clearance outwards of such Ship, with a Declaration that they represent, to the best of his Knowledge and Belief, the whole of the Cargo exported in such Ship, the Delivery of the Manifest may be dispensed with; or in case such Manifest, if delivered, shall contain all the Information required to be given in the endorsed or separate Specification herein-before prescribed, with a Declaration at the Foot thereof, subscribed by the Master or his Agent that the same is true, such Manifest shall be accepted and taken by the proper Officer of the Customs in lieu of such Specification.

Customs Bill of Lading, &c. Evidence.

XXVII. In case the Customs Bill of Lading, the Endorsements thereon, Shipping Bill, Specifications relating thereto, or Manifests herein-before referred to, be required to be used as Evidence in any Court of Law, or in any Proceedings before Justices as to the Transactions to which they refer, Copies thereof, certified by the proper Officer of Customs, shall be admissible for that Purpose without Production of the Original; and any Person interested therein requiring Inspection or certified Copies thereof shall pay to such Officer the following Fees; that is to say, for every such Inspection the Sum of One Shilling, and for every certified Copy not exceeding One thousand and eighty Words and Figures the Sum of Two Shillings and Sixpence, and the like Sum for every additional One thousand and eighty Words and Figures; and such Fees shall be carried to Account with the Commissioners of Customs as Monies, not Duties.

Payment of Duty on Customs Bill of Lading to be by an adhesive Stamp.

XXVIII. The Payment of the Duty of One Shilling and Sixpence imposed by this Act upon every Customs Bill of Lading shall be denoted by an adhesive Stamp affixed thereto, of the Value of One Shilling and Sixpence, and for that Purpose such Stamps only as are provided and issued in pursuance of this Act shall be used, and shall be clear, unobliterated, and not have been used before.

No Customs Bill of Lading to be valid if not stamped.

XXIX. No "Customs Bill of Lading" shall be valid without a Stamp of the Value of One Shilling and Sixpence thereon, nor shall any other Bill of Lading be valid without the Stamp of Sixpence thereon already imposed by Law; and any Person signing or using any Customs Bill of Lading or other Bill of Lading without the proper Stamp thereon shall forfeit and pay the Sum of Forty Shillings for every such Offence: Provided always, that the Forfeiture and Payment of the Penalty hereby imposed shall not exempt the Party liable thereto from any Penalties imposed by or for any Breach of the Laws in force relating to Stamps and Taxes involved therein.

Averments in Informations, &c.

XXX. In any Suit, Information, Complaint, or other Proceeding for the Recovery of any Penalty to which the Exporter or his Agent shall have rendered himself liable by the Non-delivery or Non-transmission to the proper Officer of the Port of Shipment within the Time prescribed, of the Specification herein-before required, either by due Endorsement thereof on the Customs Bill of Lading, or by separate Specification, the Averment that such Specification has not been duly endorsed on such Bill of Lading, or that such separate Specification, as the Case may be, has not been delivered to the proper Officer at the Port of Shipment, shall be sufficient, without other Proof of such Fact; provided that the Customs Bill of Lading, signed by such Exporter or his Agent, with a Certificate thereon under the Hand of such proper Officer, that such Specification had not been delivered to him within the Time prescribed for that Purpose, shall be produced to the Court or Justice before whom such Information or Proceeding may be had, by any Officer of Customs or Inland Revenue, or other Person duly authorized by the Commissioners of Customs to sue for said Penalty, and it shall not be necessary to adduce any Proof of the Handwriting of such Exporter or his Agent to such Bill of Lading, or of the Handwriting of

such proper Officer to such Certificate, or of the Fact that he is the proper Officer, unless the Defendant in any such Case shall prove to the contrary.

Stamps to be provided by Inland Revenue.

XXXI. It shall be lawful for the Lords of the Treasury, by Warrant under their Hands, to order and direct the Commissioners of Inland Revenue from Time to Time to provide proper and sufficient Dies or other Implements for expressing and denoting the Rates or Duties which shall be directed by any such Warrant as aforesaid, and to give any other Orders and make any other Regulations relative thereto they may consider expedient.

Rates to be deemed Stamp Duties.

XXXII. The Rates or Duties which shall be expressed or denoted by any such Dies as aforesaid shall be denominated and deemed to be Stamp Duties, and shall be under the Care and Management of the Commissioners of Inland Revenue for the Time being; and all the Powers, Provisions, Clauses, Regulations, Directions, Allowances, Fines, Forfeitures, Pains, and Penalties contained in or imposed by the several Acts now in force relating to Stamp Duties (so far as the same may be applicable) shall be of full Force and Effect with respect to the Stamps to be provided under or by virtue of this Act, and to the Paper on which the same shall be impressed or to which the same shall be affixed, and shall be observed, applied, enforced, and put in execution for the raising, levying, collecting, and securing of the Rates or Duties denoted thereby, and for preventing, detecting, and punishing all Frauds, Forgeries, and other Offences relating thereto, as fully and effectually, to all Intents and Purposes, as if such Powers, Provisions, Clauses, Regulations, and Directions, Allowances, Fines, Forfeitures, Pains, and Penalties had been herein repeated and specially enacted with reference to the said last-mentioned Stamps and Rates or Duties respectively: Provided always, that except as herein-after is mentioned, no Allowance for Poundage or otherwise shall be granted to any Person in respect of any Stamps required by this Act, other than to Distributors of Stamps or other Persons appointed for that Purpose by the Commissioners of Inland Revenue or Customs, or Persons licensed to deal in Stamps under the Provisions of the Third and Fourth *William* the Fourth, Chapter Ninety-seven.

Customs Stamp Distributors to be appointed.

XXXIII. The Commissioners of Customs may appoint any Officers, Clerks, or other Persons in the Service of the Customs to act as Distributors of the Stamps required under this Act, subject to such Regulations and Directions as the said Commissioners shall see fit, and no such Officers, Clerks, or other Persons shall be required to take out any Licence to deal in or sell or distribute such Stamps.

Inland Revenue to account with Customs for the Proceeds arising from Stamp Duties.

XXXIV. The Commissioners of Stamps and Taxes shall cause a separate Account to be kept of the Stamp Duties arising under this Act, and shall direct their Receiver General to pay over, from Time to Time, when required by the Commissioners of Customs, the Proceeds arising from the said Stamp Duties, after deducting therefrom the Costs and Expenses incurred by them in the Management and Distribution of such Stamps, or otherwise incident thereto, to the Account of the Public Monies of the Receiver General of Her Majesty's Customs at the Bank of *England;* and all such Sums of Money which shall be so paid over shall be applied and dealt with under the Direction of the Commissioners of Customs, in the same Manner as Monies accruing from Duties of Customs paid over to such Account of the Receiver General of Customs under the Laws and Regulations relating to the Customs.

Allowance for Stamps spoiled, &c.

XXXV. The Commissioners of Customs may from Time to Time make Regulations for the Allowance of such of the Stamps issued under the Provisions of this Act as may have been spoiled or rendered useless or unfit for the Purpose intended, or for which the Owner may have no Use, or which through Mistake or Inadvertence may have been improperly or unnecessarily used, or where the Rates or Duties represented thereby have been paid in Error or remitted, and such Allowance shall be made either by giving other Stamps in lieu of the Stamps so allowed for, or by repaying the Amount or Value to the Owner thereof.

Where Contracts entered into before 10th February 1860 Deduction to be made in respect of Duty.

XXXVI. 'And whereas Contracts may have been made before the said Tenth Day of *February* One 'thousand eight hundred and sixty for the Delivery free of Duty after that Day of Goods or Commodities 'the Duties of Customs on which are hereby lowered or repealed:' Be it therefore enacted, That any Person who shall or may, before the said Tenth Day of *February* One thousand eight hundred and sixty, have made or entered into any such Contract or Agreement as the Purchaser or Consignee of such Goods or Commodities, may and is hereby authorized and empowered to deduct from the Sum payable by him under such Contract or Agreement the Amount of the Duties which, if this Act had not passed, would have been payable in respect of such Goods or Commodities, and he shall not be liable to pay or be sued in respect of such Deduction.

Commencement of Act.

Short Title.

XXXVII. This Act shall come into operation at the Expiration of Six Days from the Day of the passing thereof, except as otherwise provided therein; and in citing it in other Acts of Parliament and in legal Intruments it shall be sufficient to use the Expression "The Customs Tariff Amendment Act, 1860."

CAP. XXIII.

An Act to provide for the Consideration of an Ordinance which has been laid before Parliament in a Report of the *Oxford* University Commissioners. [25th *May* 1860.]

17 & 18 Vict. c. 81.

'WHEREAS by an Act passed in the Session holden in the Seventeenth and Eighteenth Years of 'Her Majesty, Chapter Eighty-one, to make further Provision for the good Government and 'Extension of the University of *Oxford*, of the Colleges therein, and of the College of *Saint Mary*, '*Winchester*,

'*Winchester*, it was provided, that if the Powers therein-before granted to Colleges should in the Case 'of any College not be exercised, and no Ordinance or Regulation for effecting the Objects of such 'Powers should be submitted by such College to the Commissioners appointed for the Purposes of the 'said Act, and approved of by them, before the First Day of *Michaelmas* Term One thousand eight 'hundred and fifty-five, it should be lawful for the Commissioners to frame such Ordinances and Regu-'lations as should appear to them to be necessary or expedient for the Purpose of effecting or promoting 'the Objects which the College was therein-before empowered to effect or promote, and such Ordinances 'and Regulations, if sanctioned and confirmed as therein-after required, should take effect as Statutes of 'such College; provided, that such Ordinances and Regulations, when properly settled by the Commis-'sioners, should be laid before the College to which the same related, and the Visitor thereof, Two 'Calendar Months before the same were submitted to Her Majesty in Council, as therein-after directed; 'and if within the said Period of Two Calendar Months Two Thirds of the Governing Body of the said 'College should, by Writing under their Hand and Seal, declare that in their Opinion such Ordinances 'and Regulations would be prejudicial to the said College as a Place of Learning and Education, then the 'same should not take effect, but it should be lawful for the Commissioners to frame and submit other 'Rules and Regulations for the like Purpose to the said College, and so on as often as Occasion should 'require; and by the said Act it was provided, that all Ordinances and Regulations framed by the Com-'missioners, and objected to by Two Thirds of the Governing Body or Bodies of the College, School or 'Schools, to which the same respectively related, should, in all Cases where new Ordinances and Regu-'lations should not have been substituted, under the Provisions of the said Act, for such as should have 'been so objected to, be embodied in a Report to be transmitted forthwith to One of Her Majesty's Prin-'cipal Secretaries of State, and laid before the Two Houses of Parliament: And whereas the said 'Commissioners, in the Appendix to their Report to the Secretary of State bearing Date the Tenth Day 'of *June* One thousand eight hundred and fifty-eight, which has been laid before both Houses of Par-'liament, have set forth an Ordinance framed by them for the Purposes of the said Act in relation to 'the College of *Saint John the Baptist* in the said University, and the said Commissioners have reported 'that Two Thirds of the Governing Body of such College have declared by Writing under their Hand 'and Seal that in their Opinion the said Ordinance would be prejudicial to the said College as a Place 'of Learning and Education: And whereas the Powers of the said Commissioners having expired, no 'further Proceeding can be had on the said Ordinance, or for giving effect to the Purposes of the Act in 'relation to the said College:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

17 & 18 Vict. c. 81.

Appendix to Report, dated 10th June 1858.

Power to Her Majesty to refer the said Ordinance and Declaration to a Committee of Privy Council.

I. It shall be lawful for Her Majesty, by Order in Council, to be made within Six Months after the passing of this Act, to refer the said Ordinance and Declaration set forth in the Appendix to the said Report for the Consideration and Advice of a Committee of Five Members of Her Privy Council, to be named in such Order, and of whom Two, not including the Lord President, shall be Members of the Judicial Committee.

Power to Parties interested to petition Her Majesty in relation to the Ordinance.

II. It shall be lawful for the said College and for the Governing Body of every or any School or Place of Education affected by the said Ordinance, and for every or any Corporation or Person who would have been authorized to petition Her Majesty in Council against the Approbation of the said Ordinance, in case the same had not been objected to by Two Thirds of the Governing Body of the College, and had been laid before Her Majesty in Council under the said recited Act, to petition, within Two Calendar Months after the passing of this Act, Her Majesty in Council for the Approbation of the said Ordinance or of any Part thereof, or for the Substitution of other Regulations (which may be set forth or referred to by any such Petition) for giving Effect to the Purposes of the said Act in relation to the said College, for any or all of the Regulations of the said Ordinance, or for any other Modification of such Ordinance, or for the Rejection thereof; and every such Petition shall be referred to the Committee to whom the said Ordinance is referred.

The Committee to consider the Ordinance and the Objections, and report to Her Majesty.

III. The Committee to whom the said Ordinance is referred shall consider the same, and the Report of the said Commissioners, and the Objections of the Governing Members of the said College in relation thereto, and also any Petition which may be referred to them as aforesaid, and may admit the said College and any Petitioner or Petitioners to be heard by Counsel in support of the Objections or of the Petitions aforesaid; and such Committee, or the major Part thereof, shall report to Her Majesty their Opinion in relation to such Ordinance, and whether the same should be approved, with or without Modifications, or should be rejected, or whether any other Regulations should be substituted for the Regulations of the said Ordinance; provided that no Meeting of the said Committee shall be held before the Expiration of Two Calendar Months after the passing of this Act, and Twenty-one Days previous Notice of the first of such Meetings shall be published in the *London Gazette*.

Ordinance to be laid before Parliament, and if approved by Her Majesty to be a

IV. In case such Committee or the major Part thereof shall report to Her Majesty their Opinion that such Ordinance should be approved, with or without Modifications, or that any other Regulations should be substituted for the Regulations of the said Ordinance, the said Ordinance or amended Ordinance shall be forthwith laid before both Houses of Parliament, if Parliament be sitting, or if not, then within Three Weeks after the Commencement of the next ensuing Session of Parliament, and, unless an Address be

within

within Forty Days presented by one or other of the said Houses, praying Her Majesty to withhold Her Consent from such Ordinance or amended Ordinance, or any Part thereof, it shall be lawful for Her Majesty by Order in Council to declare Her Approbation of the said Ordinance or amended Ordinance, and such Ordinance or amended Ordinance shall thereupon become a Statute of the said College, but such Statute shall be without Prejudice to any existing Interest of any Member of such College. Statute of the College.

CAP. XXIV.

An Act to remove Doubt as to the Validity of certain Marriages in Extra-parochial Places. [25th *May* 1860.]

'WHEREAS by a Statute passed in the Twentieth Year of the Reign of Her present Majesty, intituled *An Act to provide for the Relief of the Poor in Extra-parochial Places*, it is enacted, 20 Vict. c. 19. 'that where any Extra-parochial Place has belonging to or within it any Church or Chapel of the 'Church of *England*, the Bishop of the Diocese within which such Church or Chapel shall be locally 'situate may, if he think fit, authorize by Writing under his Hand and Seal the Publication of Banns 'and the Solemnization of Marriage by Banns or Licence in such Church or Chapel of Persons re- 'siding within such Extra-parochial Place, and such written Authorization shall be registered in the 'Registry of the Diocese: And whereas Doubt may arise whether, under the said recited Act, it was 'lawful for the Bishop to license Chapels for Marriages between Parties One only of whom should be 'resident in such Extra-parochial Place, and whether the Licence of Chapels, for the Marriage of 'Parties resident in such Extra-parochial Place, authorized Marriages between Parties One of whom 'only should be so resident: And whereas it is expedient to remove such Doubt:' Be it therefore enacted and declared by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. The Authority given by the Bishop in consequence of the said recited Act for the Publication of Banns, and the Solemnization of Marriages by Banns or Licence, in such Church or Chapel, shall be construed to extend to and authorize Marriages in such Churches or Chapels, between Parties both or either of them being resident in such Extra-parochial Place, and all such Marriages so had shall be deemed valid in like Manner as if such Extra-parochial Place had been a Parish: Provided that, when the Parties to any Marriage intended to be solemnized after Publication of Banns shall reside within different Ecclesiastical Districts, the Banns for such Marriage shall be published in the Church or Chapel, authorized under the Provisions of the said recited Act, in which the Marriage is intended to be celebrated, as well as in the Chapel of the other District, licensed under the Provisions of One of the Statutes in such Case made and provided, where One of the Parties then is resident, and if there be no such Chapel then in the Church or Chapel in which the Banns of such last-mentioned Party might be legally published if no such Statute had been passed. Marriages may be authorized by the Bishop in Chapels in Extra-parochial Places, and such Marriages shall be valid: Proviso when Parties reside in different Districts.

II. The Provisions in the Statute Six and Seven *William* the Fourth, Chapter Eighty-five, Section Twenty-five, shall apply to such Marriages as in this Act mentioned. Sect. 25. of 6 & 7 W. 4. c. 85. to apply to this Act.

CAP. XXV.

An Act to apply the Sum of Nine million five hundred thousand Pounds out of the Consolidated Fund to the Service of the Year One thousand eight hundred and sixty. [25th *May* 1860.]

CAP. XXVI.

An Act to remove Doubts as to the Application of "The Common Lodging Houses Acts" to *Ireland*, and to amend the Provisions of the same so far as they relate to *Ireland*. [25th *May* 1860.]

'WHEREAS Doubts have arisen as to whether "The Common Lodging Houses Act, 1851," and "The Common Lodging Houses Act, 1853," extend to *Ireland*, and Difficulties have occurred 'in the Execution of the said Acts therein; and it is expedient that such Doubts and Difficulties should 'be removed, and for that Purpose that the said Acts should be explained and amended with reference 'to the Execution thereof in *Ireland*:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; (that is to say,) 14 & 15 Vict. c. 28. 16 & 17 Vict. c. 41.

I. In citing this Act for any Purpose it shall be sufficient to use the Expression "The Common "Lodging Houses Act, *Ireland*, 1860." Short Title.

II. This Act and "The Common Lodging Houses Act, 1851," and "The Common Lodging Houses "Act, 1853," shall, for the Purpose of the Execution thereof in *Ireland*, be construed as if they were One Act, and the said Acts as hereby amended shall be deemed to extend to *Ireland*. Recited Acts and this Act to be construed as One, and to extend to Ireland.

Explanation of certain Terms in recited Acts, and this Act.

III. For the Purpose of the Execution of the said recited Acts and of this Act in *Ireland*, certain Words and Expressions used in the said Acts are hereby declared and explained to have been intended to bear the following Meanings; (that is to say,)

The Word "Place" includes Electoral Division:

The Words "Poor Law Medical Officer," and "Medical Officer of the Parish, Place, or District," mean the Medical Officer of the Dispensary District within which any Common Lodging House is situate:

"The Act for the Regulation of Municipal Corporations" means the Act passed in the Third and Fourth Years of the Reign of Her Majesty, intituled *An Act for the Regulation of Municipal Corporations in* Ireland:

The Term "Common Lodging House" shall mean a House in which Persons are harboured or lodged for Hire for a single Night, or for less than a Week at a Time, or any Part of which is let for any Term less than a Week:

The Term "Local Authority" shall have the following Meanings: In Boroughs, incorporated under the above-mentioned Act for the Regulation of Municipal Corporations, or any Charter granted or to be granted in pursuance of it, it shall mean the Town Council of such Borough; in Towns having Town Commissioners elected or appointed under any Act of Parliament it shall mean such Town Commissioners; in all other Places it shall mean the Poor Law Guardians of the Union.

Local Authority to make Byelaws respecting Common Lodging Houses, but such Byelaws to be confirmed. Old Byelaws to continue until new ones are confirmed.

IV. The Ninth and Tenth Sections of "The Common Lodging Houses Act, 1851," are hereby repealed as to *Ireland*, and the following Provisions substituted therefor as to *Ireland:* The Local Authority may make Byelaws respecting Common Lodging Houses, for the well-ordering of such Houses, and for the Separation of the Sexes therein, and for fixing the Number and Sex of the Lodgers who may be received into each such House, and for promoting Cleanliness and Ventilation therein, and with respect to the Inspection thereof; provided that such Byelaws shall not be repugnant to Law, and shall not be in force until they shall have been confirmed by the Lord Lieutenant or other the Chief Governor or Governors of *Ireland* for the Time being; and that any Byelaws heretofore made under the Provisions of the said recited Acts shall continue in full Force and Effect until new Byelaws shall have been made and confirmed in lieu thereof, under the Provisions of this Act.

Copy of Byelaws to be received in Evidence.

V. A Copy of the Byelaws made by the Local Authority under the Provisions of this Act, purporting to be signed by the Chief or Under Secretary for *Ireland* on behalf of the Lord Lieutenant, and also signed by the Local Authority (or sealed with the Seal of the same, in case it have a Seal), shall be received as Evidence of such Byelaws, and of their having been duly made and confirmed.

Penalties imposed by 14 & 15 Vict. c. 28. to apply to Byelaws made under this Act.

VI. The Penalties imposed by "The Common Lodging House Act, 1851," for Offences against Byelaws made under the Provisions of the said recited Act, shall apply to the Byelaws made under the Provisions of this Act, and such Penalties shall be recoverable before Justices of the Peace at Petty Sessions; and all the Provisions of the Petty Sessions Act, *Ireland*, shall apply to the Proceedings for Recovery of such Penalty.

How Expenses to be defrayed.

VII. The Expenses of the Execution of the said Acts and of this Act are to be defrayed in Boroughs out of the Borough Fund, in Towns having Town Commissioners out of the Rates levied by such Commissioners, and in other Places out of the Rates for the Relief of the destitute Poor.

Not to affect 17 & 18 Vict. c. 103.

VIII. Nothing herein contained shall affect any Provision of the Towns Improvement, *Ireland*, Act, or any Byelaw duly made under its Provisions.

Former Proceedings validated.

IX. All Acts and Proceedings for the Execution and Enforcement of the Provisions of the said Common Lodging Houses Acts shall be as valid as if said Acts had originally included *Ireland*, but no Adjudication already pronounced shall be affected hereby.

Extent of Act.

X. This Act shall extend to *Ireland* only.

CAP. XXVII.

An Act for granting to Her Majesty certain Duties on Wine Licences and Refreshment Houses, and for regulating the licensing of Refreshment Houses and the granting of Wine Licences.

[14th *June* 1860.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal subjects, the Commons of the United Kingdom of *Great Britain* and *Ireland* in Parliament assembled, towards raising the necessary Supplies to defray Your Majesty's public Expenses, and making an Addition to the public Revenue, have freely and voluntarily resolved to give and grant unto Your Majesty the several Rates and Duties herein-after mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

From and after 1st July 1860, certain Duties

I. From and after the First Day of *July* One thousand eight hundred and sixty there shall be charged, levied, and paid, unto and for the Use of Her Majesty, Her Heirs and Successors, for and upon the

the several Licences herein-after mentioned, the respective Rates and Duties following; that is to say, to be charged for Licences herein mentioned.

	£	s.	d.
For every Licence to keep a Refreshment House—			
If the House and Premises in respect of which such Licence shall be granted shall be under the Rent and Value of 20*l.* a Year	0	10	6
And if the same shall be of the Rent or Value of 20*l.* a Year or upwards	1	1	0
And for every Licence to be granted as herein-after mentioned to any licensed Keeper of a Refreshment House to sell therein by Retail Foreign Wine to be consumed in such House or on the Premises belonging thereto—			
If such House and Premises shall be under the Rent and Value of 50*l.* a Year	3	3	0
And if the same shall be of the Rent or Value of 50*l.* a Year or upwards	5	5	0
And for every Licence to be taken out by any Person for the selling by Retail in any Shop of Foreign and British Wine not to be consumed in the House or Shop or on the Premises where sold—			
If the House and Premises shall be under the Rent and Value of 50*l.* a Year	2	2	0
And if the same shall be of the Rent or Value of 50*l.* a Year or upwards	3	3	0

Powers and Provisions of Excise Acts to apply to the Duties granted by this Act.

II. The Duties by this Act granted shall be deemed to be Excise Duties, and shall be under the Care and Management of the Commissioners of Inland Revenue for the Time being; and all Powers, Provisions, and Regulations, Penalties and Forfeitures, contained in or enacted by any Act in force in relation to Excise Duties, shall, in all Cases not herein expressly provided for, and so far as the same are not superseded by and are consistent with the express Provisions of this Act, be duly observed, applied, and put in execution for ascertaining the Rent or Value of any House or Premises in respect of which any Licence shall be applied for under this Act, and for charging, collecting, and securing the said Duties hereby granted, and otherwise relating thereto, as fully and effectually as if the same Powers, Provisions, and Regulations, Penalties and Forfeitures, were repeated and re-enacted in the Body of this Act with reference to such Rent or Value and to the said Duties hereby granted.

Shopkeepers may take out Licences to retail Wine not to be consumed on the Premises.

III. Every Person who shall keep a Shop for the Sale of any Goods or Commodities other than Foreign Wine, or who shall have taken out a Licence as a Dealer in Wine (except Persons expressly disqualified by this Act), shall, without producing or having any other Licence or Authority, be entitled to take out a Licence under this Act to sell by Retail, and in reputed Quart or Pint Bottles only, in such Shop Foreign Wine not to be consumed on the Premises where sold, anything in any former Act to the contrary notwithstanding.

What shall be deemed selling by Retail.

IV. Every Sale of Foreign Wine in any less Quantity than Two Gallons, or in less than One Dozen reputed Quart Bottles, at One Time, shall be deemed to be a selling by Retail.

Permitting drinking Wine in a neighbouring House, Shed, &c., to be deemed drinking on the Premises.

Penalty.

V. If any Person licensed to sell Wine not to be consumed on the Premises shall, with Intent to evade the Provisions of this Act, take or carry, or authorize or employ or permit or suffer any Person to take or carry, any Wine out of or from the House, Shop, or Premises of such licensed Person, for the Purpose of being sold on his Account, or for his Benefit or Profit drunk or consumed, in any other House, or in any Tent, Shed, or other Premises of any kind whatever belonging to such licensed Person, or hired, used, or occupied by him, such Wine shall be deemed and taken to have been drunk or consumed upon the Premises; and the Person selling the same shall be subject to the like Penalties as if such Wine had been actually consumed in any House or upon any Premises licensed only for the Sale thereof as aforesaid.

Persons keeping Houses, &c. herein named required to take out Licences.

VI. All Houses, Rooms, Shops, or Buildings kept open for Public Refreshment, Resort, and Entertainment at any Time between the Hours of Nine of the Clock at Night and Five of the Clock of the following Morning, not being licensed for the Sale of Beer, Cider, Wine or Spirits respectively, shall be deemed Refreshment Houses within this Act, and the Resident, Owner, Tenant, or Occupier thereof shall be required to take out a Licence under this Act to keep a Refreshment House; and every Person who shall keep any House, Room, Shop, or Building for the Purpose of selling therein any Victual or Refreshment to be consumed on the Premises where the same shall be sold (except Beer, Cider, Wine, and Spirits sold respectively under a proper Licence in that Behalf), and every Person who shall keep any House, Room, Shop, or Building for the Consumption therein by the Public of any Refreshment (except as aforesaid), although the same shall not be sold therein, may, if he shall think fit, take out a Licence under this Act to keep a Refreshment House; and in all Proceedings and upon all Occasions whatever it shall be sufficient to describe by the Term Refreshment House any House, Room, Shop, or Building in which any such Article as aforesaid (except as aforesaid) is sold to be consumed, or is consumed as aforesaid, without further or otherwise designating or describing the same.

Confectioners and Eating-house Keepers entitled to take out Licences to sell Wine to be drunk on the Premises.

VII. Every Person who shall be licensed to keep a Refreshment House, and shall pursue therein the Trade or Business of a Confectioner, or shall keep open such House as an Eating-house, for the Purpose of selling, to be consumed therein, Animal Food or other Victuals wherewith Wine or other fermented Liquors are usually drunk, shall be entitled (subject to the Terms and Conditions of this Act, and not being expressly disqualified thereby,) to take out a Licence to sell Foreign Wine by Retail in such Refreshment House, to be consumed on the Premises where the same shall have been sold, without producing or having any other Licence or Authority than as aforesaid; and every Confectioner and

Eating-house Keeper respectively who shall have taken out such Licence to retail Wine under this Act, shall not be subject or liable to any Penalty or Forfeiture under any other Act or Acts by reason or on account of his selling Wine by Retail, or having the same in his Possession in his entered Premises, anything in any other Act or Acts to the contrary notwithstanding.

Wine Licences not to be granted for Refreshment Houses under a certain Rent or annual Value.

VIII. Provided always, That no Licence to sell Foreign Wine by Retail to be consumed on the Premises shall be granted for any Refreshment House which, with the Premises belonging thereto and occupied therewith, shall be under the Rent and Value of Ten Pounds a Year, nor for any Refreshment House situated in any City, Borough, Town, or Place containing a Population exceeding Ten thousand according to the then last Parliamentary Census, if such Refreshment House, with the Premises belonging thereto and occupied therewith, shall be under the Rent and Value of Twenty Pounds a Year; and no Sheriff's Officer or Officer executing the legal Process of any Court of Justice shall be capable of receiving or using any Licence under this Act to sell Wine by Retail to be consumed on the Premises; and every Licence which shall be granted contrary hereto shall be void to all Intents and Purposes.

Persons disqualified to hold Wine Licences.

Penalty for keeping a Refreshment House without Licence, 20*l.*

IX. Every Person who shall keep a Refreshment House for which a Licence is required by this Act, without taking out and having in force a proper Licence in that Behalf granted to him under the Authority of this Act, shall forfeit a Sum not exceeding Twenty Pounds, which Penalty shall be recovered as herein-after directed.

By whom Licences under this Act shall be granted.

X. All Licences authorized to be granted under this Act shall be granted by and under the Hands of the Collector or other Person having charge of the Excise Collection, and the Supervisor of Excise of the District within which respectively the Refreshment House or other House or Shop for or relating to which any such Licence shall be required, or by such other Person or Persons as the Commissioners of Inland Revenue shall appoint or authorize in that Behalf, on Payment of the Duty chargeable for such Licences respectively; and every such Licence shall be in the Form contained in the Schedule annexed to this Act: Provided always, that it shall be lawful for the Commissioners of Inland Revenue from Time to Time to make such Alterations therein as they may deem to be necessary, in consequence of any Alteration or Amendment of the Law, in order to make such Form of Licence conformable to the Law for the Time being.

Forms of Licences as in Schedule to this Act.

Licences: Date, Expiration, and Renewal thereof.

XI. All Licences which shall be granted under the Authority of this Act between the Thirty-first Day of *March* and the First Day of *May* in any Year shall be dated on the First Day of *April*, and all Licences which shall be granted at any other Time shall be dated on the Day on which the same shall be granted; and all such Licences, whensoever granted, shall have Effect on and after the Day of the Date thereof until the First Day of *April* then next following, and shall be renewed annually on Payment of the Duty by this Act charged thereon respectively.

On Death of a licensed Person, his Representative, or Widow or Child, may be authorized to continue the Business for which the Licence was granted.

XII. Upon the Death of any Person licensed under this Act before the Expiration of the Licence, it shall be lawful for the Persons authorized to grant Licences to authorize and empower, by Endorsement or otherwise, as the Commissioners of Inland Revenue shall direct, the Executors or Administrators or the Widow or Child of such deceased Person who shall be possessed of and occupy the Dwelling House and Premises before used for such Purpose, to continue the Business for which such Licence was granted, and to sell in the same House and Premises such Articles as by the said Licence are authorized to be sold therein, during the Residue of the Term for which such Licence was originally granted, without taking out any fresh Licence or Payment of any additional Duty thereon, and the Person so authorized and empowered shall then be deemed to be a Person licensed under this Act, and accordingly subject to the Provisions, Conditions, Regulations, and Penalties contained therein.

Notice of First Application for a Wine Licence for a Refreshment House to be given to Justices, who may object to the granting thereof on Grounds to be stated.

XIII. If any Person licensed to keep a Refreshment House shall be desirous of selling Foreign Wine by Retail to be consumed therein, he shall previously to the granting to him for the First Time of a Licence for that Purpose fill up and sign a Requisition for such Licence in such Form as the Commissioners of Inland Revenue shall provide in that Behalf, specifying therein the true Christian and Surname and Place or Places of Abode during the last Six Months of the Applicant, the Description and Situation of the House for which the Licence is required, and the true yearly Rent or annual Value thereof; and such Requisition shall be made in Duplicate, and delivered to the Supervisor of Excise for the District in which such Refreshment House is situated, who shall forthwith deliver or transmit by Post One of such Duplicates, together with a Notice to the Effect herein-after directed, to the Clerk of the Special Sessions in *London* at the Mansion House of the City of *London*, if the Refreshment House shall be situated within the said City, or the Liberties thereof, or to the Clerk to the Justices of the Court of Petty Sessions holden for the Division or Place within which such Refreshment House is situated, if situated elsewhere than as aforesaid; and every such Duplicate shall be accompanied by a Notice to the Lord Mayor of the City of *London*, and such Justices respectively, signed by the said Supervisor, to the Effect that a Licence to retail Wine will be granted, pursuant to such Requisition, on or immediately after a Day to be specified in such Notice, not less distant than Thirty Days from the Day of the Delivery or Transmission of the same, unless in the meantime Notice in Writing, signed by the said Lord Mayor, or by the Alderman of the Ward in which the Refreshment House is situated, or by the said Justices, or a Majority of them present in Petty Sessions, as the Case may be, shall be received by the said Supervisor, to the Effect that the said Lord Mayor, Alderman, or Justices, as the Case may be,

doth

doth or do object to the granting of the said Wine Licence, on One or more of the following Grounds, specifying the same, that is to say, that the House for which such Licence is required is not a Confectioner's Shop, or an Eating-house, within the Meaning of this Act, or not of the yearly Rental or annual Value required by this Act, or that it is a disorderly House, or a House frequented by Prostitutes or other disorderly Persons, or that it is adjudged disqualified for the Sale of Wine therein, or that the Applicant is disqualified from selling Wine under the Provisions of this Act, specifying the Grounds of such Disqualification respectively, or that the Applicant has within Three Years been convicted of any Offence punishable by Imprisonment, or that the Applicant having within Three Years held a Licence to keep a Beerhouse, common Inn, Alehouse, or Victualling House, has forfeited or been refused a Renewal of such Licence; and if such Notice of Objection shall be received by the said Supervisor within the Time limited as aforesaid the said Licence shall not be granted; but if otherwise, and no such Caveat as herein-after mentioned be received by the said Supervisor, then such Licence shall be granted on Payment of the Duty by this Act charged thereon, provided the Applicant shall be entitled to such Licence under the Provisions of this Act in other respects: Provided always, that no such Notice of Objection shall be signed or sent by the said Lord Mayor, Alderman, or Justices until after they respectively shall have summoned the Applicant for such Licence to show Cause, and shall have heard him against the Objection to the granting thereof, or he shall have refused or neglected to attend before them respectively to show Cause, pursuant to their Summons; and every such Summons shall specify the Grounds of such Objection; and it shall be lawful for the said Lord Mayor, Alderman, and Justices respectively, pending their Decision upon any such Objection as aforesaid, and before the Expiration of the said Period of Thirty Days, to transmit to the said Supervisor a Notice by way of Caveat against the granting of such Licence, and in that Case the Licence shall not be granted if within the further Period of Thirty Days from the Receipt of such Caveat the Objection to the granting of the Licence shall be affirmed by the said Lord Mayor, Alderman, or Justices, and Notice thereof shall be given to the said Supervisor.

No Notice of Objection to be signed, &c. until the Applicant has been heard against the same.

XIV. Provided always, That every Person intending to apply for a Licence to be granted under the Authority of this Act to retail Wine to be consumed on the Premises in respect of any House, Room, Shop, or Building not theretofore licensed for the Consumption of Wine therein, shall affix or cause to be affixed a Notice on the Door of such House, Room, Shop, or Building, and on the Door of the Church or Chapel of the Parish or Place in which such House shall be situate, and, where there shall be no Church or Chapel, on some other public and conspicuous Place within such Parish or Place, on Three several *Sundays* previous to his Application for such Licence, at some Time between the Hours of Ten of the Clock in the Forenoon and Four of the Clock in the Afternoon, and shall serve a Copy of such Notice upon One of the Overseers of the Poor, and upon One of the Constables or other Peace Officers of the said Parish or Place, Fourteen Days at the least previous to such Application; and every such Notice, and the Copies thereof, shall be written in a fair and legible Hand, or printed, and shall be signed by the Party intending to make such Application, or by his Agent thereunto authorized, and shall set forth the Situation of the House, Shop, or Building in a true and particular Manner, and the Christian and Surname of the Party applying, together with the Place of his Residence, and his Trade or Calling during the Six Months previous to the Time of serving such Notice, and his Intention to apply for a Licence to retail Wine to be consumed in such House or Premises.

Notice to be given of Application for Licence to retail Wine to be consumed on the Premises in a House not previously licensed.

XV. Provided always, That it shall be lawful for the said Lord Mayor and Alderman, and for any Two Justices in Petty Sessions respectively, after any such Wine Licence shall have been granted for any Refreshment House within their respective Jurisdictions, but Three Months at least before the Expiration of such Licence, to give Notice to the Holder thereof to appear before them respectively, and show Cause why an Objection (stating the Grounds thereof) should not be lodged against a Renewal of his Licence; and if upon the Hearing the said Lord Mayor or Alderman, or the Justices present in Petty Sessions, or a Majority of them (as the Case may be), shall see just Cause of Objection on One or more of the Grounds mentioned in the preceding Clause, they shall give to the said Supervisor of the District within which the said Refreshment House shall be situated Notice of Objection against the Renewal of such Licence, and shall specify the Grounds of Objection in such Notice; and on the Expiration of such Wine Licence, after such Notice as aforesaid given to the Supervisor, no Renewal thereof shall be granted, unless the Decision of the said Lord Mayor or Alderman or Justices shall be reversed upon an Appeal against the same, as herein-after allowed (that is to say): Provided always, that it shall be lawful for the Holder of the said Licence to appeal against the said Decision of the said Lord Mayor or Alderman or Justices to the next General or Quarter Sessions of the Peace which shall be holden for the City or County (as the Case may be) after the Expiration of Ten Days from the making of such Decision, upon giving Seven Days previous Notice in Writing to the said Lord Mayor or Alderman or Justices of his Intention so to appeal; and the said Court of Sessions shall hear and finally determine the said Appeal, and upon Notice of such Determination given to the said Supervisor the said Licence shall be refused or granted conformably therewith.

Justices may object to the Renewal of a Wine Licence if they shall see just Cause of Objection.

XVI. A List or Register of every Licence granted under the Authority of this Act, specifying the Name and Place of Abode of every Person licensed, and the Name and Description of the House for which such Licence shall be granted, and whether the Licence shall be to keep a Refreshment House or

A List of Licences to be kept by Collectors and

Supervisors for Inspection of the Justices, and Copies of the List to be transmitted to the Justices Clerk.

or for the Sale of Wine therein, shall be kept at the Office or Dwelling House of every Collector and Supervisor of Excise in their respective Collections and Districts; and such List or Register shall at all Times be produced to and shall be open to the Inspection and Perusal of any Justice of the County or Place where such Licence shall be granted and where such House shall be situate, and a Copy of such List and Register shall, once in every Six Months, be transmitted by every Collector and Supervisor of Excise to the Clerk of the Magistrates for the District in which such Licence shall be granted, and any Copy or Extract of or from such List or Register which shall be at any Time required by the Clerk to the said Justices shall be given to him by such Collector or Supervisor whenever thereto required.

In case of Complaint licensed Retailers of Wine to produce their Licences on Requisition.

XVII. In case any Complaint shall be laid before Two Justices of the Peace against any Person licensed to sell Wine by Retail under the Authority of this Act, for any Offence against the Tenor of his Licence or against this Act, it shall be lawful for the said Two Justices (if they shall think fit) to require such Person to produce his Licence before them, for their Examination; and if such Person shall wilfully neglect or refuse so to do he shall forfeit and pay any Sum not exceeding Five Pounds, as the said Justices shall think proper.

Constables and Police Officers empowered to visit licensed Refreshment Houses.

Penalty for refusing them Admittance.

Licence to be forfeited on Second Conviction if Justices think fit.

XVIII. It shall be lawful for all Constables and Officers of Police, when and so often as they shall respectively think proper, to enter into all Houses licensed as Refreshment Houses under the Authority of this Act, and into and upon the Premises belonging thereto; and if any Person licensed to keep a Refreshment House, or any Servant or other Person in his Employ or by his Direction, shall refuse to admit or shall not admit any Constable or Officer of Police demanding Admittance into such Refreshment House or upon such Premises, the Person so licensed shall for the First Offence forfeit and pay any Sum not exceeding Five Pounds, together with the Costs of Conviction, to be recovered before One or more Justices of the Peace, on Information or Complaint made within Seven Days next after the Day on which such Offence was committed; and it shall be lawful for any Two or more Justices before whom any such Person shall be convicted for the Second Time of any such Offence to adjudge (if they shall so think fit) the Licence or Licences of such Offender in respect of such Refreshment House to be forfeited, and that he shall be disqualified from having any Licence granted to him under this Act in respect of such House for the Space of Two Years, or for such shorter Space of Time as they may think proper to adjudge.

Penalty for selling Wine by Retail without Licence.

XIX. Every Person who shall sell any Wine by Retail, whether to be consumed on the Premises or not, without having a proper Licence in force duly authorizing him in that Behalf, shall, over and above any other Penalty to which he may be liable, forfeit the Sum of Twenty Pounds, which shall be denominated an Excise Penalty.

Additional Penalty on unlicensed Persons selling Wine.

XX. If any Person, not being duly licensed to sell Wines, shall retail any Wine, either to be consumed in or upon the House or Premises or off the Premises where sold, or if any Person shall sell any Wine to be consumed in or upon the House or Premises where sold without being licensed so to do, such Person shall, in addition to any Excise Penalty to which he may thereby become subject, forfeit the Sum of Five Pounds.

What shall be deemed Foreign Wine, and what shall be deemed Spirits.

XXI. All Liquor which shall be sold or offered for Sale by any Person, whether licensed under this Act or not, as being Foreign Wine, or under the Name by which any Foreign Wine is usually designated or known, shall, as against the Person who shall so sell or offer the same for Sale, be deemed and taken to be Foreign Wine; and any fermented Liquor containing a greater Proportion than Forty *per Centum* of Proof Spirit shall be deemed and taken to be Spirits.

Licences to be void on Conviction of Felony or selling Spirits without Licence.

XXII. Every Person who shall be convicted of Felony or of selling Spirits without Licence shall for ever thereafter be disqualified from selling Wine by Retail, and no Licence to sell Wine by Retail under this Act shall be granted to any Person who shall have been so convicted as aforesaid; and if any Person shall, after having been so convicted as aforesaid, take out or have any Licence to sell Wine by Retail under this Act, the same shall be void to all Intents and Purposes; and every Person who shall, after being convicted as aforesaid, sell any Wine by Retail in any Manner whatsoever, shall incur the Penalty for so doing without Licence; and in all such Cases, in the Prosecution for the Recovery of such Penalty a Certificate from the Clerk of Assize or the Clerk of the Peace or Person acting as such of any such Conviction as aforesaid shall on the Trial in such Prosecution be legal Evidence thereof.

Licensed Retailers of Wine to make Entry of Houses, &c. with the Excise.

XXIII. Every Person licensed to retail Wine under this Act shall, in manner directed by the Laws of Excise in that Behalf, make Entry with the proper Officer of Excise of every House, Cellar, Room, and Place for storing, keeping, or retailing of Wine, on pain of forfeiting the Penalties imposed by the Statutes in that Behalf for making use of any unentered Room or Place; and all Wine found in any such unentered House, Cellar, Room, or Place shall be forfeited.

Excise Officers empowered to enter the Premises of licensed Retailers of Wine.

XXIV. It shall be lawful for any Officer of Excise, during the Hours in which any House licensed for the Retail of Wine to be consumed on the Premises may be kept open, to enter into every House, Cellar, Room, or Place entered for the storing, keeping, or retailing of Wine to be consumed as aforesaid, and to make search for and seize all Spirits which may be found in any such House, Cellar, Room, and Place, and to examine all Wine kept therein.

Penalty on Persons licensed to retail

XXV. If any Person licensed to retail Wine under this Act shall receive into or keep or have in his Possession, in any Cellar, Room, or Place entered for storing, keeping or retailing Wine, any Spirits, he shall,

shall, in addition to all other Penalties, forfeit the Sum of Fifty Pounds, which shall be denominated an Excise Penalty; and all Spirits found in any such entered Cellar, Room, or Place shall be forfeited; and on Conviction of any such licensed Person in any Penalty for having Spirits in his Possession, or for selling or retailing Spirits, the Licence of such Person for retailing Wine shall become null and void, and shall be so adjudged.

Wine having Spirits in their entered Premises.

XXVI. Every Person licensed under this Act to sell Wine by Retail shall, if required, sell or otherwise dispose of all such Wine (except Wine in Bottle and Quantities less than Half a Pint) by the Gallon, Quart, Pint, or Half Pint Measure, sized or marked according to the Standard, and shall also, if required by any Guest or Customer purchasing such Wine, retail the same in a Vessel sized or marked according to such Standard; and in default thereof he shall for every such Offence forfeit the illegal Measure, and pay a Sum not exceeding Forty Shillings, together with the Costs of the Conviction, to be recovered by Information or Complaint made within Seven Days next after that on which the Offence was committed, before Two Justices of the Peace; and such Penalty shall be over and above all Penalties to which the Offender may be liable under any other Act.

Standard Measures to be used in the Sale of Wine.

XXVII. No Person licensed under this Act to sell Wine by Retail shall have or keep his House open for the Sale of Wine, nor shall sell any Wine, nor shall suffer any Wine to be drunk or consumed in or at such House at any Time before the Hour of Five of the Clock in the Morning, nor after Twelve of the Clock at Night, of any Day in the Week, in the Cities of *London* or *Westminster*, or within the Boundaries of any of the Boroughs of *Marylebone*, the *Tower Hamlets*, *Lambeth*, or *Southwark*, as defined by an Act passed in the Second and Third Years of King *William* the Fourth, Chapter Sixty-four; nor after Eleven of the Clock at Night within any Parish or Place within the Bills of Mortality, or within any City, Cinque Port, Town Corporate, Parish or Place, the Population of which, according to the last Parliamentary Census, shall exceed Two thousand five hundred, or within One Mile, to be measured as aforesaid, from any Polling Place used at the last Election for any Town having a like Population, and returning a Member or Members to Parliament, nor after Ten of the Clock at Night elsewhere; nor shall any such House be open for the Sale or Consumption therein of any Article whatever at any Time during which the Houses of Licensed Victuallers now are or hereafter shall be closed on any *Sunday*, *Good Friday*, or *Christmas Day*, or any Day appointed for a Public Fast or Thanksgiving; nor at any Time between the Hours of One and Four of the Clock in the Morning on any Day whatever; and if any Person licensed as aforesaid shall keep his House open for selling or shall sell any Wine, or suffer any Wine to be drunk or consumed in or at such House, at any other Time than as herein-before prescribed and directed, or shall keep his House open as aforesaid, contrary to any Prohibition in this Clause contained, he shall forfeit the Sum of Forty Shillings for every Offence; and every separate Sale shall be deemed a separate Offence: Provided always, that nothing in this Clause contained shall extend to prevent the Keeper of a Refreshment House, being duly licensed to retail Wine, from selling to any Lodger therein any Wine at any Hour of the Day or Night, either on *Sunday* or any other Day.

Limitation of Hours for opening and closing Houses licensed for the Sale of Wine by Retail.

Exception in favour of Lodgers.

XXVIII. It shall be lawful for any Two Justices of the Peace acting for any County or Place where any Riot or Tumult shall happen or be expected to take place to order or direct that every Person licensed under the Authority of this Act to sell Wine by Retail in any House within their respective Jurisdiction, in or near the Place where such Riot or Tumult shall happen or be expected to take place, shall close his House at any Time which the said Justices shall order or direct; and every such Person who shall keep open his House at or after any Hour at which such Justices shall have so ordered or directed such House to be closed shall be taken and deemed to have not maintained good Order and Rule therein, and to be guilty of an Offence against the Tenor of the Licence granted to him.

Houses licensed for the Sale of Wine to be closed by Order of Justices in Cases of Riot, &c.

XXIX. Every Person licensed under this Act to sell Wine by Retail who shall permit any Person to be guilty of Drunkenness or other disorderly Conduct in the House or Premises mentioned in such Licence, or who shall himself be guilty of any such disorderly Conduct, shall for every such Offence forfeit the respective Sums following; and every Person who shall transgress or neglect or shall be a Party in transgressing or neglecting the Conditions and Provisions specified in such Licence, or shall allow such Conditions or Provisions to be in any way transgressed or neglected in the said House or Premises, shall be deemed guilty of disorderly Conduct; and every Person so licensed who shall permit or be guilty of any such disorderly Conduct shall for the First Offence forfeit any such Sum, not less than Forty Shillings nor more than Five Pounds, as the Justices before whom he shall be convicted of such Offence shall adjudge, and for the Second Offence any Sum not less than Five Pounds nor more than Ten Pounds, and for the Third such Offence any Sum not less than Twenty Pounds nor more than Fifty Pounds; and it shall be lawful for the Justices before whom any such Conviction for any such Second or Third Offence shall take place to adjudge, if they shall so think fit, that such Offender shall be disqualified from selling Wine by Retail for any Term not exceeding Five Years next ensuing such Conviction; and if any Person so licensed as aforesaid shall mix or cause to be mixed any Spirits or any Drugs or other pernicious Ingredients with any Wine sold in his House or Premises, or shall fraudulently dilute or in anyways adulterate any such Wine, or shall sell or offer for Sale any Wine which, to the Knowledge of such Person, has been so mixed, diluted, or adulterated, he shall for the First

Penalty on Retailers of Wine permitting Drunkenness, &c. in their Houses:

First Offence:

Second Offence:

Third Offence.

Penalty for mixing Spirits or Drugs in Wine or adulterating Wine:

First Offence: Second Offence.

First Offence forfeit any Sum not less than Ten Pounds nor more than Twenty Pounds, as the Justices before whom he shall be convicted of such Offence shall adjudge, and for the Second such Offence he shall be disqualified from selling Wine by Retail for the Term of Five Years, or forfeit any Sum of Money not less than Twenty Pounds nor more than Fifty Pounds, at the Discretion of the Justices before whom he shall be adjudged guilty of such Second Offence; and if any Offender convicted of such Second Offence as last aforesaid shall during such Term of Five Years sell any Wine by Retail, either in the House and Premises mentioned in his Licence or in any other Place, he shall forfeit any Sum not less than Twenty-five Pounds nor more than Fifty Pounds, and shall be subject to a like Penalty at any and every House or Place where he shall commit such Offence.

Penalty on selling Wine after Conviction of Second Offence.

Penalties other than Excise Penalties recoverable before Two Justices in Petty Sessions, within Three Months after Offence committed.

XXX. All Penalties under this Act, except those denominated Excise Penalties, shall be recovered upon the Information or Complaint of a Constable or other Peace Officer before Two Justices acting in Petty Sessions, and shall be prosecuted and proceeded for within Three Calendar Months next after the Commission of the Offence in respect of which such Penalty shall be incurred, or within such shorter Time as may be herein limited with regard to any particular Penalty; and every Person licensed under this Act to retail Wine, to be consumed on the Premises, who shall be convicted before Two Justices so acting in and for the Division or Place in which shall be situate the House kept or theretofore kept by such Person, of any Offence against the Tenor of the Licence to him granted under this Act, or of any Offence for which any Penalty is imposed by this Act, shall, unless Proof be adduced to the Satisfaction of such Justices that such Person had been theretofore convicted within the Space of Twelve Calendar Months next preceding of some Offence against the Tenor of his Licence or against this Act, be adjudged to be guilty of a First Offence against the Provisions of this Act, and to forfeit and pay any Penalty by this Act imposed for such Offence, or if no specific Penalty be so imposed then any Sum not exceeding Five Pounds, together with the Costs of the Conviction; and if such Proof as aforesaid shall be adduced that such Person had been previously convicted within the Space of Twelve Calendar Months next preceding of One such Offence only, such Person shall be adjudged to be guilty of a Second Offence against the Provisions of this Act, and to forfeit and pay any Penalty by this Act imposed for such Offence, or if no specific Penalty be so imposed then any Sum not exceeding Ten Pounds, together with the Costs of the Conviction; and if such Proof as aforesaid shall be adduced that such Person had been previously convicted within the Space of Eighteen Calendar Months next preceding of Two such separate Offences, and if Proof shall be adduced to the Satisfaction of the Justices that such Person so charged is guilty of the Offence charged against him, such Person shall be adjudged to be guilty of a Third Offence against the Provisions of this Act, and to forfeit any Penalty imposed by this Act in respect of such Offence, or if no such specific Penalty shall be so imposed then to forfeit and pay the Sum of Fifty Pounds, together with the Costs of the Conviction.

Second Offence.

Third Offence.

Justices may adjudge Premises disqualified for Sale of Wine on Proof that within Two Years last preceding such Third Conviction, Two Convictions have taken place.

XXXI. It shall be lawful for the Justices before whom any Person holding a Licence under this Act for the Sale of Wine by Retail shall be convicted of any Offence against the Tenor of the said Licence, or for which any Penalty is imposed by this Act, if Proof shall be adduced to their Satisfaction that within Two Years last preceding such Conviction Two Convictions for any such Offence of the same Person, or of any other Person licensed in respect of the same House or Premises, have taken place, to declare the Licence granted in respect of the said House or Premises forfeited and void, and to adjudge that no Licence for the Sale of Wine shall be granted to any Person whatever in respect of the said House or Premises for the Term of Three Years from the Date of such Adjudication, of which Adjudication the Justices shall give Notice to the Supervisor of Excise; and any Licence for the Sale of Wine that may be granted in respect of the said House or Premises during the said Term of Three Years shall be null and void.

Penalties for Offences in Refreshment Houses.

XXXII. Every Person licensed to keep a Refreshment House under this Act who shall (without a Licence for that Purpose) sell or permit or suffer to be sold within such Refreshment House any intoxicating Liquor, or shall knowingly suffer any unlawful Games or Gaming therein, or knowingly suffer Prostitutes, Thieves, or drunken and disorderly Persons to assemble at or continue in or upon his Premises, or do, suffer, or permit any Act in contravention of his Licence, shall, upon Conviction thereof before Two Justices, pay for the First Offence a Fine not exceeding Forty Shillings, for the Second Offence a Fine not exceeding Five Pounds, and for every subsequent Offence a Fine not exceeding Twenty Pounds, or be subject to a Forfeiture of his Licence, at the Discretion of the Justices before whom he shall be convicted; and in case of such Forfeiture of his Licence, such Person shall be disqualified for the Space of One Year then next ensuing from obtaining a fresh Licence; and such fresh Licence, if obtained within the said Year, shall be absolutely null and void to all Intents and Purposes.

Power to Justices to mitigate Penalties.

XXXIII. It shall be lawful for the Justices before whom any Person shall be convicted of any Offence against this Act to mitigate, if they shall see Cause, any Penalty incurred for such Offence; provided that where any Conviction shall take place on any Information exhibited under the Laws of Excise such Penalty shall not be mitigated to any Sum less than One Fourth Part thereof.

Appeal to the Sessions against a Second or Third Conviction.

XXXIV. Provided always, That it shall be lawful for the Party convicted of any such Second or Third Offence to appeal to the General or Quarter Sessions of the Peace then next ensuing, unless such Sessions shall be held within Twelve Days next after such Conviction, and in that Case to the then next

next subsequent Sessions; and in such Case the Party so convicted shall, before the convicting Justices, forthwith enter into a Recognizance, with Two sufficient Sureties, personally to appear at such General or Quarter Sessions, and to abide the Judgment of the Court thereupon, and to pay such Costs as shall be by the Court awarded, which Recognizances such Justices are hereby authorized to require and take, or in failure of the Party convicted entering into such Recognizance the Conviction shall remain good and valid to all Intents and Purposes; and the said Justices who shall take such Recognizance from the Party convicted are also hereby required to bind the Person who shall make such Charge in a Recognizance to appear at such General or Quarter Sessions as aforesaid, then and there to give Evidence against the Person so charged, and in like Manner to bind any other Person who shall have any Knowledge of the Circumstances of such Offence; and it shall be lawful for such Court of General or Quarter Sessions to adjudge such Person to be guilty of any such Second or Third Offence against the Provisions of this Act, as the Case may be, and such Adjudication shall be final to all Intents and Purposes; and it shall be lawful for such Court of General or Quarter Sessions to punish such Offender by Fine not exceeding the Sum of One hundred Pounds, together with the Costs of such Appeal, or to adjudge the Licence granted to and held by or on behalf of such Offender to be forfeited and void, or to adjudge that no Wine shall be sold by Retail in the House or Premises mentioned in the Licence of such Offender for the Term of Two Years from the Date of such Adjudication, or to punish such Offender by such Fine as aforesaid, and to adjudge such Premises to be disqualified for the Sale of Wine as aforesaid, and such Licence to be forfeited and void, and if such Licence shall be adjudged to be forfeited and void, it shall thenceforth be void accordingly; and whenever in such Case or in any other Case the Licence of such Offender shall be adjudged to be void, such Offender shall from and after such Adjudication be deemed and taken to be incapable of selling Wine by Retail in any House kept by him for the Space of Two Years, to be computed from the Time of such Adjudication, and any Licence granted to such Person during such Term shall be void to all Intents and Purposes.

Court to adjudge Costs of Appeal in certain Cases.

XXXV. Whenever it shall happen that any Appeal in pursuance of this Act shall be dismissed, or that the Judgment appealed against shall be affirmed, or that such Appeal shall be abandoned, it shall be lawful for the Court to which such Appeal shall have been made or intended to have been made, and such Court is hereby required, to adjudge and order that the Party so having appealed, or having entered into such Recognizance, shall pay to the Justices against whose Judgment such Appeal shall have been made or intended to be made, or to whomsoever they shall appoint, such Sum by way of Costs as shall in the Opinion of such Court be sufficient to indemnify such Justices from all Costs and Charges whatsoever to which such Justices may have been put in consequence of the Intention or declared Intention of such Party to appeal; and if such Party shall refuse or neglect to pay forthwith such Sum, it shall be lawful for the said Court to adjudge and order that the Party so refusing or neglecting shall be committed to the Common Gaol or House of Correction, there to remain until such Sum be paid, or for any Time not exceeding Six Calendar Months, unless such Sum be sooner paid; and in every Case in which the Judgment so appealed against shall be reversed it shall be lawful for such Court (if it shall think fit) to adjudge and order that the Treasurer of the County or Place in and for which such Justices whose Judgment shall have been so reversed shall have acted on the Occasion when they shall have given such Judgment shall pay to such Justices, or to whomsoever they shall appoint, such Sum as shall in the Opinion of such Court be sufficient to indemnify such Justices from all Costs and Charges whatsoever to which they may have been so put; and the said Treasurer is hereby authorized to pay the same, which shall be allowed to him in his Accounts.

Proceedings on Appeal to be carried on by the Constable, and the Expenses of Prosecution to be charged on County Rates.

XXXVI. In every Case in which any Appeal shall be made by any Person convicted of any Offence under the Provisions of this Act to the General or Quarter Sessions it shall be lawful for the convicting Justices, if no other fit and proper Person shall appear to prosecute such Charge, and to carry on such Proceedings as may be necessary to obtain at such Session an Adjudication thereon, to order that a Constable of the City of *London* Police Force within the City of *London* and Liberties thereof, or a Constable of the Metropolitan Police Force within the Metropolitan Police District, or if elsewhere the Superintendent or Inspector of Police of the District, or the Constable or other Peace Officer of the Parish or Place in which the House kept by the Person charged shall be situate, as to the said Justices shall seem fit, shall carry on all Proceedings necessary to obtain such Adjudication as aforesaid, and to bind any such Constable, or the said Superintendent or Inspector of Police, or other Peace Officer, in a sufficient Recognizance so to do; and it shall be lawful for the Justices before whom such Offender shall have been convicted to order the Treasurer of the County or Place in and for which such Justices shall then act to pay to such Constable, Superintendent, Inspector, or other Peace Officer, and to the Witnesses on his Behalf, such Sum or Sums of Money as to the Court shall appear to be sufficient to reimburse them respectively the Expenses which they shall have been severally put to in and about such Prosecution, which Order the Clerk of the Peace is hereby directed and required forthwith to make out, and to deliver to such Constable, Superintendent, Inspector, or other Peace Officer and Witnesses respectively; and the said Treasurer is hereby authorized and required, upon Sight of such Order, forthwith to pay to the Person authorized to receive the same such Money as aforesaid, and the said Treasurer shall be allowed the same in his Accounts.

Power to Lord Mayor, Alderman, or Justices of the Peace to summon Witnesses and examine them on Oath.

XXXVII. It shall be lawful for the said Lord Mayor or Alderman, and for the Justices of the Peace before whom respectively any Question shall be depending touching any Objection against the granting or renewing of a Licence under the Provisions of this Act, to summon Witnesses on behalf of either Party to such Question, and to examine all such Witnesses on oath, and to do and perform all Things necessary for the due and proper Hearing and Determination of such Question, and also to order Payment of Fees, Allowances, and reasonable Expenses to their Clerks, and to all Witnesses, Constables, and other Persons by whom any Duties shall have been performed or Expenses or Loss of Time incurred respectively under this Act; and the Amount of such Fees, Allowances, and Expenses shall be ascertained according to the Tables of Fees and Allowances for the Time being in force in the County, City, or Borough respectively within which the Refreshment House in question shall be situate; and the Order for Payment may be made at the Discretion of the said Lord Mayor, Alderman, or Justices, either wholly or partially, on the Applicant or on the Objector, or, if the Equity of the Case shall seem so to require, then on the Treasurer of the County, City, or Borough aforesaid, who shall be reimbursed out of the County or Borough Rate; and the Provisions of the Act passed in the Eleventh and Twelfth Years of the Reign of Her Majesty, Chapter Forty-three, for the Recovery of Costs ordered by Justices in Petty Sessions to be paid, shall apply to all Costs, Allowances, and Expenses ordered to be paid under this Act.

Penalty on Witnesses refusing to attend or to give Evidence.

XXXVIII. Any Person summoned as a Witness to give Evidence before the said Lord Mayor or Alderman, or any Justices or Sessions, touching any Matters arising under this Act, either on the Part of the Complainant or of the Person accused, or of any Person interested in any such Matter, who shall neglect or refuse to appear at the Time and Place for that Purpose appointed, and who shall not make such reasonable Excuse for such Neglect or Refusal as shall be admitted and allowed by such Lord Mayor or Alderman or Justices or Sessions, or who appearing shall refuse to be examined on Oath or Affirmation and give Evidence, shall, on Conviction, forfeit and pay any Sum not exceeding Ten Pounds for every such Offence.

Penalty for harbouring Constables while on Duty.

XXXIX. Every Person licensed to sell Wine, Spirits, Beer, Cider, or any other fermented or distilled Liquors by Retail, to be drunk or consumed on the Premises, who knowingly harbours or entertains, or suffers to remain in the Place wherein he carries on his Business, any Constable during any Part of the Time appointed for his being on Duty, unless for the Purpose of quelling any Disturbance or restoring Order, shall for every such Offence be liable to a Penalty not exceeding Twenty Shillings.

Penalty on Drunkards guilty of riotous or indecent Behaviour.

XL. Every Person found drunk in any Street or public Thoroughfare, and who while drunk is guilty of any riotous or indecent Behaviour, shall, upon summary Conviction of such Offence before Two Justices, be liable to a Penalty of not more than Forty Shillings for every such Offence, or may be committed, if the Justices or Magistrate before whom he is convicted think fit, instead of inflicting on him any pecuniary Penalty, to the House of Correction for any Time not more than Seven Days.

Penalty on disorderly Persons refusing to quit licensed Houses.

Constables to assist in expelling them if required.

XLI. Any Person who shall be drunk, riotous, quarrelsome, or disorderly in any Shop, House, Premises, or Place licensed for the Sale of Beer, Wine, or Spirituous Liquors by Retail to be consumed on the Premises, or for Refreshment, Resort, and Entertainment under the Provisions of this Act, and shall refuse or neglect to quit such Shop, House, Premises, or Place upon being requested so to do by the Manager or Occupier, or his Agent or Servant, or by any Constable, shall, on Conviction thereof before One Justice, be liable to pay a Fine not exceeding Forty Shillings; and all Constables are hereby authorized, empowered, and required, on the Demand of such Manager, Occupier, Agent, or Servant, to assist in expelling such drunken, riotous, quarrelsome, and disorderly Persons from such Shops, Houses, Premises, and Places.

Provisions of 11 & 12 Vict. c. 43. to be applied in the Recovery of Penalties under this Act.

XLII. And with regard to all Penalties incurred under this Act, except the Penalties herein denominated Excise Penalties, all the Provisions contained in the Act passed in the Eleventh and Twelfth Years of Her Majesty, Chapter Forty-three, relating to Proceedings for the Recovery of Penalties by summary Conviction, and to Appeals against such Convictions, and the levying and enforcing of Penalties, and the Costs of such Proceedings, shall be applied and put in force in relation to the Penalties by this Act imposed.

How Excise Penalties under this Act to be recovered, &c.

XLIII. The Penalties imposed by this Act denominated Excise Penalties shall be recovered, levied, mitigated, and applied by the same Ways, Means, and Methods, and in like Manner, as Penalties may be recovered, levied, mitigated, and applied under the Laws of Excise in that Behalf.

Covenants against Houses, &c. being used as Public Houses to extend to Persons licensed under this Act.

XLIV. Provided always, That any Covenant or Clause of Restriction contained in any Lease or Contract between a Landlord and Tenant, whereby the Trade or Business of a Vintner is prohibited from being carried on in any House, Building, or Place mentioned or comprised in such Lease or Contract, or whereby any such House, Building, or Place is prohibited from being used as a Public House, shall be construed to apply and extend to every Person who shall be licensed to sell Wine to be consumed on the Premises under the Provisions of this Act, and to any House specified in the Licence granted to such Person.

Act not to affect the Two Universities, or

XLV. Nothing in this Act contained shall extend to alter or in any Manner to affect any of the Rights or Privileges of the Universities of *Oxford* or *Cambridge*, or the Powers of the Chancellors or Vice-

Vice-Chancellors of the same, as by Law possessed under the respective Charters of the said Universities or otherwise, or the Master, Wardens, Freemen, and Commonalty of the Vintners of the City of *London*, except as to those Freemen of the said Company of Vintners who have obtained the same by Redemption only, or the Mayor or Burgesses of the Borough of *St. Albans* in the County of *Hertford*, or their Successors. the Vintners Company in London, or the Borough of St. Albans.

XLVI. This Act shall not extend to *Scotland* or *Ireland*. Extent of Act.

SCHEDULES.

No. 1.

Form of Licence to the Keeper of a Refreshment House.

We, the undersigned, being the Collector and Supervisor of Excise for the Collection of and District of , do hereby authorize and empower , now being a Householder, and dwelling in a House in , in the Parish of within the Limits of the said Collection and District, to keep open the said House as a Refreshment House, and to sell any Victual or Refreshment to be consumed therein, and in the Premises thereunto belonging (provided that for the Sale of any exciseable Liquor he shall have in force a proper Licence granted to him in that Behalf), and for this Licence he hath paid the Sum of , the said House and Premises being of [*or* under, *as the Case may be*] the Value of Twenty Pounds a Year; and this Licence is granted upon Condition that the said do not wilfully or knowingly permit any Drunkenness, or any violent or quarrelsome or other disorderly Conduct, in his House or Premises, nor knowingly suffer any unlawful Games or any gaming whatsoever therein, nor knowingly suffer or permit Persons of known bad Character to assemble and meet together therein, but do maintain good Order and Rule therein: And this Licence shall continue in force from the Day of until the First Day of April next ensuing, and no longer; and this Licence shall cease and determine, and shall become void, in case any of the Conditions or Regulations contained therein shall be transgressed or shall not be observed by the said

Given under our Hands, this Day of 186 .

, Collector.

, Supervisor.

No. 2.

Form of Licence to the Keeper of a Refreshment House to sell therein Wine by Retail to be consumed on the Premises.

We, the undersigned, being the Collector and Supervisor of Excise for the Collection of and District of ., do hereby authorize and empower , now being a Householder, and dwelling in a House in , in the Parish of within the Limits of the said Collection and District, for which he has taken out a Licence as a Refreshment House, to sell therein Foreign Wine by Retail, in order that it may be consumed in the said Refreshment House and in the Premises thereunto belonging, and for this Licence he hath paid the Sum of , the said House and Premises being of [*or* under, *as the Case may be*] the Value of Fifty Pounds a Year: And this Licence is granted upon Condition that the said do not mix or cause to be mixed any Spirits, or any Drugs or other pernicious Ingredients in any Wine sold in his said House and Premises, nor fraudulently dilute, or in anyways adulterate any such Wine, nor sell or offer for Sale any Wine which to his Knowledge has been so mixed, diluted, or adulterated; nor use in selling any Wine any Measures which are not of the legal Standard; nor wilfully or knowingly permit any Drunkenness, or any violent or quarrelsome or other disorderly Conduct, in his House or Premises; nor knowingly suffer any unlawful Games or any gaming whatsoever therein, nor knowingly suffer or permit Persons of known bad Character to assemble and meet together therein, but do maintain good Order and Rule therein; nor have or keep his House or Premises open for the Sale of any Victual, Refreshment, or Wine, nor sell any Victual, Refreshment, or Wine, nor suffer the same to be consumed or drunk in or at such House or Premises, at any Time before the Hour of Four o'Clock in the Morning nor after any Hour of the Clock at Night prohibited by the Act 23d Victoria, Cap. 27. [*this Act*], nor have or keep his House or Premises open for the Sale or Consumption therein of any Article whatever at any Time during which the Houses of Licensed Victuallers are required by Law to be closed on any Sunday, Christmas Day, or Good Friday, or any Day appointed for a Public Fast or Thanksgiving, except to a Lodger therein; and this Licence shall continue in force from the Day of until the First Day of April next ensuing, and no longer: Provided and upon Condition that the said shall not in the meantime become a Sheriff's Officer, or Officer for executing the Process of any Court of Justice; and this Licence shall cease and determine and shall become void in case any of the Conditions or Regulations contained therein shall be transgressed or shall not be observed by the said

Given under our Hands, this 186 .

, Collector.

, Supervisor.

No. 3.

Form of Licence to sell Wine by Retail, not to be consumed on the Premises.

We, the undersigned, being the Collector and Supervisor of Excise for the Collection of and District of , do hereby authorize and empower , now keeping a Shop for the Sale of Goods and Commodities at , in the Parish of , within the Limits of the said Collection and District, to sell therein Foreign and British Wine by Retail, and in reputed Quart or Pint Bottles only, and not to be consumed in the House or Shop or on the said Premises where sold, and for this Licence he hath paid the Sum of , the House and Premises being of [*or* under, *as the Case may be*] the Value of Fifty Pounds a Year; and this Licence is granted upon Condition that the said do not mix or cause to be mixed any Spirits or any Drugs or other pernicious Ingredients in any Wine sold in his Shop or Premises, nor fraudulently dilute or in anyways adulterate any such Wine, nor sell or offer for Sale any Wine which to his Knowledge has been so mixed, diluted, or adulterated; and this Licence shall continue in force from the Day of until the First Day of April next ensuing, and no longer.

Given under our Hands, this Day of 186 .

, Collector.

, Supervisor.

CAP. XXVIII.

An Act to repeal the Act of the Seventh Year of King *George* the Second, Chapter Eight, commonly called "Sir *John Barnard's* Act," and the Act of the Tenth Year of King *George* the Second, Chapter Eight. [14th *June* 1860.]

7 G. 2. c. 8. 10 G. 2. c. 8.

'WHEREAS an Act was passed in the Seventh Year of the Reign of King *George* the Second, Chapter Eight, to prevent the Practice of Stock-jobbing, and by another Act passed in the Tenth Year of the said King's Reign, Chapter Eight, the said first-mentioned Act was made perpetual: And whereas the said Acts impose unnecessary Restrictions on the making of Contracts for the Sale and Transfer of Public Stocks and Securities, and it is therefore expedient to repeal the same:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Recited Acts repealed.

I. From and after the passing of this Act the said Two several Acts before mentioned shall be and the same are hereby repealed.

CAP. XXIX.

An Act to amend an Act relative to malicious Injuries to Property. [14th *June* 1860.]

7 & 8 G. 4. c. 30.

'WHEREAS an Act was passed in the Session of Parliament held in the Seventh and Eighth Years of the Reign of His late Majesty *George* the Fourth, Chapter Thirty, intituled *An Act for consolidating and amending the Laws of* England *relative to malicious Injuries to Property:* And whereas it is expedient to amend the said Act, and in certain Cases to make further and better Provisions:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same:

Persons damaging Steam Engines, &c. used in working Mines guilty of Felony, &c.

I. That if any Person shall unlawfully and maliciously pull down or destroy or damage with Intent to destroy or to render useless, or shall stop, obstruct, or hinder the working of any Steam Engine or other Engine, or of any Appliance or Apparatus in connexion therewith, for sinking, draining, or working any Mine, or for in anywise assisting in the working thereof, with Intent thereby to destroy or damage such Mine, or to hinder or obstruct or delay the working thereof, every such Offender shall be guilty of Felony, and being convicted thereof shall be liable to any of the Punishments as may be awarded for any or either of the Offences named in the Sixth Section of the said recited Act.

As to Offences within the Jurisdiction of the Admiralty.

II. Where any Felony punishable under this Act shall be committed within the Jurisdiction of the Admiralty of *England* and *Ireland*, the same shall be dealt with, inquired of, tried, and determined in the same Manner as any other Felony committed within that Jurisdiction.

CAP. XXX.

An Act to enable a Majority of Two Thirds of the Ratepayers of any Parish or District, duly assembled, to rate their District in aid of Public Improvements for General Benefit within their District. [3d *July* 1860.]

'WHEREAS it is expedient that Facility should be given for the Purpose of effecting Local Improvements beneficial to the Health and Comfort of the People:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. It

Ratepayers may hold Land, &c. for forming Public Walks, &c. and levy Rates for maintaining the same, &c.

I. It shall be lawful for the Ratepayers of any Parish maintaining its own Poor, the Population of which, according to the last Account from Time to Time taken thereof by the Authority of Parliament, exceeds Five hundred Persons, to purchase or lease Lands, and to accept Gifts and Grants of Land, for the Purpose of forming any Public Walk, Exercise or Play Ground, and to levy Rates for maintaining the same, and for Removal of any Nuisances or Obstruction to the free Use and Enjoyment thereof, and for improving any open Walk or Footpath, or placing convenient Seats, or Shelters from Rain, and for other Purposes of a similar Nature.

Adoption of Act, according to 9 & 10 Vict. c. 74.

II. This Act may be adopted for any Borough, or for any Parish having a Population of Five hundred or upwards, (according to the last Account for the Time taken by Authority of Parliament,) in the same Manner as the Act of the Ninth and Tenth *Victoria*, Chapter Seventy-four, may be adopted in such Borough or Parish.

As to Public Baths and Wash-houses.

III. Where the Act is adopted in a Borough or in such a Parish, the Provisions of the Act of the Ninth and Tenth *Victoria*, Chapter Seventy-four, for the Purposes below specified applicable in the like Cases where that Act is adopted, shall take effect for the Purposes of this Act, viz.: All the Provisions concerning

1. The Authority by which and the Manner in which the Act is to be carried into execution:
2. The Mode of providing the Expenses of carrying the Act into execution (excluding the Provisions for borrowing Money for such Expenses):
3. The Appointment (in the Case of a Parish) of Commissioners, the Tenure of Office and Procedure, and the Audit of their Accounts:
4. The Powers of the Councils and Commissioners for the Purposes of the Act (except the Powers of borrowing Money).

Ratepayers, after Notice given, to rate Parishes.

IV. After the Adoption of this Act it shall be lawful for the Ratepayers in Meeting assembled to rate such Parish to a separate Rate, to be called the " Parish Improvement Rate;" provided that such Rate be agreed to by a Majority of at least Two Thirds in Value of the Ratepayers assembled at such Meeting.

Corporate Bodies may vote.

V. Corporate Bodies shall be allowed to attend Meetings to be held as aforesaid and to vote thereat by some Person to be deputed by them for that Purpose under their Corporate Seal.

Half of Cost to be raised by Subscription.

VI. Provided always, That previous to any such Rate being imposed a Sum in Amount not less than at least One Half of the estimated Cost of such proposed Improvement shall have been raised, given, or collected by private Subscription or Donation.

Amount of Rate.

VII. Such Rate shall not exceed Sixpence in the Pound.

CAP. XXXI.

An Act to repeal a certain Enactment for restraining the Governor and Company of the Bank of *Ireland* from lending Money on Mortgage. [3d *July* 1860.]

21 & 22 G. 3. c. 16. (I.)

'WHEREAS by an Act passed in the Parliament of *Ireland* in the Twenty-first and Twenty-second Years of King *George* the Third, Chapter Sixteen, a Bank was established and a Company incorporated by the Name of "The Governor and Company of the Bank of *Ireland*" (herein-after called the Corporation): And whereas it has been found necessary from Time to Time by certain other Acts to make certain Amendments therein: And whereas it is by Section Seven of the said recited Act, amongst other Things, provided "that nothing therein contained shall be construed "to enable the said Corporation, or any Person or Persons on their Behalf, to lend or advance any "Sum or Sums to be secured by Mortgage or Sale of Lands, Tenements, or Hereditaments redeemable, "anything therein contained to the contrary notwithstanding:" And whereas it is expedient that the said Provision should be repealed:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Provision restraining Bank of Ireland from lending Money on Mortgage, repealed.

I. The said recited Provision of the said Act of the Parliament of *Ireland* of the Twenty-first and Twenty-second Years of King *George* the Third shall be repealed; and it shall be lawful for the said Corporation, or any Person or Persons on their Behalf, to lend or advance any Sum or Sums of Money to be secured by Mortgage or Sale of Lands, Tenements, or Hereditaments redeemable, if the said Corporation shall so think fit.

Recited Act and this Act to be read as One Act.

II. So much of the said recited Act as remains unrepealed, and this Act, shall be read and construed together as One Act.

CAP. XXXII.

An Act to abolish the Jurisdiction of the Ecclesiastical Courts in *Ireland* in Cases of Defamation, and in *England* and *Ireland* in certain Cases of Brawling. [3d *July* 1860.]

'WHEREAS it is expedient to abolish the Jurisdiction of the Ecclesiastical Courts of *England* and *Ireland* over Persons not in Holy Orders in Suits for Brawling, and to abolish the Jurisdiction of the Ecclesiastical Courts of *Ireland* in Suits for Defamation, as hath already been done with

'with respect to the like Jurisdiction in *England*:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same:

Jurisdiction of Ecclesiastical Courts in Suits for Defamation and Brawling abolished as against Persons not in Holy Orders.

I. That it shall not be lawful for any Ecclesiastical Court in *England* or *Ireland* to entertain or adjudicate upon any Suit or Cause of Brawling commenced after the passing of this Act against any Person not being in Holy Orders, nor shall it be lawful for any Ecclesiastical Court in *Ireland* to entertain or adjudicate upon any Suit or Cause of Defamation commenced as aforesaid; and in the Case of every Person committed or to be committed to Gaol under any Writ De contumace capiendo, issued in consequence of any Proceedings before any Ecclesiastical Court in any Cause or Suit for Defamation of Character, or where such Person is not in Holy Orders for Brawling, the Judge of the Ecclesiastical Court before whom such Proceedings shall have been had shall make an Order upon the Officer in whose Custody such Person shall be at any Time hereafter for discharging such Person out of Custody, and such Officer shall on the Receipt of such Order forthwith discharge such Person; and it shall not be necessary for such Person to take any Oath of future Obedience to his or her Ordinary: Provided always, that such Order shall not be made unless the Costs lawfully incurred in any such Suit shall have been previously paid into the Registry of such Ecclesiastical Court; provided further, that where any such Suit for Brawling or Defamation has been commenced before the passing of this Act, and final Judgment has not been given thereupon, or where final Judgment has been given but the Defendant has not been taken under a Writ De contumace capiendo pursuant to such Judgment, the Court, upon Payment by the Defendant of the Costs of Suit incurred by the Promoter of the Office of the Judge to the Time of the passing of this Act, shall stay all further Proceedings therein.

Persons in Custody under Order of Ecclesiastical Courts to be discharged.

Order for Discharge not to be made until Costs lawfully incurred are paid.

Penalty for making a Disturbance in Churches, Chapels, Churchyards, &c. 18 & 19 Vict. c. 81.

II. Any Person who shall be guilty of riotous, violent, or indecent Behaviour, in *England* or *Ireland* in any Cathedral Church, Parish or District Church or Chapel of the Church of *England* and *Ireland*, or in any Chapel of any Religious Denomination, or in *England* in any Place of Religious Worship duly certified under the Provisions of the Eighty-first Chapter of the Statute passed in the Session of Parliament of the Eighteenth and Nineteenth Years of the Reign of Her present Majesty, intituled *An Act to amend the Law concerning the certifying and registering of Places of Religious Worship in* England, whether during the Celebration of Divine Service or at any other Time, or in any Churchyard or Burial Ground, or who shall molest, let, disturb, vex, or trouble, or by any other unlawful Means disquiet or misuse any Preacher duly authorized to preach therein, or any Clergyman in Holy Orders ministering or celebrating any Sacrament, or any Divine Service, Rite, or Office, in any Cathedral, Church, or Chapel, or in any Churchyard or Burial Ground, shall on Conviction thereof before Two Justices of the Peace be liable to a Penalty of not more than Five Pounds for every such Offence, or may, if the Justices before whom he shall be convicted think fit, instead of being subjected to any pecuniary Penalty, be committed to Prison for any Time not exceeding Two Months.

Offenders may be immediately after Offence committed, apprehended, &c.

III. Every such Offender in the Premises after the said Misdemeanor so committed immediately and forthwith may be apprehended and taken by any Constable or Churchwarden of the Parish or Place where the said Offence shall be committed, and taken before a Justice of the Peace of the County or Place where the said Offence shall have been so committed, to be dealt with according to Law.

Persons aggrieved may appeal against Conviction.

IV. Any Person convicted as aforesaid who shall think himself aggrieved by such Conviction may forthwith appeal to the next Court of General or Quarter Sessions which shall be holden not less than Twelve Days after the Day of such Conviction for the County, Riding, Division, City, or Borough wherein the Cause of Complaint shall have arisen; provided such Person shall enter into a Recognizance with Two sufficient Sureties before the convicting Justices, conditioned personally to appear at the said Sessions and to try such Appeal, and to abide the Judgment of the Court thereupon, and to pay such Costs as shall be by the Court awarded; and upon such Recognizance being entered into, the Justices shall liberate such Person, and the Court at such Sessions shall hear and determine the Matter of the Appeal, and shall make such Order therein, with or without Costs to either Party, as to the Court shall seem meet; and in case of the Dismissal of the Appeal or the Affirmance of the Conviction, shall order and adjudge the Offender to be punished according to the Conviction, and to pay such Costs as shall be awarded, and shall, if necessary, issue Process for enforcing such Judgment.

5 & 6 Edw. 6. c. 4. repealed.

V. The Act Chapter Four of the Statute passed in the Session of Parliament of the Fifth and Sixth Years of the Reign of *Edward* the Sixth is hereby repealed, so far as relates to Persons not in Holy Orders.

Not to affect 1 Mar. Sess. 2. c. 3., 1 Eliz. c. 2. or 1 W. & M., c. 18. s. 18.

VI. Nothing herein-before contained shall be taken to repeal or alter the Statute passed in the Second Session of the First Year of the Reign of Queen *Mary*, Chapter Three; or the Statute passed in the First Year of the Reign of Queen *Elizabeth*, Chapter Two; or the Eighteenth Section of the Statute passed in the First Year of the Reign of King *William* and Queen *Mary*, Chapter Eighteen.

Nothing to limit Power of Ordinary over Fabrics, &c.

VII. Provided also, That nothing herein contained shall limit, restrain, or abolish the Power possessed by the Ordinary over the Fabric of any Church or over the Churchyard or Burial Ground connected therewith.

CAP. XXXIII.

An Act to amend certain Provisions in the Bankrupt Law of *Scotland*. [3d *July* 1860.]

'WHEREAS it is expedient that certain Provisions of "The Bankruptcy (*Scotland*) Act, 1856," should be amended:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: 19 & 20 Vict. c. 79.

I. This Act may be cited as "The Bankruptcy (*Scotland*) Amendment Act, 1860." Short Title.

II. If in any Case where Sequestration has been or shall be awarded in *Scotland* it shall appear to the Court of Session or to the Lord Ordinary, upon a Summary Petition by the Accountant in Bankruptcy, or any Creditor or other Person having Interest, presented to either Division of the said Court or to the Lord Ordinary at any Time within Three Months after the Date of the Sequestration, that a Majority of the Creditors in Number and Value reside in *England* or in *Ireland*, and that from the Situation of the Property of the Bankrupt or other Causes his Estate and Effects ought to be distributed among the Creditors under the Bankrupt or Insolvent Laws of *England* or *Ireland*, the said Court in either Division thereof or the Lord Ordinary, after such Inquiry as to them shall think fit, may recal the Sequestration. Where it appears to Court of Session, &c. that the Estate ought to be distributed in England or Ireland, Sequestration may be recalled.

III. The said Court, in either Division thereof, or the Lord Ordinary, or the Sheriff, may refuse the Application for the Discharge of any Bankrupt, although Two Years have elapsed from the Date of the Sequestration, and although no Appearance or Opposition shall be made by or on the Part of any of the Creditors, if it shall appear from the Report of the Accountant in Bankruptcy or other sufficient Evidence that the Bankrupt has fraudulently concealed any Part of his Estate or Effects, or has wilfully failed to comply with any of the Provisions of "The Bankruptcy (*Scotland*) Act, 1856." Discharge of Bankrupt may in certain Cases be refused, &c.

IV. All Interlocutors pronounced by the Lord Ordinary or the Sheriff under the Provisions of this Act shall be subject to the Review of the said Court of Session. Interlocutors subject to Review.

V. To remove Doubts which have arisen, it is declared that the Word "Gazette" in the Sixty-seventh Section of the said Act shall be held to mean the "*Edinburgh Gazette*;" and the Provisions contained in the said Act relative to Deeds of Arrangement shall extend to and include Settlements or Arrangements by way of Composition. "Gazette" in said Act to mean Edinburgh Gazette.

VI. The Fee provided to be paid to the Sheriff under Schedule I. of the said Act is hereby abolished; but no Claim shall exist in respect of any such Fee which shall have been paid prior to the passing of this Act. Fee to Sheriff abolished.

VII. For attending any Meeting of Creditors or Examination a Fee of One Pound One Shilling shall be payable to the Sheriff for each such Meeting or Diet of Examination not being on the same Day. Fee payable to Sheriff.

VIII. "The Bankruptcy (*Scotland*) Act, 1856," except in so far as altered by this Act, shall be and remain in full Force and Effect, and shall be construed with this Act; and Words interpreted in the said Act shall when used in this Act have the same Meanings as are assigned to them respectively by the said Act. Recited Act to remain in force.

CAP. XXXIV.

An Act to amend the Law relating to Petitions of Right, to simplify the Proceedings, and to make Provisions for the Costs thereof. [3d *July* 1860.]

'WHEREAS it is expedient to amend the Law relating to Petitions of Right, to simplify the Procedure therein, to make Provision for the Recovery of Costs in such Cases, and to assimilate the Proceedings, as nearly as may be, to the Course of Practice and Procedure now in force in Actions and Suits between Subject and Subject:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. A Petition of Right may, if the Suppliant think fit, be intituled in any One of the Superior Courts of Common Law or Equity at *Westminster* in which the Subject Matter of such Petition or any material Part thereof would have been cognizable if the same had been a Matter in dispute between Subject and Subject, and if intituled in a Court of Common Law shall state in the Margin the Venue for the Trial of such Petition; and such Petition shall be addressed to Her Majesty in the Form or to the Effect in the Schedule to this Act annexed (No. 1.), and shall state the Christian and Surname and usual Place of Abode of the Suppliant and of his Attorney, if any, by whom the same shall be presented, and shall set forth with convenient Certainty the Facts entitling the Suppliant to Relief, and shall be signed by such Suppliant, his Counsel or Attorney. Petitions of Right may be intituled in any of the Superior Courts at Westminster. The Form, &c. of the Petition as in Schedule No. 1.

II. The said Petition shall be left with the Secretary of State for the Home Department, in order that the same may be submitted to Her Majesty for Her Majesty's gracious Consideration, and in order that Her Majesty, if She shall think fit, may grant Her Fiat that Right be done, and no Fee or Sum of Money shall be payable by the Suppliant on so leaving such Petition, or upon his receiving back the same. Petition to be left with the Secretary of State for the Home Department for Her Majesty's Fiat.

III. Upon

Upon Fiat being obtained, Petition, &c. to be left at Office of Solicitor of the Treasury endorsed as in Schedule No. 2.

III. Upon Her Majesty's Fiat being obtained to such Petition, a Copy of such Petition and Fiat shall be left at the Office of the Solicitor to the Treasury, with an Endorsement thereon in the Form or to the Effect in the Schedule (No. 2.) to this Act annexed, praying for a Plea or Answer on behalf of Her Majesty within Twenty-eight Days, and it shall thereupon be the Duty of the said Solicitor to transmit such Petition to the particular Department to which the Subject Matter of such Petition may relate, and the same shall be prosecuted in the Court in which the same shall be intituled, or in such other Court as the Lord Chancellor may direct.

Time for answering by the Crown.

IV. The Time for answering, pleading, or demurring to such Petition, on behalf of Her Majesty, shall be the said Period of Twenty-eight Days after the same, with such Prayer of a Plea or Answer as aforesaid, shall have been left at the Office of the Solicitor to the Treasury, or such further Time as shall be allowed by the Court or a Judge: Provided always, that it shall be lawful for the Lord Chancellor, on the Application of the Attorney General or of the Suppliant, to change the Court in which such Petition shall be prosecuted, or the Venue for the Trial of the same.

Power to change Court or Venue.

Time for answering by other Persons, Parties to the Petition.

V. In case any such Petition of Right shall be presented for the Recovery of any Real or Personal Property, or any Right in or to the same, which shall have been granted away or disposed of by or on behalf of Her Majesty or Her Predecessors, a Copy of such Petition, Allowance, and Fiat shall be served upon or left at the last or usual or last known Place of Abode of the Person in the Possession, Occupation, or Enjoyment of such Property or Right, endorsed with a Notice in the Form set forth in the Schedule (No. 3.), requiring such Person to appear thereto within Eight Days, and to plead or answer thereto in the Court in which the same shall be prosecuted within Fourteen Days after the same shall have been so served or left as aforesaid; and it shall not be necessary to issue any Scire facias or other Process to such Person for the Purpose of requiring him to appear and plead or answer to such Petition, but he shall within the Time so limited, if it be intended by him to contest such Petition, enter an Appearance to the same in the Form set forth in Schedule (No. 4.) to this Act annexed, or to the like Effect, and shall plead, answer, or demur to the said Petition within the Time specified in such Notice, or such further Time as shall be allowed by the Court or a Judge.

The Answer or Plea to such Petition.

VI. Such Petition may be answered by way of Answer, Plea, or Demurrer in a Court of Equity, or in a Court of Common Law by way of Plea or Demurrer, or by both Pleas and Demurrer, by or in the Name of Her Majesty's Attorney General on behalf of Her Majesty, and by or on behalf of any other Person who may in pursuance hereof be called upon to plead or answer thereto, in the same Manner as if such Petition in a Court of Equity were a Bill filed therein, or if the Petition be prosecuted in a Court of Common Law as if the same were a Declaration in a Personal Action, and without the Necessity for any Inquisition finding the Truth of such Petition or the Right of the Suppliant, and such and the same Matter as would be sufficient Ground of Answer or Defence in point of Law or Fact to such Petition on the Behalf of Her Majesty may be alleged on behalf of any such other Person as aforesaid called on to plead or answer thereto.

The Practice and Course of Procedure in Action and Suit between Subject and Subject shall extend to Petitions of Right so far as applicable.

VII. So far as the same may be applicable, and except in so far as may be inconsistent with this Act, the Laws and Statutes in force as to Pleading, Evidence, Hearing, and Trial, Security for Costs, Amendment, Arbitration, Special Cases, the Means of procuring and taking Evidence, Set-off, Appeal, and Proceedings in Error in Suits in Equity, and Personal Actions between Subject and Subject, and the Practice and Course of Procedure of the said Courts of Law and Equity respectively for the Time being in reference to such Suits and Personal Actions, shall, unless the Court in which the Petition is prosecuted shall otherwise order, be applicable and apply and extend to such Petition of Right: Provided always, that nothing in this Statute shall be construed to give to the Subject any Remedy against the Crown in any Case in which he would not have been entitled to such Remedy before the passing of this Act.

Decrees or Judgments by Default.

VIII. In case of a Failure on the Behalf of Her Majesty, or of any such other Person as aforesaid called upon to answer or plead to such Petition, to plead, answer, or demur in due Time, either to such Petition or at any subsequent Stage of the Proceedings thereon, the Suppliant shall be at liberty to apply to the Court or a Judge for an Order that the Petition may be taken as confessed; and it shall be lawful for such Court or Judge, on being satisfied that there has been such Failure to plead, answer, or demur in due Time, to order that such Petition may be taken as confessed as against Her Majesty or such other Party so making default; and in case of Default on the Behalf of Her Majesty and any other such Person (if any) called upon as aforesaid to answer or plead thereto, a Decree may be made by the Court, or Leave may be given by the Court, on the Application of the Suppliant, to sign Judgment in favour of the Suppliant: Provided always, that such Decree or Judgment may afterwards be set aside by such Court or a Judge, in their or his Discretion, on such Terms as to them or him shall seem fit.

Form of Judgment or Decree.

IX. Upon every such Petition of Right the Decree or Judgment of the Court, whether given upon Demurrer upon the Pleadings or upon a Default to answer or plead in Time, or after Hearing or Verdict, or in Error, shall be that the Suppliant is or is not entitled either to the whole or to some Portion of the Relief sought by his Petition, or such other Relief as the Court may think right, and such Court may give a Decree or Judgment that the Suppliant is entitled to such Relief, and upon such Terms and Conditions (if any) as such Court shall think just.

X. In

Effect of Judgment of Amoveas manus.

X. In all Cases in which the Judgment commonly called a Judgment of Amoveas manus has heretofore been pronounced or given upon a Petition of Right, a Judgment that the Suppliant is entitled to Relief as herein-before provided shall be of such and the same Effect as such Judgment of Amoveas manus.

Costs recoverable by the Crown and any other Person Party to the Petition.

XI. Upon any such Petition of Right the Attorney General or other Person appearing on behalf of Her Majesty, and every such other Person as aforesaid who shall appear and plead or answer to such Petition, shall be entitled respectively to recover Costs against the Suppliant, in the same Manner, and subject to the same Restrictions and Discretion, and under the same Rules, Regulations, and Provisions, so far as they are applicable, as are or may be usually adopted or in force touching the Payment or Receipt of Costs in Proceedings between Subject and Subject, and for the Recovery of such Costs such and the same Remedies and Writs of Execution as are authorized for enforcing Payment of Costs upon Judgments in Personal Actions or Decrees, Rules or Orders, shall and may be prosecuted, sued out, and executed respectively by or on behalf of Her Majesty and of such other Person as aforesaid as shall appear and plead to such Petition, and any Costs recovered on behalf of Her Majesty shall be paid into the Exchequer, and shall become Part of the Consolidated Fund, except where such Petition shall be defended on behalf of Her Majesty in Her private Capacity, in which Case such Costs shall be paid to the Treasurer of Her Majesty's Household, or such other Person as Her Majesty shall appoint to receive the same.

The Suppliant to be entitled to Costs against the Crown and other Parties to the Proceedings.

XII. Upon any such Petition of Right the Suppliant shall be entitled to Costs against Her Majesty, and also against any other Person appearing or pleading or answering to any such Petition of Right, in like Manner, and subject to the same Rules, Regulations, and Provisions, Restrictions, and Discretion, as far as they are applicable, as are or may be usually adopted or in force touching the Right to recover Costs in Proceedings between Subject and Subject; and for the Recovery of any such Costs from any such Person, other than Her Majesty, appearing or pleading or answering in pursuance hereof, to any such Petition of Right, such and the same Remedies and Writs of Execution as are authorized for enforcing Payment of Costs upon Rules, Orders, Decrees, or Judgments in Personal Actions between Subject and Subject shall and may be prosecuted, sued out, and executed on behalf of such Suppliant.

Decree or Judgment in favour of the Suppliant to be certified to the Treasury or the Treasurer of the Household in Form of Schedule No. 5.

XIII. Whenever, upon any such Petition of Right, a Judgment, Order, or Decree shall be given or made that the Suppliant is entitled to Relief, and there shall be no Rehearing, Appeal, or Writ of Error, or in case of an Appeal or Proceedings in Error a Judgment, Order, or Decree shall have been affirmed, given, or made that the Suppliant is entitled to Relief, or upon any Rule or Order being made entitling the Suppliant to Costs, any One of the Judges of the Court in which such Petition shall have been prosecuted shall and may, upon Application in behalf of the Suppliant, after the Lapse of Fourteen Days from the making, giving, or affirming of such Judgment or Decree, Rule, or Order, certify to the Commissioners of Her Majesty's Treasury, or to the Treasurer of Her Majesty's Household, as the Case may require, the Tenor and Purport of the same, in the Form in the Schedule (No. 5.) to this Act annexed, or to the like Effect; and such Certificate may be sent to or left at the Office of the Commissioners of Her Majesty's Treasury, or of the Treasurer of Her Majesty's Household, as the Case may be.

Satisfaction of the Judgment and Costs.

XIV. It shall be lawful for the Commissioners of Her Majesty's Treasury and they are hereby required to pay the Amount of any Moneys and Costs as to which a Judgment or Decree, Rule, or Order shall be given or made that the Suppliant in any such Petition of Right is entitled, and of which Judgment or Decree, Rule or Order, the Tenor and Purport shall have been so certified to them as aforesaid, out of any Moneys in their Hands for the Time being legally applicable thereto, or which may be hereafter voted by Parliament for that Purpose, provided such Petition shall relate to any public Matter; and in case the same shall relate to any private Property of or enjoyed by Her Majesty, or any Contract or Engagement made by or on behalf of Her Majesty, or any Matter affecting Her Majesty in Her private Capacity, a Certificate in the Form aforesaid may be sent to or left at the Office of the Treasurer of Her Majesty's Household, or such other Person as Her Majesty shall from Time to Time appoint to receive the same, and the Amount to which the Suppliant is entitled shall be paid to him out of such Funds or Moneys as Her Majesty shall be graciously pleased to direct to be applied for that Purpose.

Power to Judges to make Rules and Regulations, &c.

XV. It shall be lawful for the Judges of the said Courts of Law and Equity respectively, or any Three or more of the Judges of the Court of Chancery, of whom the Lord Chancellor shall be One, and for any Eight or more of the Judges of the Courts of Common Law, of whom the Chiefs of each of the said Courts shall be Three, from Time to Time to make all such General Rules and Orders in their said respective Courts of Law and Equity, for regulating the Pleading and Practice on such Petitions of Right, and for the effectual Execution of this Act and of the Intention and Object hereof, and for fixing the Costs to be allowed for and in respect of the several Matters herein contained, and the Performance thereof, and for the Government and Conduct of the Officers of their respective Courts in and relating to the Distribution and Performance of the Duties and Business to be done or performed in Execution of this Act, as such Judges may think fit, reasonable, necessary, or proper, and to frame such Writs and Forms of Proceedings as to them may seem expedient for the Purposes aforesaid; and all such Rules, Orders, or Regulations shall be laid before both Houses of Parliament, if Parliament be then

then sitting, immediately upon the making of the same, or if Parliament be not sitting then within Five Days after the next Meeting thereof; and no such Rule, Order, or Regulation shall have Effect until Three Months after the same shall have been so laid before both Houses of Parliament; and any Rule, Order, or Regulation so made shall from and after such Time aforesaid be binding and obligatory on the said Courts, and on any Courts of Error or Appeal into which any Judgments or Decrees of the said Courts shall be carried by any Writ of Error or Appeal, and be of the like Force and Effect as if the Provisions contained therein had been expressly enacted by Parliament: Provided always, that it shall be lawful for the Queen's most Excellent Majesty, by any Proclamation inserted in the *London Gazette*, or for either of the Houses of Parliament, by any Resolution passed at any Time within Three Months next after such Rules, Orders, and Regulations shall have been laid before Parliament, to suspend the whole or any Part of such Rules, Orders, or Regulations, and in such Case the whole, or such Part thereof as shall be so suspended, shall not be binding and obligatory on the said Courts.

Interpretation of Terms.

XVI. In the Construction of this Act the Words "Her Majesty" shall extend to and include Her Majesty's Successors; and the Words "Lord High Chancellor" and "Lord Chancellor" respectively shall mean and include Keeper of the Great Seal and Commissioners for executing the Office of Lord Chancellor or Keeper of the Great Seal; the Word "Court" shall be understood to mean any One of the Superior Courts of Common Law or Equity at *Westminster* in which any such Petition is presented; the Word "Relief" shall comprehend every Species of Relief claimed or prayed for in any such Petition of Right, whether a Restitution of any Incorporeal Right, or a Return of Lands or Chattels, or a Payment of Money or Damages, or otherwise; and the Word "Judge" shall be understood to mean a Judge or Baron of any of the said Courts respectively; and wherever in this Act, in describing or referring to any Person, Party, or Thing, any Word importing the Singular Number or Masculine or Feminine Gender is used, the same shall be understood to include and be applicable to several Persons and Parties as well as One Person or Party, and to Females as well as Males, and Males as well as Females, and Bodies Corporate as well as Individuals, and several Matters and Things as well as One Matter or Thing, unless it otherwise be provided, or there be something in the Subject or Context repugnant to such Construction.

Short Title.

XVII. In citing this Act in any Instrument, Document, or Proceeding, it shall be sufficient to use the Expression "The Petitions of Right Act, 1860."

Nothing to prevent Suppliant proceeding as before.

XVIII. Nothing in this Act contained shall prevent any Suppliant from proceeding as before the passing of this Act.

SCHEDULE referred to in the foregoing Act.

No. 1.

Petition.

In the Queen's Bench [*or* Common Pleas, *or* Exchequer of Pleas, *or* in Chancery].

To the Queen's most Excellent Majesty.

[*Middlesex*] to wit. } The humble Petition of *A.B.* of , by his Attorney, *E.F.* of , showeth that [*state the Facts*].

Conclusion.

Your Suppliant therefore humbly prays that, *&c.*

Dated the Day of A.D.

(Signed) *A.B.*
or C.D., Counsel for *A.B.*
or E.F., Attorney for *A.B.*

No. 2.

The Suppliant prays for a Plea or Answer on behalf of Her Majesty within Twenty-eight Days after the Date hereof, or otherwise that the Petition may be taken as confessed.

No. 3.

To *A.B.*

You are hereby required to appear to the within Petition, in Her Majesty's Court of Queen's Bench [Common Pleas, *or* Exchequer, *or* High Court of Chancery], within Eight Days, and to plead or answer thereto within Fourteen after the Date hereof.

Take notice, that if you fail to appear or plead or answer in due Time the said Petition may, as against you, be ordered to be taken as confessed.

Dated, *&c.*

No. 4.

No. 4.

In the Queen's Bench [*or* Common Pleas, *or* Exchequer of Pleas, *or* in Chancery].

Petition of Right.

A.B., Suppliant, *v.* The Queen. } *C.D.* appears in Person. *E.F.*, Attorney for *C.D.*, appears for him.

If the Appearance be in Person, the Address of the Party appearing to be given.

Entered the Day of 186 .

No. 5.

Certificate of a Judge of the Court of the Tenor and Purport of the Judgment or Decree.

To the Commissioners of Her Majesty's Treasury [*or* the Treasurer of Her Majesty's Household].

Petition of Right of *A.B.* in Her Majesty's Court of Queen's Bench [Common Pleas, *or* Exchequer, *or* High Court of Chancery] at Westminster.

I HUMBLY certify, That on the Day of A.D. it was, by the said Court of Queen's Bench [Common Pleas, *or* Exchequer, *or* High Court of Chancery] adjudged [*or* decreed *or* ordered] that the above-named Suppliant was entitled to, *&c.*

Judge's Signature.

CAP. XXXV.

An Act further to amend an Act of the Eighteenth Year of Her present Majesty, to amend the Law for the better Prevention of the Sale of Spirits by unlicensed Persons and for the Suppression of illicit Distillation in *Ireland*. [23d *July* 1860.]

'WHEREAS an Act was passed in the Session of Parliament held in the Eighteenth and Nineteenth Years of Her Majesty, Chapter Sixty-two, intituled *An Act to amend an Act of the Eighteenth Year of Her Majesty, to amend the Laws for the Prevention of the Sale of Spirits by unlicensed Persons and for the Suppression of illicit Distillation in* Ireland, and it is expedient further to amend the same:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: 18 & 19 Vict. c. 62.

As to Appeals from informal Orders of Justices refusing Licences.

I. In case any Person shall appeal against an Order made by the Justices at Petty Sessions, or by the Divisional Justices, as the Case may be, refusing him the Certificate which is required by Law to entitle him to obtain a Renewal of a Licence to sell Beer, Cider, and Spirituous Liquors in *Ireland*, and it shall appear that the Justices at Petty Sessions, or the Divisional Justices, as the Case may be, had omitted to cause to be entered in their Order Book the Grounds of such Refusal, or in case the Order of Refusal shall be in any other respect erroneous or informal, the Justices at Quarter Sessions, or the Recorder, as the Case may be, shall hear and determine the Matter of such Appeal, notwithstanding such Omission, Error, or Informality.

If Order of Refusal reversed, Excise Officer to renew the Licence.

II. In case upon the Hearing of any Appeal from the Refusal of a Certificate of the Justices at Petty Sessions, or the Divisional Justices, as the Case may be, the Justices at Quarter Sessions, or the Recorder, as the Case may be, shall reverse the said Order, then and in such Case the Justices at Quarter Sessions, or the Recorder, as the Case may be, shall declare the Appellant entitled to obtain a Renewal of his Licence, and thereupon the proper Officer of Excise in *Ireland* shall grant to the Appellant a Renewal of his Licence, without requiring any Certificate from Two or more Justices of the Peace, or from a Divisional Justice, as the Case may be, on the Production to such Officer of Excise of a Certificate from the Clerk of the Peace (for which Certificate the Clerk of the Peace may charge a Sum of Two Shillings and Sixpence), certifying that the Order of Refusal had been reversed, and that the Court had declared the Appellant entitled to a Renewal of his Licence.

SCHEDULE A.

Form of Certificate.

Quarter Sessions, District of
County of

A.B. Appellant. *C.D.* Respondent. } I certify, That on the Hearing of the Appeal in this Case, from an Order made by the Justices of the Petty Sessions District [*or A.B.*, Divisonal Justice,] on the Day of last, refusing to grant to the Appellant a Certificate to entitle him to obtain a Renewal of a Licence to sell Beer, Cider, or Spirituous Liquors, it was ordered by the Court that the said Order of Refusal be reversed, and the said Appellant was declared entitled to obtain a Renewal of his Licence.

Dated this Day of

Clerk of the Peace.

CAP. XXXVI.

An Act to authorize the Appointment and Approval of Places for the warehousing of Goods for the Security of Duties of Customs. [23d *July* 1860.]

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Power to appoint certain Warehousing Places.

I. The Commissioners of Her Majesty's Treasury may, by their Warrant, appoint that the Parish of *Manchester*, the Boroughs of *Birmingham*, *Leeds*, and *Sheffield*, or any of them, and such other Places as they may see fit, shall be Warehousing Places, subject to the Provisions herein-after contained.

Powers of Customs Acts conferred upon Commissioners applicable to this Act.

II. The Powers and Authorities conferred by the Customs Consolidation Act, 1853, upon the Commissioners of the Treasury for the Appointment of Warehousing Ports, and upon the Commissioners of Customs for the Approval of Warehouses in such Ports, shall extend to and be applicable to the said Parish and Boroughs or any of them, and to any other Place or Places in the United Kingdom which the said Commissioners of the Treasury may consider to have a sufficient Consumption of Articles paying Customs Duties to justify the Expense of a Customs Establishment, and may see fit to appoint as Warehousing Places, and to any Warehouse or Warehouses in any such Place or Places which the said Commissioners of Customs may see fit to approve for the warehousing of Goods for the Security of Duties of Customs; and the said Commissioners of the Treasury by Warrant under their Hands, and the said Commissioners of Customs by Order under their Hands, are hereby authorized and empowered to appoint and approve of any such Place or Places, Warehouse or Warehouses, accordingly; and, except as herein-after mentioned and provided, the said Act, and all other Acts now or hereafter to be made relating to the Customs, and all the Powers and Authorities, Provisions, Privileges, Forfeitures, Securities, Penalties, Rules, Regulations, Restrictions, Matters, and Things contained therein, or made or done in pursuance thereof, with reference to Warehousing Ports and Warehouses appointed or approved under the said Act or any other Act relating to the Customs, shall, so far as the same are or can be made applicable, extend and apply to every Warehousing Place and Warehouse which shall or may be appointed or approved under or in pursuance of this Act, and to the Proprietor or Occupier of and to the Conduct and Management of the Business of every such Warehouse, and the Security of Duties of Customs due or payable upon or in respect of all Goods deposited therein.

Warehouses to be for public Accommodation and to be of approved Dimensions.

III. No Warehouse shall be appointed or approved under this Act, except for the general Accomodation of any Merchants, Traders, or others having Occasion to deposit Goods therein for the Security of Duties of Customs; nor shall any Warehouse be approved under this Act unless it be of such Dimensions as the Commissioners of Customs consider sufficient, having regard to the Wants of the Town wherein it is situated.

Warehouse to be within 1,000 Yards of Custom House.

IV. When the Site of the Custom House in any Place appointed under this Act shall have been fixed or determined on by the Commissioners of Customs, it shall be lawful for the said Commissioners to refuse their Approval of any Warehouse above One thousand Yards from such Site.

Interpretation of "Extra Rates."

V. The Words "Extra Rates," in the Proviso to the Fifteenth Section of "The Customs Tariff Amendment Act, 1860," shall be construed to mean the additional Rates of Two Shillings and Sixpence for every One hundred Pounds of Customs Duty on Tobacco, and of Five Shillings for every One hundred Pounds of Customs Duty on Sugar and other Goods, which by the said Section are made payable upon the said Articles when they shall have been removed under Bond; and the Single Rates of Two Shillings and Sixpence and Five Shillings respectively imposed by the said Section shall be payable in respect of Goods delivered from Warehouses which possessed the Privilege of Bonding at the passing of the said Act, whether such Goods shall have been removed or not.

Rates herein named to be paid in lieu of existing Charges.

VI. In lieu of the Sums now payable by the Council of the City of *Manchester* to the said Commissioners in respect of the Expenses incident to the Management and Collection of the Customs Duties, under the several Acts now in force relating thereto, there shall be charged upon Goods deposited in any Warehouse at *Manchester* approved under the said last-mentioned Acts, on the Delivery thereof for Home Consumption, the same Rates as are made payable by "The Customs Tariff Act, 1860," and this Act, on the Delivery for Home Consumption of the like Kinds of Goods from any Warehouse approved under this Act.

Rates deemed Customs Duties.

VII. The Rates made payable under the said Customs Tariff Amendment Act, 1860, and this Act, shall be deemed to be Duties of Customs payable in the United Kingdom of *Great Britain* and *Ireland*, and may be sued for, enforced, recovered, and applied accordingly.

Commencement and Short Title of Act.

VIII. This Act shall come into operation on the Day of the passing thereof; and in citing it in other Acts of Parliament and legal Instruments it shall be sufficient to use the Expression "Customs Inland Bonding Act, 1860."

CAP. XXXVII.

An Act to levy an Assessment in the County of *Inverness* to discharge a Debt on the *Castle Stewart and Nairn* Road in the said County. [23d *July* 1860.]

'WHEREAS the following Acts were passed for the Purpose of making and keeping in repair certain Roads and Bridges in *Scotland;* that is to say, the Acts of the Forty-third of *George* the Third, Chapter Eighty, of the Fifty-ninth of *George* the Third, Chapter One hundred and thirty-five, of the Fourth of *George* the Fourth, Chapter Fifty-six, of the Fifth of *George* the Fourth, Chapter Thirty-eight, of the Third and Fourth of *William* the Fourth, Chapter Thirty-three, and of the Eleventh and Twelfth of *Victoria*, Chapter Forty: And whereas by the said Act of the Third and Fourth of *William* the Fourth, Chapter Thirty-three, after reciting that it was expedient that Power should be granted to the Commissioners for Highland Roads and Bridges to fix and settle Plans for the Alteration and Improvement (amongst others) of the Line of Road from a Point near *Castle Stewart* to the Western Extremity of the *Nairnshire* Turnpike Coast Road, passing through the Parishes of *Inverness, Petty,* and *Ardersier*, in the County of *Inverness*, it was enacted that as soon as sufficient Funds for defraying the Expense of making any such altered or new Line of Road should be provided to the Satisfaction of the said Commissioners in any of the Ways specified in the said Act, the said Commissioners should be authorized and required to fix the precise Line or Direction of any such Road; and from and after the Time when any such Alteration and Improvement should be completed, the said Commissioners should be authorized and empowered to direct Tolls to be levied on such Road, and that such Road when so altered and improved should be maintained in repair by the said Commissioners: And whereas the said *Castle Stewart and Nairn* Road was made by the said Commissioners under the Provisions of the last-recited Act, and the Funds necessary for its Formation were raised by borrowing Money on the Credit of the Tolls leviable on the said Road, and a Portion of the Debt so contracted, amounting to Two thousand seven hundred Pounds, still remains undischarged: And whereas, from the Formation of Railways and other Causes, the Traffic on the said Road has much diminished, and the Revenue derived from the Tolls thereon is not more than sufficient to defray the Expense of maintaining the said Road in repair, and affords no Surplus by means of which the Debt may be paid off, and it is therefore expedient that Provision should be made for the Payment of the Debt:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

43 G. 3. c. 80. 59 G. 3. c. 135. 4 G. 4. c. 56. 5 G. 4. c. 38. 3 & 4 W. 4. c. 33. 11 & 12 Vict. c. 40.

Assessment to be levied for the Purposes of this Act.

I. The Commissioners of Supply of the County of *Inverness* shall annually impose and levy an Assessment, for the Purpose of discharging the said Debt of Two thousand seven hundred Pounds, upon and from all Lands and Heritages within the County of *Inverness*, according to the yearly Rent or Value thereof, as established by the Valuation Rolls made up under the Valuation of Lands (*Scotland*) Acts, Seventeenth and Eighteenth *Victoria*, Chapter Ninety-one, and Twentieth and Twenty-first *Victoria*, Chapter Fifty-eight, or any other Act relating to the Valuation of Lands in *Scotland*, which may be in force for the Time being, and that at such Rate in every Year as shall be necessary in order to provide sufficient Funds for the Purposes of this Act, including such Sum as may be requisite to cover the Expenses of Assessment and Collection, and any Arrears of preceding Years; and such Assessments shall be imposed, levied, and recovered in the Manner provided by the recited Acts, or any of them, and under the Provisions thereof, which are hereby incorporated with this Act, and made applicable to the Assessments to be levied under this Act.

Period of Assessment not to exceed 30 Years.

II. The said Commissioners of Supply shall impose and levy the said Assessment in such Manner and to such Amount as shall be sufficient to raise the Funds necessary for the Purposes of this Act, within a Time to be limited by the said Commissioners of Supply, not exceeding Thirty Years from the passing of this Act.

Clauses of 10 & 11 Vict. c. 16. as to Mortgages incorporated.

III. The Clauses of "The Commissioners Clauses Act, 1847," with respect to the Mortgages to be executed by the Commissioners, with the Exception of Section Eighty-four, are hereby incorporated with this Act; and the Word "Commissioners" in the said Clauses shall mean the Commissioners of Supply of the County of *Inverness;* and the Expression "the Special Act" in the said Clauses shall mean this Act.

Power to borrow on Bond or Mortgage.

IV. It shall be lawful for the said Commissioners of Supply to borrow on Bond or Mortgage for the Purposes of this Act any Sum of Money not exceeding the Sum of Two thousand seven hundred Pounds, and to make and grant Mortgages and Assignations of the Assessments to be levied under the Provisions of this Act in security for the Payment of the Money so borrowed, and Interest thereon; and if, after having borrowed the said Sum or any Part thereof, the said Commissioners of Supply shall pay off the same, it shall be lawful for them again to borrow the Amount so paid off by granting new Mortgages and Assignations in Security therefor or otherwise, and so from Time to Time as they shall think proper.

Power to borrow on Cash Credit.

V. It shall be lawful for the said Commissioners of Supply, in the Exercise of the said borrowing Powers, to take from any Bank or Banking Company, Credit on a Cash Account, to be opened and kept with such Bank or Banking Company in the Name of the said Commissioners of Supply, or their Clerk or

or Treasurer, according to the Usage of Bankers in *Scotland*, to the Extent of the Sum which the said Commissioners of Supply are hereby authorized to borrow, or any Part thereof, and to make and grant Mortgages and Assignations of the Assessments to be levied under the Provisions of this Act in security for the Payment of the Amount of such Credit, or of the Sums advanced from Time to Time on such Cash Account, with the Interest thereon.

Money borrowed to be paid off in 30 Years.

VI. The said Commissioners of Supply in borrowing Money as aforesaid shall make Provision that the Principal Money to be so borrowed, and all Interest for the same, shall be fully paid and discharged within a Time to be limited by the said Commissioners, not exceeding Thirty Years from the passing of this Act.

For Protection of Persons lending Money on the Security of Assessment.

VII. No Person lending Money to the said Commissioners of Supply, and taking a Mortgage or Assignation in Security for securing Repayment of the same, and purporting to be made under the Authority of this Act, shall be bound to require Proof that the Provisions of this Act have been duly complied with; and it shall not be competent to any Ratepayer or other Person to question the Validity of any such Mortgage or Assignation in Security, on the Ground that such Provisions have not been complied with.

Act not to apply to certain Places.

VIII. This Act shall not apply to the Insular Portions of the County of *Inverness*, except the *Isle of Skye*.

CAP. XXXVIII.

An Act to further amend the Law of Property. [23d *July* 1860.]

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Writs of Execution of Judgments to be registered.

I. 'Whereas it is desirable to place Freehold, Copyhold, and Customary Estates on the same Footing 'with Leasehold Estates, in respect of Judgments, Statutes, and Recognizances as against Purchasers 'and Mortgagees, and also to enable Purchasers and Mortgagees of Estates, whether Freehold, 'Copyhold, or Customary or Leasehold, to ascertain when Execution has issued on any Judgment, 'Statute, or Recognizance, and to protect them against Delay in the Execution of the Writ:' Be it therefore enacted, that no Judgment, Statute, or Recognizance to be entered up after the passing of this Act shall affect any Land (of whatever Tenure) as to a *bonâ fide* Purchaser for valuable Consideration, or a Mortgagee, (whether such Purchaser or Mortgagee have Notice or not of any such Judgment, Statute, or Recognizance,) unless a Writ or other due Process of Execution of such Judgment, Statute, or Recognizance shall have been issued and registered as herein-after is mentioned before the Execution of the Conveyance or Mortgage to him, and the Payment of the Purchase or Mortgage Money by him: Provided always, that no Judgment, Statute, or Recognizance to be entered up after the passing of this Act, nor any Writ of Execution or other Process thereon, shall affect any Land of whatever Tenure as to a *bonâ fide* Purchaser or Mortgagee, although Execution or other Process shall have issued thereon, and have been duly registered, unless such Execution or other Process shall be executed and put in force within Three Calendar Months from the Time when it was registered.

Mode of registering.

II. The Registry herein-before required of any Writ of Execution, or other due Process on any Judgment, Statute, or Recognizance, in order to bind a Purchaser or Mortgagee, shall be made by a Memorandum or Minute referring to the Judgment, Statute, or Recognizance already registered, so as to connect the Registry of the Writ of Execution or other Process therewith; such Memorandum or Minute to be left with the Senior Master of the Court of Common Pleas at *Westminster*, who shall forthwith enter the Particulars in a Book in alphabetical Order by the Name of the Person in whose Behalf the Judgment, Statute, or Recognizance upon which the Writ of Execution or other Process issued was registered, and also the Year and the Day of the Month when every such Memorandum or Minute is left with him, and such Officer shall be entitled for any such Registry to the Sum of Five Shillings; and all Persons shall be at liberty to search the same Book, in addition to all the other Books in the same Office, on Payment of the Sum of One Shilling only: And all the Provisions in this Act in regard to Writs of Execution or other Process and the Registry thereof, or otherwise relating thereto, shall extend, *mutatis mutandis*, to Writs of Execution or other due Process issuing on Judgments of the several Courts of Common Pleas of the County Palatine of *Lancaster*, and of Pleas of the County Palatine of *Durham*: But none of these Provisions are to extend to *Ireland*.

Provision for Protection of Heirs and Executors against unregistered Judgments.

III. 'And whereas by an Act passed in the Fourth and Fifth Years of Their late Majesties King '*William* and Queen *Mary*, intituled *An Act for the better Discovery of Judgments in the Courts of 'King's Bench, Common Pleas, and Exchequer in* Westminster, it was enacted, that no Judgment not 'docketed and entered in Books in the Manner thereby provided should affect any Lands or Tenements 'as to Purchasers or Mortgagees, or have any Preference against Heirs, Executors, or Administrators 'in their Administration of their Ancestors, Testators, or Intestates Estates: And whereas by several 'later Acts Judgments are required to be registered with more Particulars than were required by the 'said recited Act; and it is thereby enacted that Judgments not so registered shall not affect any 'Lands, Tenements, or Hereditaments as to Purchasers, Mortgagees, or Creditors unless and until the 'same shall be registered in manner thereby required; and in obedience to a Direction in One of the

'same

'same Acts contained the Dockets existing under the said first-recited Act have been finally closed: 'And whereas the said several later Acts do not expressly enact that Judgments not docketed as thereby 'required shall not have any Preference against Heirs, Executors, or Administrators in their Administration of their Ancestors, Testators, or Intestates Estates, in consequence whereof such Heirs, 'Executors, or Administrators have been held to have lost the Protection which they enjoyed under the 'said first-recited Act, and it is expedient that the same should be restored:' Be it therefore declared and enacted, That no Judgment which has not already been or which shall not hereafter be entered or docketed under the several Acts now in force, and which passed subsequently to the said Act of the Fourth and Fifth Years of King *William* and Queen *Mary*, so as to bind Lands, Tenements, or Hereditaments as against Purchasers, Mortgagees, or Creditors, shall have any Preference against Heirs, Executors, or Administrators in their Administration of their Ancestors, Testators, or Intestates Estates.

Judgments as against Heirs and Executors to be re-registered.

IV. No Judgments which since the passing of an Act of the First and Second Years of Her Majesty Queen *Victoria*, intituled *An Act for abolishing Arrest on Mesne Process in Civil Actions except in certain Cases, for extending the Remedies of Creditors against the Property of Debtors, and for amending the Laws for the Relief of Insolvent Debtors in* England (being One of the Acts herein-before referred to), have been registered under the Provisions therein contained, or contained in the later Act of the Second and Third Years of Queen *Victoria*, Chapter Eleven, as explained and amended by the Act of the Session of the Eighteenth and Ninteenth Years of Queen *Victoria*, Chapter Fifteen, (being Two other of the Acts herein-before referred to,) or which shall hereafter be so registered, shall have any Preference against Heirs, Executors, or Administrators in their Administration of their Executors, Testators, or Intestates Estates, unless at the Death of the Testator or Intestate Five Years shall not have elapsed from the Date of the Entry thereof on the Docket or from the only or last Re-registry thereof, as the Case may be, which Re-registry from Time to Time is hereby authorized to be made in manner directed by the said Act of the Second and Third of Queen *Victoria*, as explained and amended by the Act of the Eighteenth and Nineteenth of Queen *Victoria*; but it shall be deemed sufficient to secure such Preference as aforesaid, if such a Memorandum as was required in the first instance is again left with the Senior Master of the Common Pleas within Five Years before the Death of the Testator or Intestate, although more than Five Years shall have expired by Effluxion of Time since the last previous Registration, before such last-mentioned Memorandum or Minute was left; and so *toties quoties* upon every Re-registry.

Extent of the Word "Judgment."

V. In the Construction of the previous Provisions the Term Judgment shall be taken to include registered Decrees, Orders of Courts of Equity and Bankruptcy, and other Orders having the Operation of a Judgment.

Restriction of Effect of Waiver.

VI. Where any actual Waiver of the Benefit of any Covenant or Condition in any Lease on the Part of any Lessor, or his Heirs, Executors, Administrators, or Assigns, shall be proved to have taken place after the passing of this Act in any one particular Instance, such actual Waiver shall not be assumed or deemed to extend to any Instance or any Breach of Covenant or Condition other than that to which such Waiver shall specially relate, nor to be a general Waiver of the Benefit of any such Covenant or Condition, unless an Intention to that Effect shall appear.

Provision for Cases of future and contingent Uses.

VII. Where by any Instrument any Hereditaments have been or shall be limited to Uses, all Uses thereunder, whether expressed or implied by Law, and whether immediate or future, or contingent or executory, or to be declared under any Power therein contained, shall take effect when and as they arise by force of and by relation to the Estate and Seisin originally vested in the Person seised to the Uses, and the continued Existence in him or elsewhere of any Seisin to Uses or Scintilla juris shall not be deemed necessary for the Support of or to give Effect to future or contingent or executory Uses, nor shall any such Seisin to Uses or Scintilla juris be deemed to be suspended, or to remain or to subsist in him or elsewhere.

Sect. 24. of 22 & 23 Vict. c. 35. extended to Mortgagees.

VIII. The Section Twenty-four in the Act of the Session of the Twenty-second and Twenty-third of Queen *Victoria*, Chapter Thirty-five, shall be read and construed as if the Words "or Mortgagee" had followed the Word "Purchaser" in every Place where the latter Word is introduced in the said Section.

Form of applying for Advice of Judge, &c. under Section 30. of 22 & 23 Vict. c. 35.

IX. Where any Trustee, Executor, or Administrator shall apply for the Opinion, Advice, or Direction of a Judge of the Court of Chancery under the Thirtieth Section of the Act of the Twenty-second and Twenty-third of Her present Majesty, Chapter Thirty-five, the Petition or Statement shall be signed by Counsel, and the Judge by whom it is to be answered may require the Petitioner or Applicant to attend him by Counsel either in Chambers or in Court where he deems it necessary to have the Assistance of Counsel.

Power to Lord Chancellors, &c. of England and Ireland to make General Orders as to Investment of Cash under the Control of the Court.

X. It shall be lawful for the Lord Chancellor, Lord Keeper or Lords Commissioners for the Custody of the Great Seal of *England*, with the Advice and Assistance of the Master of the Rolls, the Lords Justices of the Court of Appeal in Chancery, and the Vice-Chancellors of the said Court, or any Three of them, and for the Lord Chancellor of *Ireland*, with the Advice and Assistance of the Lords Justices of Appeal and the Master of the Rolls in *Ireland*, to make such General Orders from Time to Time as to the Investment of Cash under the Control of the Court, either in the Three per Cent. Consolidated or Reduced or New Bank Annuities, or in such other Stocks, Funds, or Securities as he or they shall, with such Advice or Assistance, see fit; and it shall be lawful for the Lord Chancellor, Lord Keeper or Lords

Lords Commissioners in *England*, and for the Lord Chancellor in *Ireland*, to make such Orders as he or they shall deem proper for the Conversion of any Three per Cent. Bank Annuities now standing or which may hereafter stand in the Name of the Accountant General of the said Court of Chancery, in trust in any Cause or Matter, into any such other Stocks, Funds, or Securities upon which, by any such General Order as aforesaid, Cash under the Control of the Court may be invested; all Orders for such Conversion of Bank Annuities into other Funds or Securities to be made upon Petition to be presented by any of the Parties interested in a summary Way, and such Parties shall be served with Notice thereof as the Court shall direct.

Trustees, &c. to invest Trust Funds in the Stocks, &c.

XI. When any such General Order as aforesaid shall have been made it shall be lawful for Trustees, Executors, or Administrators having Power to invest their Trust Funds upon Government Securities, or upon Parliamentary Stocks, Funds, or Securities, or any of them, to invest such Trust Funds, or any Part thereof, in any of the Stocks, Funds, or Securities in or upon which by such General Order Cash under the Control of the Court may from Time to Time be invested.

22 & 23 Vict. c. 35. s. 32. to act retrospectively.

XII. Clause Thirty-two of the said Act of the Twenty-second and Twenty-third of Queen *Victoria*, Chapter Thirty-five, shall operate retrospectively.

Extension of 3 & 4 W. 4. c. 27. s. 40. to Cases of Claims to Estates of Intestates.

XIII. 'Whereas by the Act of Parliament of the Third and Fourth of *William* the Fourth, Chapter 'Twenty-seven, Section Forty, it was enacted that after the Thirty-first Day of *December* One thousand 'eight hundred and thirty-three no Action or Suit or other Proceeding should be brought to recover any 'Sum of Money secured by any Mortgage, Judgment, or Lien, or otherwise, charged upon or payable out 'of any Land or Rent, at Law or in Equity, or any Legacy, but within Twenty Years next after a 'present Right to receive the same should have accrued to some Person capable of giving a Discharge 'for or Release of the same, unless such Acknowledgment in Writing or Payment of Principal or Interest 'as therein mentioned should have been given or made, and then within Twenty Years next after such 'Payment or Acknowledgment, or the last of such Payments or Acknowledgments: And whereas it is 'expedient that the said Enactment should be extended to the Case of Claims to the Estates of Persons 'dying intestate:' Be it therefore enacted, That after the Thirty-first Day of *December* One thousand eight hundred and sixty no Suit or other Proceeding shall be brought to recover the Personal Estate, or any Share of the Personal Estate, of any Person dying intestate, possessed by the legal personal Representative of such Intestate, but within Twenty Years next after a present Right to receive the same shall have accrued to some Person capable of giving a Discharge for or Release of the same, unless in the meantime some Part of such Estate or Share, or some Interest in respect thereof, shall have been accounted for or paid, or some Acknowledgment of the Right thereto shall have been given in Writing, signed by the Person accountable for the same, or his Agent, to the Person entitled thereto, or his Agent; and in such Case no such Action or Suit shall be brought, but within Twenty Years after such Accounting, Payment, or Acknowledgment, or the last of such Accountings, Payments, or Acknowledgments, if more than One was made or given.

Order to take Account of Debts, &c. of deceased Person under Sect. 19. of 13 & 14 Vict. c. 35. may be made immediately after Probate granted.

XIV. The Order to take an Account of the Debts and Liabilities affecting the Personal Estate of a deceased Person, pursuant to the Nineteenth Section of the Act of the Thirteenth and Fourteenth Years of *Victoria*, Chapter Thirty-five, may be made immediately, or at any Time after Probate or Letters of Administration shall have been granted; and such Order may be made either by the Court of Chancery upon Motion or Petition of course, or by a Judge of the said Court, sitting at Chambers, upon a Summons in the Form used for originating Proceedings at Chambers; and after any such Order shall have been made, the said Court or Judge may, on the Application of the Executors or Administrators, by Motion or Summons, restrain or suspend, until the Account directed by such Order shall have been taken, any Proceedings at Law against such Executors or Administrators by any Person having, or claiming to have, any Demand upon the Estate of the Deceased, by reason of any Debt or Liability due from the Estate of the Deceased, upon such Notice and Terms and Conditions (if any) as to the said Court or Judge shall seem just; and the Judge, in taking an Account of Debts and Liabilities pursuant to any such Order, shall, on the Application of the Executors or Administrators, be at liberty to direct that the Particulars only of any Claim or Claims which may be brought in pursuance to any such Order shall be certified by his Chief Clerk, without any Adjudication thereon; and any Notices for Creditors to come in which may be published in pursuance of any such Order shall have the same Force and Effect as if such Notices had been given by the Executors or Administrators in pursuance of the Twenty-ninth Section of the Act of the Twenty-second and Twenty-third Years of *Victoria*, Chapter Thirty-five.

Act not to extend to Scotland, &c.

XV. This Act is not to extend to *Scotland*, nor are any of the Clauses, except Clause Six and the subsequent Clauses, to extend to *Ireland*.

CAP. XXXIX.

An Act for the Construction of a new Harbour, and the Improvement of the existing Harbour, at *Anstruther Easter* in the County of *Fife*. [23d *July* 1860.]

'WHEREAS it would be of great Advantage to the Public if a safe and convenient Harbour were 'constructed at *Anstruther Easter* in the County of *Fife*, for the Accommodation of Fishing 'Boats and Vessels resorting thereto: And whereas the Magistrates and Council of the Burgh of

'*Anstruther*

'*Anstruther Easter* are willing to transfer to the Commissioners to be appointed by this Act all their 'Right and Title to the existing Harbour; and it is expedient that the said Harbour should be 'deepened and improved, and a new Harbour, with additional Piers and Quays, constructed in con- 'nexion therewith, and that Funds should be provided for the Execution of the said Works in the 'Manner after mentioned:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title.

I. This Act may be cited for all Purposes as "The *Anstruther* Union Harbour Act, 1860."

Interpretation of Terms.

II. The following Words and Expressions shall in reference to this Act have the several Meanings hereby assigned to them; that is to say,

The Word "Commissioners" in "The Commissioners Clauses Act, 1847," and this Act, shall mean the Commissioners appointed and incorporated by this Act:

The Word "Harbour" in "The Harbours, Docks, and Piers Clauses Act, 1847," and this Act, shall mean the *Anstruther* Union Harbour within the Limits herein-after defined, and shall include the existing Harbour of *Anstruther Easter* and the new Harbour to be constructed under the Authority of this Act.

8 & 9 Vict. c. 19. and 10 & 11 Vict. cc. 16. and 27. incorporated.

III. "The Lands Clauses Consolidation (*Scotland*) Act, 1845," "The Commissioners Clauses Act, 1847," with the Exception of Section Eighty-four, and "The Harbours, Docks, and Piers Clauses Act, 1847," with the Exception of Section Sixteen to Nineteen, both inclusive, and Sections Twenty-five and Twenty-six, are hereby incorporated with this Act, and shall apply to the existing Harbour of *Anstruther Easter*, and to the new Harbour to be constructed under the Authority of this Act, and the Works, Lands and Property connected therewith respectively, and to the whole Undertaking of the Commissioners: Provided that Sections Sixteen and Seventeen of the said Harbours, Docks, and Piers Clauses Act may come into force at any Time after Five Years from the passing of this Act, on Six Months Notice to that Effect being given to the Commissioners by Writing under the Hand of the Secretary of the Admiralty.

Appointment of Commissioners.

IV. The Provost of the Burgh of *Anstruther Easter* for the Time being, the Chief Manager of the Burgh of *Kilrenny* for the Time being, the Chief Manager of the Burgh of *Anstruther Wester* for the Time being, and Five Persons resident within the Parliamentary Limits of the Burgh of *Anstruther Easter*, Three Persons resident within the Parliamentary Limits of the Burgh of *Kilrenny*, and One Person resident within the Parliamentary Limits of the Burgh of *Anstruther Wester*, qualified and to be elected as herein provided, shall be and they are hereby appointed Commissioners for executing and carrying into effect the Purposes of this Act: Provided always, that the surviving and acting Manager who is first named in the Decree or Order of the Court of Session in *Scotland* appointing the Managers for the Time being of each of the said Burghs of *Kilrenny* and *Anstruther Wester* shall, for the Purposes of this Act, be held to be the Chief Manager of each of the said Burghs respectively: Provided also, that in the event of the Power to elect Magistrates and Councillors being at any Time hereafter restored to the said Burghs of *Kilrenny* and *Anstruther Wester*, the Provosts or Chief Magistrates of the said Burghs shall *ex officiis* be Commissioners under this Act in lieu of the Chief Managers of the said Burghs.

Incorporation of Commissioners.

V. The Commissioners appointed by this Act, and their Successors in Office, are hereby united and incorporated as a Body Politic and Corporate, by the Name of "The Commissioners of *Anstruther* Union Harbour," with perpetual Succession and a Common Seal, and may by that Name sue and be sued, take and hold Lands, and exercise all other Privileges of a Body Corporate.

Chairman and Returning Officer.

VI. The Provost of the Burgh of *Anstruther Easter* for the Time being shall *ex officio* be Chairman of the Commissioners, and shall be the Returning Officer at all Elections under this Act.

Election of Commissioners.

VII. On the Fourth *Tuesday* of *September* after the passing of this Act the Persons qualified for the Time being to vote in the Election of a Member of Parliament for the Burghs of *Anstruther Easter*, *Kilrenny*, and *Anstruther Wester*, or the District of Burghs in which the same are included, and who are duly registered in the Roll of Voters of the said Burghs respectively, by the Act Second and Third *William* the Fourth, Chapter Sixty-five, or by any other Act in force for the Time being, appointed to be made up and kept for or with respect to the Election of a Member of Parliament, shall meet in the Town House of the Burgh of *Anstruther Easter*, or other convenient Place, at Nine o'Clock in the Forenoon, of which Meeting, and the Time and Place for holding the same, Intimation shall be given by Advertisement signed by the Provost or acting Chief Magistrate of the said Burgh, printed Copies of which shall be affixed on the Doors of the Town Houses, and on other public Places in the said Burghs, at least Eight Days previous to the Day appointed for holding such Meeting, and then and there shall proceed to elect, by the Majority of the Votes of the Electors present at such Meeting, Five Persons for the Burgh of *Anstruther Easter*, qualified to vote in the Election of a Member of Parliament as aforesaid, and resident within the Parliamentary Limits of that Burgh, Three Persons for the Burgh of *Kilrenny* qualified as aforesaid, and resident within the Parliamentary Limits of that Burgh, and One Person for the Burgh of *Anstruther Wester* qualified as aforesaid, and resident within the Parliamentary Limits of that Burgh, to be Commissioners for executing the

Purposes of this Act; and all Votes at Elections of Commissioners shall be given personally, and each Elector shall be entitled to give only One Vote for each Commissioner to be elected.

Notice to be given to Persons elected.

VIII. The Returning Officer shall, within Twenty-four Hours after any Meeting for the Election of Commissioners, give or cause to be given Notice in Writing to the several Persons elected of their Election as Commissioners for the said Burghs respectively, and call upon them severally to declare within Four Days after such Notice whether they accept or decline to accept the Office of Commissioner; and if any Person so elected shall not intimate his Acceptance of the said Office within Four Days after the Date of such Notice, he shall be held as having declined to accept, and the Returning Officer shall immediately appoint a new Election of a Commissioner or Commissioners in place of the Person or Persons declining or not intimating Acceptance at the Distance of not more than Four nor less than Two Days, and shall give Notice of the Time and Place appointed for such Election by Advertisement, signed by the Returning Officer, printed Copies of which shall be affixed as aforesaid; and such Election shall be proceeded with in the same Manner as is herein-before provided with respect to the First Election of Commissioners, until the Number of Commissioners appointed to be elected in and for the said Burghs respectively shall be completed.

Commissioners to retire from Office by rotation.

IX. On the Third *Tuesday* of *November* One thousand eight hundred and sixty-one, and on the Third *Tuesday* of *November* in every succeeding Year (except as after mentioned), the elected Commissioners shall retire from Office in the following Rotation:

Two Commissioners for the Burgh of *Anstruther Easter* shall annually retire from Office:

One Commissioner for the Burgh of *Kilrenny* shall annually retire from Office:

The Commissioner for the Burgh of *Anstruther Wester* shall retire from Office every Third Year:

In the Burghs of *Anstruther Easter* and *Kilrenny*, the Commissioners or Commissioner respectively who had the smallest Number of Votes at the First Election shall retire on the Third *Tuesday* of *November* One thousand eight hundred and sixty-one, and in succeeding Years the Commissioners or Commissioner respectively who have or has been longest in Office shall retire:

In the event of any Question arising as to who shall be the retiring Commissioners or Commissioner in either of the said Burghs, such Question shall be determined in the Manner prescribed by the said Commissioners Clauses Act:

The Commissioner first elected for the Burgh of *Anstruther Wester* shall retire on the Third *Tuesday* of *November* One thousand eight hundred and sixty-three.

Annual Election of Commissioners.

X. A Meeting for the Election of Commissioners to succeed the Commissioners retiring from Office by Rotation shall be held in the Town House of *Anstruther Easter* on the Third *Tuesday* of *November* in every Year, and a Commissioner or Commissioners for the respective Burghs, qualified as aforesaid and resident within the Parliamentary Limits of the said Burghs respectively, shall be elected by the Majority of the Votes of the Electors qualified to vote as aforesaid in the room of the Commissioner or Commissioners so retiring from Office; and every such Election shall be proceeded with in the same Manner as is herein-before provided with respect to the First Election of Commissioners; and Notice of every such Meeting shall be given by the Returning Officer, as herein-before provided, at least Eight Days previous to the Day appointed for holding such Meeting.

Times and Place of Meetings of Commissioners.

XI. The Commissioners shall hold their First General Meeting in the Town House of *Anstruther Easter* on the Second *Tuesday* of *October* after the passing of this Act, or as soon thereafter as conveniently may be, and shall proceed to put this Act into execution; and the Commissioners shall hold an Annual General Meeting in the said Town House on the Fourth *Tuesday* of *September* in every Year thereafter, and shall also hold monthly Meetings for the Transaction of General Business at the said Town House on the Second *Tuesday* of every Month, or at such other convenient Time and Place as the Commissioners shall from Time to Time appoint; and at all Meetings of the Commissioners the Chairman, if present, shall preside; and if at any Meeting of the Commissioners the Chairman is not present, One of the Commissioners present shall be elected Chairman of such Meeting by the Majority of the Votes of the Commissioners present at such Meeting.

After 11th November 1860, the existing Harbour of Anstruther Easter, &c. to be transferred to the Commissioners.

XII. From and after the Eleventh Day of *November* One thousand eight hundred and sixty, all the Rights and Privileges of the Magistrates and Council of the Burgh of *Anstruther Easter* in and to the existing Harbour of *Anstruther Easter*, and in and to the Quays, Piers, and Works connected therewith, and the Lands, Buildings, and Property described in the Schedule (A.) to this Act annexed, and the Right to levy Rates and Dues at the said Harbour, and all Right, Title, Interest, Powers and Privileges of the Magistrates and Council of the Burgh of *Anstruther Easter*, or of the Burgesses and Community thereof, in and with respect to the said Harbour, Quays, Piers, Works, Lands, Buildings and Property, shall be and are hereby (subject to the annual Payment herein-after provided for) transferred from the said Magistrates and Council and the said Burgh to and vested in the Commissioners appointed by this Act, and shall thereafter be held, used, and enjoyed by the Commissioners for the Purposes and subject to the Provisions of this Act.

Annual Payment by Commissioners to Magistrates and

XIII. The Commissioners shall, out of the Rates, Duties, and Revenues levied and received by them under the Authority of this Act, pay annually to the Magistrates and Council of the Burgh of *Anstruther Easter* the Sum of Fifty Pounds, to be applied for the Municipal Purposes of the said Burgh;

Burgh; which annual Sum shall and is hereby declared to be a Burden on the said Rates, Duties, and Revenues preferable to any Security to be granted by the Commissioners under the Authority of this Act; and such Payments shall be made on the Eleventh Day of *November* in every Year, with Interest from the Date of Payment till paid, beginning the First Payment on the Eleventh Day of *November* One thousand eight hundred and sixty-one, for the Year preceding; and the Receipt of the Treasurer of the said Burgh for the Time being shall be a sufficient Discharge to the Commissioners for every such Payment.

Council of Anstruther Easter for Municipal Purposes.

XIV. It shall be lawful for the Commissioners to borrow any Sums of Money not exceeding in the whole the Sum of Twenty-three thousand Pounds, and to make and grant Mortgages and Assignations in Security of the said existing Harbour of *Anstruther Easter* and the said new Harbour and the Works, Lands, and Property vested or acquired or to be acquired or constructed under the Provisions of this Act, and the Rates, Duties, and Revenues to be levied and received by the Commissioners under the Authority thereof, in Security for the Payment of the Money so borrowed, and of the Interest thereon; and if, after having borrowed the said Sums or any Part thereof, the Commissioners pay off the same otherwise than by means of the Sinking Fund herein-after provided for, it shall be lawful for them again to borrow the Amount so paid off, and so from Time to Time; and the Mortgages and Assignations to be made and granted by the Commissioners may be in Writing or printed, or partly in Writing and partly printed, and shall be sealed with the Common Seal of the Commissioners, and subscribed by at least Two Commissioners, at and in Presence of a Meeting of the Commissioners.

Power to borrow Money on Security of Rates, &c.

XV. It shall be lawful for the Public Works Loan Commissioners, if they in their Discretion shall think fit, to advance and lend to the Commissioners appointed by this Act the Sum of Sixteen thousand five hundred Pounds, and in Security for the Payment thereof and of the Interest thereon to accept and take from the Commissioners appointed by this Act Mortgages and Assignations in Security of the said existing and new Harbours, and the Works, Lands, and Property vested or acquired or to be acquired or constructed under the Provisions of this Act, and the Rates, Duties, and Revenues to be levied and received by the Commissioners under the Authority thereof, to and in favour of the Secretary for the Time being of the said Public Works Loan Commissioners, or otherwise as they shall direct, on such Terms and Conditions, and with such Provisions for the Repayment of the Principal Sum, and the Interest thereon, as have been or may be agreed upon by and between the said Public Works Loan Commissioners, with the Sanction and Approval of the Commissioners of Her Majesty's Treasury, and the Commissioners appointed by this Act; and the Mortgages and Assignations in Security to be granted to the said Public Works Loan Commissioners or their Secretary for the Time being shall have Priority and Preference on the said Harbours, Works, Lands, and Property, and Rates, Duties, and Revenues over any other Mortgage and Assignation in Security to be granted by the Commissioners appointed by this Act: Provided that any Sums to be advanced and lent by the said Public Works Loan Commissioners shall, subject to the Sanction and Approval of the Commissioners of Her Majesty's Treasury, be paid over to the Commissioners for the *British* White Herring Fishery, to be held and applied by them for the Purposes of this Act, as herein provided.

Power to Public Works Loan Commissioners to lend Money to Commissioners under this Act.

XVI. It shall be lawful for the Commissioners for the *British* White Herring Fishery, from Time to Time as they may think fit, to grant and appropriate, out of any Monies voted to them by Parliament, the Sum of Twelve thousand Pounds towards defraying the Expense of acquiring the Lands and constructing the new Harbour and other Works by this Act authorized to be acquired and constructed; and, in addition to the said Sum of Twelve thousand Pounds, it shall be lawful for the said Commissioners, from Time to Time as they may think fit, out of any Monies voted to them by Parliament, to advance and lend to the Commissioners appointed by this Act any Sum not exceeding Six thousand five hundred Pounds, and in Security for the Payment thereof and of the Interest thereon to accept and take from the Commissioners appointed by this Act Mortgages and Assignations in Security of the said existing and new Harbours, and the Works, Lands, and Property vested or acquired or to be acquired or constructed under the Provisions of this Act, and the Rates, Duties, and Revenues to be levied and received by the Commissioners under the Authority thereof, to and in favour of the Secretary for the Time being of the said Commissioners for the *British* White Herring Fishery, or otherwise as they shall direct; and such Grant and Loan shall be made upon such Terms and Conditions and under such Regulations, and shall be paid and applied in such Manner and at such Periods, as shall be fixed and agreed upon by the said Commissioners for the *British* White Herring Fishery, with the Sanction and Approval of the Commissioners of Her Majesty's Treasury: Provided always, that the Mortgages and Assignations in Security for the said Sum of Six thousand five hundred Pounds, or any Part thereof, shall be postponed to the Mortgages and Assignations in Security to be granted to the said Public Works Loan Commissioners, but shall be preferable to any other Mortgage and Assignation in Security to be granted by the Commissioners appointed by this Act; and no Interest shall be payable or be accumulated on the said Sum of Six thousand five hundred Pounds, or any Part thereof, until the Debt to the said Public Works Loan Commissioners shall be paid off and discharged, and thereafter Interest at the Rate of Four Pounds *per Centum per Annum* shall be payable to the said Commissioners for the *British* White Herring Fishery on the said Sum or such Part thereof as may be lent and may remain unpaid:

Power to Commissioners for the British White Herring Fishery to grant and also lend Money to Commissioners under this Act.

 Provided

Provided also, that no Part of such Sums shall be granted by the said Commissioners for the *British* White Herring Fishery until a Sum not less than One Fourth Part of the Sums so granted has been advanced and paid by the Commissioners, or by the said Public Works Loan Commissioners, to the said Commissioners for the *British* White Herring Fishery.

Power to borrow from Bank on Cash Credit.

XVII. It shall be lawful for the Commissioners appointed by this Act to accept and take from any Bank or Banking Company Credit on a Cash Account to be opened and kept with such Bank or Banking Company in the Name of the Commissioners, according to the Usage of Bankers in *Scotland*, to the Extent of the Sum which the Commissioners are authorized to borrow as aforesaid, or any Part thereof, and, if required, to make and grant Mortgages and Assignations in Security of the said existing and new Harbours, and the Works, Lands, and Property vested or acquired or to be acquired or constructed under the Provisions of this Act, and the Rates, Duties, and Revenues to be levied and received by the Commissioners under the Authority thereof, in Security for the Payment of the Amount of such Credit or of the Sums advanced from Time to Time on such Cash Account, and of the Interest thereon: Provided that the whole Sums due and owing by the Commissioners for Money borrowed by them from the said Public Works Loan Commissioners, or from the said Commissioners for the *British* White Herring Fishery, or on such Cash Account, or on Mortgages and Assignations in Security of the said Harbours, Works, Lands, Property, Rates, Duties, and Revenues, or any Part thereof, shall not, when taken together, exceed the said Sum of Twenty-three thousand Pounds by this Act authorized to be borrowed.

Application of Money granted and borrowed.

XVIII. The Money to be granted and appropriated by the said Commissioners for the *British* White Herring Fishery as aforesaid, and any Money to be advanced and lent to or borrowed by the Commissioners appointed by this Act, shall be applied by the said Commissioners for the *British* White Herring Fishery in and for the Purchase of the Lands and the Construction of the Works by this Act authorized to be acquired and constructed, and in carrying into execution the several Purposes of this Act, and to no other Purpose whatsoever.

Auditor to be appointed.

XIX. The Sheriff of the County of *Fife* shall, on Application made to him by the Commissioners, annually appoint an Auditor (being a Person well skilled in Accounts, and not being One of the Commissioners, or holding Office under them,) to audit and docquet the Accounts of the Commissioners; and in case the Office of such Auditor shall before such Accounts have been audited by him become vacant by Death or from any other Cause, the said Sheriff shall from Time to Time appoint an Auditor to supply such Vacancy.

Sinking Fund to be established.

XX. The Commissioners shall every Year appropriate and set apart the surplus Revenue of the Harbour which may remain after paying the said annual Sum of Fifty Pounds to the Magistrates and Council of *Anstruther Easter*, the Interest of the Money borrowed by the Commissioners under the Authority of this Act and the Sums which may be payable to Account of the Principal thereof, and the Expenditure on Maintenance, Management, Repairs, and Improvements, as a Sinking Fund, to be applied in paying off the Principal Sums of Money so borrowed, and shall from Time to Time cause such Sinking Fund to be deposited in any Joint Stock Bank of Issue in *Scotland*, and to be increased by Accumulation in the Way of Compound Interest, or otherwise, until the same shall be of sufficient Amount to pay off the said Principal Sums, or some Part thereof which the Commissioners think ought to be paid off, at which Time such Sinking Fund shall be applied in paying off the said Principal Sums, and the Sums so paid off by means of such Sinking Fund shall not be re-borrowed: Provided always, that the Commissioners shall not allow any Sum exceeding One thousand Pounds to remain deposited as aforesaid for a longer Period than Six Months without applying the same as before specified: Provided also, that the said Sinking Fund shall in the first instance be applied by the Commissioners in paying off the Principal Sum of the Debt owing to the said Public Works Loan Commissioners, in so far as such Principal Sum may not previously have been paid off and extinguished.

Payment of Arrears of Principal and Interest may be enforced by Appointment of Judicial Factor.

XXI. The said Commissioners for the *British* White Herring Fishery, or the Mortgagees and Assignees may, subject to the Preference and Priority of Securities herein-before mentioned, enforce Payment of the Arrears of Interest or the Arrears of Principal and Interest due to them or any of them under or by virtue of any Mortgages and Assignations in Security granted by the Commissioners under the Authority of this Act, by the Appointment of a Judicial Factor or Receiver, in the Manner provided by the said Commissioners Clauses Act, provided that the Application for the Appointment of such Judicial Factor or Receiver shall be made by the said Commissioners for the *British* White Herring Fishery, or by a Mortgagee and Assignee holding a Mortgage and Assignation in Security granted by the Commissioners on which the Sum of at least Four thousand Pounds of Principal shall be due and owing, or by Two or more Mortgagees or Assignees holding Mortgages and Assignations in Security granted by the Commissioners on which the aggregate Amount of at least Four thousand Pounds of Principal shall be due and owing.

Limits of Harbour.

XXII. The Limits of *Anstruther* Union Harbour shall and are hereby declared to be a straight Line drawn Seaward to the Distance of Four hundred and sixty Yards from High-water Mark of Spring Tides at the East Side of the Mouth of the *Cellardyke* or *Caldies Burn*, on the Northern Shore of the *Firth of Forth*, being the Eastern Parliamentary Boundary of the Burgh of *Anstruther Easter*, and another straight Line drawn from the Seaward Extremity of the Line first mentioned, in a South-westerly

westerly Direction, to High-water Mark of Spring Tides at the furthest projecting Point of Land on the said Shore at *Billowness* in the Burgh of *Anstruther Wester;* and the Harbour shall extend to and include the whole Space within the said Lines and Limits.

Improvement of existing Harbour.

XXIII. It shall be lawful for the Commissioners appointed by this Act from Time to Time to improve, repair, maintain, deepen, and cleanse the existing Harbour of *Anstruther Easter*, and to make and maintain additional Piers, Quays, and Wharfs, and all other Buildings and Conveniences connected therewith which may be necessary for the Reception and Accommodation of Vessels entering or using the Harbour, and to make, widen, and improve all necessary Roads and Accesses to the Harbour.

Power to construct new Harbour.

XXIV. 'And whereas a Plan and Sections of the existing Harbour and Works, and of the intended 'new Harbour and Works connected therewith, showing the Situation and Levels thereof respectively, 'and a Book of Reference containing the Names of the Owners, Lessees, and Occupiers of the Lands 'in, upon, or through which the same are intended to be made, have been deposited with the Sheriff 'Clerk of the County of *Fife:*' It shall be lawful for the said Commissioners for the *British* White Herring Fishery, with the Powers and subject to the Provisions contained in this Act and the Acts incorporated herewith, to enlarge the said existing Harbour, and to make and construct the said intended new Harbour, and the Piers, Quays, and other Works connected therewith, in the Situation and upon the Lands delineated on the said Plan and described in the said Book of Reference, and to make and construct such Breakwaters, Quays, Wharfs, Piers, Jetties, Landing Places, Approaches, and other Works and Conveniences as may be deemed necessary for the Purposes of the said Harbours, and to enter upon, take, and use such of the said Lands as shall be necessary for the Purposes aforesaid, and to enter into Contracts for the Execution of the Works by this Act authorized.

Powers for compulsory Purchases limited.

XXV. The Powers granted by this Act and the Acts incorporated herewith for the compulsory Purchase of Lands for the Purposes of this Act shall not be exercised after the Expiration of Five Years from the passing of this Act.

Plans of Works to be deposited at the Admiralty Office.

XXVI. Before commencing any of the Works hereby authorized, Plans and Sections of the Works proposed to be constructed shall be deposited at the Admiralty Office, *Whitehall*, for the Approval of the Lords of the Admiralty; and no Part of the said Works shall be commenced until the same shall be approved of by the Lords of the Admiralty, such Approval to be signified by Writing under the Hand of the Secretary of the Admiralty.

Local Survey may be made.

XXVII. If, after Working Drawings of the Works hereby authorized shall have been submitted to the Lords of the Admiralty, it shall be deemed expedient by them to order a local Survey and Examination of such Works, or of the intended Site thereof, the said Commissioners for the *British* White Herring Fishery shall defray the Costs of such local Survey and Examination, out of the Money received or appropriated by them under the Provisions of this Act.

Power to alter Plans with Sanction of the Admiralty.

XXVIII. It shall be lawful for the said Commissioners for the *British* White Herring Fishery to make any Deviations from or Alterations of the Works described on the said deposited Plans which to them may appear expedient; provided that before adopting and carrying the same into execution the said Commissioners shall submit the Plans of such deviated or altered Works to the Lords of the Admiralty; and no such Works shall be adopted or executed by the said Commissioners unless approved by the Lords of the Admiralty, such Approval to be signified in Writing under the Hand of the Secretary of the Admiralty; and such Works shall only be executed in conformity with the Plans so approved; and such deviated or altered Works, when so executed, shall be deemed to be Part of the Works authorized by this Act.

New Harbour and Works to be vested in Commissioners appointed by this Act.

XXIX. All Lands purchased or acquired under the Provisions and for the Purposes of this Act, and all Piers, Quays, Wharfs, Approaches, and other Works and Conveniences constructed thereon under the Authority of this Act, shall, on the Completion of the said new Harbour and Works, and from and after the Date of a Minute of the said Commissioners for the *British* White Herring Fishery, certifying such Completion, be vested in the Commissioners appointed by this Act, and shall thereafter belong to and be managed, maintained, and kept in repair by them under the Authority of this Act and the Acts incorporated herewith: Provided that all Mortgages and Assignations in Security granted by the Commissioners appointed by this Act, under the Authority thereof, previous to the Date of the said Minute, shall be as valid and effectual with respect to the said new Harbour, and the Works, Lands, and Property constructed or acquired under the Provisions of this Act, and the Rates, Duties, and Revenues to be levied and received at and in respect of the said new Harbour, as if such Mortgages and Assignations in Security had been granted after the Date of the said Minute.

Works abandoned may be removed by Admiralty.

XXX. If any Work to be constructed under the Authority of this Act within the Limits of the Harbour, or any Portion of such Work, shall be abandoned or suffered to fall into Disuse or Decay by the Commissioners, it shall be lawful for the Lords of the Admiralty to abate and remove the same, or any Part or Parts thereof, as they may at any Time or Times deem fit and proper, and to restore the Site thereof to its former Condition, at the Cost and Charge of the Commissioners, and the Amount thereof shall be a Debt due from the Commissioners to the Crown, and be recoverable accordingly.

Rates on Vessels as in Sched. (B.)

XXXI. From and after the Eleventh Day of *November* One thousand eight hundred and sixty it shall be lawful for the Commissioners to demand and levy for every Vessel using or entering the Harbour, or within the Limits thereof, any Sum for every Ton Measurement of such Vessel not exceeding

exceeding the Rates specified in the Schedule (B.) to this Act annexed; and all such Rates shall be payable by the Master of such Vessel.

Rates on Goods as in Sched. (C.)

XXXII. From and after the Eleventh Day of *November* One thousand eight hundred and sixty it shall be lawful for the Commissioners to demand and levy, for all Goods specified in the Schedule (C.) to this Act annexed, which shall be shipped or unshipped, received or delivered within the Limits of the Harbour, or at any Pier or other Work connected with the Harbour, any Sums not exceeding the Rates in the said Schedule (C.) specified with respect to such Goods respectively; and all such Rates shall be payable by the Owners of such Goods.

Rates for Cranes, Weighing Machines, and Sheds, as in Sched. (D.)

XXXIII. From and after the Eleventh Day of *November* One thousand eight hundred and sixty it shall be lawful for the Commissioners to demand and levy, for the Use of any of the Cranes, Weighing Machines, and Sheds which may be provided or erected at the Harbour, of and from the Owner or Person having the Charge of any Goods deposited therein, or loaded, unloaded, or weighed by means thereof, any Sums not exceeding the Rates specified in the Schedule (D.) to this Act annexed.

Meters and Weighers may be licensed.

XXXIV. It shall be lawful for the Commissioners to appoint and license a sufficient Number of Persons to be Meters and Weighers at and within the Harbour.

Pilots may be licensed.

XXXV. It shall be lawful for the Commissioners and they are hereby authorized to license, appoint, and regulate a sufficient Number of Pilots for conducting Vessels out of and into the Harbour, and to remove and displace them at pleasure, and to fix the Rate of Pilotage to be paid to such Pilots, not exceeding the Rates specified in the Schedule (E.) to this Act annexed; and such Pilots shall, before being licensed, be examined as to their Fitness and Capacity to be such Pilots by Three competent Persons, being Ship Masters, well acquainted with the Coast, and shall be certified by such Persons to be fully qualified; and every Person who acts as a Pilot within the Limits of the Harbour without having obtained such Certificate, or without being licensed and appointed, shall for every such Offence be liable to a Penalty not exceeding Twenty Pounds; and it shall be lawful for the Pilots appointed by the Commissioners to conduct Vessels out of and into the *Firth of Forth*, if so required by the Masters of such Vessels, but not otherwise: Provided that nothing herein contained shall be deemed or construed to exempt the Harbour from the Provisions of any General Act relating to Pilots now in force, or which may hereafter pass during the present or any future Session of Parliament.

Commissioners deemed "Pilotage and Local Authorities."

XXXVI. For the Purposes of this Act, the Commissioners shall be deemed "a Pilotage Authority" and "a Local Authority" within the Meaning of "The Merchant Shipping Act, 1854;" and all the Powers by that Act conferred on "Pilotage Authorities" and on "Local Authorities" shall be vested in the Commissioners for the Purposes of this Act.

Responsibility of Pilots.

XXXVII. The Commissioners shall not be liable or responsible for any Accident, Loss, or Damage which may arise to any Vessel, or to the Cargo thereof, in consequence of the Employment of any Pilot licensed by the Commissioners, but the Pilots so employed shall be answerable for any wilful or culpable Neglect and Mismanagement.

Power to lease Rates.

XXXVIII. It shall be lawful for the Commissioners to let on lease by Private Contract or Agreement, or by Public Roup or Sale, as they may deem most expedient, all or any of the Rates and Duties by this Act authorized to be levied, for any Period not exceeding Three Years; and in case of all or any of such Rates and Duties being so let, the Lessees thereof shall have the same Powers and Privileges as to levying, collecting, and recovering the same as are conferred on the Commissioners by this Act and the Acts incorporated herewith.

Application of Monies received by Commissioners.

XXXIX. All Monies which shall come into the Hands of the Commissioners from the said existing and new Harbours, or the Lands and Property connected therewith, or the Rates, Duties, and Revenues to be levied and received by them under the Authority of this Act, shall be applied for the Purposes herein-after specified, and for no other Purpose whatsoever; that is to say,

First, In Payment of the said Sum of Fifty Pounds *per Annum* to the Magistrates and Council of *Anstruther Easter:*

Second, In Payment of the Interest of any Money borrowed from the said Public Works Loan Commissioners under the Authority of this Act, and of the Sums which may be payable to Account of the Principal thereof:

Third, In Payment of the ordinary Expenditure on Management, Maintenance, and Repairs of the said existing and new Harbours, and the Works and Property connected therewith:

Fourth, In Payment of the Interest of the other Monies borrowed under the Authority of this Act:

Fifth, In Payment of the Expense of deepening and improving the said existing Harbour, and of improving and extending the Quays, Piers, Wharfs, and other Works connected with the said existing and new Harbours:

And lastly, The Surplus of such Monies which may remain after providing for the Purposes before specified shall be appropriated and set apart as a Sinking Fund, as herein-before provided.

Form of Proceedings against Offenders.

XL. The Complaint and Proceedings before the Sheriff or Justice or Justices before whom any Person shall be complained of or proceeded against for any Offence under the Provisions of this Act or the Acts incorporated herewith, and the Sentence or Conviction thereon, may be in the Form of the Schedule (F.) hereunto annexed, or as near as may be; and, except that such Complaint, and the Sentence to be pronounced in relation thereto, shall be in Writing, no other Writing or written Record of

of Evidence or Procedure shall be necessary, unless the Sheriff or Justices, at the Hearing of the Complaint, shall cause or allow the Procedure or Evidence to be taken down in Writing, or shall themselves take Notes of the same.

Reservation of Merchant Shipping Acts.

XLI. Nothing in this Act contained shall be deemed to exempt the Harbour or the Commissioners from the Provisions of "The Merchant Shipping Act, 1854," or "The Merchant Shipping Act Amendment Act, 1855," or of any General Act relating to Harbours, or Dues on Shipping, or on Goods carried in Ships, now in force, or which shall be passed during the present or any future Session of Parliament, or from any future Revision and Alteration, under the Authority of Parliament, of the Rates authorized by this Act.

Saving Rights of the Crown.

XLII. Nothing contained in this Act or the Acts incorporated herewith shall extend to authorize the Commissioners to purchase, take, or use any Land or Soil, or any Rights in respect thereof, belonging to Her Majesty in right of Her Crown, without the Consent in Writing of the Commissioners for the Time being of Her Majesty's Woods, Forests, and Land Revenues, or any One of them, first had and obtained for that Purpose, and which such last-mentioned Commissioners or any One of them are hereby authorized and empowered to give, or to prejudice, diminish, alter, or take away any of the Rights, Privileges, Powers, or Authorities vested in or enjoyed by Her Majesty, Her Heirs or Successors.

Any Land reclaimed by the Works not to be taken without Consent of the Commissioners of Woods, &c.

XLIII. If in the course or by means of the Execution of any of the said Works any Part of the Shores or Bed of the said Harbour, or of the Sea beyond the Mouth thereof, belonging to Her Majesty, shall be inned, gained, or reclaimed from the Water, the Commissioners shall not have or exercise any Right upon the same or in respect thereof, but such Inning, Gaining, or Reclamation shall enure absolutely for the Benefit of Her Majesty the Queen, Her Heirs and Successors; and it shall not at any Time afterwards be lawful for the Commissioners to take, enter upon, or interfere with the Lands so inned, gained, or reclaimed for any Purpose whatsoever, without the Consent in Writing of the Commissioners for the Time being of Her Majesty's Woods, Forests, and Land Revenues, or One of them.

Saving Rights of Public Works Loan Commissioners.

XLIV. Nothing in this Act contained shall prejudice, alter, or affect the Powers, Rights, and Privileges of the said Public Works Loan Commissioners under the several Acts relating to the said Commissioners; and all such Powers, Rights, and Privileges are hereby saved and reserved.

Saving Rights of Burgesses of Anstruther Wester.

XLV. Nothing in this Act contained shall prejudice or affect any Rights or Privileges to which the Burgesses or Inhabitants of the Royal Burgh of *Anstruther Wester* may be lawfully entitled, and which may not be inconsistent with the Provisions of this Act.

SCHEDULES referred to in this Act.

SCHEDULE (A.)

The following Lands, Works, and Buildings described on the Plans and in the Book of Reference referred to in this Act as deposited with the Sheriff Clerk of the County of Fife, at his Office in Cupar, and distinguished by the Numbers herein-after specified :—

Numbers on Plans.	
3, 3, 3, 3.	Piers, Quays, Slips, Crane, Lights, Stairs, Roadways, Area of Harbour.
5, 6.	Curing Ground.
7.	Steelyard.
8.	Shore Street, Sea and Harbour Wall, Stair.
8*a*.	Access to Harbour.
8*b*, 8*b*, 8*b*.	Brae Road and Accesses to East Quay.
10.	Curing Ground and Harbour and Enclosure Walls.
10*a*.	Curing Ground.
11.	Curing Ground.
12, 12, 12.	Woodyard, Sawpit, Boatbuilding Shed.
13.	Access to Beach.
17.	Dwelling House.
18.	Dwelling House.
22.	Lane.
34.	East Green Street.

SCHEDULE (B.)

RATES ON VESSELS.

	Per Ton. £	s.	d.
For every Vessel under the Burden of Fifteen Tons - - - - -	0	0	4
For every Vessel of the Burden of Fifteen Tons and under Fifty Tons - - -	0	0	6
For every Vessel of the Burden of Fifty Tons and under One hundred Tons - - -	0	0	8

Anstruther Union Harbour.

	Per Ton. £	s.	d.
For every Vessel of the Burden of One hundred Tons and under One hundred and fifty Tons	0	0	10
For every Vessel of the Burden of One hundred and fifty Tons and upwards	0	1	0
All Lighters from any Vessel in the Roads shall be exempted from Rates, but if the Vessel do not enter the Harbour every Lighter shall pay for each Trip	0	0	2
All Boats entirely open, landing or taking on board Goods or dried or salted Fish, each	0	0	6
All Fishing Boats under the Length over-all of Thirty Feet entering the Harbour or within the Limits thereof, each	0	0	3
All Fishing Boats of the Length over-all of Thirty Feet and upwards entering the Harbour or within the Limits thereof, each	0	0	6

SCHEDULE (C.)

RATES ON GOODS.

	s.	d.
Ale - per Hogshead	0	6
Ale, bottled - per Barrel Bulk	0	3
Bark - per Ton	1	0
Beef or Pork - per Ton	1	4
Beef or Pork - per Barrel	0	2
Blubber - per Tun of 252 Gallons	1	0
Bone Dust - per Ton	0	8
Bones of Cattle - per Ton	0	6
Bottles - per Gross	0	2
Bricks - per 1,000	0	8
Casks, empty, not being returned Packages - per Puncheon	0	3
Other Casks in proportion.		
Cattle :		
Bulls - each	0	3
Cows and Oxen - each	0	2
Calves - each	0	0½
Horses - each	0	2
Pigs - each	0	0½
Sheep - per Score	0	6
Lambs - per Score	0	3
Chalk - per Ton	0	8
Chimney Cans - per 100	1	4
Clay, Fire, manufactured - per Ton	0	6
Clay, Common - per Ton	0	2
Cloth, Haberdashery, &c. - per Barrel Bulk	0	2
Coaches :		
Chaises and other Four-wheeled Carriages - each	0	8
Gigs, Carts, and other Two-wheeled Carriages - each	0	6
Coals, Scotch, English, Smithy, and Culm - per Ton	0	3
Copper - per Ton	1	4
Corks - per Barrel Bulk	0	2
Corn, viz.		
Wheat and Malt - per Quarter	0	3
Barley, Beans, Peas, Tares, Oats, Rye, Buckwheat, and Indian Corn - per Quarter	0	2
Crystal - per Barrel Bulk	0	2
Dissolved Bones and other artificial Manures - per Ton	0	8
Dogs, Sporting only - each	0	2
Drugs - per Barrel Bulk	0	3
Earthenware - per Crate	0	8
Eggs - per Barrel Bulk	0	2
Fish dried and salted - per Ton	1	4
Haddocks, Cod, Salmon, and all fresh Fish, not enumerated - per Barrel Bulk	0	2
Flax - per Ton	1	4
Flour - per Sack	0	2
Ditto - per Barrel	0	1½

Anstruther Union Harbour.

		s.	d.
Glass	per Barrel Bulk	0	3
Groceries, viz.			
Almonds, Figs, Cinnamon, Currants, Pepper, Pimento, Plums, Prunes, Raisins, and the like	per Barrel Bulk	0	3
Guano	per Ton	0	8
Gunpowder	per Barrel	0	3
Hardware	per Barrel Bulk	0	3
Hares and Rabbits	per Dozen	0	2
Any less Quantity		0	1
Hay	per Ton	0	8
Hemp	per Ton	1	4
Herrings, fresh	per Cran	0	1
Ditto, cured	per Barrel	0	3
Hides :—Ox, Cow, or Horse, salted or dried	per Ton	1	4
Calf Skins	per 120	0	10
Sheep Skins	per 120	0	10
Lamb Skins	per 120	0	5
Hoops of Wood	per 1,500	1	0
Household Furniture, new	per Barrel Bulk	0	1
Household Furniture belonging to Parties changing their Residence only,	per 10 Barrels Bulk	0	6
Husbandry Utensils	per Ton	1	4
Ditto	per Barrel Bulk	0	2
Iron :—Bar, Bolt and Rod	per Ton	1	4
Pig or Old	per Ton	0	8
Kelp	per Ton	0	8
Lead, all Kinds	per Ton	1	4
Leather, tanned and dressed	per Ton	1	4
Lime	per Chaldron of 16 Bolls	1	4
Limestone	per Ton	0	3
Loam or Moulding Sand	per Ton	0	3
Machinery	per Ton	1	4
Machinery	per Barrel Bulk	0	3
Manure, Street	per Ton	0	2
Meal	per Bag of 280 lbs.	0	2
Milk	per Three large Pitchers	0	0½
Musical Instruments	per Barrel Bulk	0	3
Oils	per Tun	1	0
Ores :—Copper, Iron, Lead, and other Ores	per Ton	0	8
Passengers Luggage, not exceeding 4 Barrels Bulk, free.			
All above 4 Barrels Bulk	per Barrel Bulk	0	3
Peats	per Ton	0	3
Pitch	per Barrel	0	3
Porter	per Hogshead	0	4
Porter, bottled	per Barrel Bulk	0	2
Potatoes	per Ton	0	6
Poultry, including Pigeons, Game, &c.	per Dozen	0	1
Any less Quantity		0	0½
Rags, Linen	per Ton	1	4
Other Rags, Old Ropes, and the like	per Ton	0	10
Rape Cakes	per Ton	0	8
Salt	per Ton	0	10
Seeds, Flax and Rape	per Hogshead	0	6
Flax	per Barrel	0	3
Flax in Bulk	per Quarter	0	2
Clover	per Ton	1	4
Garden	per Ton	1	4
Hemp and Canary	per Ton	1	4
Rye Grass	per 8 Bushels	0	2
Skins, Seal	per 120	0	8

Anstruther Union Harbour.

		s.	d.
Slates, under Size	per 1,000	0	6
Sizeable	per 1,000	0	10
Over Size	per 1,000	1	4
Spirits, Foreign and British	per Hogshead of 56 Gallons	0	8
Stones, Rubble	per Ton of 16 Cubic Feet	0	2
Hewn Ashlar Freestone	per Ton of 16 Cubic Feet	0	4
Rough Ashlar Freestone	per Ton of 16 Cubic Feet	0	3
Pavement not exceeding 3 Inches thick	per 70 Feet	0	4
Pavement above 3 Inches thick	per 16 Cubic Feet	0	4
Scythe Stones	per Score	0	1
Mill Stones	each	0	8
Steel	per Ton	1	4
Sugar	per Ton	1	4
Tallow	per Ton	1	4
Tar	per Barrel	0	2
Tea	per Chest	0	3
Tiles, roofing	per 1,000	0	9
Tiles, or Pipes for draining	per 1,000	0	8
Tin of all Kinds	per Ton	1	4
Tobacco	per Ton	2	6
Treenails under 2 Feet in Length	per 1,000	0	6
Treenails exceeding 2 Feet in Length	per 1,000	1	0
Turnips	per Ton	0	6
Turpentine	per Hogshead	0	8
Vegetables	per Cartload	0	2
Vinegar	per Hogshead	0	6
Vitriol	per Carboy	0	2
Whalebone	per Ton	2	0
Wine	per Hogshead	0	8
Wine, bottled	per Barrel Bulk	0	4
Wood:			
Fir, Pine, and other Descriptions not enumerated	per Load of 50 Feet	0	10
Oak or Wainscoat	per Load of 50 Feet	1	0
Firewood	per Fathom	0	6
Lath and Lathwood	per Fathom of 216 Cubic Feet	2	6
Handspokes	per 120	0	10
Oars	per 120	2	6
Spars under 22 Feet in Length, above 2½ and under 4 Inches Diameter	per 120	2	6
Spars 2½ Inches in Diameter and under	per 120	1	4
Spars 22 Feet in Length and upwards, and not exceeding 4 Inches in Diameter	per 120	6	6
Spars of all Lengths above 4 and under 6 Inches in Diameter	per 120	12	0
Spokes of Wheels, not exceeding 2 Feet in Length	per 120	0	4
Exceeding 2 Feet in Length	per 120	0	6
Wedges	per 1,000	1	0
Pipe Staves, and others in proportion	per Standard Hundred	1	0
Lignum Vitæ, Fustic, Logwood, Mahogany, and Rosewood	per Ton	1	4
Wool	per Cwt.	0	2
Yarn	per Ton	1	4
Zinc	per Ton	1	4

All other Goods not particularly enumerated in the above Table.

Light Goods	per Barrel Bulk	0	2
Heavy Goods	per Ton	1	4

In charging the Rates on Goods the gross Weight or Measurement of all Goods to be taken; and for any less Weights, Measures, and Quantities than those above specified, a Proportion of the respective Rates shall be charged.

Five Cubic Feet, not exceeding Two and a Half Cwt., to be rated as a Barrel Bulk; but when the Weight of Five Cubic Feet is greater than Two and a Half Cwt., then Two and a Half Cwt. to be rated as a Barrel Bulk.

SCHEDULE (D.)

RATES for the USE of CRANES, WEIGHING MACHINES, and SHEDS.

1st. RATES OF CRANEAGE.

				s.	d.
All Goods or Packages, not exceeding One Ton				0	3
Exceeding One Ton and not exceeding	Two Tons			0	4
„ Two Tons	„	Three Tons		0	6
„ Three Tons	„	Four Tons		0	8
„ Four Tons	„	Five Tons		0	10
„ Five Tons	„	Six Tons		1	0
„ Six Tons	„	Seven Tons		1	2
„ Seven Tons	„	Eight Tons		1	4
„ Eight Tons	„	Nine Tons		1	8
„ Nine Tons	„	Ten Tons		2	0
„ Ten Tons				3	0

2d. WEIGHING MACHINES.

For Goods weighed, One Penny for each Ton or Part of a Ton.

3d. SHED DUES.

For each Ton of Goods of Eight Barrels Bulk, or for each Ton of Goods of Twenty Cwt., which shall remain in the Sheds, or on the Quays of the Harbour, for a longer Time than Forty-eight Hours, the Sum of Threepence, and the Sum of One Penny Halfpenny per Ton for each Day during which such Goods shall remain after the first Forty-eight Hours.

SCHEDULE (E.)

PILOT DUES.

	£	s.	d.
For every Vessel above Twenty Tons entering and leaving the Harbour, per Ton Register	0	0	4
For each Tide's Work within the Harbour	0	7	6
For laying out Kedge or Warp to assist Vessels	0	5	0

SCHEDULE (F.)

FORMS OF PROCEEDINGS.

COMPLAINT.

Unto the Honourable the Sheriff of [*or* Her Majesty's Justices of the Peace for] the County of Fife.

The Complaint of *A.B.*

Humbly showeth,

That *C.D.* has been guilty of a Contravention of "The Anstruther Union Harbour Act, 1860," and of "The Harbours, Docks, and Piers Clauses Act, 1847," incorporated therewith, or One or other of the said Acts, in so far as [*here describe the Offence generally, and state the Time and Place when and where the same was committed*], whereby the said *C.D.* has incurred the Forfeiture [*or* Penalty] of provided by the Section of the said "Anstruther Union Harbour Act" [*or* the said "Harbours, Docks, and Piers Clauses Act"].

May it therefore please your to grant Warrant to summon the said *C.D.* to appear before to answer to this Complaint, and to be dealt with in Terms of the said Acts, or One or other of them.

According to Justice, &c.

[*Signed by Complainer or Informer*].

WARRANT.

[*Place and Date.*]

Having considered the foregoing Complaint, grants Warrant to summon the said *C.D.* complained of to appear before [*Magistrate, and Place and Time*], and that by serving the said *C.D.* with a Copy of the foregoing Complaint and of this Deliverance; and also grants Warrant for citing Witnesses at the instance of both Parties, to attend at the same Place and Time.

[*Sheriff or Justice of Peace.*]

SENTENCE.

[*Place and Date.*]

The [*Magistrate*], in respect of the Evidence adduced [*or* of the judicial Confession of the said *C.D.* [*as the Case may be*], convicts the said *C.D.* of the Offence charged, and decerns and adjudges him to forfeit and pay to the Complainer the Sum of of Penalty, with

the Sum of of Expenses, One Half of the said Penalty to be retained by the Complainer, and the other Half thereof [*or as the Case may be*] to be paid and accounted for by him to the Kirk Session, or Collector of the Funds for the Poor of the Parish of Anstruther Easter; and failing Payment by the said *C.D.* forthwith* grants Warrant for Recovery of the said Penalty and Expenses by Poinding of his Goods and Effects, and summary Sale thereof on the Expiration of not less than Forty-eight Hours after such Poinding; appoints a Return or Execution of such Poinding and Sale to be reported within Eight Days from this Date, and in the meantime grants Warrant for detaining the said *C.D.* in the Prison of until such Return be reported.

*[*If it shall appear at the Trial that no sufficient Poinding can be made within the Jurisdiction of Magistrate, say here,* "and in respect it appears that no sufficient Poinding and Sale can be had whereon to levy the said Penalty and Expenses, grants Warrants to imprison the said *C.D.* in the Prison of for the Space of from this Date, unless the said Penalty and Expenses be sooner paid, and decerns."]

WARRANT OF IMPRISONMENT.

To be granted in case of a Return being made that no sufficient Goods and Effects could be found.

[*Place and Date.*]

The [*Magistrate*], in respect of the Return made that no sufficient Effects can be found whereon to levy the said Penalty and Expenses, grants Warrant to imprison the said *C.D.* in the Prison of for the Space of from this Date, unless the said Penalty and Expenses be sooner paid, and decerns.

WARRANT OF LIBERATION.

[*Place and Date.*]

The [*Magistrate*], in respect of the Return of a sufficient Poinding and Sale of the Effects of the said *C.D.* [*or* in respect of Payment having been made of the said Penalty and Expenses, *as the Case may be*], grants Warrant to the Keeper of the Prison of for the immediate Liberation of the said *C.D.*, and decerns.

CAP. XL.

An Act to indemnify such Persons in the United Kingdom as have omitted to qualify themselves for Offices and Employments, and to extend the Time limited for those Purposes respectively. [23d *July* 1860.]

CAP. XLI.

An Act to make perpetual an Act of the Twenty-first and Twenty-second Years of Her present Majesty, to amend the Law relating to Cheap Trains, and to restrain the Exercise of certain Powers by Canal Companies being also Railway Companies. [23d *July* 1860.]

21 & 22 Vict. c. 75.

'WHEREAS an Act was passed in the Session of Parliament held in the Twenty-first and Twenty-second Years of the Reign of Her present Majesty, intituled *An Act to amend the Law relating to Cheap Trains, and to restrain the Exercise of certain Powers by Canal Companies being also Railway Companies:* And whereas the said Act will expire at the End of the present Session of Parliament, and it is expedient to make the said Act perpetual:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; that is to say,

Recited Act made perpetual.

I. That the said recited Act shall be perpetual.

CAP. XLII.

An Act to vest the Management of the *Phœnix Park* in the Commissioners of Public Works in *Ireland*. [23d *July* 1860.]

14 & 15 Vict. c. 42.

'WHEREAS under the Act of the Session holden in the Fourteenth and Fifteenth Years of Her Majesty, Chapter Forty-two, the Management of the *Phœnix Park* in *Ireland* is vested in the Commissioners of Her Majesty's Works and Public Buildings constituted by the said Act, but no other Possessions of the Crown in *Ireland* are now under the Management of the said Commissioners: And whereas under Authority delegated by the said Commissioners, the Commissioners of Public Works in *Ireland* have, since the Thirty-first Day of *January* One thousand eight hundred and sixty, acted in the Management of the said *Phœnix Park*, and it is expedient that the Duties and Powers in relation thereto should be transferred to such last-named Commissioners:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal,

Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. All the Duties and Powers of Management, and all other Duties and Powers of and in relation to the *Phœnix Park*, which if this Act had not been passed should have been performed and exercised by the Commissioners of Her Majesty's Works and Public Buildings for the Time being, shall be performed and exercised by the Commissioners of Public Works in *Ireland* for the Time being; and the Duties and Powers transferred by this Act shall be deemed to have been vested in such last-named Commissioners from the Thirty-first Day of *January* One thousand eight hundred and sixty; and all Acts of the said Commissioners of Public Works in *Ireland* in relation to the said Park shall have Effect and Validity accordingly. The Management of the Phœnix Park vested in the Commissioners of Public Works in Ireland.

CAP. XLIII.

An Act for confirming a Scheme of the Charity Commissioners for the Administration of Archbishop *Tenison's* Charity in the Parish of *Saint Martin in the Fields* in the City of *Westminster*. [23d *July* 1860.]

'WHEREAS the Charity Commissioners for *England* and *Wales*, in their Report to Her Majesty of their Proceedings during the Year One thousand eight hundred and fifty-nine, have reported that they have provisionally approved and certified a Scheme for the Reconstitution of Archbishop *Tenison's* Charity, and such Scheme is set out in the Appendix to the said Report, and is also set out in the Schedule to this Act: And whereas it is expedient that the said Scheme should be confirmed:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: Recital of Scheme in Schedule to this Act.

I. The said Scheme shall be confirmed and take effect. Scheme confirmed.

SCHEDULE.

SCHEME for the Application and Management of the Charity called ARCHBISHOP TENISON'S SCHOOL and LIBRARY, in the Parish of Saint Martin in the Fields, in the County of Middlesex.

1. The Trustees of the Charity shall have Power to sell all or any of the Contents of the Library to the Governors of the British Museum, or to the Managers of any public Library or Institution, or to any other Purchasers, upon first submitting the Proposals for such Sale to the Board of Charity Commissioners for England and Wales, and obtaining their Approval thereof.

2. The net Produce of the Sale of the Library, and all other Principal Monies which shall accrue to the Charity, shall, until otherwise disposed of for the Purposes thereof, be invested in the Public Funds in the Name of "The Official Trustees of Charitable Funds," in trust for the Managing Trustees of the Charity, by whom the Dividends thereon shall be applied to the Purposes hereby directed; the Trustees, nevertheless, shall have Power to appropriate any Part of the Library which in their Judgment shall be applicable to the Purposes of the School hereby directed to be established, to the Uses of such School accordingly. The former Trusts of the Library shall cease when this Scheme shall come into operation.

3. All Stock to be purchased under the preceding Provision, and also the Sum of 1,000*l.* 3*l.* per Cent. Consolidated Annuities now belonging to the Charity, shall be specifically retained for the Purposes thereof, unless or until the same respectively shall, with the Approval of the said Board, be laid out on Real or other Securities, or in the Purchase of Real Estate, for the Benefit of the Charity, or otherwise disposed of for the Objects of this Scheme.

4. The Trustees shall apply the whole Income of the Charity to the Maintenance of a School, to be established and conducted according to the following Provisions, for the Benefit of the Sons of Inhabitants of the City of Westminster belonging to the Commercial and Middle and Lower Classes, to be enjoyed by them, upon Payment of such Capitation Fees, and under such Regulations as shall from Time to Time be required or established by the Trustees, with the Approbation of the said Board, but with the Preference herein-after reserved to the Sons of Inhabitants of the Parish of Saint Martin in the Fields.

5. The Trustees may remit any such Capitation Fees, either wholly or partially, to not more than Thirty Scholars at any One Time, as a Reward of their superior Merit, or in consideration of the comparative Poverty of their Parents or next Friends, or for other sufficient Cause.

6. The School shall bear the Title of Archbishop Tenison's School, and the Archbishop of Canterbury for the Time being shall be the Visitor thereof.

7. The Master of the School shall from Time to Time be appointed by the Trustees, after sufficient public Advertisements; and such Assistant or other Teachers as the Trustees shall be enabled by the Resources of the Charity, and shall find it expedient to employ for the Purposes thereof, shall from Time to Time be appointed by the Master, with their Approbation.

8. The

8. The Master shall be responsible to the Trustees for the whole Conduct of the School, and shall assign to any Assistant or other Teachers their respective Duties, but with the Approval of the Trustees in all Cases in which they shall think it expedient to exercise that Authority.

9. No Master shall acquire a Freehold Interest in his Office, but shall be removable after reasonable Notice by not less than Two Third Parts in Number of the Trustees, or by a Majority of their Number, but in the latter Case with the Approval of the said Board.

10. The Teaching in the School shall comprise as far as practicable, besides religious Instruction, the following Subjects; namely, Grammar and English Composition, Writing, History, Geography, the Latin and French Languages, Arithmetic, Algebra, Book-keeping, and such Principles of the mathematical, mechanical, and physical Sciences most applicable to the Industrial Arts, and generally such Subjects as the Trustees shall require or approve for affording to the Scholars a sound, religious, and useful Education.

11. The Master shall be in Holy Orders or a Member of the Church of England, and the religious Teaching of the Scholars shall be in accordance with the Doctrines and Discipline of the Church, except that no Boy shall receive Instruction compulsorily in the Catechism or any peculiar Doctrines of the Church, or shall be required to attend its Services, whose Parents or next Friends shall declare that they conscientiously object to such teaching or Attendance, and shall undertake that he shall attend some other Place of Religious Worship on Sundays.

12. The Trustees shall appropriate and fit up the Buildings hitherto used for the Purposes of the former School and Library to and for the Purposes of the new School and of a Residence for the Master, as shall be found convenient; or, with the Approval of the said Board, they may sell, alienate, demise, or otherwise dispose of the Premises, or any Part thereof, for the Benefit of the Charity, and purchase, rent, construct, or acquire, and fit up other Buildings or Premises for the said Purposes, as shall be found most advantageous.

13. The Trustees may, with the Approval of the said Board, apply any Principal Funds belonging to the Charity, or to be raised upon the Security of the Property thereof, to the Alteration, Fitting-up, and Adaptation of the present Buildings of the Charity, or any other convenient Buildings and Premises, to the Purposes of the new School, or to the Purchase, Acquisition, or Construction of any new Buildings, or of Sites for the same, for the same Purposes, replacing such Funds wholly or partially, if and as may be required by the said Board, out of the Income of the Charity.

14. The Sons of all Inhabitants of the City of Westminster belonging to the Commercial and Middle and Lower Classes shall, to the Extent of the Accommodation afforded by the School, be admissible thereto by or according to the general Regulations of the Trustees; but among Applicants for Admission of equal Merits and Eligibility in other respects a Preference shall always be given to Sons of Inhabitants of the Parish of Saint Martin in the Fields. A List of all Applicants for Admission, with the Dates of their respective Applications, shall be kept by the Master, and shall be open to the Inspection of the Trustees collectively and separately; but no Boys shall be admitted before completing the Age of Eight Years, or shall remain in the School beyond the Age of Eighteen Years, unless in Cases in which this Regulation shall be dispensed with by the special Order of the Trustees, and for assigned Reasons, in favour of any particular Boys.

15. All Boys shall be removable from the School by the Trustees for Misconduct or sufficient Cause.

16. The Capitation Fees payable by the Scholars shall be collected under the Direction and for the Control of the Trustees, by whom the same shall be paid, as to One Moiety of their net Amount, to the Master, unless a different Proportion shall be due to him under any special Agreement between himself and the Trustees, made with the Consent of the said Board, which Agreement shall then be carried into effect; and as to the Residue thereof, shall be applicable in aid of the general Income of the Charity.

17. The Trustees shall provide out of the general Income of the Charity for the Repair, Maintenance, Insurance, Renewal, and Improvements, as Occasion shall be, of the School Buildings, with their Fittings and Furniture, which may include any Apparatus required for teaching in the School, and for the proper warming and lighting thereof, and for the Payment of the Rates, Taxes, and other Outgoings due in respect of the Premises; and also for the Payment of the Salaries of the Master and other Teachers, and the necessary Salaries and Wages of any Officers and Servants employed for the Purposes of the Charity, among which they may include the Salary of a Clerk, to be employed by them as they may find expedient, and of the other Expenses of executing the Trusts.

18. The Trustees shall also provide for the due Preservation and Care of the said Library until the same shall be sold under the preceding Power.

19. The School shall be open to Inspection by Her Majesty's Inspectors of Schools, and the Scholars shall be publicly examined once in every Year by Examiners to be appointed for this Purpose by the Trustees. The Trustees may pay out of the Income of the Charity any reasonable Fees to the Examiners conducting such Examination, and any Sum or Sums not exceeding the yearly Amount of Five Pounds, or such other Amount as shall be sanctioned by the said Board, in providing Prizes for the Scholars most distinguished by their Progress and Merit.

20. The

20. The Trustees shall apply the Surplus, if any, of such Income which shall remain after answering the several Purposes aforesaid, and after making also such a Reserve as they shall think necessary as a Building or Improvement Fund, or for the general Purposes of the Charity, to the Advancement of the Objects thereof, as they shall think most expedient.

21. There shall be Twelve Trustees of the Charity, of whom the Vicar and Churchwardens of the Parish of Saint Martin in the Fields for the Time being shall be Three, and the other now surviving Trustees of the existing Charity, and who shall be willing to act under the new Scheme, shall be others of such Trustees. The new Trustees whose Appointment shall be first required for making up the Number of Twelve Trustees, or for afterwards supplying any Vacancies in the Trust which may be occasioned by the Death, Resignation in Writing, Bankruptcy, Insolvency, or Incapacity of any Trustees, or by their omitting for a Period of Two consecutive Years to attend any Meeting of the Trustees, any of which Circumstances shall create such Vacancies, shall be constituted by the Nomination of the ex officio and other Trustees for the Time being, to be forthwith certified by them to the Vestry of the Parish of Saint Martin in the Fields, and also to the said Board, but no such Nomination shall take effect unless and until the same shall have been approved by the said Board, under their official Seal, after the Lapse of One Calendar Month from their Receipt of the Certificate to them of such Nomination; or such Trustees may be appointed, if and as Occasion shall be, according to the Provisions of "The Charitable Trusts Act, 1853," by a Judge of the Court of Chancery sitting at Chambers, upon the Application of any Persons authorized to make such Application by the Certificate of the said Board.

22. Meetings of the Trustees for the Purposes of the Trusts shall be held quarterly or oftener, as shall be fixed from Time to Time by their Resolutions, and such Meetings, unless and until the same shall have been fixed for any different Periods, shall be held on the Wednesday next preceding each of the usual Quarterly Days in every Year, and a First Meeting shall also be held on the Third Wednesday next after this Scheme shall be established. Special Meetings may also be convened from Time to Time, as may be expedient, by any Two Trustees, by Notices under their Hands delivered or sent by the Post Seven Days previously to every other Trustee at or to his most usual Place of Abode. The Vicar of the Parish of Saint Martin in the Fields shall be the Chairman of every Meeting, if present, or otherwise such Trustee as shall be chosen by the Trustees present. Five Trustees present at any Meeting shall be a Quorum competent to act, and a Majority of the Trustees present at any Meeting shall bind by their Votes the Minority and all absent Trustees. The Chairman of every Meeting, in case of Equality of Votes, shall have a Second or Casting Vote.

23. The legal Interest in any Real Estate of the Charity may be vested by the Order of the Board, to be made upon the Application of the acting Trustees or a Majority of them, in "The Official Trustee of Charity Lands," in trust for the said Charity.

24. The Official Trustees of Charitable Funds may be empowered by the said Board to call for a Transfer of and to transfer into their Name, in trust for the acting Trustees, any Stock in the Public Funds belonging to or held in trust for the Charity.

25. If any Question shall arise respecting the Construction of this Scheme, the Matter of such Question may be submitted by all or any of the Trustees to the said Board, whose Opinion thereon, expressed under their official Seal, shall be conclusive on all the Trustees; and any Provision which shall be found inconvenient may be modified by Order of the Court of Chancery, or any of the Judges thereof, under its ordinary Jurisdiction over Charities, in any Manner not inconsistent with the general Purposes of this Scheme.

CAP. XLIV.

An Act to confirm certain Provisional Orders under the Local Government Act (1858) relating to the Districts of *Southampton, Leicester, Epsom, Coventry, Ipswich, Fareham, Wells, Tormoham, Scarborough, Ludlow, Banbury, Boston, Penrith, Barnsley,* and *Shipley;* and for other Purposes in relation thereto. [23d *July* 1860.]

'WHEREAS the Secretary of State for the Home Department, being One of Her Majesty's Principal Secretaries of State, has, under the Provisions of "The Local Government Act, 1858," duly made certain Provisional Orders in the Schedule to this Act annexed, and it is provided by the aforesaid Local Government Act that no such Orders shall be of any Validity whatever until they shall have been confirmed by Parliament, and it is expedient that the said Orders should be so confirmed, and further Provision made in relation thereto:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act,

I. The Provisional Orders contained in the Schedule hereunto annexed shall be absolute, and be as binding, and of the like Force and Effect, as if the Provisions of the same had been expressly enacted in this Act. Provisional Orders in Schedule confirmed.

II. The

Byelaws as to Regulation of Hackney Carriages, Horses, Boats, &c. (Scarborough).

II. The Local Board for the District of *Scarborough* may exercise the same Powers as are given to them by "The Local Government Act, 1858," for licensing and making Byelaws for the Regulation of Hackney Carriages, in and for the licensing and making Byelaws for the Regulation of Horses, Mules, and Asses standing for Hire in the Borough of *Scarborough*, and of the Persons driving or attending upon the same, and also in and for the licensing and making Byelaws for the Regulation of Pleasure Boats plying for Hire within the District of the said Local Board, and the Persons navigating or in attendance upon the same.

Regulations as to Fish Trade (Scarborough).

III. For the better Accommodation of Dealers and other Persons employed in the Fish Trade at *Scarborough*, and for the Prevention of Nuisances arising from the carrying on of such Trade, the said Local Board shall have Power to purchase or take upon Lease, sell or exchange, any Lands or Premises, and to provide and erect thereon Fish Stages, Staithes, Stands, Areas, Sheds, Warehouses, Piers, Jetties, Wharves, Buildings, and other Conveniences for the Purposes of landing, selling, packing, salting, storing, or otherwise dealing with Fish, and to form and make all necessary Railways, Tramways, Roads, and Approaches thereto: The said Powers and Purposes shall be deemed to be in all respects Powers and Purposes of "The Public Health Act, 1848," and "The Local Government Act, 1858."

Provisions for Life Buoys, &c. (Scarborough).

IV. The said Local Board may purchase, provide, and maintain Boats, Life Buoys, Apparatus, Matters, and Things for the Prevention of Drowning, or for the Recovery or Search for the Bodies of drowned Persons, and the restoring to Animation Persons apparently drowned, and employ and remunerate Persons in charge of such Apparatus or taking part in the Services herein enumerated.

Unrepealed Parts of 6 & 7 W. 4. c. lix. incorporated with Local Government Act as adopted in Teignmouth.

V. 'Whereas "The Local Government Act, 1858," has been duly adopted by the Improvement 'Commissioners in and for the Town of *Teignmouth* in the County of *Devon*, acting in execution of a 'certain Local Act in force in the said Town, intituled *An Act for the better paving, lighting, watching, 'and improving the Town of* Teignmouth *in the County of* Devon, *and for supplying the Inhabitants 'thereof with Water:* And whereas a Provisional Order under the said Local Government Act, 1858, 'has been duly confirmed by "The Local Government Supplementary Act, 1859 (No. 2.)," for the 'Repeal and Alteration of certain Parts of the said Local Act, but the said Local Act is not thereby 'incorporated with the said Local Government Act as adopted by the said Town: And whereas it is 'desirable that the unrepealed Parts of the said Local Act should be so incorporated:' It is hereby enacted, That the unrepealed Parts of the said Local Act shall be and the same are hereby incorporated with the said Local Government Act as adopted in the said Town of *Teignmouth*.

This Act incorporated with 21 & 22 Vict. c. 98.

VI. This Act shall be deemed to be incorporated with "The Local Government Act, 1858," and shall be as if this Act and the said Local Government Act were One Act.

Short Title.

VII. In citing this Act in any other Act of Parliament, or in any Proceeding, Instrument, or Document whatsoever, it shall be sufficient to use the Words and Figures "The Local Government Supplemental Act, 1860."

SCHEDULE.

SOUTHAMPTON.

Provisional Order putting in force the Lands Clauses Consolidation Act, 1845, *within the District of the Southampton Local Board of Health, for the Purchase of Land by the said Board.—Local Government Act*, 1858.

Whereas the Mayor, Aldermen, and Burgesses of the Borough of Southampton, acting as Local Board of Health within the said Borough, to which the Public Health Act, 1848, was duly applied by a Provisional Order of the General Board of Health, bearing date the 15th day of July 1850, confirmed by the Public Health Supplemental Act, 1850 (No. 3.), have, in pursuance of the Provisions of the 75th section of the Local Government Act, 1858, and after complying with the requirements of that section by duly giving and serving all notices thereby directed, presented a Petition under the Seal of the said Local Board to one of Her Majesty's Principal Secretaries of State, for authority to put in force the Lands Clauses Consolidation Act, 1845, to enable the aforesaid Local Board of Health to purchase a piece of mud land containing one acre, lying on the western bank of the River Itchen, in order to construct thereon works connected with the drainage of the aforesaid Borough.

And whereas the said Petition duly set forth and described the piece of land intended to be taken by such Local Board for such purpose, and the names of the owners, lessees, and occupiers of the aforesaid piece of land who have assented, dissented, and are neuter in respect of the taking of such piece of land, or who have returned no answer to the notice issued by such Board; and such Petition prayed that the said Board might, with reference to such land, be allowed to put in force the powers of the Lands Clauses Consolidation Act aforesaid, with respect to the purchase and taking of land otherwise than by agreement; and on the receipt of such Petition, Her Majesty's Principal Secretary of State for the Home Department directed Alfred Lamerte Dickens, Esq., the Inspector appointed for the purpose, to visit the said Borough, and the said Inspector has now inquired into the subject matter of such Petition, and has duly reported thereon.

Now,

Now, therefore, I, as Her Majesty's Principal Secretary of State for the Home Department, do hereby in pursuance of the powers vested in me by the Local Government Act, 1858, make Order and direct—

That, from and after the passing of any Act of Parliament confirming this Order, the Local Board of Health for the Borough of Southampton shall be empowered to put in force, with reference to the land referred to and described in the Schedule to this Order annexed, the Powers of the Lands Clauses Consolidation Act, 1845, with respect to the purchase and taking of land otherwise than by agreement.

Given under my hand, this Second Day of November 1859.

(Signed) G. C. LEWIS.

SCHEDULE referred to in the preceding Order.

The land proposed to be taken, as described in the foregoing Order by the Local Board of Health named therein, is a piece of mud land containing one acre, lying on the western bank of the River Itchen, and situate at or near to the place at which the Belvidere sewer opens into the river. It is in the parish of Saint Mary, within the town and county of the town of Southampton, and belongs or is reputed to belong to the Rectory of the Parish as part of or as held with the glebe of the Rectory; and is bounded eastward by the river, westward by the road from Crabniton to Northam, and northward and southward by other parts of the mud land belonging or reputed to belong to the said Rectory; and the said piece of land so intended to be taken is delineated on the Plan annexed to the Petition of the said Local Board, referred to in the foregoing Order, and is coloured green thereon.

LEICESTER.

Provisional Order putting in force the Lands Clauses Consolidation Act, 1845, *within the District of the Leicester Local Board of Health, in the County of Leicester, for the Purchase of Lands by the said Board for Street Improvements.—Local Government Act*, 1858.

Whereas the Local Board of Health in and for the District of the Borough of Leicester, in the County of Leicester, to which the Public Health Act, 1848, was duly applied by a Provisional Order of the General Board of Health, confirmed by the Public Health Supplemental Act, 1849, have, in pursuance of the Provisions of the 75th Section of the Local Government Act, 1858, and after complying with the requirements of that section by duly giving and serving all notices thereby directed, presented a Petition, under the Seal of the said Local Board, to one of Her Majesty's Principal Secretaries of State, for authority to put in force the Lands Clauses Consolidation Act, 1845, to enable the aforesaid Local Board of Health to purchase certain pieces of land and certain buildings for the improvement of certain streets and highways, called the Coal Hill, the Haymarket, the East Gates, and Northampton Streets, all situate within the District of the said Local Board.

And whereas the said Petition duly set forth in the Schedules annexed thereto the several pieces of land and the several buildings intended to be taken by such Board for such purposes, and the names of the owners, lessees, and occupiers of the aforesaid pieces of land who have assented, dissented, and are neuter in respect of the taking of such pieces of land and buildings, or who have returned no answer to the notice issued by such Board; and such Petition prayed that the said Board might, with reference to such land and buildings, be allowed to put in force the powers of the Lands Clauses Consolidation Act aforesaid with respect to the purchase and taking of land otherwise than by agreement; and on the receipt of such Petition Her Majesty's Principal Secretary of State for the Home Department directed Alfred Dickens, Esq., the Inspector appointed for the purpose, to visit the said District, and the said Inspector has now inquired in the District aforesaid into the subject matter of such Petition, and has duly reported thereon.

Now, therefore, I, as Her Majesty's Principal Secretary of State for the Home Department, do hereby, in pursuance of the powers vested in me by the Local Government Act, 1858, make Order and direct—

That, from and after the passing of any Act of Parliament confirming this Order—

1.—The Local Board of Health for the District of the Borough of Leicester, in the County of Leicester, shall be empowered to put in force, with reference to the lands referred to and described in the Schedule to this Order annexed, the powers of the Lands Clauses Consolidation Act, 1845, with respect to the purchase and taking of land otherwise than by agreement.

Given under my Hand this Eighteenth day of April 1860.

(Signed) G. C. LEWIS.

SCHEDULE referred to in the preceding Order.

The Pieces of Land and the Buildings proposed to be taken, as described in the foregoing Order, are the following; the figures referring to the figures on the Plan mentioned in the Schedule to the Petition of the Local Board of Health herein-before mentioned:—

No. on Plan.	Lands proposed to be taken.	Owners.	Lessee and Occupier.
1	A piece or parcel of a messuage and shop in Granby Street, Leicester, in the occupation of William Hughes, comprising an area of seven square feet, or thereabouts.	John Loseby. Susannah Marson Heard. Maria Heard Jones.	William Hughes.
2	A messuage, shop, and premises, with the appurtenances, situate at the junction of Northampton Street and Granby Street, Leicester, now in the occupation of James Startin, comprising an area of thirty-two square yards or thereabouts.	John Loseby. Susannah Marson Heard. Maria Heard Jones.	James Startin.
3	A messuage or tenement, shop, and premises, with the appurtenances, situate in and fronting to East Gates, Leicester, now in the occupation of Joseph Levy, comprising an area of sixty-two square yards, or thereabouts.	William Kirk Eames. Richard Frederick Eames. James Bedells. Sophia Eames (now Sophia Hemsley).	Joseph Levy.

EPSOM.

Provisional Order putting in force the Lands Clauses Consolidation Act, 1845, *within the District of the Epsom Local Board of Health, in the County of Surrey, for the Purchase of Lands by the said Board for Deodorizing Works.—Local Government Act*, 1858.

Whereas the Local Board of Health in and for the District of Epsom, in the County of Surrey, to which the Public Health Act, 1848, was duly applied by an Order of Her most Gracious Majesty in Council, bearing date the Ninth day of March 1850, and in pursuance of the Provisions of the 75th Section of the Local Government Act, 1858, and after complying with the requirements of that Section by duly delivering, serving, giving, and publishing all notices and advertisements thereby directed, presented a Petition, under the Seal of and duly signed by the said Local Board, to one of Her Majesty's Principal Secretaries of State, for authority to put in force the Lands Clauses Consolidation Act, 1845, to enable the aforesaid Local Board of Health to purchase a certain piece of land situate within the said district for the purpose of forming thereon tanks and filter beds, and for constructing all necessary works for the purpose of intercepting, collecting, deodorizing, and purifying the sewage discharged and to be discharged from the public sewers and drains situate within the District of the said Local Board.

And whereas the said Petition duly set forth, stated, and described the piece of land intended to be taken by such Board for such purposes, and the names of the owners, lessees, and occupiers of the aforesaid piece of land who have assented, dissented, and are neuter in respect of the taking of such piece of land, or who have returned no answer to the notice issued by such Board; and such Petition prayed that the said Board might, with reference to such land, be allowed to put in force the powers of the Lands Clauses Consolidation Act aforesaid with respect to the purchase and taking of land otherwise than by agreement; and on the receipt of such Petition, I took the same into consideration, and directed William Ranger, Esq., the Inspector appointed for the purpose, to visit the said District, and the said Inspector visited the same pursuant to notice duly published as by me directed, and inquired in the District aforesaid into the subject matter of such Petition, which was duly supported by such evidence as I required, and he has duly reported thereon.

Now, therefore, I, as Her Majesty's Principal Secretary of State for the Home Department, do hereby, in pursuance of the powers vested in me by the Local Government Act, 1858, make Order and direct,—

That, from and after the passing of any Act of Parliament confirming this Order—

1.—The Local Board of Health for the District of Epsom in the County of Surrey, shall be empowered to put in force, with reference to the land referred to and described in the Schedule to this Order annexed, the powers of the Lands Clauses Consolidation Act, 1845, with respect to the purchase and taking of land otherwise than by agreement.

Given under my Hand this Eighteenth day of April 1860.

(Signed) G. C. LEWIS.

SCHEDULE

SCHEDULE referred to in the preceding Order.

The Piece of Land proposed to be taken, as described in the foregoing Order, is the following :—

Land proposed to be taken.	Owner, Lessee, and Occupier.
A certain piece of land within the said district (comprising an acre, or thereabouts,) situate near the end of the outfall sewer, forming part of a meadow near the line of railway which runs from Epsom to Wimbledon, and which spot is about 586 yards from the high road and the houses near thereto, and abuts upon Ware, otherwise Water Lane, leading from Epsom to Kingston.	Mary Eleanor Parkhurst, of No. 9, Leicester Place, Clifton, near Bristol. William Etty Weston, of Epsom, Farmer.

COVENTRY.

Provisional Order putting in force the Lands Clauses Consolidation Act, 1845, *within the District of the Coventry Local Board of Health, in the County of Warwick, for the Purchase of Lands by the said Board for Street Improvements.—Local Government Act*, 1858.

Whereas the Mayor, Aldermen, and Citizens of the City of Coventry, by the Council of the said City, being the Local Board of Health in and for the District of the said City, to which the Public Health Act, 1848, was duly applied by a Provisional Order of the General Board of Health, confirmed by the Public Health Supplemental Act, 1849, have, in pursuance of the Provisions of the 75th Section of the Local Government Act, 1858, and after complying with the requirements of that Section by duly giving and serving all notices thereby directed, presented a Petition, under the Seal of the said Local Board, to one of Her Majesty's Principal Secretaries of State, for authority to put in force the Lands Clauses Consolidation Act, 1845, to enable the aforesaid Local Board of Health to purchase certain pieces of land and certain buildings for the purpose of providing a Market Place and Market House, and other conveniences, within the said District, with the view of holding such Markets therein, such land and buildings being all situate within the District of the said Local Board.

And whereas the said Petition duly set forth in the Schedules annexed thereto the several pieces of land and the several buildings intended to be taken by such Board for such purposes, and the names of the owners, lessees, and occupiers of the aforesaid land and buildings who have assented, dissented, and are neuter in respect of the taking thereof, or who have returned no answer to the notice issued by such Board; and such Petition prayed that the said Board might, with reference to such land and buildings, be allowed to put in force the powers of the Lands Clauses Consolidation Act aforesaid, with respect to the purchase and taking of land otherwise than by agreement; and on the receipt of such Petition, Her Majesty's Principal Secretary of State for the Home Department directed Henry Austin, Esquire, the Inspector appointed for the purpose, to visit the said District, and the said Inspector has now inquired in the District aforesaid into the subject matter of such Petition, and has duly reported thereon.

Now, therefore, I, as one of Her Majesty's Principal Secretaries of State, do hereby, in pursuance of the powers vested in me by the Local Government Act, 1858, make Order and direct,—

That, from and after the passing of any Act of Parliament confirming this Order—

1.—The Local Board of Health for the District of the City of Coventry, in the County of Warwick, shall be empowered to put in force, with reference to the land referred to and described in the Schedule to this Order annexed, the powers of the Lands Clauses Consolidation Act, 1845, with respect to the purchase and taking of land otherwise than by agreement.

Given under my Hand this Eighteenth day of April 1860.

(Signed) G. C. LEWIS.

SCHEDULE referred to in the preceding Order.

The Pieces of Land and the Buildings proposed to be taken, as described in the foregoing Order, are the following; the figures referring to the figures on the Plan mentioned in the Schedules to the Petition of the Local Board of Health herein-before mentioned :—

No. on Plan.	Description of Property proposed to be taken.	Owner or reputed Owner.	Lessee or reputed Lessee.	Occupier.
1	House - - -	Thomas Burbidge - - Thomas Jenkins. Mary Ann Burbidge.	- - - -	Edward Wilkins.
2	Chandlehouse -	The same - - -	- - - -	Mary Ann Burbidge.
3	Salt Shed - -	The same - - -	- - - -	The same.
4	Yard - -	The same - - -	- - - -	The same.

Local Government Supplemental Act, 1860.

No. on Plan.	Description of Property proposed to be taken.	Owner or reputed Owner.	Lessee or reputed Lessee.	Occupier.
5	House	Sarah Dry James Collingbourne and Elizabeth his Wife. Samuel Dixon Dry. William Frederick Dry. Sarah Anne Dry. Mary Jane Dry.		Joseph Simkins.
6	House	The same		Mary Ann Curry.
7	House	The same		William Hewitt.
8	Yard	The same		Sarah Dry. Joseph Simkins. Mary Ann Curry. William Hewitt. Joseph Booten. William Roe. Joseph Brooks. Mary Hewitt. Rachael Lindon. James Archer. Margaret Ryley.
9	House	Jonathan Keene		William Orton.
10	House	The same		Edward Clarke.
11	House	The same		William Humphreys.
12	House	The same		Harriet Mow. John Wright. Henry Baker.
13	House	The same		William Cotton.
14	Yard and Privies	Jonathan Keene		William Orton. Edward Clarke. William Humphreys. Harriet Mow. John Wright. Henry Baker. William Cotton.
15	House	The same	Frederick Blunsom	Frederick Blunsom.
16	House	The same		Edward Owen.
17	House	The same		William Everton.
18	Yard, Stable, and Privies.	The same	Frederick Blunsom	Frederick Blunsom. Edward Owen. William Everton.
19	House	George Hemming		Caleb Lewis.
20	House	The same		Void.
21	House	The same		George Hemming. Thomas Tunnicliffe.
22	House	The same		George Burton.
23	House	The same		James Rowland.
24	Washhouse	The same		Void.
25	Privy and Yard	The same		George Hemming. Caleb Lewis. James Rowland. Thomas Tunicliffe. George Burton.
26	House	Samuel Vale		William Troop.
27	House	Thomas Chattaway		William Burrows.
28	House	The same		John Smith.
29	House	The same		Charles Pritchard.
30	Yard and Privies	The same		The same.

Local Government Supplemental Act, 1860.

No. on Plan.	Description of Property proposed to be taken.	Owner or reputed Owner.	Lessee or reputed Lessee.	Occupier.
30*a*	Yard - -	The same - -	Job Snape - -	William Burrows. John Smith. Charles Pritchard. William Bourne. John Fulton. Job Snape.
31	House - -	Thomas Chattaway -	- - - -	William Bourne.
32	House - -	The same - - -	- - - -	John Fulton.
33	Shed - -	The same - - -	Job Snape - -	Job Snape.
34	Stables - -	The same - - -	The same - -	The same.
35	Brewhouse -	The same - - -	The same - -	The same.
36	Outbuildings and Yard.	The same - - -	The same - -	The same.
37	Lumber Rooms -	The same - -	The same - -	The same.
38	Yard - -	The same - - - -	The same - -	The same.
39	Public House -	The same - - -	The same - -	The same.
40	House - -	The same - - -	The same - -	Robert Marriott.
41	House - -	Thomas Smith - -	- - -	James Keene.
42	House - -	William Copestakes -	- - -	William Copestakes.
43	House - -	General Charity Trustees Coventry, namely, The Rev. T. Sheepshanks. Thomas Banbury, Esq. Mr. Josiah Cash. Mr. Richard Hands. James Sibley Whittem, Esq. Mr. Thomas Smith, junior. William Clarke, Esq. Richard Caldicott, Esq. Mr. Harry Chetham. William Odell, Esq. Bryan Dunn, Esq. Samuel Vale, Esq. Abijah Hill Pears, Esq. Mr. David Spencer. Samuel Newsome, Esq. William Sargeant, Esq. Mr. Thomas Jones Newark. Charles Dresser, Esq. Mr. S. Hammerton, junior. Mr. John Rotherham.	Samuel Bakewell -	Samuel Bakewell.

IPSWICH.

Provisional Order putting in force the Lands Clauses Consolidation Act, 1845, *within the District of the Ipswich Local Board of Health, for the Purchase of Land by the said Board.—Local Government Act*, 1858.

Whereas the Mayor, Aldermen, and Burgesses of the Borough of Ipswich, acting as the Local Board of Health of the District of the said Borough, by the Council of such Borough, to which the Public Health Act, 1848, was duly applied by a Provisional Order of the General Board of Health, bearing date the 21st day of January 1857, confirmed by the Public Health Supplemental Act, 1857, have, in pursuance of the Provisions of the 75th Section of the Local Government Act, 1858, and after complying with the requirements of that Section by duly giving and serving all notices thereby directed, presented a Petition under the Seal of the said Local Board to one of Her Majesty's Principal Secretaries of State, for authority to put in force the Lands Clauses Consolidation Act, 1845, to enable the said Local Board of Health to purchase certain pieces of land for improving the access to the Cattle Market within the aforesaid District.

And whereas the said Petition duly set forth and described the land and property intended to be taken by such Local Board for such purpose, and the names of the owners, lessees, and occupiers of the aforesaid

aforesaid pieces of land who have assented, dissented, or are neuter in respect of the taking thereof, or who have returned no answer to the notice issued by such Board; and such Petition prayed that the said Board might, with reference to such land and property, be allowed to put in force the powers of the Lands Clauses Consolidation Act aforesaid with respect to the purchase and taking of lands otherwise than by agreement; and on the receipt of such Petition, Her Majesty's Principal Secretary of State for the Home Department directed Alfred Dickens, Esq., the Inspector appointed for the purpose, to visit the said Borough, and the said Inspector has now inquired into the subject matter of such Petition, and has duly reported thereon.

Now, therefore, I, as Her Majesty's Principal Secretary of State for the Home Department, do hereby, in pursuance of the powers vested in me by the Local Government Act, 1858, make Order and direct—

That, from and after the passing of any Act of Parliament confirming this Order, the Local Board of Health for the Borough of Ipswich shall be empowered to put in force, with reference to the land and property referred to and described in the Schedule to this Order annexed, the powers of the Lands Clauses Consolidation Act, 1845, with respect to the purchase and taking of lands otherwise than by agreement.

Given under my Hand this Eighteenth Day of April 1860.

(Signed) G. C. Lewis.

SCHEDULE referred to in the preceding Order.

The land and property proposed to be taken, as described in the foregoing Order by the Local Board of Health named therein, consist of a house, cottages, malting and other buildings, and about fifty rods and two hundred and thirty-one feet of land, situate respectively at the corner where a road from Old Friars Bridge and a road from New Friars Bridge unite in a road leading to a street there called Princes Street, and at the corner of a lane there called Currier's Lane, next the said road leading to Princes Street, and part of which lands and property is in the parish of Saint Mary at the Elms, and part in the parish of Saint Nicholas, in the Borough of Ipswich.

The following is a statement of the names of the owners, lessees, and occupiers of the said premises :—

Owner.	Lessee.	Occupier.
James Simpson	-	James Simpson.
Susan Dearing William Bowell Simpson Frederick Hayward (Mortgagee)	-	Ellen Mann.
Susan Dearing William Bowell Simpson Frederick Hayward (Mortgagee)	-	Frederick Merry.
Susan Dearing William Bowell Simpson Frederick Hayward (Mortgagee)	-	William Skeet Read.

FAREHAM.

Provisional Order putting in force the Lands Clauses Consolidation Act, 1845, *within the District of the Fareham Local Board of Health, in the County of Southampton, for the Purchase of Lands by the said Board for Improvements.—Local Government Act*, 1858.

Whereas the Local Board of Health in and for the District of Fareham, in the County of Southampton, to which the Public Health Act, 1848, was duly applied by an Order of Her most Gracious Majesty in Council, bearing date the fifth day of September 1849, have, in pursuance of the Provisions of the 75th section of the Local Government Act, 1858, and after complying with the requirements of that section by duly giving and serving all notices thereby directed, presented a Petition, under the Seal of the said Local Board, to one of Her Majesty's Principal Secretaries of State, for authority to put in force the Lands Clauses Consolidation Act, 1845, to enable the aforesaid Local Board of Health to purchase a certain piece of land and roadway, situate within the District of the said Local Board, and to enable such Board to construct thereon filtering and deodorizing Tanks and other Sewerage out-fall works for the aforesaid District.

And whereas the said Petition duly set forth the piece of land and the roadway intended to be taken by such Board for such purposes, and the names of the owners, lessees, and occupiers of the aforesaid pieces of land who have assented, dissented, and are neuter in respect of the taking of such pieces of land and buildings, or who have returned no answer to the notice issued by such Board; and such

Petition

Petition prayed that the said Board might, with reference to such land, be allowed to put in force the powers of the Lands Clauses Consolidation Act aforesaid, with respect to the purchase and taking of land otherwise than by agreement; and on the receipt of such Petition, Her Majesty's Principal Secretary of State for the Home Department directed William Ranger, Esq., the Inspector appointed for the purpose, to visit the said district of Fareham, and the said Inspector has now inquired in the district aforesaid into the subject matter of such Petition, and has duly reported thereon.

Now, therefore, I, as Her Majesty's Principal Secretary of State for the Home Department, do hereby, in pursuance of the powers vested in me by the Local Government Act, 1858, make Order and direct—

That, from and after the passing of any Act of Parliament confirming this Order, the Local Board of Health for the District of Fareham, in the County of Southampton, shall be empowered to put in force, with reference to the land referred to and described in the Schedule to this Order annexed, the powers of the Lands Clauses Consolidation Act, 1845, with respect to the purchase and taking of land otherwise than by agreement.

Given under my Hand this Eighteenth day of April 1860.

(Signed) G. C. Lewis.

Schedule referred to in the preceding Order.

The Piece of Land and the Roadway proposed to be taken, as described in the foregoing Order, are the following; the figures referring to the figures on the Plan mentioned in the Petition of the Local Board of Health herein-before mentioned:—

Description of Land proposed to be taken.	Owner or Occupier.
Such parts of the two pieces of pasture or marsh land, situate on the west side of and adjacent to Fareham Lake within the parish of Fareham, being numbered 1585 and 1586 of the Fareham Tithe Commutation Rentcharge map, the position and boundaries whereof are shown on the Plan or Tracing annexed to the aforesaid Petition as are in such Plan or Tracing coloured red. Together with free right of carriage way to and from such parts from and to the Gosport and Wickham Turnpike road, along the occupation road called Saltern's Lane and the intermediate roadway—such land, so proposed to be taken by the said Local Board, being in quantity one acre or thereabouts.	James Fitchett Burrell, William Bracher Gater, Thomas Hewett, Trustees of the late James Fitchett Burrell, Esquire. Frederick John Burrell (Occupier).

WELLS.

Provisional Order repealing and altering Parts of a Local Act in force within the District of the Wells Local Board.—Local Government Act, 1858, *Sec.* 77.

Whereas the Mayor, Aldermen, and Burgesses of the City and Borough of Wells, in the County of Somerset, acting as the Local Board in and for the District of Wells, in which the Local Government Act, 1858, has been duly adopted, have, in pursuance of the said Act, presented a Petition to me, as one of Her Majesty's Principal Secretaries of State, praying for the alteration and partial repeal of a certain Local Act of Parliament in force within the said District, having relation to the purposes of the said Local Government Act, and not conferring powers or privileges upon any corporation, company, undertakers, or individuals for their own pecuniary benefit; that is to say,

An Act passed in the First and Second year of the reign of His late Majesty King George the Fourth, chapter twelve, intituled "An Act for more effectually repairing and improving certain roads leading to and from the City or Borough of Wells, in the County of Somerset, and for paving, cleansing, lighting, watching, and watering the said roads, and the streets, lanes, and public passages within the said City or Borough, the Liberty of Saint Andrew, and suburbs of the said City or Borough, and removing and preventing nuisances and annoyances thereon."

And whereas, in pursuance of the said Local Government Act, inquiry has been directed in the said District in respect of the several matters mentioned in the said Petition.

And whereas it appears expedient to issue a Provisional Order in relation to the said matters, but no such Order can be valid without confirmation by Parliament.

Now, therefore, in pursuance of the powers vested in me by the said Local Government Act, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order, under my hand, direct that from and after the passing of any Act of Parliament confirming this Order—

1.—All the powers and authorities, duties, regulations, and provisions comprised in the aforesaid Act of 1 & 2 Geo. IV., which relate to or affect the paving, cleansing, lighting, and watering of the said

said city and borough, and the removal and prevention of encroachments, nuisances, and annoyances therein, shall be transferred from the Trustees acting under the aforesaid Act, and shall be vested in and made operative on the Town Council of the said city and borough, acting as the Local Board thereof under the powers of the Local Government Act, 1858.

2.—The exemption from liability to rating, contained in Section 82 of the aforesaid Act of 1 & 2 Geo. IV., shall be and is hereby repealed, and the Town Council acting as such Local Board as aforesaid shall be and is hereby empowered and authorized to levy a general district rate on or in respect of all property situate within the district of such Local Board, according to the provisions of the Local Government Act, 1858.

3.—All property and estate of the Trustees acting in the execution of the said Local Act of 1 & 2 Geo. IV., in their character or capacity exclusively of Trustees for paving, cleansing, lighting, and watering the streets, lanes, and public passages in the said city and borough, shall be transferred to and vested in the said Local Board, and shall, as near as circumstances will permit, be held by the said Local Board upon the same trusts, and for the same purposes, as by such Trustees.

4.—All debts, monies, and securities for money contracted or payable by such Trustees in their character or capacity aforesaid shall be satisfied by the said Local Board out of such parts of the said transferred property and estate as would have been chargeable therewith if this Order had not been made, and shall be paid and satisfied by the said Local Board as by such Trustees.

5.—Provided always, that if such property and estate be insufficient for that purpose, the deficiency shall be charged upon the rates leviable under the said Local Government Act, 1858, in the parts only which would have been chargeable with such deficiency if this Order had not been made.

Given under my Hand this Eleventh day of May 1860.

(Signed) G. C. Lewis.

TORMOHAM.

Provisional Order repealing and altering Parts of the Torquay Waterworks Act, 1856, *in force within the District of the Tormoham Local Board of Health.—Local Government Act*, 1858, *Sec.* 77.

Whereas the Local Board of Health for the District of Tormoham, in the County of Devon, have, in pursuance of the 77th Section of the "Local Government Act, 1858," presented a petition to me, as one of Her Majesty's Principal Secretaries of State, praying for the alteration of "The Torquay Waterworks Act, 1856," being an Act in force within the said district, having relation to the purposes of the said Local Government Act, and not conferring powers or privileges upon any Corporation, Company, Undertakers, or Individuals for their own pecuniary benefit.

And whereas by the 24th Section of the said Waterworks Act it is enacted, that the said Local Board from time to time may, by agreement, purchase any lands which they might think requisite for any of the purposes of the said Act, and on such terms and conditions as they may think fit, not exceeding five acres.

And whereas by the 31st Section of the said Waterworks Act it is enacted, that the works thereby authorized shall be completed within five years, and on the expiration of that period the powers thereby granted for making such works should cease to be exercised.

And by the 55th Section of the said Waterworks Act it is enacted, that the minimum amount to be set apart as a sinking fund for the payment of the principal monies borrowed under the said Act shall, from the expiration of such five years, be at such rate per centum per annum on the amount of such principal monies as should ensure the repayment thereof in fifty years.

And whereas the said Local Board have proceeded to execute the works authorized by the said Waterworks Act, and the said District is now supplied with water by means thereof, but it has been found expedient and necessary for the better and more effectually affording and maintaining such supply of water that larger reservoirs should be constructed than were contemplated by the said Act; and the said Local Board are desirous of obtaining powers to purchase about twenty acres of land in addition to the five acres of lands authorized to be purchased by the said Waterworks Act as aforesaid, and that the said Act should be otherwise altered as herein-after mentioned.

And whereas, in pursuance of the said Local Government Act, inquiry has been directed and made in the said District in respect of the several matters mentioned in the said Petition, and report duly made to me thereon.

And whereas it appears expedient to issue a Provisional Order in relation to the said matters, but no such Order can be valid without confirmation by Parliament.

Now, therefore, in pursuance of the powers vested in me by the said Local Government Act, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order, under my hand, direct that from and after the passing of any Act of Parliament confirming this Order—

1.—The powers contained in the said 24th Section of the said Waterworks Act enabling the said Local Board to purchase any lands by agreement as therein mentioned, not exceeding five acres, shall

shall and may be used and exercised by the said Local Board for purchasing any quantity of land not exceeding twenty-five acres, in the same manner as if twenty-five acres had been originally mentioned in the said Waterworks Act instead of five acres; and the said Local Board may purchase such twenty-five acres of land, for the purpose of constructing, and may construct such reservoirs in any parish or parishes, place or places, as to the said Local Board shall seem expedient and necessary.

2.—The time within which it is enacted by the said 31st section of the said Waterworks Act, that the works thereby authorized shall be completed, and on the expiration of which time it is also enacted that the powers thereby granted for making such works shall cease to be exercised, shall be extended from five years, named in the said section, to three years from and after the passing of any Act of Parliament whereby this present Order shall be confirmed.

3.—The time fixed by the 55th section of the said Waterworks Act, for the commencement of a sinking fund for the payment of the principal monies borrowed under the said Act, shall be extended to the expiration of three years from the date of the passing of the Act of Parliament confirming this present Order.

Given under my hand this Eleventh day of May 1860.

(Signed) G. C. Lewis.

SCARBOROUGH.

Provisional Order repealing and altering Parts of a Local Act in force within the District of the Scarborough Local Board.—Local Government Act, 1858, *Sec.* 77.

Whereas the Local Board in and for the District of Scarborough, in the North Riding of the County of York, in which the Local Government Act, 1858, has been duly adopted, have, in pursuance of the said Act, presented a petition to me, as one of Her Majesty's Principal Secretaries of State, praying for the alteration and partial repeal of a certain Local Act of Parliament in force within the said district, having relation to the purposes of the said Local Government Act, and not conferring powers or privileges upon any corporation, company, undertakers, or individuals for their own pecuniary benefit, and for the repeal of all exemptions from rating under such Local Act, and for other purposes set forth in the aforesaid Petition; that is to say,

An Act passed in the Forty-fifth Year of the reign of His late Majesty King George the Third, Chapter Ninety-four, intituled "An Act for paving and otherwise improving the Streets and "other Places in the Township of Scarborough, in the North Riding of the County of York, "and for licensing Hackney Coaches and establishing other Regulations in the said Township."

And whereas, in pursuance of the said Local Government Act, inquiry has been directed in the said District in respect of the several matters mentioned in the said Petition.

And whereas it appears expedient to issue a Provisional Order in relation to the said matters, but no such Order can be valid without confirmation by Parliament.

Now, therefore, in pursuance of the powers vested in me by the said Local Government Act, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order, under my hand, direct that from and after the passing of any Act of Parliament confirming this Order—

1.—The parts of the said Local Act specified in the Schedule hereunto annexed shall be repealed.

2.—The powers, authorities, and duties of the Commissioners for the time being, acting in execution of the said Local Act, shall cease; and such of them as are granted or imposed by the unrepealed parts of the said Local Act shall, so far as they are not repugnant to or inconsistent with the said Local Government Act, or this Order, or any byelaw which shall be lawfully made under the said herein-before last-mentioned Act, be transferred to the said Local Board, and the officers and servants of the said Local Board, and shall be exercised as if they had been granted or imposed by the said last-mentioned Act, and for this purpose the unrepealed parts of the said Local Act shall be incorporated with the said Local Government Act as adopted by the said District, and all places within the limits of the said District shall be subject to the unrepealed parts of the said Local Act.

3.—All property and estate of the Commissioners acting in the execution of the said Local Act, including all rates duly assessed under the provisions of the said Local Act, and not collected at the time of the passing of any Act confirming this present Order, shall be transferred to the said Local Board, who shall have all the powers for recovery of the said uncollected rates possessed by the said Commissioners before the confirmation of this Order, and shall, as near as circumstances will permit, be held by the said Local Board upon the same trusts, and for the same purposes, as by such Commissioners.

4.—All debts, monies, and securities for money contracted or payable by such Commissioners, shall be satisfied by the said Local Board out of such parts of the said transferred property and estate as would have been chargeable therewith if this Order had not been made, and shall be paid and satisfied by the said Local Board as by such Commissioners.

5.—Provided always, that if such property and estate be insufficient for that purpose, the deficiency shall be charged upon the rates leviable under the said Local Government Act, 1858, in the parts only which would have been chargeable with such deficiency if this Order had not been made, and the rates leviable by the said Local Board under the Local Government Act, 1858, may be mortgaged for the purpose of paying off any moneys borrowed on mortgage under the powers of the said Local Act, as if such debts had been contracted under the powers of the said Local Government Act.

Given under this my Hand this Eleventh day of May 1860.

(Signed) G. C. Lewis.

Schedule to which this Order refers.

The parts of the Local Act (45 Geo. 3. cap. 94.) herein-before referred to in this Order to be repealed are as follows; that is to say,

All the sections of the said Act numbered respectively 1 to 22 both inclusive, so much of 23 as relates to Hackney Coaches, and to approval and confirmation of byelaws; so much of section 25 as relates to Hackney Coaches; 26 to 36, both inclusive; 58 to 90, both inclusive; and such part of any unrepealed section as fixes the amount of any penalty fixed by the Local Government Act, 1858; or fixed or to be fixed by any byelaw of the aforesaid Local Board, lawfully made under and by virtue of the provisions of the Local Government Act, 1858.

LUDLOW.

Provisional Order repealing a Local Act in force within the District of the Ludlow Local Board.—Local Government Act, 1858, *Sec.* 77.

Whereas the Town Council for the Borough of Ludlow, in the County of Salop, have duly adopted the Local Government Act, 1858, in and for the said Borough.

And whereas the said Town Council, acting as a Local Board under and for the purposes of the said herein-before mentioned Act, have, in pursuance thereof, presented a Petition to me, as one of Her Majesty's Principal Secretaries of State, praying for the repeal of a certain Local Act of the Thirty-third year of George the Third, Chapter twenty-five, intituled "An Act for paving the Footpaths within the "Borough of Ludlow, in the County of Salop, and for lighting, watching, and otherwise improving the "said Borough;" the said Local Act being an Act in force within the said District having relation to the purposes of the said Local Government Act, and not conferring powers or privileges upon any corporation, company, undertakers, or individuals, for their own pecuniary benefit.

And whereas, after due inquiry into the said Petition, it appears to me to be expedient to issue a Provisional Order in relation to the said matter, but no such Order can be valid without confirmation by Parliament.

Now, therefore, in pursuance of the powers vested in me by the said Local Government Act, I, as one of Her Majesty's Principal Secretaries of State as aforesaid, do, by this Provisional Order under my hand, direct that from and after the passing of any Act of Parliament confirming this Order—

1.—The said Local Act shall be repealed.

2.—All property and estate of the Commissioners acting in the execution of the said Local Act shall be and is hereby transferred to and vested in the said Local Board, and shall be held and applied by the said Local Board for the general purposes of such Local Board.

3.—All debts, monies, and securities for money contracted or payable by such Commissioners, shall be satisfied by the said Local Board out of such parts of the said transferred property and estate as would have been chargeable therewith if the herein-before recited Local Act had not been repealed, and shall be paid and satisfied by the said Local Board as by such Commissioners.

4.—Provided always, that if such property and estate be insufficient for the purposes aforesaid, the deficiency shall be charged upon the rates leviable under the said Local Government Act, 1858, in the parts only which would have been chargeable with such deficiency if this order had not been made.

Given under my Hand this Eighteenth day of April 1860.

(Signed) G. C. Lewis.

BANBURY.

Provisional Order for the partial Repeal and Alteration of a Provisional Order applying the Public Health Act, 1848, *to the District of Banbury, and of the First Public Health Supplemental Act*, 1852.—*Local Government Act*, 1858.

Whereas the Public Health Act, 1848, was duly applied to the District of Banbury, comprising the Corporate Borough of Banbury and the non-corporate townships, hamlets, or places of Neithrop, Hardwick, Calthorpe, Wickham, and Easington, in the County of Oxford, and Grimsbury and Nethercote in the County of Northampton (the same being an area co-extensive with the ecclesiastical Parish of Banbury), by a Provisional Order of the General Board of Health, bearing date the 28th day of July 1851, confirmed by the First Public Health Supplemental Act, 1852; and whereas by the 4th Section of the last herein-before mentioned Act it is provided, "That the rates leviable within the District

District of Banbury, as constituted by the Order in the Schedule to this Act, under the Public Health Act, 1848, or so much of any Local Act as remains unrepealed by the Provisional Order applying the said Public Health Act within the said District, or any Act incorporated with the said Public Health Act, as applied to the said District by the said Order and this Act, shall not, inclusive of all highway rates, in any one year exceed in the whole the sum of three shillings and sixpence in the pound upon the net annual value of property assessable thereto within the corporate part of any such District, or the sum of two shillings in the pound upon the net annual value of property assessable to such rates, or any of them, within the non-corporate part of the said District, except property within the non-corporate part of the said District consisting of land used as arable, meadow, or pasture ground only, or as woodlands, market gardens, or nursery grounds, land covered with water, or used only as a canal, or towing-path for the same, or as a railway constructed under the powers of any Act of Parliament for public conveyance; and as to such excepted property, the rates so leviable, inclusive of all highway rates, shall not in any one year exceed in the whole the sum of sixpence in the pound upon the net annual value of such excepted property."

And whereas the provisions contained in the said Section of such Act, so far as the same are applicable to that portion of the non-corporate part of the aforesaid District of Banbury therein mentioned which is situated in the County of Oxford, have been found to operate unfairly and oppressively as between the ratepayers of and in such portion who are now by law assessed at the full net annual value of their property, and the ratepayers of and in such portion who are now by law assessed at one fourth of the full net annual value of their property within the District aforesaid; and whereas the said Local Board of Health have, in pursuance of the provisions of the 77th Section of the Local Government Act, 1858, presented a Petition to me, as one of Her Majesty's Principal Secretaries of State, praying that the provisions contained in the Provisional Order applying the Public Health Act, 1848, to the aforesaid District of Banbury, and in the First Public Health Supplemental Act, 1852, may be partially repealed or altered, and such new provision made as would empower the said Local Board of Health for the time being to levy, throughout the non-corporate parts of such District situate in the County of Oxford, highway rates not exceeding in any one year the sum of one shilling in the pound, and enact that the land and other property in the last herein-before mentioned parts of such District which, by the provisions of the Public Health Act, 1848, are assessable on one fourth only of the annual value thereof, should not, in any year in which the same should be assessed to any Highway Rates or Rates, be assessed to or liable to the paying of any other rates whatever to be made by the said Local Board.

And whereas, in pursuance of the said Local Government Act, inquiry has been directed in the said District in respect of the several matters mentioned in the said Petition.

And whereas it appears expedient to issue a Provisional Order in relation to the said matters, but no such Order can be valid without confirmation by Parliament.

Now, therefore, in pursuance of the powers vested in me by the said Local Government Act, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order, under my hand, direct that from and after the passing of any Act of Parliament confirming this Order—

The Local Board of Health for the said District shall, and they are hereby required, when and so often as occasion shall require, to make and levy, in accordance with the general powers of rating now vested in the said Board and in conformity with the provisions contained in the 5th and 6th parts of the 37th Section of the Local Government Act, 1858, and in addition to the several rates and amounts respectively which they are now authorized and empowered to make and levy under and by virtue of the herein-before recited First Public Health Supplemental Act, 1852, a highway rate or rates not exceeding in any one year the sum of one shilling in the pound upon the full net annual value of all assessable property which is situate within that portion of the non-corporate part of the said District which lies in the County of Oxford, for the purpose of defraying the costs, charges, and expenses of and incidental to the maintenance and repair of highways in the said portion of the said District; and that such rate or rates so to be made and levied under and in pursuance of the powers and authorities herein-before contained shall be exclusively used and applied for the purposes aforesaid: Provided always, that when and so often as any highway rate or rates shall in any one year be made and levied under and in pursuance of the powers and authorities herein-before contained, then and so often the said Local Board shall not be empowered to assess or levy in such year, under and by virtue of the powers contained in the said First Public Health Supplemental Act, 1852, upon the following species of property within the said portion of the said District; (that is to say,) upon land used as arable, meadow, or pasture ground only, or as woodlands, market gardens, or nursery grounds, land covered with water, or used only as a canal, or towing-path for the same, or as a railway constructed under the powers of an Act of Parliament for public conveyance, any rate or rates which the said Local Board is now empowered to assess and levy upon the said several species of property, under and by virtue of the said powers contained in the First Public Health Supplemental Act, 1852, aforesaid.

Given under my hand this Eighteenth day of April 1860.

(Signed) G. C. Lewis.

BOSTON.

Provisional Order repealing and altering Parts of Local Acts in force within the District of the Boston Local Board.—Local Government Act, 1858, *Sec.* 77.

Whereas the Mayor, Aldermen, and Burgesses of the Borough of Boston, in the County of Lincoln, acting as the Local Board in and for the District of Boston, in which the Local Government Act, 1858, has been duly adopted, have, in pursuance of the said Act, presented a Petition to the Right Honourable T. Sotheron Estcourt, as one of Her Majesty's then Principal Secretaries of State, praying for the alteration and partial repeal of certain Local Acts of Parliament in force within the said district, having relation to the purposes of the said Local Government Act, and not conferring powers or privileges upon any corporation, company, undertakers, or individuals for their own pecuniary benefit; that is to say,

An Act passed in the Sixteenth year of the reign of His late Majesty King George the Third, Chapter twenty-five, intituled "An Act for lighting and watching the streets, lanes, and other public "passages and places within the Borough of Boston, in the County of Lincoln, and for removing "and preventing nuisances, annoyances, and obstructions therein."

An Act passed in the Forty-sixth year of the reign of His said Majesty King George the Third, Chapter forty-one, intituled "An Act for amending and rendering more effectual an Act passed in the "Sixteenth year of His present Majesty, for lighting and watching the streets, lanes, and other "public passages and places within the Borough of Boston, in the County of Lincoln, and for "removing and preventing nuisances therein."

An Act passed in the Thirty-second year of the reign of His said Majesty King George the Third, Chapter eighty, intituled "An Act for better paving, cleansing, and otherwise improving the "Borough of Boston, in the County of Lincoln." And

An Act passed in the Forty-sixth year of the reign of His late Majesty King George the Third, Chapter forty, intituled "An Act for amending and rendering more effectual an Act passed in the "Thirty-second year of His present Majesty, for better paving, cleansing, and otherwise improving "the Borough of Boston, in the County of Lincoln."

And whereas, in pursuance of the said Local Government Act, inquiry has been directed in the said District in respect of the several matters mentioned in the said Petition.

And whereas it appears expedient to issue a Provisional Order in relation to the said matters, but no such Order can be valid without confirmation by Parliament.

Now, therefore, in pursuance of the powers vested in me by the said Local Government Act, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order, under my hand, direct that from and after the passing of any Act of Parliament confirming this Order—

1.—The parts of the said Local Acts specified in the Schedule hereunto annexed shall be repealed.

2.—The powers, authorities, and duties of the Commissioners for the time being, acting in execution of all or any of the said Local Acts, shall cease; and such of them as are granted or imposed by the unrepealed parts of the said Local Acts shall, so far as they are not repugnant to, or inconsistent with, the said Local Government Act, or this Order, or any byelaw which shall be lawfully made under the said herein-before last-mentioned Act, be transferred to the said Local Board, and the officers and servants of the said Local Board, and shall be exercised as if they had been granted or imposed by the said last-mentioned Act, and for this purpose the unrepealed parts of the said Local Acts shall be incorporated with the said Local Government Act as adopted by the said Borough, and all places within the limits of the said Borough shall be subject to the unrepealed parts of the said Local Acts.

3.—All property and estate of the Commissioners acting in the execution of the said Local Acts shall be transferred to the said Local Board, and shall, as near as circumstances will permit, be held by the said Local Board upon the same trusts, and for the same purposes, as by such Commissioners.

4.—All debts, monies, and securities for money contracted or payable by such Commissioners, shall be satisfied by the said Local Board out of such parts of the said transferred property and estate as would have been chargeable therewith if this Order had not been made, and shall be paid and satisfied by the said Local Board as by such Commissioners.

5.—Provided always, that if such property and estate be insufficient for that purpose, the deficiency shall be charged upon the rates leviable under the said Local Government Act, 1858, in the parts only which would have been chargeable with such deficiency if this Order had not been made.

6.—If the office of clerk to the Commissioners acting in execution of all or any of the said Local Acts shall, by reason of the transfer of the powers of the said Commissioners to the said Local Board, be superseded, or if the said clerk shall at any time within the space of three years next after the passing of an Act confirming this Order, except for misconduct, be removed from such office, and not be employed and retained in an office of equal value by the said Local Board, the said clerk shall be entitled to have an adequate compensation for the profits, salary,

salary, and emoluments of the said office, the said compensation to be by way of annuity or otherwise, and to be assessed by the Commissioners of Her Majesty's Treasury, upon the report of the said Local Board, to be made within three months after any such person shall have been superseded in his office, founded upon a declaration made by such person, setting forth the salary, profits, and emoluments derived by him and his predecessors for every year during a period of five years next before the day when he shall have ceased to hold such office, and such other evidence as the said Local Board may require as to the amount, nature, and particulars of such profits, and in assessing the same regard shall be had to the manner of his appointment to such office, and his term therein; and the said Local Board shall, from time to time, pay to the person entitled to compensation out of general district rates the money which shall, upon such report, and any appeal or reclamation against the same, be finally awarded by the Commissioners of Her Majesty's Treasury, as the same shall become due and be payable.

Given under my Hand this Eighteenth day of April 1860.

(Signed) G. C. Lewis.

Schedule to which this Order refers.

The parts of the Local Acts herein-before referred to in this Order to be repealed are as follows; that is to say,

All the sections of the Boston Lighting and Watching Act, 16 George 3. c. 25., save and except the sections respectively numbered 12 and 24.

All the sections of the amended Boston Lighting and Watching Act, 46 George 3. c. 41., save and except section 1.

All the sections of the Boston Paving Act, 32 George 3. c. 80., save and except the sections respectively numbered 12 and 34.

And all the sections of the amended Boston Paving Act, 46 George 3. c. 40., save and except section 9.

PENRITH.

Provisional Order for extending the Borrowing Powers of the Penrith Local Board of Health.—Local Government Act, 1858.

Whereas, by an Order of Her most Gracious Majesty in Council, bearing date the Twenty-fifth day of June 1851, the Public Health Act, 1848, was duly applied to the Parish of Penrith, in the County of Cumberland, and the said Parish was thereby constituted a District under that Act.

And whereas the Local Board of Health of the said District have borrowed under that Act, and with the authority of the General Board of Health, various sums to defray the expense of works for sewering, and supplying water to, the said District, which said sums at the time the borrowing of them was sanctioned nearly equalled the assessable value for one year of the premises assessable under that Act within the District which the said works were intended to benefit, but were not sufficient to defray the cost of completing the works for the purposes aforesaid.

And whereas the said Local Board of Health have, under the authority of the 78th Section of the Local Government Act, 1858, petitioned me, as one of Her Majesty's Principal Secretaries of State, for power to borrow and reborrow on mortgage of the rates leviable by the said Board under the Public Health Act, 1848, and the Local Government Act, 1858, a sum or sums not exceeding in the whole one year and a quarter's assessable value of the property assessable within the aforesaid District; the said sum or sums to be repaid within a period of fifty years from the date of the borrowing thereof.

And whereas, after due inquiry and report by William Ranger, Esquire, the Inspector appointed for the purpose, it appears expedient that the prayer of such petition should be granted; but the same cannot be done without the consent of Parliament.

Now, therefore, in pursuance of the power vested in me, as one of Her Majesty's Principal Secretaries of State, by the said Local Government Act, I do hereby, by this Provisional Order under my Hand, direct as follows:—

That from and after the passing of any Act of Parliament confirming this present Order,—

The Local Board of Health for the District of Penrith, in the County of Cumberland, shall have power and authority to borrow or re-borrow, for the purposes aforesaid, on mortgage of the rates leviable by them under the Public Health Act, 1848, and the Local Government Act, 1858, an amount not exceeding in the whole one year and a quarter's assessable value of the property, assessable within the said District of Penrith, under the aforesaid Acts (the sum of 11,498*l.* already borrowed by them under the Public Health Act, 1848, being taken as part of the said amount of one year and a quarter's assessable value), the said entire amount to be repaid, with interest thereon, within a period of fifty years from the date of the borrowing thereof.

Given under my Hand this Eighteenth day of April 1860.

(Signed) G. C. Lewis.

BARNSLEY.

BARNSLEY.

Provisional Order for extending the Borrowing Powers of the Barnsley Local Board of Health.—Local Government Act, 1858.

Whereas, by a Provisional Order of the General Board of Health, bearing date the Ninth day of November 1852, confirmed by the Public Health Suplemental Act, 1853 (No. 1), the Public Health Act, 1848, was duly applied to the Township of Barnsley, in the County of York, and the said Township was thereby constituted a District under that Act.

And whereas the said Local Board have borrowed under that Act, and with the authority of the General Board of Health, sums, amounting in the whole to Twenty-nine thousand four hundred Pounds, to defray the expense of a portion of the works for supplying water to the said District, and for other works of a permanent nature under the aforesaid Act, which said sums nearly equal the assessable value for one year of the premises assessable under that Act within such District, but are not sufficient to defray the remainder of the cost of the aforesaid works of water supply, and of works for the sewerage of such District.

And whereas the said Board have now, under the authority of the 78th Section of the Local Government Act, 1858, petitioned me, as one of Her Majesty's Principal Secretaries of State, for powers to borrow or re-borrow for such works, on mortgage of the rates leviable by the aforesaid Local Board of Health under the powers of the Public Health Act, 1848, and the Local Government Act, 1858, a sum or sums which shall not exceed in the whole two years' assessable value of the premises assessable within the District in respect of which such sum or sums may be borrowed or re-borrowed, such sum or sums to be repaid within a period of fifty years.

And whereas, after due inquiry and report by William Ranger, Esquire, the Inspector appointed by me for the purpose, I am of opinion that the prayer of such Petition should be granted; but the same cannot be done without the consent of Parliament.

Now, therefore, in pursuance of the power now vested in me as one of Her Majesty's Principal Secretaries of State, as aforesaid, I do hereby, by this Provisional Order under my Hand, direct as follows:—

That, from and after the passing of any Act of Parliament confirming this present Order—

1.—The Local Board of Health for the District of the Township of Barnsley, in the County of York, shall have power and authority to borrow or to re-borrow, for the execution and completion of the aforesaid works within such District, and on mortgage of the rates leviable by them under the aforesaid Acts, an amount not exceeding in the whole two years' assessable value of the premises assessable under such Acts within the aforesaid District, to be repaid, with interest thereon, within a period of fifty years' from the date of the borrowing thereof.

Given under my Hand this Eighteenth day of April 1860.

(Signed) G. C. Lewis.

SHIPLEY.

Provisional Order for extending the Borrowing Powers of the Shipley Local Board of Health.—Local Government Act, 1858.

Whereas, by an Order of Her most Gracious Majesty in Council, bearing date the Twenty-first day of February 1853, the Public Health Act, 1848, was duly applied to the Township of Shipley, in the Parish of Bradford, in the County of York, and the said Township was thereby constituted a District under that Act.

And whereas the Local Board of Health of the said District have borrowed under that Act, and under the Shipley Waterworks and Police Act, 1854, sums amounting in the whole to Twenty-nine thousand five hundred Pounds, to defray the expense of a portion of the works for sewering, and supplying water to, the said District, which said sums at the time the borrowing of them was sanctioned equalled the assessable value for one year of the premises assessable under that Act within such District, and the amount authorized by the second herein-before cited Act to be borrowed, but such sums were not sufficient to defray the cost of completing the works for the purposes aforesaid.

And whereas the said Local Board have, under the authority of the 78th Section of the Local Government Act, 1858, petitioned me, as one of Her Majesty's Principal Secretaries of State, for power to borrow or re-borrow, for or on account of such works of sewerage and water supply, a further sum or sums, not exceeding in the whole two years' assessable value of the premises assessable within such District; and whereas the said further sum or sums are proposed to be repaid within a period of fifty years from the date of the borrowing thereof.

And whereas, after due inquiry and report by Alfred Dickens, Esquire, the Inspector appointed for the purpose, it appears expedient that the prayer of such Petition should, to the extent herein-after set forth and described, be granted; but the same cannot be done without the consent of Parliament.

Now,

Now, therefore, in pursuance of the power now vested in me, as one of Her Majesty's Principal Secretaries of State, I do hereby, by this Provisional Order under my Hand, direct as follows :—

That from and after the passing of any Act of Parliament confirming this present Order—

The Local Board of Health for the District of Shipley, in the County of York, shall have power and authority to borrow or re-borrow, for the execution and completion of works of sewerage and water supply within such District, on mortgage of the rates leviable by them under the Local Government Act, 1858, an amount not exceeding in the whole Five thousand Pounds, over and above the amount already borrowed by the said Local Board, the said amount to be repaid, with interest thereon, within a period of fifty years from the date of the borrowing thereof.

Given under my Hand this Eighteenth day of April 1860.

(Signed) G. C. Lewis.

CAP. XLV.

An Act to extend the Act of the Eighth and Ninth Years of *Victoria*, Chapter Twenty-six, for preventing fishing for Trout or other Fresh-water Fish by Nets in the Rivers and Waters in *Scotland*. [23d *July* 1860.]

8 & 9 Vict. c. 26.

'WHEREAS by the Act Eighth and Ninth *Victoria*, Chapter Twenty-six, intituled *An Act to prevent fishing for Trout or other Fresh-water Fish by Nets in the Rivers and Waters in* Scotland, Provision is made for preventing the Destruction of Trout and other Fresh-water Fish by Nets in the Rivers, Waters, and Lochs of *Scotland:* And whereas there are various other Ways by which Trout and other Fresh-water Fish may be destroyed which have not yet been declared illegal:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same :

Fishing for Trout, &c. by means of Nets, &c. in any Rivers, &c. in Scotland prohibited.

I. That it shall not be lawful for any Person whatsoever, (except as herein-after provided,) at any Time after the passing of this Act, to fish for Trout or other Fresh-water Fish in any River, Water, or Loch in *Scotland*, with any Net of any Kind or Description, or by what is known as Double Rod Fishing, or Cross-Line Fishing, or Set Lines, or Otter Fishing, or Burning the Water, or by striking the Fish with any Instrument, or by Pointing, or to put into the Water Lime or any other Substance destructive to Trout or other Fresh-water Fish with Intent to destroy the same ; and if any Person shall wilfully take, fish for, or attempt to take, or aid and assist in taking or fishing for, or attempting to take or fish for, in or from any such River, Water, or Loch, any Trout or other Fresh-water Fish by or with any Net of any Kind or Description, or by Double Rod Fishing, or Cross Line Fishing, or by Set Lines, or Otter Fishing, or by Burning the Water, or striking the Fish with any Instrument, or by Pointing, or by putting into the Water Lime or any other Substance destructive to Trout or other Fresh-water Fish with Intent to destroy the same, such Person shall forfeit and pay any Sum not exceeding Five Pounds for every such Offence, besides forfeiting the Trout or Fish taken, and also every Boat or Net, Tackle, Instrument, or other Article in or by which the same may have been taken, or attempted to be taken, and shall also pay the full Expenses of the Conviction : Provided that nothing in this Act contained shall prevent any Person having the Right to fish in any River, Water, or Loch in *Scotland*, or any Person having Permission from such Person, from exercising the Right of fishing in such River, Water, or Loch in any Mode not prohibited by Law prior to the passing of this Act.

Penalty.

Nothing to prevent Persons having Rights, &c. to fish.

Penalty for trespassing on any Ground or River to fish with Net, &c.

II. If any Person shall trespass upon any Ground, enclosed or unenclosed, or in or upon any River, Water, or Loch, with Intent to take any Trout or other Fresh-water Fish, with any Net, Double Rod, Cross Line, Set Line, or Otter, or by Burning the Water, or by striking the Fish with any Instrument, or by Pointing, or to destroy the Fish by putting Lime or other Substance destructive to Trout or other Fresh-water Fish into the Water, such Person shall forfeit and pay a Sum not exceeding Five Pounds for every such Offence.

Power to Persons having Authority to seize Boats, Nets, &c. used in Commission of Offences.

III. It shall be lawful for any Person, having the Authority of the Proprietor of Land through or past which the River or Water flows or upon which the Loch is wholly or partially situate, to seize and detain any Boat or Net of any Description, Double Rod, Cross Line, Set Line, or Otter, or Materials for Burning the Water, or Instruments for striking the Fish, or for Pointing, or Lime or other Substance destructive to Trout or other Fresh-water Fish, used or intended to be used in the Commission of any such Offence, and also any Fish taken by any such Offender, and to give Information thereof to the Sheriff or Justice of the Peace.

Justices who are Proprietors not to be disqualified from acting.

IV. All Justices of the Peace shall and may act in the Execution of this Act notwithstanding that such Justices shall be the Proprietors of Land through or past which any River or Water may flow, or upon which any Loch may be wholly or partially situated, or shall otherwise have a Right of Trout or Fresh-water Fishing in any such River, Water, or Loch, except in Cases in which the Offence has been committed on the Property of such Justice, or in which such Justice is a Party to the Prosecution of the Case, or is directly interested in the Result thereof ; and no such Proprietor or Party having Right as aforesaid shall be incompetent as a Witness to prove any Offence committed against this Act by reason of his being such Proprietor or having such Right.

V. And

For the Recovery of Penalties.

V. And for the Recovery of the Penalties and Forfeitures imposed by this Act, be it enacted, That any such Penalties or Forfeitures may be recovered by summary Proceeding upon Complaint in Writing made by the Procurator Fiscal or by any Party prosecuting for the same to the Sheriff or any Justice of the Peace for the County in which such Offence shall be committed, or to the Sheriff or any Justice of the Peace for any County in which the Offender may be found, and on such Complaint such Sheriff or Justice of the Peace shall issue a Warrant for bringing the Party complained against immediately before him, or shall issue an Order requiring such Party to appear at a Time and Place to be named in such Order; and every such Order shall be served on the Party complained against by any County Officer, either by delivering to such Party personally or by leaving with some Inmate at his usual Place of Abode a Copy of such Order, and of the Complaint whereon the same has proceeded; and either upon the Appearance or the Default to appear of the Party complained against it shall be lawful for the Sheriff or Justice to proceed to the hearing of the Complaint; and upon Proof of the Offence, and without any written Pleadings or Record of Evidence, to convict the Offender, and upon such Conviction to decern, adjudge, and sentence him to pay the Penalty or Forfeiture incurred, and the Expenses attending the Conviction, and to grant Warrant for imprisoning him until such Penalty or Forfeiture and Expenses shall be paid: Provided always, that such Warrant shall specify the Amount of such Penalty or Forfeiture and Expenses, and shall also specify a Period at the Expiration of which the Party shall be discharged, notwithstanding such Penalty or Forfeiture and Expenses shall not have been paid, and which Period shall in no Case exceed Two Months; and it shall be lawful for the Sheriff or Justice to make such Orders concerning the immediate Disposal of any Boat, Net, Double Rod, Cross Line, Set Line, or Otter, or Materials for Burning the Water, or Instruments for striking the Fish, or for Pointing, or Lime or other Substance destructive to Trout or other Fresh-water Fish, or Fish seized or forfeited under the Provisions of this Act, as may be necessary.

Power to appeal in manner as in 20 G. 2. c. 43.

VI. It shall be lawful for any Person who shall think himself aggrieved by any Judgment of the Sheriff or Justice of Peace pronounced in any Case arising under this Act to appeal from the same to the next Circuit Court of Justiciary, or, where there are no Circuit Courts, to the High Court of Justiciary at *Edinburgh*, in the Manner and by and under the Rules, Limitations, Conditions, and Restrictions contained in an Act passed in the Twentieth Year of the Reign of His Majesty King *George* the Second, for taking away and abolishing Heritable Jurisdiction in *Scotland*, with this Variation, that such Person shall, in place of finding Caution in the Terms prescribed by the said Act, be bound to find Caution to pay the Penalty or Forfeiture and Expenses awarded against him by the Sentence appealed from in the event of the Appeal being dismissed or not insisted in, together with any additional Expenses that may be awarded by the Court on deciding or dismissing the Appeal; and it shall not be competent to appeal from or bring the Judgment of any Sheriff or Justice of Peace acting in the Execution of this Act under Review, by Advocation or Suspension or by Reduction, or in any other Way than as herein provided.

Application of Penalties.

VII. All Penalties and Forfeitures imposed under the Authority of this Act shall, when levied, be paid, the one Half thereof to the Prosecutor and the other Half to the Inspector of the Poor of the Parish within which the Offence shall have been committed, on behalf of such Poor.

Limitation of Actions.

VIII. No Prosecution or other Proceeding whatever shall be brought or commenced against any Person for any Offence against this Act, unless the same shall be commenced within Three Months after such Offence shall have been committed.

Interpretation of Terms.

IX. The Words "River," "Water," or "Loch" occurring in this Act shall mean and include any Stream, Burn, Millpool, Mill-lead, Milldam, Sluice, Pond, Cut, Canal, and Aqueduct, and every other Collection or Run of Water in which Trouts and other Fresh-water Fish breed, haunt, or are found or preserved; the Word "Sheriff" shall mean the Sheriff or Steward of the County in which the Offence happens or Case arises, and shall include the Sheriff-Substitutes of such Sheriffs; the Expression "Justice of the Peace" shall mean a Justice of the Peace of the County in which the Offence happens or Case arises; and the Expression "County Officer" shall mean and include Sheriff's Officer, Constable, or any Officer of the County Police Force.

Saving the Laws regarding the Salmon Fisheries.

X. Nothing herein contained shall affect any Act of Parliament, General or Local, passed for the Preservation of the Salmon Fisheries in *Scotland*, or in relation to the fishing of Salmon or Fish of the Salmon Kind in *Scotland*.

Saving the Laws regarding fishing with Single Rod.

XI. Nothing herein contained shall affect or apply to the killing of Trout or other Fresh-water Fish with Single Rod and Line which shall be regulated by the Laws in existence prior to the passing of this Act.

CAP. XLVI.

An Act to amend and enlarge the Powers and Provisions of the several Acts relating to the *Caledonian* and *Crinan* Canals. [23d *July* 1860.]

43 G. 3. c. 102. 44 G. 3. c. 62.

'WHEREAS the following Acts were passed for the Purpose of making and keeping in repair or otherwise regulating and improving the *Caledonian* and *Crinan* Canals; that is to say, the Acts Forty-third *George* the Third, Chapter One hundred and two; Forty-fourth *George* the Third,

Chapter

'Chapter Sixty-two; Sixth *George* the Fourth, Chapter Fifteen; Third and Fourth *Victoria*, Chapter Forty-one; Thirty-third *George* the Third, Chapter One hundred and four; Thirty-ninth *George* the Third, Chapter Twenty-seven; Thirty-ninth *George* the Third, Chapter Seventy-one; Forty-fifth *George* the Third, Chapter Eighty-five; Fifty-first *George* the Third, Chapter One hundred and seventeen; Fifty-sixth *George* the Third, Chapter One hundred and thirty-five; Third and Fourth *William* the Fourth, Chapter Thirteen; Eleventh and Twelfth *Victoria*, Chapter Fifty-four; and Twenty and Twenty-first *Victoria*, Chapter Twenty-seven: And whereas by the said Act Eleventh and Twelfth *Victoria*, Chapter Fifty-four, the Commissioners of the *Caledonian* Canal were incorporated, and the *Caledonian* Canal and the *Crinan* Canal were vested in the Commissioners: And whereas it is expedient that the subsisting Powers of the recited Acts relating to the said Canals should be amended and enlarged, and that further Powers should be conferred on the Commissioners for the Maintenance, Management, and Regulation of the said Canals:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

6 G. 4. c. 15. 3 & 4 Viet. c. 41. 33 G. 3. c. 104. 39 G. 3. c. 27. 39 G. 3. c. 71. 45 G. 3. c. 85. 51 G. 3. c. 117. 56 G. 3. c. 135. 3 & 4 W. 4. c. 13. 11 & 12 Vict. c. 54. 20 & 21 Vict. c. 27.

I. This Act may be cited for all Purposes as "The *Caledonian* and *Crinan* Canals Amendment Act, 1860." — Short Title.

II. The following Expressions in this Act shall have the Meanings hereby assigned to them; that is to say, the Expression "the Canals" shall mean and include the whole Navigations of the *Caledonian* Canal and the *Crinan* Canal, and all the Harbours, Wharfs, Quays, Basins, and other Works connected therewith respectively; and the Expression "the Commissioners" shall mean the Commissioners of the *Caledonian* Canal, incorporated by the recited Act Eleventh and Twelfth *Victoria*, Chapter Fifty-four. — Interpretation of Terms.

III. "The Lands Clauses Consolidation (*Scotland*) Act, 1845," so far as not altered by this Act, is hereby incorporated with this Act, and shall apply to the Canals, with the Exception of the Clauses with respect to the following Matters; that is to say, with respect to the Purchase and taking of Lands otherwise than by Agreement; with respect to the Entry upon Lands by the Promoters of the Undertaking; with respect to small Portions of intersected Land; and with respect to Lands acquired by the Promoters of the Undertaking, but which shall not be required for the Purposes thereof; and the Expression "the Promoters of the Undertaking" in the said Act shall mean the Commissioners under this Act. — 8 & 9 Viet. c. 18. incorporated.

IV. "The Commissioners Clauses Act, 1847," so far as not altered by this Act, is hereby incorporated with this Act, with the Exception of the Clauses with respect to the following Matters; that is to say, with respect to the Qualification of Commissioners; with respect to the Election and Rotation of the Commissioners, where the Commissioners are to be elected by the Ratepayers, or other like Class of Electors; with respect to the Meetings and other Proceedings of the Commissioners, and their Liabilities; and with respect to the Accounts to be kept by the Commissioners; and also with the Exception of Section Eighty-four; and the Word "Commissioners" in the said Act shall mean the Commissioners under this Act. — 10 & 11 Viet. c. 16. incorporated.

V. "The Harbours, Docks, and Piers Clauses Act, 1847," so far as not altered by this Act, is hereby incorporated with this Act, and shall apply to the Canals, with the Exception of the Clauses with respect to the following Matters; that is to say, with respect to the Construction of the Harbour, Dock, or Pier; with respect to the Construction of Works for the Accommodation of the Officers of Customs; with respect to Life Boats; with respect to keeping a Tide and Weather Gauge; and with respect to the Police of the Harbour, Dock, or Pier; and also with the Exception of Sections Twenty-five and Twenty-six; and the Expression "the Harbour, Dock, or Pier" in the said Act shall mean the Canals under this Act; and the Expression "the Undertakers" in the said Act shall mean the Commissioners under this Act; and the Word "Harbour Master" in the said Act shall extend to and include "Lock Keeper." — 10 & 11 Vict. c. 27. incorporated.

VI. It shall be lawful for the Commissioners, from Time to Time and at all Times hereafter, to support, maintain, and improve, and to use the Canals, together with all Harbours, Basins, Reservoirs, Aqueducts, Feeders, Water Tanks, Fens, Dams, Embankments, Weirs, Locks, Sluices, Culverts, Drains, Soughs, Tunnels, Arches, Piers, Bridges, Banks, Fences, Ways, Roads, Towing Paths, Landing Places, Docks, Quays, Wharfs, Warehouses, Toolhouses, Houses, and other Buildings, Cranes, Weighing Machines, Engines, and other Works and Appurtenances to the Canals respectively belonging or in anywise appertaining, and to do and perform all such Acts as the Commissioners shall think expedient for maintaining, repairing, improving, and supporting the Canals and the Appurtenances belonging thereto, and for the full Use and Enjoyment thereof; and it shall be lawful for the Commissioners to widen and enlarge the Canals and the Works thereto belonging, and to raise the Banks or sink the Bed of the Canals, in such Place or Places and in such Way and Manner as the Commissioners shall think fit, for making the same not less than Ten Feet and not more than Twenty Feet Depth of Water, and this Act shall be sufficient to indemnify the Commissioners, and their Deputies, Servants, Agents, and Workmen, and all other Persons whomsoever, for what they or any of them shall do by virtue of the Powers hereby granted; subject, nevertheless, to the Provisions and Restrictions herein contained: Provided always, — Commissioners authorized to maintain the Canals.

that nothing herein contained shall enable the Commissioners to purchase or take any Lands or Grounds for any of the Purposes aforesaid without the Consent of the Owners and Occupiers of such Lands or Grounds.

Power to allow Use of Water to Manufactories and Works on the Sides of the Canals.

VII. The Twenty-second Section of the recited Act, Forty-fourth *George* the Third, Chapter Sixty-two, is hereby repealed, and henceforth it shall be lawful for the Commissioners to license or grant Permission to all Persons who already have erected or may hereafter erect and establish any Manufactory, Distillery, or other Works near to the Canals or either of them to lay Pipes (of such Size and Dimensions as the Commissioners shall think proper) through the Banks thereof, for conducting the Water therefrom to such Manufactory, Distillery, or other Work, for the Purposes thereof; and all such Pipes shall be placed, at the Sight and under the Direction and Superintendence of the Commissioners, in such Way and Manner as the Commissioners shall direct and appoint, so as not to weaken or endanger the Banks of the Canals, and shall be so laid, and the Works they are intended to serve so constructed and situated, that the Level of the Surface Water of the Canals shall not at any Time be affected thereby, and that the Water, after serving the Purposes of such Works, shall be returned into the Canals, or into the Rivers, Streams, or Watercourses adjacent thereto or communicating therewith, and free from any Mud or Impurity which may be injurious thereto; and no Person shall lay any such Pipe into the Canals or either of them without a previous Order in Writing of the Commissioners, who shall and may from Time to Time establish such other Rules and Regulations as they shall think fit for the Supply in particular Cases, and the proper Use of the Water hereby authorized to be given for the Purposes aforesaid, (the same not being contrary to the Law of *Scotland*,) and who may remove every Pipe laid without their Consent, and stop or cut off the Supply of Water to any such Manufactory, Distillery, or other Work in or for which the same shall not be used agreeably to this Act or such Rules and Regulations; and it shall be lawful for the Commissioners to provide in any Licence or Agreement to or with any such Persons suitable Penalties for the Infringement of the said Rules and Regulations, not exceeding Ten Pounds Sterling for each Offence, and not exceeding Five Pounds Sterling for each Day during which the Infringement of such Rules and Regulations shall continue after Notice shall have been given to the Person or Persons so offending to abate or remove the same: Provided, that nothing herein contained shall authorize the Commissioners to diminish the Streams by which the Salmon have Ingress into the Loch *Lochy*, the Loch *Oich*, and the Loch *Ness*.

Power to Commissioners to run off the Water from the Canals, and stop the Supplies to such Works.

VIII. It shall be lawful for the Commissioners, when and as often as they shall think proper, to run off the Water from the Canals or either of them, for the Purpose of repairing the same or any Part thereof respectively, or for any other Purpose whatsoever, and in case of a Scarcity or apprehended Scarcity of Water for the Purposes of the Canals or either of them, to stop the Supplies to the said Manufactories, Distilleries, and other Works, without giving any Notice to the Proprietors or Occupiers thereof, and without being liable for any Damage any such Proprietor or Occupier may suffer or pretend to suffer by being thereby deprived of the Use of such Water.

Power to enclose Quays and Wharfs.

IX. It shall be lawful for the Commissioners to enclose with Walls or other Fences and locked Gates, with Keepers placed thereon for opening and shutting the same, such of the said Quays or Wharfs, or Parts thereof, as the Commissioners may think fit, and to exclude from the said Quays or Wharfs so to be enclosed all and every Person or Persons who may not have Business to transact within the said enclosed Quays or Wharfs.

Power to levy Rates and Duties as herein named.

X. From and after the passing of this Act, it shall be lawful for the Commissioners to demand, take, and recover the following Rates and Duties; that is to say,

On all Goods whatever navigated or conveyed along either of the Canals or any Part thereof respectively, a Duty not exceeding Threepence *per* Ton *per* Mile; or on all Vessels so navigated or conveying such Goods along the Canals or either of them, or any Part thereof respectively, a Duty not exceeding Twopence *per* Mile for every Ton Burden of such Vessels respectively, according to their respective Registers or Measurements:

On all light Vessels without a Lading, or in Ballast only, so navigated, a Duty not exceeding One Penny *per* Mile for every Ton Burden of such Vessels respectively, according to their respective Registers or Measurements:

On every Vessel lying in any of the Harbours and Basins on the Line of the Canals or either of them, a Duty not exceeding Sixpence *per* Ton:

On every Ton of Timber lying in any Part of the Canals or either of them, a Duty not exceeding Fourpence *per* Ton *per* Month; and in the same Proportion for any greater or less Quantity than a Ton, or for a longer or shorter Time than a Month:

On all Passengers, Animals, and Carriages shipped or unshipped in the Canals or either of them, and on all Goods landed or put into Lighters from or loaded into Vessels lying in the Canals or either of them, or any Part thereof respectively, the Duties not exceeding the several Rates specified in the Schedule (A.) to this Act annexed; and on all Vessels so landing or receiving on board such Passengers, Animals, Carriages, or Goods a Duty not exceeding Twopence for every Ton Burden of such Vessels respectively, according to their respective Registers or Measurements:

On every Ton of Goods and Commodities remaining above Twenty-four Hours upon any of the Quays, Wharfs, or Landing Places, or at any Place on the Line of the Canals or either of them, a Duty

Duty not exceeding One Penny *per* Ton *per* Day, and in the same Proportion for any greater or less Quantity than a Ton:

On every Passenger conveyed along either of the Canals or any Part thereof respectively, a Duty not exceeding Two Shillings and Sixpence for any One Passage:

On all Horses and Cattle conveyed along either of the Canals or any Part thereof respectively, a Duty not exceeding One Shilling *per* Head:

On all Sheep, Hogs, Goats, Calves, or Lambs conveyed along either of the Canals or any Part thereof respectively, a Duty not exceeding Sixpence *per* Head:

On all Parcels not exceeding Fifty-six Pounds in Weight conveyed along either of the Canals or any Part thereof respectively, a Duty not exceeding Threepence for each such Parcel:

The said Rates and Duties to be levied agreeably to such Orders and Regulations as shall from Time to Time be issued by the Commissioners.

Power to Commissioners to make Docks, &c.

XI. It shall be lawful for the Commissioners, out of the Rates by this Act authorized to be levied, or of any Monies to be borrowed by them on the Security thereof, or of any other Funds at their Disposal, to defray the Expense of making and maintaining such Graving and other Docks or Tidal Basins, Quays, Wharfs, and Patent or other Slips for the Accommodation or Repair of Vessels, as they may think it expedient to make and maintain, on Lands belonging to the Commissioners, or on or in connexion with the Canals or either of them.

Power to levy Rates on Vessels using Docks as in Sched. (B.)

XII. It shall be lawful for the Commissioners to levy and receive at every such Graving Dock or Patent Slip made and maintained as last aforesaid such Rates on Vessels using the same as the Commissioners may from Time to Time deem expedient, not exceeding the Rates specified in the Schedule (B.) to this Act annexed.

Power to levy Rates for Sheds and Warehouses.

XIII. It shall be lawful for the Commissioners to levy on and in respect of all Goods placed or stored in the Sheds or Warehouses erected or to be erected by them, such Rates as the Commissioners may from Time to Time deem expedient, and the Commissioners shall have all the same Rights and Remedies for recovering such Rates as are given to them by this Act and the Acts incorporated herewith, or by the recited Acts or any of them, in reference to the Rates thereby made payable.

Power to levy Rates for Cranes, Weighing Machines, and Lights, as in Sched. (C.)

XIV. It shall be lawful for the Commissioners to levy, for and in respect of the Use of Cranes, Weighing Machines, and Lights, such Rates as the Commissioners may from Time to Time deem expedient, not exceeding the Rates specified in the Schedule (C.) to this Act annexed; and such Rates shall be paid by the Owner of the Goods, or by the Owner, Agent, Master, Consignee, or other Person in charge of the Vessels using the said Cranes, Weighing Machines, or Lights.

Rates to be charged equally.

XV. All Rates and Tolls levied and taken under the Powers of this Act shall at all Times be charged equally to all Persons, and after the same Rate, whether *per* Ton, or *per* Ton *per* Mile, or otherwise, in respect of all Passengers, and of all Goods of the same Description and passing over the same Portion of the Canals or either of them, under the same Circumstances, and no Reduction or Advance in any such Rates and Tolls shall be made, either directly or indirectly, in favour of or against any particular Company or Persons travelling upon or using the Canals, or either of them.

Mode of charging Rates.

XVI. It shall be lawful for the Commissioners, in levying the Rates and Duties under the Powers of this Act or of any of the recited Acts, to apportion the same as the Commissioners may from Time to Time deem expedient, and to charge such Rates and Duties partly on and in respect of Vessels entering or using either of the Canals, and either according to the registered or actual Measurement of such Vessels, and partly on and in respect of the Goods contained in such Vessels: Provided always, that all such Rates and Duties shall in the first place be paid by the Masters of the Vessels, who shall have full Power and Authority to recover from the Owners of the Cargo the Rates and Duties which may have been charged thereon, in as full and ample Mannner as the Commissioners could do under the Powers conferred upon them by this Act and the Acts incorporated herewith, or by any of the recited Acts.

Materials for Repairs exempt from Duty.

XVII. None of the Rates or Duties granted by this Act or by any of the recited Acts shall be leviable upon Vessels, Stone, Lime, or other Materials to be used in the Construction or Repairs of the Canals or either of them, or of the Harbours, Wharfs, Quays, or other Works connected therewith.

Repeal of 44 G. 3. c. 62. s. 51.

Vessels under 25 or 18 Tons not to pass Locks unless they pay for 25 or 18 Tons.

XVIII. The Fifty-first Section of the recited Act of the Forty-fourth *George* the Third, Chapter Sixty-two, is hereby repealed; and henceforth no Vessel shall pass singly through any of the Locks of the *Caledonian* Canal of less Burden than Twenty-five Tons, or through any of the Locks of the *Crinan* Canal of less Burden than Eighteen Tons, without the Consent of the Commissioners or some One of their Officers in Writing first had and obtained, and unless the Owner or Master of such Vessel shall pay Tonnage equal to a Vessel of Twenty-five Tons, or of Eighteen Tons, as the Case may be.

Commissioners may employ Vessels and carry Passengers and Goods.

XIX. It shall be lawful for the Commissioners to use and employ Vessels, and to carry and convey along the Canals all such Passengers and Goods as shall be offered to them for that Purpose, and to make such Charges in respect thereof as they may from Time to Time determine upon, and they shall have all the same Rights and Remedies for recovering the same as are given to them by this Act and the Acts incorporated herewith, or by any of the recited Acts in reference to the Tolls, Rates, and Duties thereby made payable.

Byelaws.

XX. In addition to the Powers of making Byelaws contained in any of the Acts incorporated herewith, the Commissioners may, subject to the Provisions of this Act, from Time to Time make such Byelaws as they shall think fit for all or any of the following Purposes; (that is to say,)

For regulating the Conduct of the Owners, Masters, Pilots, and Crews of Vessels with regard to their Times and Speed of sailing, the Mode of navigating such Vessels, the having proper Lights ahead or otherwise, the taking on board and landing or putting out Passengers and towing of Vessels, and the Size and Number of Vessels towed at One Time in One Train:

For regulating the Conduct of Boatmen and others plying on the Canals, or either of them, in landing Passengers from and putting them on board of Vessels:

And the Byelaws and Regulations to be so made by the Commissioners shall be observed under such Penalties as are provided by the said Harbours, Docks, and Piers Clauses Act, not exceeding the Sum of Five Pounds for each Offence.

Power to license Pilots.

XXI. It shall be lawful for the Commissioners from Time to Time, as Occasion may require, to license, appoint, and regulate Pilots employed in the Navigation of Vessels in the Canals or either of them, and the Channels leading thereto respectively, and to remove and displace them at pleasure, and to fix the Rate of Pilotage to be paid to such Pilots.

Responsibility of Pilots.

XXII. The Commissioners shall not be liable or responsible for Accident, Loss, or Damage which may arise to any Vessel or to the Cargo thereof in consequence of the Employment of any Pilot licensed by the Commissioners, but the Pilot so employed shall be answerable for any wilful or culpable Neglect or Mismanagement.

Power to borrow Money on the Security of the Rates.

XXIII. It shall be lawful for the Commissioners, with the Consent in Writing of the Commissioners of Her Majesty's Treasury for the Time being, to borrow such Sums of Money as the Commissioners shall think necessary, in addition to any Sum of Money they are at present authorized to borrow under former Acts, not exceeding Twenty thousand Pounds, on the Security of the Canals and the Tolls and Rates leviable under this Act and any of the recited Acts, and to grant and execute Mortgages or Assignations of the Canals and of the said Tolls and Rates, in Security of the Payment of the Money so borrowed and the Interest thereon.

Power to Public Works Loan Commissioners to lend Money to the Commissioners.

XXIV. It shall be lawful for the Public Works Loan Commissioners, if they in their Discretion shall think fit, to advance and lend to the Commissioners from Time to Time any Sum or Sums of Money not exceeding Twenty thousand Pounds on the Security of the Canals, and the Tolls and Rates leviable under this Act and any of the recited Acts, and to accept and take from the Commissioners Mortgages or Assignations of the Canals, and of the said Tolls and Rates, in Security of the Payment of the Money so advanced and lent, and the Interest thereon: Provided that the Monies to be borrowed by the Commissioners under the Provisions of this Act from the said Public Works Loan Commissioners, and from any other Person, Company, or Corporation, shall not in the whole exceed the Sum of Twenty thousand Pounds.

Application of Rates and Monies borrowed.

XXV. All Rates levied and all Rents received and all Monies borrowed under the Authority of this Act shall be applied and expended on or in connexion with the Canals or either of them, and in providing additional Accommodation for the Traffic thereon, or in making any Docks, Basins, or Slips as aforesaid, as shall from Time to Time appear to the Commissioners expedient.

Protection of Persons lending Money under this Act.

XXVI. No Person lending Money to the Commissioners, and taking a Mortgage or Assignation in Security, for securing Repayment of the same, and purporting to be made under the Authority of this Act, shall be bound to require Proof that the Provisions of this Act have been duly complied with.

Power to Commissioners to purchase Land not exceeding 50 Acres.

XXVII. Subject to the Provisions of this Act and of the Acts incorporated herewith, it shall be lawful for the Commissioners from Time to Time to contract with any Person for the Purchase of any Lands not exceeding in the whole Fifty Acres (in addition to the Lands now vested in or belonging to the Commissioners), in such Place or Places as the Commissioners shall deem eligible or convenient for any of the Purposes by this Act and the Acts incorporated herewith or by any of the recited Acts authorized.

Superfluous Lands may be disposed of.

XXVIII. It shall be lawful for the Commissioners to sell, lease, feu, or convey, in consideration of a Price paid down, or of a yearly Rent or Feu Duty, Ground Annual, or other annual Payment, such Portions of the Lands as they may have purchased as last aforesaid, and any Lands which may not be required for the Purposes of the Canals, in any way, and at such Time as they shall think most expedient; and the Conveyances and Titles to be granted by the Commissioners on the Sale or Lease of any such Lands shall be good, valid, and effectual to the Purchasers or Lessees, freed and disburdened of the Debts and pecuniary Obligations of the Commissioners, except so far as such Lands may be subject or liable to the Payment of the Purchase Money or Rent, as the Case may be.

Commissioners empowered to grant or lease the Canals for a Term of Years.

XXIX. It shall be lawful for the Commissioners, with the Consent in Writing of the Commissioners of Her Majesty's Treasury for the Time being, to grant or lease the Canals or either of them, and all the Works and Appurtenances thereof or thereto belonging respectively, for a Period not exceeding Ninety-nine Years, with or without any annual Return or Rent therefor, to any Person or Company, under such Provisions, Conditions, Restrictions, and Limitations as the Commissioners shall think necessary and proper: Provided always, that any such Grant or Lease shall, within Twenty-one Days after completing the same, be laid before both Houses of Parliament, if then sitting, or otherwise within Fourteen Days after the next Meeting of Parliament.

XXX. Upon

Upon Execution of Grant or Lease the Powers of Commissioners to cease.

XXX. Upon the Execution of such Grant or Lease, all the Powers and Authorities conferred by this Act and the Acts incorporated herewith, or by any of the recited Acts, upon the Commissioners, shall, as regards the Subject Matter, and during the Continuance of such Grant or Lease, cease and determine, and the Commissioners shall be and they are hereby released and exonerated from all Liabilities and Responsibilities which they were or might in anywise be considered to be under as such Commissioners.

Commissioners may lease the Rates and Duties.

XXXI. It shall be lawful for the Commissioners to let on Lease, by Private Contract or Agreement, or by Public Roup or Sale, as they may deem most expedient, all or any of the Rates and Duties by this Act or by any of the recited Acts authorized to be levied, to any Person or Company, for a Period not exceeding Three Years; and the Lessee or Lessees thereof, and also such Person or Persons as such Lessee or Lessees shall appoint to collect and receive the Tolls, Rates, and Duties so let, shall during the Continuance of every such Lease have the same Power and Authority for levying, collecting, and recovering the same as are conferred on the Commissioners by this Act and the Acts incorporated herewith, or by any of the recited Acts.

Commissioners may grant Annuities to their Officers.

XXXII. It shall be lawful for the Commissioners, at any General Meeting to be held by virtue of any of the recited Acts, to give and grant to such Officers or Servants as may be deemed deserving, and who shall by reason of Age or Infirmity or Injuries received be incapable of further Service, Annuities for their respective Lives or for shorter Terms, and also any Donations or annual Sums to the Widows or Families of such Officers or Servants, such Annuities, Donations, or annual Sums being payable out of any Funds which for the Time being may be in the Hands of the Commissioners.

For Recovery of Rates and Penalties.

XXXIII. The Rates and Penalties by this Act authorized to be levied and imposed shall be levied and recovered in the same Manner as Rates and Penalties leviable under any of the recited Acts; and all the Enactments and Provisions contained in the recited Acts with respect to the levying and Recovery of the Tolls, Rates, and Dues thereby authorized to be levied, and the Penalties thereby imposed, shall be applicable to the Rates and Penalties by this Act authorized to be levied and imposed, in the same Manner and as fully and effectually as if such Enactments and Provisions had been herein repeated and re-enacted.

Recited Acts not to be affected, except by the Provisions of this Act.

XXXIV. Nothing herein contained shall repeal, alter, or affect the recited Acts or any of them, except in so far as the recited Acts or any of them, or any Part thereof respectively, may be contrary to or inconsistent with this Act, or with the Acts incorporated herewith, but the recited Acts, and the whole Clauses and Provisions therein contained, except in so far as they are so altered, affected, or repealed, shall be as good, valid, and effectual for carrying this Act into execution as if the same had been repeated and re-enacted in the Body of this Act; and the recited Acts and this Act shall, as to the Powers and Provisions, Matters, and Things not repealed, altered, or affected, be construed together as One Act.

Saving Rights of Inverness Harbour Trustees.

XXXV. Nothing in this Act contained shall alter, prejudice, or affect Sections Fifty-four and Fifty-five of an Act passed in the Tenth and Eleventh Years of the Reign of Her present Majesty, intituled *An Act for deepening, enlarging, improving, and maintaining the Port and Harbour of* Inverness, *and the Navigation of the River* Ness, *and the Quays and Piers and other Works connected therewith, and regulating the Anchorage and Shore Dues of the said Port and Harbour, and for other Purposes relating thereto*, or any of the Powers, Rights, and Authorities conferred by the said Act on the Trustees acting under the same.

SCHEDULES to which the foregoing Act refers.

SCHEDULE (A.)

I. RATES ON PASSENGERS, ANIMALS, AND CARRIAGES, TO BE LEVIED AT WHARFS, PIERS, JETTIES, OR LANDING PLACES.

	£	s.	d.
Each Passenger	0	0	2
Each Horse	0	1	0
Do. under Thirteen Hands, and each Mule or Ass	0	0	6
Each Bull, Cow, Bullock, or Heifer	0	0	6
Do. under Two Years old	0	0	3
Each Calf	0	0	1
Dogs, Sporting only, each	0	0	3
Other Dogs, each	0	0	1
Sheep, Lambs, Goats, or Swine, per Score, 1*s.*, or if under Ten, each	0	0	1
Each Four-wheeled Coach or Carriage	0	1	0
Each Gig or Two-wheeled Carriage	0	0	6
Each Cart, loaded	0	1	0
Do., empty	0	0	6
Each Two-wheeled Barrow or Truck, with Luggage	0	0	4
Each Wheelbarrow with Luggage	0	0	2
Each Parcel or Package carried by a Porter	0	0	1

II. RATES

II. RATES ON GOODS SHIPPED OR UNSHIPPED IN THE CANALS, AND TO BE LEVIED AT WHARFS, PIERS, JETTIES, OR LANDING PLACES.

Description of Goods.	Quantities.	Rates.		
	Imperial Standard.	£	*s.*	*d.*
Ale, Beer, and Porter	Per Barrel Bulk	0	0	2
Bark	Per Ton	0	0	8
Birch or Alder Staves	Per 1,000	0	0	2
Bones, Bone Dust, and Guano	Per Ton	0	1	0
Butter and Cheese	Per Stone	0	0	1
Cement	Per Cwt.	0	0	1
Chalk	Per Ton	0	0	3
Cloths, Carpeting, Haberdashery, Hosiery	Per Barrel Bulk	0	0	2
Coals, Coke, or Cinders	Per Ton	0	0	3
Copper, Zinc, Brass, Lead, Tin	Per Cwt.	0	0	1
Cotton Wool	Per Ton	0	1	0
Crystal, China, and Earthenware	Per Barrel Bulk	0	0	2
Eggs	Ditto	0	0	2
Empty Herring Barrels or Boxes	Each	0	0	0½
Other Empty Casks in proportion to Size.				
Feathers	Per Cwt.	0	0	2
Fish :—Salmon in Kits or Boxes	Per Barrel Bulk	0	0	3
Herrings, packed	Per Barrel	0	0	2
Other Fish	Per Box	0	0	1½
Flour	Per Sack	0	0	3
Fruit	Per Barrel Bulk	0	0	2
Grain :—Wheat	Per Quarter	0	0	3
All other Kinds	Ditto	0	0	2
Groceries	Per Barrel Bulk	0	0	2
Gunpowder	Per Barrel	0	0	2
Hardwares	Per Barrel Bulk	0	0	6
Hay and Straw	Per Ton	0	0	2
Hemp, Flax, or Tow	Per Cwt.	0	0	1
Hides	Ditto	0	0	1
Hoops of Wood	Per 100	0	0	0½
Horns and Hoofs	Per Cwt.	0	0	1
Household Furniture	Per Barrel Bulk	0	0	2
Husbandry Utensils	Ditto	0	0	2
Iron Castings	Per Cwt.	0	0	1
Iron Cables	Ditto	0	0	1
Iron Wire	Ditto	0	0	2
Kelp	Per Ton	0	0	4
Leather	Per Cwt.	0	0	1
Lime,—in Shells	Per 64 Bushels	0	0	8
Slaked	Ditto	0	0	6
Loam, Pipe and Fire Clay	Per Ton	0	0	3
Machinery	Per Barrel Bulk	0	0	3
Manure, Common	Per Ton	0	0	3
Meal	Per 140 lbs.	0	0	2
Metallic Ores	Per Ton	0	0	6
Oils,—Fish or Vegetable	Per Barrel Bulk	0	0	3
Peats or Turf	Per 1,000	0	0	2
Potatoes	Per Cwt.	0	0	0½
Rags	Ditto	0	0	0½
Rape or Linseed Cakes	Per Ton	0	0	6
Ropes, Cordage, Netting, and Canvass	Per Cwt.	0	0	2
Salt	Per Ton	0	0	6
Sand,—Soil and Gravel	Ditto	0	0	2
Seeds,—in Bags or Casks	Per Barrel Bulk	0	0	2
Skins	Per Dozen	0	0	1

Caledonian and Crinan Canals.

Description of Goods.	Quantities.	Rates. £	s.	d.
	Imperial Standard.			
Slates, Bricks, and Tiles	Per 1,200	0	0	6
Soap, Soda, and Saltpetre	Per Cwt.	0	0	0½
Spirits :—Foreign or Colonial	Per Gallon	0	0	0¼
British	Ditto	0	0	0⅛
Steel and Iron,—Bar or Pig	Per Ton	0	1	0
Stones,—for Building or Paving	Ditto	0	0	2
Flagstones, Millstones, Grindstones	Ditto	0	0	6
Sugar	Per Hogshead or Tierce	0	0	6
Ditto	Per Barrel	0	0	2
Tallow and Grease	Per Barrel Bulk	0	0	3
Tar and Pitch	Per Barrel	0	0	2
Timber :—Foreign	Per Load	0	1	0
Home, manufactured	Ditto	0	0	9
Do. not manufactured	Ditto	0	0	6
Wine :—in Casks	Per Barrel Bulk	0	1	0
in Bottles	Ditto	0	0	6
Wool	Per Stone of 24 lbs.	0	0	0½

All other Goods, Wares, Merchandise, and Commodities whatsoever, not enumerated or specified in the above Schedule, to pay at the Rate of Twopence per Barrel Bulk, or at Rates varying from Threepence to One Shilling per Ton, in proportion to such Articles in the Schedule as they come nearest to.

The Tonnage of all Articles to be ascertained by the gross Weight or Cubic Contents thereof, and Documents showing the Measurement of Bale or Dry Goods must be produced.

The Barrel Bulk of all Articles not otherwise rated to be Five Cubic Feet, excepting when the said Measure shall exceed Two and a Half Hundredweight, in which Case Two and a Half Hundredweight is to be rated a Barrel Bulk; Eight Barrels Bulk or Forty Cubic Feet to be reckoned One Ton; the Load of Oak, Ash, Elm, Beech, Birch, or other Hard Wood to be estimated at Forty Cubic Feet; and of Pine, Larch, or Fir Timber, at Fifty Cubic Feet.

With respect to the common planted Fir Timber of Home Growth, the Shipper or Importer has the Option of paying, either according to the Rates specified in the Table, or at Fourpence per Ton Register of the Vessel, and Threepence per Ton Register for manufactured Timber.

Timber imported into the Canals, or conveyed from one Part of the Line to another, for the Purpose of being manufactured, and afterwards reshipped by the Canals, to be exempted from Dues until Reshipment, with the Exception of Wharfage, at the Rate of One Penny per Ton Register of the Vessel carrying the same when discharged at any Wharf.

Small Packages not measuring One and a Quarter Cubic Foot, or not weighing Twenty-eight Pounds, to be reckoned One Fourth of a Barrel Bulk.

Passengers by Steam Vessels to be allowed to the Extent of One Hundredweight each for Luggage, but on each and every Package beyond that Weight Dues are to be levied.

Empty Casks or Boxes to be rated at One Eighth of their Capacity, per Gauge Measure.

When empty Casks or Packages are exported and returned filled, the Owners, if the same Parties, shall be entitled to an Allowance or Drawback of the Dues chargeable on their Shipment.

All Goods landed and afterwards reshipped, without Bulk being broken, and also all returned empty Boxes, Casks, Bags, or other Packages, are exempted from Dues.

Ballast.

Ballast, unless to be immediately carted away, must be landed and deposited where the Harbour Master may direct, and in this Case to be the Property of the Commissioners.

Vessels, if allowed to take Ballast from Spoil Banks, or from any Depôt of Materials provided for the Purpose, to pay Dues therefor at the Rate of One Penny per Register Ton.

SCHEDULE (B.)

Rates on Vessels on each Time of entering or using the Graving Docks or Slips.

On all Vessels entering or using any of the Docks or Slips, per Register Ton per Day, Threepence.

SCHE-

SCHEDULE (C.)

I. RATES FOR THE USE OF CRANES.

	s.	d.
Each Hogshead of Goods not exceeding 12 Cwt.	0	3
Do. Do. from 12 to 15 Cwt.	0	4
Do. Do. from 15 to 20 Cwt.	0	6
Each Ton of Goods	0	6

II. RATES FOR WEIGHING.

Each Cart, Waggon, or other Carriage, Load, or Weight	0	2

III. RATES FOR LIGHTS.

Each Vessel using any Wharf, Pier, Jetty, or Landing Place, at Night, which shall be lighted by the Commissioners, for every 10 Tons Register	0	0½

CAP. XLVII.

An Act to amend the Law relative to the Legal Qualifications of Councillors and the Admission of Burgesses in Royal Burghs in *Scotland*. [23d *July* 1860.]

3 & 4 W. 4 c. 76.

'WHEREAS by the Fourteenth Section of an Act passed in the Third and Fourth Years of His late Majesty King *William* the Fourth, intituled *An Act to alter and amend the Laws for the Election of the Magistrates and Councils of the Royal Burghs in* Scotland, it was enacted, that no Person should be entitled to be received and inducted as Councillor who shall not previous to such Induction be entered a Burgess for the Burgh of which he is so elected, wherever there is any Body of Burgesses in any such Burgh, and that his Omission to produce Evidence of his being such Burgess when he declares his Acceptance of Office shall be held to vacate his Election, in the same Manner as if he had declined to accept: And whereas by an Act passed in the Ninth Year of Her present Majesty, intituled *An Act for the Abolition of the exclusive Privilege of Trading in Burghs in Scotland*, the exclusive Privileges and Rights possessed in certain Royal and other Burghs in *Scotland*, by the Members of certain Guilds, Crafts, or Incorporations, of carrying on or exercising certain Trades or Handicrafts within their respective Burghs, are abolished: And whereas it is expedient to repeal the said Clause of the first-recited Act, and to make Provision for the Admission of Persons to be Burgesses in manner and under the Conditions herein prescribed:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

9 & 10 Vict. c. 17.

Sect. 14. of 3 & 4 W. 4. c. 76. repealed.

I. That the said Fourteenth Section of the first-recited Act, in so far as inconsistent with this Act, shall be and the same is hereby repealed.

Electors of Members of Council may be admitted as Burgesses on certain Conditions.

II. That it shall be lawful to the Magistrates and Council of any Royal Burgh, and they are hereby authorized and empowered, to admit any Person entitled to vote in the Election of any Member of Council for such Burgh to the Status of a Burgess thereof, and that by a Minute of the Council thereof, and on Payment of such Entry Money, not exceeding in any Case the Sum of One Pound, as the Council of the Burgh may from Time to Time fix, which Entry Money shall be accounted Part of the Common Good of the Burgh, and be applied accordingly; and every Person entitled to vote in the Election of any Member of Council shall, on being elected a Member of the Council of any Burgh, thereupon be eligible to be inducted, if before Induction he shall be admitted in manner aforesaid to the Status of a Burgess of the Burgh, anything contained in the said Fourteenth Section of the first-recited Act notwithstanding: Provided always, that such Admission by Minute of Council shall not *per se* be held to give or imply any Right or Title to or Interest in the Properties, Funds, or Revenues of any of the Guilds, Crafts, or Incorporations of the Burgh, or any Mortifications or Benefactions for behoof of the Burgesses of such Guilds, Crafts, or Incorporations, or of their Families, or any Right of Management thereof, or any Membership in any of the said Guilds, Crafts, or Incorporations.

CAP. XLVIII.

An Act to provide for the Settlement and Discharge of the Debt due to the Commissioners of Her Majesty's Treasury from the Harbour and Docks of *Leith*. [23d *July* 1860.]

1 & 2 Vict. c. 55.

'WHEREAS a Debt was contracted by the City of *Edinburgh* to the Commissioners of Her Majesty's Treasury for Advances made towards the Improvement of the Harbour and Docks of *Leith*, and Bonds were granted by the Lord Provost, Magistrates, and Council of the said City to the said Commissioners for further securing the said Debt, which, after Deduction of the Payments made to account thereof, amounted in the Year One thousand eight hundred and thirty-eight to Two hundred and twenty-eight thousand three hundred and seventy-four Pounds Nine Shillings and Eightpence: And whereas by the Act First and Second *Victoria*, Chapter Fifty-five, the Harbour and Docks of *Leith*,

'and

'and all the Property connected therewith and Revenues arising therefrom, were vested in the Commissioners appointed by the said Act for the Superintendence and Management of the said Harbour and Docks, and the preferable Right and Security granted to and held by the said Commissioners of the Treasury were postponed to the annual Payment of Seven thousand six hundred and eighty Pounds, therein provided for, and to such annual Sums as should be approved of and allowed by the said Commissioners of the Treasury as the Establishment for the said Harbour and Docks, including Expenses of Management, Maintenance, and Repairs, and the said Commissioners of the Treasury were thereby authorized to postpone further the Security held by them to any Loan to be effected by the Commissioners for the said Harbour and Docks for the Execution of Improvements and Repairs, not exceeding in all the Sum of One hundred and twenty-five thousand Pounds, and to forego for such Time as the said Commissioners of the Treasury should think fit the Exaction, in whole or in part, of the Interest to become due upon the Amount of the Debt which should remain owing; and it was by the said Act provided, that the said Debt should be secured on the Revenues of the said Harbour and Docks, and Works and Property vested in the Commissioners for the said Harbour and Docks, and that no Claim or Demand should thereafter be competent to the said Commissioners of the Treasury for the Principal or Interest of the said Debt, or any Part thereof, from or against any of the other Property or Revenues of the City of *Edinburgh*, or the Lord Provost, Magistrates, and Council thereof: And whereas by the Act Seventh *Victoria*, Chapter Twenty, the said Commissioners were incorporated by the Name of "The Commissioners for the Harbour and Docks of *Leith*:" And whereas by the Act (Local and Personal) Tenth *Victoria* Chapter Twenty-five, the said Commissioners were authorized to levy the Rates and Duties specified in the Schedules annexed to the said Act on all Goods imported into or exported from the Harbour of *Leith* and Precincts thereof, and on all Vessels coming into or going out of the said Harbour and Precincts thereof, and for the Use of the Cranes and Weighing Machines, Rails, and Sheds at the said Harbour and Docks; and it was by the said Act provided that the said Commissioners should, in lieu of the Customs, Rates, Imposts, and Market Dues thereby abolished, pay annually, out of the Rates and Duties thereby authorized to be levied, to the Magistrates and Council of the Town of *Leith* the Sum of Five hundred Pounds at the Terms therein specified: And whereas by the Act Tenth and Eleventh *Victoria*, Chapter One hundred and fourteen, it was provided that the Debt to Her Majesty from the Commissioners for the Harbour and Docks of *Leith* at the Term of *Whitsunday* One thousand eight hundred and forty-seven, including all Arrears of Interest due at that Term, should be taken at the said Sum of Two hundred and twenty-eight thousand three hundred and seventy-four Pounds Nine Shillings and Eightpence, and the said Commissioners of the Treasury were thereby empowered to allow the Commissioners for the said Harbour and Docks to appropriate the whole Monies then in their Hands, or which might thereafter accrue to them from the surplus Revenue of the said Harbour and Docks, or such Part thereof as the said Commissioners of the Treasury from Time to Time should think fit to allow for that Purpose (after Payment of the said annual Sum of Seven thousand six hundred and eighty Pounds, and the Expense of the Establishment, and any extraordinary Expense which might be necessary in the event of any unforeseen Damage arising to the Works of the said Harbour and Docks through Storm or Accident), towards the Expense of carrying into execution the Plan for the Improvement of the said Harbour and Docks referred to in the said Act, with such Alterations, Additions, or Omissions as should be from Time to Time sanctioned by the said Commissioners of the Treasury: And whereas the Commissioners for the said Harbour and Docks have executed various Works and Improvements at the said Harbour and Docks since the passing of the first-recited Act, and have defrayed the Expense thereof out of the surplus Revenues accruing from Time to Time, and out of Money borrowed by them under the Authority of the first-recited Act, with the Sanction of the said Commissioners of the Treasury from the Bank of *Scotland*, the Royal Bank of *Scotland*, the *British* Linen Company Bank, the Commercial Bank of *Scotland*, the National Bank of *Scotland*, and the Union Bank of *Scotland*, of which Money so borrowed the Sum of Forty-three thousand three hundred and sixty Pounds Eighteen Shillings and Fivepence still remains owing; and the said Commissioners of the Treasury have also sanctioned the Expenditure of the further Sum of Forty thousand Pounds on the Construction of a Graving Dock and other Works and Improvements for which Contracts have been entered into; and which Sums borrowed and to be borrowed are, under the Provisions of the first-recited Act, preferable to the said Debt of Two hundred and twenty-eight thousand three hundred and seventy-four Pounds Nine Shillings and Eightpence, which still remains owing to the said Commissioners of the Treasury: And whereas the surplus Revenues of the said Harbour and Docks, after paying the said annual Sum of Seven thousand six hundred and eighty Pounds, and the ordinary Expenditure on Management, Maintenance, Repairs, and Dredging, the Interest on the Sums borrowed under the Authority of the first-recited Act, and the said annual Sum of Five hundred Pounds payable to the Magistrates and Council of *Leith*, and providing for the Execution of Works and Improvements essentially necessary for the Accommodation of the Trade and Shipping, are insufficient to pay off the said Debt of Two hundred and twenty-eight thousand three hundred and seventy-four Pounds Nine Shillings and Eightpence: And whereas the Commissioners for the said Harbour and Docks have offered to pay to the said Commissioners of the Treasury the Sum of Fifty thousand Pounds, in full Satisfaction of the said Debt and Interest, and of all their

7 Vict. c. 20.

10 Vict. c. xxv.

10 & 11 Vict. c. 114.

'Claims against the said Harbour and Docks; and it is expedient that the said Commissioners of the 'Treasury should be authorized to accept of the said Sum, and to discharge the said Debt, and that the 'Commissioners for the said Harbour and Docks should be authorized to borrow Money for the Purposes 'of the recited Acts and this Act:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title.

I. This Act may be cited for all Purposes as "The *Leith* Harbour and Docks Act, 1860."

Interpretation of Terms.

II. The Expression "the Commissioners" in this Act and in the Clauses of "The Commissioners Clauses Act, 1847," incorporated herewith, shall mean the Commissioners for the Harbour and Docks of *Leith*; and the Expression "the Special Act" in the said Clauses shall mean this Act.

Power to the Commissioners of the Treasury to accept the Sum of 50,000*l.*, in full Payment of Debt and Interest.

When the 50,000*l.* is paid, Treasury to grant a Discharge as in Schedule.

III. It shall be lawful for the said Commissioners of the Treasury to accept of the Sum of Fifty thousand Pounds in full Payment and Satisfaction of the said Debt of Two hundred and twenty-eight thousand three hundred and seventy-four Pounds Nine Shillings and Eightpence, and all Interest due thereon, and of their Security and Claims on the said Harbour and Docks of *Leith*, under and by virtue of the said Bonds granted by the Lord Provost, Magistrates, and Council of the City of *Edinburgh*, or of the first-recited Act and the Acts therein recited; and on the said Sum of Fifty thousand Pounds being paid into Her Majesty's Exchequer by the Commissioners for the said Harbour and Docks, within Three Months after the passing of this Act, it shall be lawful for any Two of the said Commissioners of the Treasury to grant a Discharge in the Form of the Schedule to this Act annexed, and thereupon the said Harbour and Docks, and the Works and Property connected therewith, and the Rates, Duties, and Revenues thereof, shall be freed and discharged of the said Debt of Two hundred and twenty-eight thousand three hundred and seventy-four Pounds Nine Shillings and Eightpence, and of all Interest due thereon, and of the Security created or conferred by the said Bonds, and by or under the Provisions of the first-recited Act and the Acts therein recited, and of all Claims competent to the said Commissioners of the Treasury in respect of the said Debt.

Discharge to be recorded, and certain Sections of 1 & 2 and 10 & 11 Vict. repealed.

IV. The said Discharge shall be recorded in the Books of Council and Session at *Edinburgh*, and, from and after the Date of recording the same, the First, Second, Twelfth, Thirteenth, Fourteenth, and Fifteenth Sections of the first-recited Act, and the Fourth Section of the fourth-recited Act, shall be repealed.

Power to Commissioners to borrow Money on Mortgage, &c.

V. It shall be lawful for the Commissioners to borrow any Sums of Money not exceeding in the whole (including the Sums already borrowed by them from the said Banks under the Authority of the first recited Act) the Sum of One hundred and sixty thousand Pounds, and to make and grant Mortgages and Assignations of the said Harbour and Docks, and the Works and Property vested in or acquired or to be acquired or constructed by the Commissioners, and the Rates and Duties to be levied by them under the Authority of the recited Acts or any of them, or any other Act relating to the said Harbour and Docks, in Security of the Payment of the Money so to be borrowed and Interest thereon; and if, after having borrowed the said Sums or any Part thereof, the Commissioners pay off the same, or the Sums already borrowed by them, otherwise than by the Application of the annual Sum of not less than Ten thousand Pounds herein-after provided for, it shall be lawful for them again to borrow the Amount so paid off, and so from Time to Time; and the Mortgages and Assignations to be made and granted by the Commissioners may be in Writing or printed, or partly in Writing and partly printed, and shall be sealed with the Common Seal of the Commissioners, and signed at and in Presence of a Meeting of the Commissioners, in the Manner prescribed by the second-recited Act.

Power to borrow from Bank on Cash Credit.

VI. It shall be lawful for the Commissioners to accept and take from any of the said Banks Credit on a Cash Account to be opened and kept with them or any of them in the Name of the Commissioners, according to the Usage of Bankers in *Scotland*, or in such other Form as may be preferred by the said Banks, to the Extent of the Sum which the Commissioners are authorized to borrow as aforesaid, or any Part thereof, and, if required, to make and grant Mortgages and Assignations of the said Harbour and Docks, and the Works and Property vested in or acquired or to be acquired or constructed by the Commissioners, and the Rates and Duties to be levied by them, under the Authority of the recited Acts or any of them, or any other Act relating to the said Harbour and Docks, in Security of the Payment of the Amount of such Credit, or of the Sums advanced from Time to Time on such Cash Account, with Interest thereon: Provided that the whole Sum due and owing by the Commissioners on such Cash Account, and for Money borrowed by them on Bonds, or on Mortgages or Assignations of the said Harbour and Docks, Works, Property, Rates, and Duties, or any Part thereof, shall not when taken together exceed the said Sum of One hundred and sixty thousand Pounds by this Act authorized to be borrowed.

Incorporation of certain Clauses of 10 & 11 Vict. c. 16.

VII. The Clauses of "The Commissioners Clauses Act, 1847," with respect to the Mortgages to be executed by the Commissioners, with the Exception of Section Eighty-four, are hereby incorporated with this Act, and shall be applicable to the Money borrowed or to be borrowed, and the Mortgages and Assignations granted or to be granted, under the Authority of the first-recited Act or this Act.

Nothing to affect annual Payment of 7,680*l.*

VIII. Nothing in this Act contained shall prejudice, alter or affect the preferable Security over the said Harbour and Docks, and the Rates, Duties and Revenues thereof, for the said Sum of Seven thousand six hundred and eighty Pounds, payable annually out of the same, as provided by the first-recited Act.

IX. Nothing

IX. Nothing in this Act contained shall prejudice, alter or affect the Mortgages and Securities granted by the Commissioners for any Sums borrowed by them under the Authority of the first-recited Act, and remaining due at the Date of the passing of this Act; and all such Mortgages and Securities shall be and remain as valid and effectual in all respects as before the passing of this Act, and all Money borrowed or to be borrowed by the Commissioners from the said Banks or any of them, and the Interest due and to become due thereon, and all Bonds, Mortgages, and Securities granted or to be granted therefor, shall, during the Nonpayment and Subsistence thereof, have Priority over any other Money to be borrowed, or any other Mortgages and Assignations to be granted, under the Authority of this Act. Nothing to affect existing Mortgages and Securities.

X. In the event of the Commissioners borrowing any further Sums of Money from the said Banks or any of them under the Authority of this Act, in addition to the Balance of Forty-three thousand three hundred and sixty Pounds Eighteen Shillings and Fivepence remaining due as aforesaid of the Sums already borrowed from the said Banks, the Commissioners shall every Year appropriate and set apart, out of the Surplus Revenue of the said Harbour and Docks which may remain after paying the said annual Sum of Seven thousand six hundred and eighty Pounds, and the ordinary Expenditure on Maintenance, Management, Repairs, and Dredging, and any Charges legally exigible, and the said annual Sum of Five hundred Pounds payable to the Magistrates and Council of *Leith*, a Sum of not less than Ten thousand Pounds, to be applied in paying the Interest on the Principal Sums borrowed or to be borrowed from the said Banks under the Authority of the first-recited Act and this Act, and towards Repayment of the said Principal Sums. Provision for paying off Debt to Banks.

XI. The Money to be borrowed by the Commissioners under the Authority of this Act shall be applied in the first instance in paying the said Sum of Fifty thousand Pounds, and thereafter in defraying the Expense of executing Improvements on the said Harbour and Docks, and the Works and Property connected therewith, and in carrying into effect the Purposes of the several Acts relating to the said Harbour and Docks and this Act. Application of Money borrowed.

XII. All Rates and Revenues to be levied and received by the Commissioners under the Provisions of the recited Acts, and this Act, shall be applied in paying the said annual Sum of Seven thousand six hundred and eighty Pounds, the ordinary Expenditure on Maintenance, Management, Repairs, and Dredging, and any Charges legally exigible, the said annual Sum of Five hundred Pounds payable to the Magistrates and Council of *Leith*, the Sum of not less than Ten thousand Pounds *per Annum* payable to the said Banks as herein-before provided, and the Interest of any other Money to be borrowed by the Commissioners under the Authority of this Act, and in paying off the Principal Sums so to be borrowed, and in defraying the Expense of executing Improvements on the said Harbour and Docks and the Works connected therewith, and in carrying into effect the Purposes of the several Acts relating to the said Harbour and Docks and this Act, and to no other Purpose whatsoever. Application of Rates and Revenues.

XIII. The Commissioners shall cause true and regular Accounts to be entered in the Books kept by them of all Monies received and paid under the Authority of the recited Acts and this Act, and of the several Purposes for which such Monies have been received and paid; and such Books and Accounts shall be made up and balanced as on the Fifteenth Day of *May* in every Year. Accounts to be kept and balanced.

XIV. The Commissioners shall annually apply to the Sheriff of the County of *Edinburgh* to appoint an Auditor for the Audit of their Accounts, and the Sheriff shall, on such Application being made to him, annually appoint an Auditor (being a Member of the Society of Chartered Accountants in *Edinburgh*, and not being One of the Commissioners, or holding Office under them,) to audit the Accounts of the Commissioners; and in case the Office of such Auditor shall, before such Accounts have been audited by him, become vacant by Death or from any other Cause, the said Sheriff shall from Time to Time appoint another such Person as an Auditor to supply such Vacancy. Auditor to be appointed.

XV. It shall be the Duty of such Auditor once in every Three Months to audit the Accounts of the Commissioners; and for that Purpose the Commissioners shall deliver to him their Books and Accounts, and the Vouchers in support of the same, and the Auditor shall examine such Books, Accounts, and Vouchers, and may either make a special Report on such Accounts, or simply confirm the same; and such Report or Confirmation shall be read to the Commissioners at the Ordinary Meeting to be held on the Second *Monday* of *October* annually; and the Commissioners shall pay to the Auditor for making such Audit such Sum, not exceeding Fifty-two Pounds Ten Shillings *per Annum*, as they may think fit. Accounts to be audited.

XVI. An Abstract of the Accounts of the Commissioners as audited shall be printed on or before the Eleventh Day of *November* in every Year, and a Copy thereof shall be given to every Ratepayer or Creditor who shall apply for the same at the Office of the Commissioners. Abstract of Accounts to be printed.

XVII. It shall be lawful for the Mortgagees or Assignees, subject to the Preference and Priority of Securities herein-before mentioned, to enforce Payment of the Arrears of Interest or the Arrears of Principal and Interest due to them under or by virtue of any Bonds, Mortgages, or Assignations in Security granted or to be granted by the Commissioners under the Authority of the first-recited Act or this Act, by the Appointment of a Judicial Factor or Receiver, in the Manner provided by the said Commissioners Clauses Act: Provided that the Application for the Appointment of such Judicial Factor or Receiver shall be made by a Mortgagee or Assignee holding a Bond, Mortgage, or Assignation in Security granted by the Commissioners to the Amount of at least Thirty thousand Pounds, or by Two or more Mortgagees or Assignees holding Bonds, Mortgages, or Assignations in Security granted by the Commissioners to the aggregate Amount of at least Thirty thousand Pounds. Payment of Arrears of Principal and Interest may be enforced by Appointment of a Judicial Factor.

SCHEDULE.

The Commissioners of Her Majesty's Treasury do hereby acknowledge that the Sum of Fifty thousand Pounds has been paid into Her Majesty's Exchequer by the Commissioners for the Harbour and Docks of Leith, in Terms of "The Leith Harbour and Docks Act, 1860," and do hereby, under the Authority of the said Act, accept of the said Sum in full Satisfaction and Payment of the Debt of Two hundred and twenty-eight thousand three hundred and seventy-four Pounds Nine Shillings and Eightpence, due to the said Commissioners of Her Majesty's Treasury on the Security of the said Harbour and Docks as mentioned in the said Act, and of all Interest due thereon, and discharge the said Debt and Interest, and the Bonds granted in Security thereof by the Lord Provost, Magistrates, and Council of the City of Edinburgh to the said Commissioners of Her Majesty's Treasury, and declare the said Harbour and Docks, and the Works and Property connected therewith, and the Rates, Duties, and Revenues thereof, to be for ever freed and discharged of the said Debt of Two hundred and twenty-eight thousand three hundred and seventy-four Pounds Nine Shillings and Eightpence, and of all Interest due thereon, and of the Security created or conferred by the said Bonds, and by or under the Provisions of the Act First and Second Victoria, Chapter Fifty-five, and the Acts therein recited, and of all Claims competent to the said Commissioners of Her Majesty's Treasury in respect of the said Debt: And the said Commissioners consent to the Registration hereof in the Books of Council and Session, for Preservation. In witness whereof these Presents, written by are subscribed by us Two of the said Commissioners, at London, the Day of in the Year One thousand eight hundred and sixty, before these Witnesses.

CAP. XLIX.

An Act for extinguishing certain Rights of Way through *Colewort* Barracks in the Borough of *Portsmouth*. [23d *July* 1860.]

'WHEREAS *Colewort* Barracks in the Borough of *Portsmouth* in the County of *Southampton*, and the Ground appurtenant thereto, are vested in Her Majesty's Principal Secretary of State for the War Department, and the said Ground is subject to Rights of Way for Foot Passengers through or over the same from a Point near the *Landport* Gate and also from *Warblington Street* at a Point opposite *Nobbs Lane* to *Armoury Lane*: And whereas the Morality and Discipline of the Men stationed in the said Barracks are very injuriously affected in consequence of the Existence of the said Rights of Way, the said Barracks being accessible to all Persons and at all Times by means thereof: And whereas there exists, by means of *High Street Road*, *Warblington Street*, and *Saint Mary Street*, a sufficiently commodious Way to and from the Points to and from which Access is obtained by virtue of such Rights of Way as aforesaid: And whereas for the Reasons aforesaid it is expedient that the said Rights of Way should be extinguished:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Rights of Way through Colewort Barracks extinguished.

I. That from and after the passing of this Act all Rights of Way through or over the said Ground shall cease, and the said Secretary of State shall stop up or cause to be stopped up the said Ways, and thereupon public Notice shall be given of the stopping up thereof by Advertisement in the *London Gazette*, and in some local Newspaper published or circulated in the County of *Southampton*, and shall be affixed on the outer Door of the Town Hall or some other public Place within the said Borough.

CAP. L.

An Act to abolish the Annuity Tax in *Edinburgh* and *Montrose*, and to make Provision in regard to the Stipends of the Ministers in that City and Burgh, and also to make Provision for the Patronage of the Church of *North Leith*. [23d *July* 1860.]

'WHEREAS it is expedient that the Annuity Tax as at present levied within the City of *Edinburgh*, on behalf of the Ministers thereof, and the Annuity Tax at present levied in the Burgh of *Montrose*, should be abolished, and that Provision should be made with respect to the future Payment of the Stipends of the said Ministers, and for the Administration and Management of the Parochial Churches in the said City of *Edinburgh*, and also that Provision should be made for the Patronage of the Church of *North Leith*:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Interpretation of Terms.

I. The following Words and Expressions in this Act shall have the several Meanings hereby assigned to them:

The Word "Commissioners" shall mean the Commissioners appointed and incorporated under this Act:

The Word "Secretary" shall mean the Secretary and Agent of the Commissioners for the Time being:

The

The Expression "Magistrates and Council" shall mean the Lord Provost, Magistrates, and Council of the City of *Edinburgh*, for the Time being.

Annuity Tax abolished.

II. From and after the Term of *Whitsunday* One thousand eight hundred and sixty, the Impost or Tax levied annually under the Name of the Annuity Tax, within the ancient and extended Royalties of the City of *Edinburgh*, for the Maintenance of the Ministers thereof, shall cease to be imposed.

Commissioners appointed to carry Act into effect.

III. Ten Commissioners shall be appointed to carry into effect the Purposes of this Act in manner following: Two of such Commissioners shall be elected by the Ministers of *Edinburgh* of the Church of *Scotland*; Three of such Commissioners shall be elected by the Magistrates and Council; One of such Commissioners shall be elected in turn by the Faculty of Advocates, the Society of Writers to Her Majesty's Signet, and the Society of Solicitors before the Supreme Courts, the First Election to be by the Faculty of Advocates, and the Second by the Society of Writers to the Signet, and each Commissioner from the said Three Bodies shall hold Office for Three Years; and Three of such Commissioners shall be elected by the Kirk Sessions of all the Parochial Churches of the City of *Edinburgh* convened by the Clerk of the Presbytery of *Edinburgh*; and One of such Commissioners shall be elected by the Merchant Company; and all such Elections shall be made at Meetings of the said several Bodies, specially called for the Purpose of such Elections; and when any Vacancy shall occur by the Death, Resignation, or Incapacity to act, of any of the Commissioners, the same shall be supplied by the Election of another Commissioner in his Place by the Body by whom the Commissioner so dying, resigning, or becoming incapable to act, was elected; and in case any of the Bodies hereby authorized to make such Elections shall not, within Three Months after the passing of this Act, have duly made such Elections, or, in case of any Vacancy thereafter arising, shall not within Three Months after the Date of such Vacancy have duly elected another Commissioner in the Place of the Commissioner so dying, resigning, or becoming incapable to act, then and in either of such Cases it shall be lawful for One of Her Majesty's Principal Secretaries of State, by Warrant under his Hand, to nominate a Commissioner or Commissioners, as the Case may be; and Intimation of the respective Elections and Nominations, as respects the first Appointments to be made under this Act, shall be addressed to the Lord Provost of the City of *Edinburgh*, who shall forthwith call a Meeting of the Commissioners; and the Commissioners shall thereafter meet at such Times and Places as to them shall seem fit; and such Intimation, as respects all subsequent Appointments, shall be addressed to the Commissioners.

Commissioners incorporated.

IV. The Commissioners shall be a Body Corporate, under the Title of "The *Edinburgh* Ecclesiastical Commissioners," and shall have perpetual Succession and a Common Seal, with Power under the said Title to sue and be sued and to take and hold Property, heritable and moveable, real and personal, and with all the other Powers and Privileges of a Corporate Body; and Three of their Number shall be a Quorum at any Meeting, or with respect to any Act or Proceeding of the Commissioners; and they may from Time to Time elect One of their Number to be Chairman for such Period as they shall think fit; and the Chairman for the Time being, or the Commissioner presiding in his Absence, at any such Meeting shall have a Casting as well as a Deliberative Vote; and the Commissioners may from Time to Time appoint such Person as they think fit to be their Secretary and Agent.

Administration of the City Churches transferred from the Magistrates and Council to the Commissioners.

V. The whole Rights of Administration and Custody as respects the following Parochial Churches in the City of *Edinburgh*, namely, the *Tolbooth* Church, *New North* Church, *Old* Church, *High* Church, *Tron* Church, *Trinity College* Church, Lady *Yester's* Church, *Old Greyfriars* Church, *New Greyfriars* Church, *St. John's* Church, *St. Andrew's* Church, *St. George's* Church, *St. Mary's* Church, *St. Stephen's* Church, and *Greenside* Church, which the Magistrates and Council have in or pertaining to the same or any of them; and the Dwelling Houses, Cellars, and Vaults underneath or attached to any of the same, including the Feu Duties payable in respect of the Ground whereon Lady *Yester's* Church was formerly built, and the Mortification or Monies mortified for the Endowment of the last-named Church, and any Bond of Annuity or other Securities on which the said Monies may be invested, except in so far as any of the said Rights may be herein otherwise expressly regulated or provided for, shall be and the same are hereby, from and after the Eleventh Day of *November* One thousand eight hundred and sixty, transferred from the Magistrates and Council to and vested in the Commissioners for the Purposes of this Act, and for the like public Uses and Purposes and under the like Conditions for and under which the said Churches are at present administered by the Magistrates and Council: Provided that nothing contained in this Act shall prevent the Magistrates and Council from causing the Bells of the City Churches to be rung on suitable public Occasions.

Pews in the City Churches to be let by the Kirk Sessions, and Surplus of the Rents to be paid to the Commissioners.

VI. The Pews or Seats in the said several Churches shall, from and after the Eleventh Day of *November* One thousand eight hundred and sixty, be let by or at the Sight of the Kirk Session of each Church respectively, with the Exception of not less than One Tenth of the Number which shall be reserved as Free Sittings, but subject to any Directions which the Commissioners may issue from Time to Time, and subject also to any Rights or Conditions presently attaching to such Pews or Seats, or, in case the Commissioners shall think it necessary or expedient, by or at the Sight of the Commissioners, or their Secretary, and at such Rents for the said Pews or Seats as the Commissioners, subject always to the Rights and Conditions aforesaid, may from Time to Time determine or approve with reference to the Circumstances of the said Churches respectively; and the Kirk Session of each Church may retain in their Hands, out of the Monies to be received for such Pew or Seat Rents, such

Sums

Sums as shall be fixed by the Commissioners for the Payment of the Salaries of Precentors, Door Keepers, or other Church Officers, and for cleaning, heating, and lighting the Church, and for providing Communion Elements, and for such other necessary Expenses in connexion with the Church as shall be allowed by the Commissioners; and the Kirk Session shall keep an Account of the whole Monies received by them for Pew or Seat Rents, and of the Sums retained for Payment of Expenses, and shall lay the same before the Commissioners yearly, or as often as the Commissioners shall direct; and the Kirk Session shall forthwith pay the whole Balance of the Monies received for Pew or Seat Rents (after making the said Deductions) into the Hands of the Secretary; and in case the Monies received for Pew or Seat Rents in any of the said Churches shall in any Year be insufficient to defray the said Expenses, the Commissioners may, out of the Surplus of the Pew or Seat Rents of any of the other Churches, pay such additional Sum as shall be necessary to make up such Deficiency; and the Right to appoint Precentors, Door Keepers, and other Church Officers, heretofore belonging to the Magistrates and Council, shall, from and after the Eleventh Day of *November* One thousand eight hundred and sixty, belong to and be exercised by the Kirk Sessions of the said Churches respectively.

Commissioners to provide for the Repair of the Churches and other Expenses out of the Surplus of the Seat Rents.

VII. The Commissioners shall, out of the Monies so received by them, provide for the Maintenance and Repair of the Fabrics of the said Churches, and for the Insurance of the same against Loss by Fire, to such Extent as they shall think necessary, and for the Payment of the Expenses of the Commissioners, including such Remuneration as they shall see fit to allow to any Persons employed by them in the Execution of this Act, and of the Proportion of the Salaries of the Clerk of the Synod of *Lothian* and *Tweeddale* and the Clerk and Officer of the Presbytery of *Edinburgh*, payable for the said Churches or any of them, and of the other Expenses to be incurred in carrying into effect the Purposes of this Act, and shall apply the Balance or Residue of such Monies as herein-after directed.

Bonds of Annuity to be granted by the City.

VIII. The Magistrates and Council shall, on or before the Eleventh Day of *November* One thousand eight hundred and sixty, execute and deliver to the Commissioners for the Purposes of this Act, a perpetual Bond of Annuity, in the Form of the Schedule (A.) to this Act annexed, for the annual Sum of Four thousand two hundred Pounds, under the Conditions expressed in the said Schedule; and they shall also execute and deliver to the Commissioners for behoof of each of the Reverend Doctor *John Hunter*, the Reverend Doctor *James McLetchie*, and the Reverend Doctor *George Smith*, all Ministers of *Edinburgh*, a Bond of Annuity for the annual Sum of Six hundred Pounds, in the Form and determinable on the Conditions contained in the Schedule (B.) to this Act annexed; and the said Bonds shall, on or before the said Eleventh Day of *November* One thousand eight hundred and sixty, be engrossed in the Minute Books of the said Magistrates and Council.

Property of the City disponed in Security of the Payment of the Annuities.

IX. The whole Property belonging to the Magistrates and Council, as representing the Community of the City of *Edinburgh*, is hereby disponed and made over to the Creditors in the said Bonds, in Security of the Payment of the said Annuities, subject to the Provisions herein-after enacted; and further and without Prejudice to the before-written general Security, the Income and Revenue derived from the Property and Funds specified in the Schedule (C.) to this Act annexed shall, subject as aforesaid, be applicable to and charged with the Payment of the said Annuities preferably to all other Charges whatever; and a Copy of this Act, recorded in the General Register of Sasines kept at *Edinburgh*, and in the Register of Sasines for the Burgh of *Edinburgh*, shall, to all Intents and Purposes, be and shall be held to be equivalent to Infeftment in favour of the Creditors in the said Bonds of Annuity, in all the Heritable Property belonging to the Magistrates and Council hereby made over in Security to the Creditors requiring Infeftment, so as to constitute a Real Burden thereon, and shall also be held equivalent to intimated Assignation of the Debts and Rights, and to actual Delivery of the Moveable Property, so as to create a Lien over the same in favour of the said Creditors at the Date of the passing of this Act; and the Keepers of the said General Register of Sasines and Burgh Register of Sasines are, upon a Copy of this Act being presented to them for that Purpose on behalf of the Commissioners, hereby authorized and required to record the same in the said respective Registers.

As long as the Annuities are regularly paid, the Administration of the Property of the City by the Magistrates and Council not to be interfered with.

X. As long as the said Annuities shall be regularly paid, nothing contained in this Act shall prevent the Magistrates and Council, in the course of the ordinary Administration of the Affairs of the City of *Edinburgh*, from exercising in the Manner allowed by Law any Right competent to them prior to the passing of this Act, of selling, feuing, or letting on Lease such Part of the Property, or any Part thereof enumerated in Schedule (C.) of this Act, as is not contained in Schedule (B.) of the said recited Act, and any Deeds or Writings which may be granted in order to give effect to such Sales, Feus, or Leases shall be as valid and effectual to Purchasers, Vassals, and Tenants as if this Act had not been passed; and such Purchasers, Vassals, and Tenants shall have no Concern with the Application of the Prices, Feu Duties, or Rents to be derived therefrom: Provided always, that such Prices, Feu Duties, or Rents shall be subject to all the Rights in the said Commissioners to which the Property sold, feued, or leased was subject before such Sales, Feus, or Leases were made or granted; provided also, that the Magistrates and Council shall be bound to keep the Proceeds of such Sales to be made as aforesaid, as far as practicable, separate, so that the same may be distinguishable from the general Funds and Property of the City; and the Rights hereby constituted in the said Commissioners shall, as regards the whole

whole Property over which the Security created by this Act extends, including the Proceeds of any such Sales as aforesaid, be preferable to and effectual against any Right or Security constituted by the Magistrates and Council over such Property, and to and against any Adjudication or other Diligence by any Creditors other than those provided for by the said recited Act.

Police Rate to be increased to an Amount not exceeding 4½*d.* per Pound on the gross Value of the Property; but in a certain Event, not to exceed 3*d.*

XI. In order to enable the Magistrates and Council to provide for the Purposes to which the Income and Revenue derived from the said Property and Funds are at present applicable, and for the further Security of the said Annuities, it shall be lawful for them to levy and apply to the said Purposes increased Assessments under the Provisions, in the same Way, and with the Powers and Authorities of the "*Edinburgh* Police Act, 1848," and the "*Edinburgh* Municipality Extension Act, 1856," to an Extent equal to but not exceeding Fourpence One Halfpenny in the Pound of the gross yearly Value of the Lands and Heritages situated within the ancient and extended Royalties of the City of *Edinburgh*, over and above the maximum Assessments by the said Acts authorized to be levied: Provided, that on the Determination of the said Bonds of Annuity for behoof of the said Doctor *John Hunter*, Doctor *James McLetchie*, and Doctor *George Smith* the said increased Assessment shall not exceed Threepence *per* Pound as aforesaid, and the said increased Assessments under the Powers of this Act shall not, in the imposing, levying, or collecting thereof, or in the Notices or Receipts relative thereto, be in any way separated or distinguished from the Assessments to be imposed, levied, and collected under the said "*Edinburgh* Police Act, 1848," and "*Edinburgh* Municipality Act, 1856."

Creditors in the Bonds of Annuity to have same Rights of enforcing Payment as the City Creditors; and failing due Payment, the Revenues of the City may be applied under Orders of Court.

XII. The Creditors in the said Bonds of Annuity shall have all the Rights for completing and enforcing the Security thereby provided, and for recovering the Sums thereby secured, which are conferred on the Creditors of the City of *Edinburgh* by the Act First and Second *Victoria*, Chapter Fifty-five, intituled *An Act to regulate and secure the Debt due by the City of* Edinburgh *to the Public, to confirm an Agreement between the said City and its Creditors, and to effect a Settlement of the Affairs of the said City, and of the Town of* Leith, and an Act amending the same passed in the Seventh and Eighth Years of the said Reign, Chapter Twenty; and if at any Term of *Candlemas* or *Whitsunday* the Annuities then falling due, or any of them, shall not be paid, the Treasurer of the said City, on the Requisition of the Commissioners, shall, and he is hereby required, forthwith to grant a Certificate, certifying under his Hand that the whole, or any and what Part, of the Annuities then falling due has not been paid; and on the Commissioners, or any Two of their Number, presenting a Petition to the Lord Ordinary on the Bills, and producing therewith such Certificate or other Evidence of Nonpayment in lieu thereof as to the Lord Ordinary shall appear sufficient, the Lord Ordinary shall direct that the whole, or such Part as he shall think proper, of the Income and Revenue derived from the Funds and Property specified in the said Schedule (C.) shall be collected and applied under the Orders of the Court, with due Regard to the Rights of the said Creditors of the City of *Edinburgh*, until the Court shall otherwise direct, and with Power to the Lord Ordinary, if necessary, to appoint Collectors and issue such other Orders as may be necessary for carrying the said Provisions into effect; and he shall also, if he think proper, direct that One Fifth Part, or such other Proportion as may appear to correspond to the additional Assessments hereby authorized, of the whole Sums collected in each Year under the Provisions of the "*Edinburgh* Police Act, 1848," and the "*Edinburgh* Municipality Extension Act, 1856," and this Act, shall be held and applied by the said Treasurer, subject to the Orders of the Court, and such Deliverance shall be final; but the Magistrates and Council shall be entitled at any Time, on the Consignation of the Amount so certified, to apply to the Court, or to the Lord Ordinary on the Bills in the Time of Vacation, to have such Deliverance recalled on any Ground competent in Law.

Police Rate may be redeemed to the Extent of 3*d.* per Pound.

XIII. It shall be lawful for the Owner or Occupier of any Property, the Occupier of which is liable in Payment of the increased Police Assessments to be levied under the Provisions of this Act, at any Time to redeem the said Assessments to the Extent of Threepence for every Pound of the annual Value of the said Property, on the Payment of such Sum as may be agreed upon by such Owner or Occupier and the Magistrates and Council as the Price of such Redemption; provided that such Sum shall not be less than Twenty-five Pounds for every Pound of the said Assessment on an Average of Five Years previous to the said Redemption, payable for or with respect to such Property; and upon such Owner or Occupier making Payment to the Treasurer of the City for the Time being of the Sum so agreed upon, the Treasurer shall grant to such Person a Certificate of such Payment, in the Form of the Schedule (D.) to this Act annexed; and all future Assessments made under the Provisions of the said Acts and this Act on the Property in respect of which the Assessment shall have been so redeemed, shall be reduced by the Amount of Threepence for every Pound of the annual Value thereof; and an Entry of such Certificate in the Register of Sasines for the Burgh of *Edinburgh*, which the Keeper thereof is hereby authorized and required to make on the same being presented to him for that Purpose, shall be Evidence of the said Payment and Reduction of Assessment.

Redemption Monies to be invested.

XIV. The Magistrates and Town Council shall keep a separate Account of the said Monies so received in Redemption of the said Assessments under the Authority of this Act, and when and as often as the Redemption Monies so received shall amount to Five hundred Pounds, they shall lay out and invest a Sum equal to that Amount, or as near thereto as may be, in the Purchase of Bonds of Annuity granted under the Powers of the recited Act of the First and Second *Victoria*, or on such heritable

heritable Property or heritable Securities as they shall judge most expedient; and the whole Interest or annual Produce of the said Monies shall be in all Time coming applied exclusively to the same Purposes to which the Assessments so redeemed would have been applied under this Act.

The Sum of 2,000*l.* payable from Exchequer to be paid to the Commissioners.

XV. The Sum of Two thousand Pounds, presently payable yearly by Her Majesty's Remembrancer and Her Majesty's Auditor in the Court of Exchequer in *Scotland*, in Terms of the said Act First and Second *Victoria*, Chapter Fifty-five, to and for behoof of the Ministers of the City of *Edinburgh*, (being Part of the Sum of Seven thousand six hundred and eighty Pounds mentioned in the said Act), shall, from and after the Term of *Whitsunday* One thousand eight hundred and sixty, be payable to the Commissioners, whose Receipt shall be a sufficient Discharge for the same.

Stipends of Ministers of the City Churches to be paid out of the Monies received by the Commissioners.

XVI. The Commissioners shall, out of the Monies received by them under the Provisions of this Act, make Payment in Two equal Portions, at the Terms of *Candlemas* and *Whitsunday* One thousand eight hundred and sixty-one, and annually thereafter, to each of the Ministers for the Time being of the Parochial Churches of the said City after mentioned, or to any Person duly authorized to receive the same on behalf of the said Ministers, a Stipend or Salary of Six hundred Pounds *per Annum*; that is to say, to One Minister of each of the Thirteen following Churches, namely, the *New North* Church, *Trinity College* Church, Lady *Yester's* Church, *Old Greyfriars* Church, *New Greyfriars* Church, *St. John's* Church, *St. George's* Church, *St. Mary's* Church, *St. Stephen's* Church, *Greenside* Church, the *High* Church, the *Tron* Church, and *St. Andrew's* Church; and the surviving or continuing Minister of each of the said Three last-named Churches, having Collegiate Charges, and his Successors in Office, shall be held and deemed to be the Minister of the First Charge of the said Churches respectively, and shall be entitled to receive Payment of the said Stipend or Salary; and they shall also pay at the said Terms the special Annuities contained in the said Bonds to be granted for behoof of the said Doctor *John Hunter*, Doctor *James McLetchie*, and Doctor *George Smith*: Provided that the Portion of the said Salaries or Stipends to be paid at the Term of *Candlemas* shall be for the Period from *Whitsunday* to *Michaelmas* preceding, and the Portion to be paid at the Term of *Whitsunday* shall be for the Period from *Michaelmas* to *Whitsunday*; and such Payments shall be in lieu of, and shall include all Claims for Stipend or Salary for the said Periods respectively, competent at Law, and shall be subject to the whole Conditions applicable by Law to the Stipends or Salaries now payable to the Ministers of *Edinburgh* from the Produce of the said Annuity Tax: Provided always, that upon the Death or Removal of any of the present Ministers of any of the above-mentioned Thirteen Churches, the Successor or Successors of such Minister or Ministers shall not be entitled to demand a Salary or Stipend of more than Five hundred and fifty Pounds *per Annum*, until such Time as the Commissioners named in this Act shall have made such Provision as they may deem expedient for Payment of a Salary or Stipend, amounting to not more than Five hundred and fifty Pounds *per Annum*, to any Ministers who may be nominated by them to the *Tolbooth* Church and the *Old* Church under the Powers by this Act conferred upon the said Commissioners.

Accounts to be kept and published by the Commissioners.

XVII. The Commissioners shall cause full and true Accounts to be kept of their whole pecuniary Transactions under this Act, and a State of Accounts or Balance Sheet to be prepared, as on the Thirtieth Day of *June* yearly, and inserted not later than the First Day of *August* thereafter once in at least Two Newspapers published in *Edinburgh*, setting forth the Amount of Monies received by them from every Source of Income during the Year preceding, and of their Disbursements during the same Period, and the total Amount of the Monies laid out and invested by them, or remaining in their Hands.

Application of Monies received by the Commissioners.

XVIII. Any Balance remaining in the Hands of the Commissioners after Provision is duly made for the Payments herein-before prescribed may be applied at the Discretion of the Commissioners to any of the Purposes herein-after mentioned; provided that the Stipends or Salaries of the said Ministers shall be a preferential Charge on the annual Revenue received by the Commissioners, and shall be paid before any Part of the same is applied by them to any of the Purposes herein-after mentioned; namely,

First, in Payment of the Expense of any Works which the Commissioners may consider necessary or desirable in regard to any of the said Churches, or any of the other Parochial Churches within the City of *Edinburgh*;

Second, towards Payment of any Salary or Allowance, permanent or temporary, at the Discretion of the Commissioners, to any Minister or Assistant appointed to serve and serving in any of the Parochial or District Churches in the said City connected with the Church of *Scotland*, for whom no Salary is provided in this Act; or towards the Increase of the Stipends or Salaries of the Ministers of the said Thirteen Churches; or to such other Ecclesiastical Purposes, within or connected with the said City, as to the Commissioners shall seem expedient.

Accounts of the Commissioners to be audited.

XIX. The Accounts of the Commissioners shall, before the Publication of the same annually, be audited and examined with the Vouchers thereof, and docqueted by the Auditor for the Time being of the Court of Session, who shall receive from the Commissioners for his Services such Remuneration as shall be fixed by them; or in case the said Auditor shall consider the Remuneration proposed to be given by the Commissioners to be inadequate, he shall receive from them such Remuneration as shall be fixed by the Lord Ordinary on the Bills, on the summary Application of the Auditor or of the Commissioners.

If Commissioners fail in the Discharge of their Duties, Complaint may be brought before Court of Session.

XX. If the Magistrates and Council, or any Person having an Interest in the Monies to be raised by means of the Assessments to be levied under this Act, shall have reason to believe that the Duties hereby imposed on the Commissioners are not faithfully and duly discharged, he or they, with Concourse of the Lord Advocate, may, by summary Petition, bring the Matter complained of under the Cognizance and Consideration of the Judges of either Division of the Court of Session; and the said Judges shall, in reference thereto, make such Inquiries and issue such Orders as shall in the Circumstances appear to them to be just and expedient.

The Right of Patronage, as respects Five Charges, transferred to the Commissioners.

XXI. The Right of Patronage or of Presentation of Ministers presently belonging to the Magistrates and Council, as respects the Five following Churches and Charges, namely, the *Tolbooth* Church, the *Old* Church, and the Second Charge of each of the Three Churches having Collegiate Charges, that is to say, the *High* Church, the *Tron* Church, and *St. Andrew's* Church, shall be and the same is hereby, from and after the Eleventh Day of *November* One thousand eight hundred and sixty, transferred to and vested in and may in all Time thereafter be held and exercised by the Commissioners as Patrons thereof; and any Presentation to such Churches and Charges shall be under the Common Seal of the Commissioners: Provided, that it shall be in the Discretion of the Commissioners to make a Presentation or Appointment, either *ad interim* or permanent, to any One or more of the said Five last-named Churches and Charges which may become vacant, or to make no Presentation or Appointment thereto, and to allow the same to lapse and become extinct, as to the Commissioners shall seem most beneficial and expedient; and no Right of Presentation *jure devoluto* shall accrue to the Presbytery, and no Claim to any vacant Stipend shall be competent on behalf of any Person, Society, or Corporation, as respects any Vacancy occurring after the passing of this Act, in any One of the said Five last-named Churches and Charges.

Sale of Right of Patronage of Magistrates and Town Council of Edinburgh.

XXII. On Payment being made by the Commissioners to the Treasurer for the Time being of the City of *Edinburgh* of the Sum of Six hundred Pounds, or of such other Sum not exceeding Six hundred Pounds as may be agreed upon as the Value and Price of the Right of Patronage of any One or of each of the Parochial Churches or Charges in the said City (other than those of which the Patronage is by this Act expressly transferred to the Commissioners), or on such Payment being so made by the Kirk Session of any the said Churches or Charges, the Right of Patronage as regards such Church or Charge shall in either Case be transferred by the Magistrates and Council to and vested in the Kirk Session of such Church or Charge, and may in all Time thereafter be lawfully exercised by the Elders and other Male Members of the Church in which there is a Vacancy, or a Majority of their Number in full Communion, and whose Names have stood on the Roll of Communicants of such Church for not less than Three Years preceding the Occurrence of the Vacancy: Provided always, that the Monies received by the said Treasurer as the Price of the said Rights of Patronage, or any of them, shall be kept in a separate Account, and be laid out and invested in the same Way and applied to the same Purposes as the Redemption Monies which may be paid to the Magistrates and Council under the Provisions of this Act are appointed to be invested and applied.

The Commissioners, with Concurrence of the Presbytery, may alter existing Parochial Arrangements.

XXIII. From and after the Eleventh Day of *November* One thousand eight hundred and sixty the Commissioners shall have and may exercise the whole Rights and Powers heretofore and now belonging to or exercised by the Magistrates and Council with respect to the Parochial Arrangements connected with the City of *Edinburgh* and the Churches and Parishes thereof, and may, with the Consent and Concurrence of the Presbytery of *Edinburgh*, from Time to Time unite, disjoin, or change the Boundaries of any of the said Parishes, as respects the Administration of Public Worship, and of the Sacraments, Pastoral Superintendence, and every other Matter or Duty in regard to which the Magistrates and Council might, with the like Consent and Concurrence, have united, disjoined, or changed the Boundaries of any of the said Parishes, provided that no Interest of a pecuniary, or otherwise of a properly civil Nature, shall be thereby affected; and the said Rights and Powers shall not after the passing of this Act belong to or be exercised by the Magistrates and Council.

Present Ministers to have a preferable Claim on the Monies provided by this Act.

XXIV. In case the Monies hereby directed to be applied by the Commissioners to the Payment of the Stipends or Salaries of the Ministers of the said Churches shall in any Year be insufficient for the Payment in full of all the said Stipends or Salaries, the Ministers who have been appointed to any of the said Churches after the passing of this Act, shall have no Claim for the Payment of any Stipend or Salary out of the said Monies, until the Stipend or Salary of every Person who at the passing of this Act was a Minister of any of the said Churches shall have been paid in full.

Compensation to City Creditors, in lieu of present Security over Seat Rents.

XXV. In lieu of and as an Equivalent for the Security which the Creditors of the City of *Edinburgh* now have over the free Produce of the Pew or Seat Rents of the Churches of the said City, after Deduction of all preferable Burdens, and of all other Expenses of the Ecclesiastical Establishments of the said City, the Magistrates and Council shall annually, on or before the Twenty-fifth Day of *January*, transfer and pay over, from the Produce of the Assessments to be levied under the Powers of the "*Edinburgh* Police Act, 1848," and the "*Edinburgh* Municipality Extension Act, 1856," into the Account kept in relation to the Funds, Revenues, and Property made over to the said Creditors in Security of the Annuities on the Bonds of Annuity granted under the Provisions of the said Act First and Second *Victoria*, Chapter Fifty-five, such proportional Sum as shall correspond with a Rate of One Penny in every Pound of Four Fifths of the gross annual Value of the Property in respect of the

Occupation of which the said Assessments are levied: Provided, that in case, under the Provisions of the last-mentioned Act, the said Creditors shall have adjudged or shall adjudge the Funds, Revenues, and Property made over to them in Security, as set forth in Schedule (A.) to the said Act annexed, such Adjudication shall not extend to or include the free Produce of the Pew or Seat Rents of the said Churches, but shall be held to extend to and include the said annual Payment.

Nothing in this Act to affect the Rights of the City Creditors, &c. except as provided, respecting the Seat Rents.

XXVI. Subject to the Provisions herein-before enacted in respect of the Seat Rents of the City Churches, nothing in this Act contained shall alter or affect the Rights of the Creditors of the City of *Edinburgh*, as secured by the recited Acts, and the Right in Security created by this Act in favour of the Creditors in the said Annuities are hereby declared to be postponed to the Rights in Security created by the recited Acts, in so far as relates to the Property thereby disponed or assigned for the Security of the said Creditors of the City, and the Rights of the said Creditors in relation thereto, nor shall any of the Provisions of this Act affect the Rights of any Persons holding Rights or Securities over the special Subjects or Property acquired under the Provisions of the Act Tenth and Eleventh *Victoria*, Chapter Forty-eight, or of the Act Thirteenth and Fourteenth *Victoria*, Chapter Seventy; and nothing in this Act contained shall authorize the Commissioners to interfere in any way with the Administration of the Property, Funds, Revenues, or Income hereby assigned in Security of the said Bonds of Annuity, so long as the said Annuities shall continue to be regularly paid.

Succeeding Minister in Second Charge of Montrose to have no Claim to Annuity.

XXVII. From and after the Occurrence of the First Vacancy after the passing of this Act in the Second Charge of the Church and Parish of the Burgh of *Montrose*, by the Death, Demission, or otherwise of the Minister at the passing of this Act holding that Charge, the Successors in Office of such Minister shall have no Claim to any Share of the Monies raised by means of the Annuity Tax at present levied within the said Burgh for behoof of the Second Minister thereof.

Patronage to be vested in the Elders and other Members of the Church.

XXVIII. The Right of Patronage of the Second Charge of the Church and Parish of *Montrose* vested in the Provost, Magistrates, and Town Council of the said Burgh shall be transferred to and is hereby vested in and may in all Time coming be exercised by the Elders and other Male Members of the Parish Church of *Montrose*, or any Majority of their Number being in full Communion, and whose Names shall have stood on the Roll of Communicants of the said Church and Parish for not less than Three Years next preceding the Occurrence of any Vacancy.

Provost, Magistrates, and Council to pay to succeeding Ministers a Salary of 200*l.* per Annum.

XXIX. From and after the First Term of *Whitsunday* following the Vacancy in the Second Charge of the Church and Parish of *Montrose* first occurring after the passing of this Act, the Provost, Magistrates, and Town Council of the said Burgh shall pay to the succeeding Minister of the said Second Charge and his Successors in Office an annual Sum of Two hundred Pounds, by equal Portions at the Terms of *Martinmas* and *Whitsunday* respectively, from the first and readiest of the Corporate Funds of the said Burgh.

Kirk Session may levy Seat Rents.

XXX. From and after the First Term of *Whitsunday* following the Vacancy in the Church and Parish of *Montrose* first occurring after the passing of this Act, it shall be lawful for the Kirk Session of the said Church and Parish and they are hereby required to impose and levy Pew or Seat Rents on not more than Nine Tenths of the Pews or Seats in the said Church, at such Rate as shall, in addition to the aforesaid annual Sum of Two hundred Pounds, together with any Stipend or Salary which may arise from the Interest of any Endowment hereafter made for the Minister of the Second Charge, or which may be provided for him by means of special Church Door Collections, yield an annual Sum sufficient to provide for such Minister a Stipend of not less than Three hundred and forty Pounds.

Patronage of the Church of North Leith to be transferred from the "haill Inhabitants," and vested in the "Heritors" and Communicants, and how to be exercised.

XXXI. The Right of Patronage or of the Presentation of a Person to be Minister of the Church and Parish of *North Leith*, heretofore belonging to and exercised by the "haill Inhabitants" thereof, under the Statute One thousand six hundred and six, Chapter Twenty-seven, or by any of them, shall, from and after the passing of this Act, cease to be in and belong to the said "haill Inhabitants," and the same is hereby transferred to and vested in the Male Persons, being of full Age, whose Names shall appear on the Valuation Roll in force for the Time as Proprietors or Occupiers of any Lands and Heritages situate within the said Parish of *North Leith*, herein-after termed "the Heritors," and the whole Male Communicants whose Names shall stand in the Communion Roll of the said Church and the Congregation thereof; and within Two Months after the passing of this Act the Heritors and Male Communicants shall meet on such Day as shall be named by the Kirk Session, of which Meeting Intimation shall be made from the Pulpit of the said Church, and also by Advertisement in Three or more Newspapers published in *Edinburgh* not less than Eight Days previous to such Meeting; and it shall be the Duty of the Session Clerk to cause the necessary Intimations to be given; and at the Meeting so to be called the said Heritors and Male Communicants who shall be present thereat shall by a Plurality of Voices elect One of their Number to be Chairman of the Meeting, with a casting as well as a deliberative Vote, and shall also elect a Clerk of the Meeting, and shall thereafter by a Plurality of Voices nominate a Committee of their Number, not exceeding Twenty-five Persons, of whom a Majority shall be a Quorum; and the Committee shall forthwith proceed to frame Regulations as to the Time and Manner of calling and holding future Meetings of the Heritors and Communicants, and of voting thereat, and as to any other Matters or Procedure necessary in order to carry into effect the Purposes of this Enactment; and the Regulations so made shall forthwith be published by Advertisement in such Newspapers as the Committee may direct, and shall after such Publication be submitted

for the Approval of the Sheriff of *Midlothian*, and when approved by him shall be valid and effectual, and the whole future Procedure shall be regulated thereby; and when any Election of a Person to be a Minister shall have been made under the said Regulations, it shall be sufficient that the Deed of Presentation be subscribed by the Chairman of the Meeting at which the Election shall be made, and by any Three Members authorized by the Meeting to subscribe the same along with him; and such Deed of Presentation, when so subscribed, shall be as valid and effectual as if the same had been subscribed by all Persons entitled to vote in such Election.

Vacant Stipends to be paid to Ministers Widows Fund.

XXXII. All Stipends payable under this Act in respect of the Charge becoming vacant, for the Period during which such Charge shall be so vacant, shall be payable to the Trustees for the Ministers Widows Fund for *Scotland* in the same Manner and for the same Purposes as the Stipends of vacant Charges are so payable by Law.

Statutes inconsistent with this repealed.

XXXIII. All Laws, Statutes, and Usages inconsistent with the Provisions of this Act are hereby repealed.

SCHEDULE (A.)

By virtue of an Act passed in the Twenty-third and Twenty-fourth Year of the Reign of Her Majesty Queen Victoria, intituled [*here insert the Title of this Act*], we, the Lord Provost, Magistrates, and Council of the City of Edinburgh, for ourselves, and as representing the Community of the said City, bind and oblige ourselves and our Successors in Office, in Terms of the said Act, to pay to the "Edinburgh Ecclesiastical Commissioners," for the Purposes of the said Act, a perpetual Annuity of Four thousand two hundred Pounds, by equal Portions on the Second Day of February and the Fifteenth Day of May in each Year, commencing the Payment of the First Portion on the Second Day of February One thousand eight hundred and sixty-one: Declaring that the said Annuity and the said Commissioners shall have the full Benefit of all the Provisions of the said Act; and that the said Annuity shall be redeemable only on Payment at the Rate of One hundred Pounds for each Three Pounds Ten Shillings of Annuity.

_____ Lord Provost.
_____ Treasurer.
_____ Clerk.

Engrossed in the Records of the Town Council of Edinburgh, of Date _____.

_____ City Clerk of Edinburgh.

SCHEDULE (B.)

By virtue of an Act passed in the Twenty-third and Twenty-fourth Year of the Reign of Her Majesty Queen Victoria, intituled [*here insert the Title of this Act*], we, the Lord Provost, Magistrates, and Council of the City of Edinburgh, for ourselves, and as representing the Community of the said City, bind and oblige ourselves and our Successors in Office, in Terms of the said Act, to pay to the Edinburgh Ecclesiastical Commissioners for behoof of the Reverend Doctor John Hunter, One of the Ministers of the Tron Church of Edinburgh, [*or* the Reverend Doctor James McLetchie, One of the Ministers of the High Church of Edinburgh, *or* the Reverend Doctor George Smith, Minister of the Tolbooth Kirk of Edinburgh,] a perpetual Annuity of Six hundred Pounds, by equal Portions on the Second Day of February and the Fifteenth Day of May in each Year, commencing the Payment of the First Portion on the Second Day of February One thousand eight hundred and sixty-one; which Annuity shall be payable aye and until a Vacancy shall occur in the said . Church and Parish, but no longer; and declaring that the said Annuity, and the said Commissioners for Behoof aforesaid shall have the full Benefit of all the Provisions of the said Act.

_____ Lord Provost.
_____ Treasurer.
_____ Clerk.

Engrossed in the Records of the Town Council of Edinburgh, of Date _____.

_____ City Clerk of Edinburgh.

SCHEDULE (C.)

(1.) Revenues and Properties belonging to the City of Edinburgh (but subject to the Security over the same to the Extent of One thousand Pounds per Annum in favour of the Creditors of the said City created by the Act First and Second Victoria, Chapter Fifty-five); viz.

The Customs and Market Dues of the said City leviable under the Authority of the following Local Acts of Parliament; viz.—Third and Fourth Victoria, Chapter Seventeen; Seventh Victoria, Chapter Seven; Tenth and Eleventh Victoria, Chapter Forty-eight; and the whole Market Places, Buildings, and Properties belonging to the said City, and generally the whole Revenues and Properties which now belong, or which may hereafter belong, to the said City under the Provisions of the said Acts, or any of them.

(2.) Revenues and Properties which now belong, or which may hereafter belong, to the said City under the Provisions of the Act Thirteenth and Fourteenth Victoria, Chapter Seventy.

(3.) Property described in the Statutory Accounts of the said City as belonging to the Common Good, the Rents and Feu Duties of which are set down in the said Accounts for the Year ended on First August One thousand eight hundred and fifty-nine at the Sum of Three hundred and thirty-seven Pounds Thirteen Shillings and Tenpence.

SCHEDULE (D.)

ON behalf of the Lord Provost, Magistrates, and Council of the City of Edinburgh, I hereby acknowledge that *A.B.* has this Day made Payment to me, as Treasurer of the said City of Edinburgh, of the Sum of being the Purchase Money of the Assessment at the Rate of Threepence in the Pound of the annual Value of his Property [*here describe the Property and mention its Situation*]; and I certify that the said Assessment has been redeemed; and all future Claim for Payment thereof in respect of the said Property is hereby discharged.

C.D., Treasurer.

Edinburgh [*Date*].

[*To be recorded in the Register of Sasines for Edinburgh.*]

CAP. LI.

An Act to provide for an annual Return of Rates, Taxes, Tolls, and Dues levied for local Purposes in *England*. [23d *July* 1860.]

'WHEREAS Rates, Taxes, Tolls, and Dues to a large Amount are levied for Purposes of local 'Government and Improvements in *England*, and it is proper that Parliament should be informed 'annually of all Sums so levied, and the Expenditure thereof, but in many Cases no sufficient Provision 'has been made for that Purpose:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Clerks of Bodies empowered to levy Rates, &c., to make annual Returns to Secretary of State.

I. The Clerk to any Corporation, Justices, Commissioners, District or other Board, Vestry, Inspectors, Trustees, or other Body or Persons authorized to levy or to order to be levied any of the Rates, Taxes, Tolls, or Dues mentioned in the Schedule to this Act, or any other compulsory Rates, Taxes, Tolls, or Dues in *England*, (other than such as are levied for the Public Revenue of the United Kingdom,) shall make a Return of the Sums levied or received by or in respect of such Rates, Taxes, Tolls, and Dues, and of the Expenditure thereof, to One of Her Majesty's Principal Secretaries of State in the Month of *June* in every Year; the First Return to be made in the Month of *June* One thousand eight hundred and sixty-one.

Returns to be made for the latest Year for which Accounts are made up.

II. Such Returns shall be made for the latest Period of Twelve Months preceding the Month of *June* in each Year for which the Accounts of the Corporation, Justices, Commissioners, Board, Inspectors, Trustees, or other Body or Persons, shall be made up, and shall show the Amounts levied and expended respectively, with such other Particulars and in such Form as shall from Time to Time be ordered by such Secretary of State.

Who are to make Returns in certain Cases.

III. Where no Clerk is appointed or acting, the Treasurer or other Officer keeping the Accounts of the Receipts and Expenditure of the Corporation, Justices, Commissioners, Board, Vestry, Inspectors, Trustees, or other Body or Persons by whom any Rates, Taxes, Tolls, or Dues herein-before mentioned are levied or ordered to be levied shall make the Returns in relation thereto; and where any such Rates, Taxes, Tolls, or Dues are levied and expended or to be accounted for by Churchwardens, Chapelwardens, or any Officers or Persons not authorized to act as a Board, such Returns as herein-before mentioned in respect of such Rates, Taxes, Tolls, or Dues, and the Expenditure thereof, shall be made by such Churchwardens, Chapelwardens, or other Officers or Persons, and they shall be severally liable in respect of any Neglect to make the same.

Penalty for Default.

IV. Any Clerk, Treasurer, Churchwarden, Officer, or other Person required as aforesaid to make such Return who neglects so to do in the Month of *June* in any Year shall be liable to a Penalty not exceeding Twenty Pounds for every such Offence, to be recoverable on summary Conviction thereof before Two Justices.

Saving for Returns already required.

V. Where any annual Return is now by Law required to be made to the Secretary of State, or to any Public Department, under any Act of Parliament, this Act shall not render necessary any further or other Return in respect of the same Matters: Provided always, that the said Secretary of State may, by his Order published in the *London Gazette*, direct that all or any of such Returns now required as aforesaid shall in future be made under this Act, and shall be subject to the Provisions and Penalties thereof.

Abstracts of Returns to be laid before Parliament.

VI. The said Secretary of State shall every Year cause the Returns transmitted to him under this Act to be abstracted, and the Abstract thereof to be laid before both Houses of Parliament.

VII. This

VII. This Act shall not extend to the Rates levied for the Relief of the Poor, or the Expenditure thereof, but the Returns thereof shall continue to be made to the Poor Law Board, as by the Orders of such Board shall from Time to Time be directed. Poor Rate Returns to be made to Poor Law Board.

VIII. This Act shall not extend to any Tolls or Dues taken by any Railway, Canal, or Joint Stock Company as Profits of their Undertaking, or to any Tolls or Dues taken by Prescription or otherwise as private Property. Saving for Joint Stock Companies and private Rights of Toll, &c.

SCHEDULE.

Church Rates and Chapel Rates; whether made by the Common Law or under the Church Building Acts, or under any other Act of Parliament.

Sewers Rates and "General Sewers Tax," and all Rates, Scots, and Taxes levied by Courts or Commissioners of Sewers; whether levied under the Acts of the 3 & 4 W. 4. c. 22. and 4 & 5 Vict. c. 45. or under any other Act of Parliament, or by Charter, Usage, or Custom.

Rates under the Act for the lighting and watching of Parishes, 3 & 4 W. 4. c. 90.

Rates levied by Improvement Commissioners or other Commissioners, or by any Trustees or Corporation acting under any Local Act for the paving, draining, cleansing, or watching, Improvement or Regulation of any Town or District.

Rates levied by or under the Order of any Vestry or District Board, under the Act 18 & 19 Vict. c. 120., for the better Local Management of the Metropolis.

Tolls and Dues levied under the Authority of Parliament in respect of Markets, Bridges, or Harbours.

CAP. LII.

An Act to alter and amend "The Metropolitan Building Act (1855)." [23d *July* 1860.]

'WHEREAS certain Rules of "The Metropolitan Building Act, 1855," have been found to operate prejudicially by limiting the Contents of Buildings to be erected as Workshops for the Manufacture of the Machinery and the Boilers of Steam Vessels, and as the increased and increasing Size of such Machinery and Boilers for the Royal and Commercial Marine of this Country requires larger Areas for their Manufacture than are allowed by such Rule, it is expedient to amend the said Act:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. This Act may be cited for all Purposes as "The Metropolitan Building Act (Amendment), 1860." Short Title.

II. The Rules of "The Metropolitan Building Act, 1855," limiting the Cubical Dimensions or Contents of Buildings used either wholly or in part for the Purposes of Trade or Manufacture, shall not after the passing of this Act apply to any Building to be used wholly for the Manufacture of the Machinery and Boilers of Steam Vessels beyond the Distance of Three Miles from *Saint Paul's* Cathedral: Provided always, that every such Building shall consist of One Floor only, and shall be constructed of Brick, Stone, Iron, or other incombustible Material; and it shall not be lawful for the Owners, Lessees, or Occupiers thereof, or for any Persons interested therein, to use such Building for any other Purpose than the Manufacture of the Machinery and the Boilers of Steam Vessels until all the Rules and Provisions of the said Act, as to Party Walls and other Matters which are applicable to Buildings of a similar Character, shall have been duly complied with: Provided also, that every such Building, if of greater Dimensions than Two hundred and sixteen thousand Cubic Feet, shall be subject to the Approval of the Metropolitan Board of Works, in the same Manner as Iron Buildings or Buildings to which the Rules of the said Act are inapplicable as set forth in the Fifty-sixth Section of such Act. Rules as to Cubical Dimensions of the Metropolitan Building Act, 1855, not to apply to Buildings to be used for the Manufacture of Machinery and Boilers of Steam Vessels, provided that such Buildings consist of One Floor only, &c.

CAP. LIII.

An Act for the Limitation of Actions and Suits by the Duke of *Cornwall* in relation to Real Property, and for authorizing certain Leases of Possessions of the Duchy. [23d *July* 1860.]

'WHEREAS by an Act passed in the Ninth Year of King *George* the Third, Chapter Sixteen, Provision is made for limiting the Right of the King's Majesty, His Heirs and Successors, to sue, impeach, question, or implead any Person, Body Politic or Corporate, for or concerning any Manors, Lands, Tenements, Rents, Tithes, or Hereditaments whatsoever (other than Liberties or Franchises), or for or concerning the Revenues, Issues, or Profits thereof, and for quieting Possessions and Titles against the Crown: And whereas an Act was passed in the Session holden in the Seventh and Eighth Years of Her Majesty, Chapter One hundred and five, "to confirm and enfranchise the Estates of the "Conventionary Tenants of the ancient assessionable Manors of the Duchy of *Cornwall*, and to quiet "Titles within the County of *Cornwall* as against the Duchy, and for other Purposes," but the Provisions of the said Act for quieting Titles within the County of *Cornwall* as against the Duchy do not extend to any Property, Right, Claim, or Question of, to, or concerning Navigable Rivers, Estuaries, Ports, or Branches of the Sea, or the Fundus or Soil thereof respectively, or the Shores between High and Low Water Mark thereof respectively: And whereas it is expedient that as to Hereditaments not within the County of *Cornwall*, and also as to such Hereditaments within the said County as are excepted 9 G. 3. c. 16. 7 & 8 Vict. c. 105.

'excepted from the Provisions of the said Act of the Seventh and Eighth Years of Her Majesty, the 'Limitation applicable to Actions and Suits by the Crown should be made applicable to Actions and 'Suits by the Duke of *Cornwall*:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Provisions of 9 G. 3. c. 16. as to Limitations of Actions and Suits to extend to the Duke of Cornwall.

I. All the Provisions of the said Act of the Ninth Year of King *George* the Third now applicable to Her Majesty, Her Heirs and Successors, shall extend and be applicable to the Duke of *Cornwall*, in like Manner as if the same were re-enacted and the Duke of *Cornwall* were throughout mentioned or referred to where the "King's Majesty" or "His Majesty" is in the said Act mentioned or referred to, subject nevertheless as to the Property and Possessions included in this Act, to the Provisions contained in Sections Seventy-two and Seventy-five of the Act of the Seventh and Eighth Years of Her Majesty above referred to with respect to the Property and Possessions included therein.

Nothing to affect Provisions of 7 & 8 Vict. c. 105., 2 & 3 W. 4. c. 71., and 2 & 3 W. 4. c. 100.

II. Provided always, That nothing herein-before contained shall extend to the Property or Possessions in relation to which Provision for the Limitation of Actions and Suits and for quieting Titles is made by the said Act of the Seventh and Eighth Years of Her Majesty, or affect the Provisions of the Act of the Session holden in the Second and Third Years of His late Majesty, Chapter Seventy-one, "for shortening the Time of Prescription in certain Cases," or of the Act of the same Session of Parliament, Chapter One hundred, "for shortening the Time required in Claims of Modus decimandi or "Exemption from or Discharge of Tithes."

21 & 22 Vict. c. 109.

III. 'And whereas by "The *Cornwall* Submarine Mines Act, 1858," it is enacted and declared, that 'all Mines and Minerals lying under the Sea-shore, between High and Low Water Marks within the 'said County of *Cornwall*, and under Estuaries and Tidal Rivers and other Places (below High-water 'Mark), even below Low-water Mark, being in and Part of the said County, are, as between the Queen's 'Majesty in right of Her Crown on the one hand and His Royal Highness *Albert Edward* Prince of '*Wales* and Duke of *Cornwall* in right of His Duchy of *Cornwall* on the other hand, vested in His said 'Royal Highness *Albert Edward* Prince of *Wales* and Duke of *Cornwall* in right of the Duchy of '*Cornwall* as Part of the Soil and Territorial Possessions of the said Duchy, but this Declaration is not 'to extend to the Mines and Minerals in or under Land below High-water Mark which is Part and 'Parcel of any Manor belonging to Her Majesty in right of Her Crown; and it is by the said Act pro-'vided, that in that Act, unless there is something in the Context repugnant to such Construction, the 'Expression "Mines and Minerals" shall comprehend all Mines and Minerals, and all Quarries, Veins 'or Beds of Stone, and all Substrata of any other Nature whatsoever, and the Ground and Soil in, upon, 'and under which such Mines and Minerals, Quarries, Veins or Beds of Stone, and other Substrata lie:' Be it further enacted, That in any Case where it appears to the Council of His Royal Highness *Albert Edward* Prince of *Wales* and Duke of *Cornwall* that any Part of the Land or Hereditaments by the said *Cornwall* Submarine Mines Act declared to be vested in His said Royal Highness as Part of the Soil and Territorial Possessions of the Duchy of *Cornwall* has been inclosed or otherwise improved by or at the Expense of the Person in the Possession thereof, or of any Person under whom he claims, it shall be lawful for the said Council during the Minority of His said Royal Highness to demise the Land or Hereditaments so improved, or any Part thereof, for such Term not exceeding Ninety-nine Years in possession, and subject to such Rent, Reservations, Conditions, and Agreements as under the Circumstances of the Case may appear to the said Council just and reasonable; and every such Lease shall be made under the Great or Privy Seal of His said Royal Highness, and shall be enrolled in the Office of the Duchy of *Cornwall*.

Power to Council to grant Leases of Property declared to be vested in the Duke of Cornwall by 21 & 22 Vict. c. 109.

Construction of the Expression "Duke of Cornwall."

IV. In the Construction of this Act the Expression "The Duke of *Cornwall*" shall include as well His Royal Highness *Albert Edward* now Duke of *Cornwall* as his Predecessors and Successors Dukes of *Cornwall*, and also the Queen's most Excellent Majesty and Her Predecessors and Successors, Kings and Queens of *England* for the Time being, entitled to the Lands and Possessions of the Duchy of *Cornwall* or the Revenues thereof during a Vacancy of the Duchy of *Cornwall*.

CAP. LIV.

An Act to amend an Act for abolishing certain Offices on the Crown Side of the Court of Queen's Bench, and for regulating the Crown Office. [6th *August* 1860.]

6 & 7 Vict. c. 20.

'WHEREAS it is expedient to amend so much of an Act of the Sixth Year of Her Majesty, intituled '*An Act for abolishing certain Offices on the Crown Side of the Court of Queen's Bench, and 'for regulating the Crown Office*, as relates to the Number of Officers on the Crown Side of the said 'Court, and as to the Certificate required by the said Act to be given by the Lord Chief Justice of the 'said Court prior to filling up any Vacancy arising in the said Offices:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same:

As to Office of Assistant Master on Crown Side of Queen's Bench.

I. That from and after the passing of this Act the Office of Assistant Master now vacant, on the Crown Side of the said Court, shall be abolished, and the Officers on the Crown Side of the said Court shall be the Queen's Coroner and Attorney and One Master.

II. Instead

Prescribing Mode of filling up future Vacancies in Offices.

II. Instead of the Certificate required by the Third Section of the herein-before recited Act to be given by the Lord Chief Justice of the Court of Queen's Bench before filling up any Vacancy in any such Office, it shall be sufficient if the said Chief Justice shall certify in the Manner prescribed by the said Act that it is necessary for the efficient and satisfactory Conduct of the Business of the Crown Side of the said Court that such Vacancy shall be filled up; such Certificate to be made to the Commissioners of Her Majesty's Treasury, and to be laid before Parliament, as by the said recited Act is provided: Provided always, that it shall be lawful for the said Lord Chief Justice to fill up the Office of Master on the Crown Side of the said Court (such Office being now also vacant) immediately after the passing of this Act, and without certifying as last aforesaid.

Present Vacancy in Office of Master.

CAP. LV.

An Act to authorize the Inclosure of certain Lands in pursuance of a Special Report of the Inclosure Commissioners. [6th *August* 1860.]

'WHEREAS the Inclosure Commissioners for *England* and *Wales* have, in pursuance of "The "Acts for the Inclosure, Exchange, and Improvement of Land," issued their Provisional Orders 'for and concerning the proposed Inclosures mentioned in the Schedule to this Act, and the requisite 'Consents thereto have been given since the Date of their Fifteenth Annual General Report: And 'whereas the said Commissioners have by a Special Report certified their Opinion that such proposed 'Inclosures would be expedient; but the same cannot be proceeded with without the previous 'Authority of Parliament:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Inclosures may proceed.

I. That the said several proposed Inclosures mentioned in the Schedule to this Act be proceeded with.

Short Title.

II. In citing this Act in other Acts of Parliament and in legal Instruments it shall be sufficient to use either the Expression "The Second Annual Inclosure Act, 1860," or "The Acts for the Inclosure, Exchange, and Improvement of Land."

SCHEDULE to which this Act refers.

Inclosure.	County.	Date of Provisional Order.
Dorstone	Hereford	22d December 1859.
Oare	Somerset	22d December 1859.
Harborough Banks	Warwick	5th January 1860.
Clawdd-Coch Common	Carmarthen	19th January 1860.
Bromesberrow	Gloucester	9th February 1860.
Silton Commons	Dorset	23d February 1860.
Checkendon	Oxford	16th February 1860.
Sarnau Common	Brecon	22d December 1859.
Ugre	Radnor	7th June 1860.
Newton Nottage	Glamorgan	17th May 1860.
Charlton in Wantage	Berks	17th June 1858.

CAP. LVI.

An Act to make further Provision for Improvements in the Harbours of the *Isle of Man*. [6th *August* 1860.]

16 & 17 Vict. c. 107.

'WHEREAS by "The Customs Consolidation Act, 1853," Section Three hundred and fifty-four, it 'is provided, that the annual Sum of Two thousand three hundred Pounds, made payable by an 'Act passed in the Session holden in the Eighth and Ninth Years of Her Majesty, Chapter Ninety-'four, Section Twenty-five, to Her Majesty's Receiver General in the *Isle of Man*, and to be applied 'for the lawful Purposes of the Harbour Commissioners therein mentioned, shall be retained and paid 'by the Collector of Customs of the said Isle out of the Duties collected in the said Isle, as therein-'before provided; and by Section Three hundred and fifty-five of the said Customs Consolidation Act 'it is provided that, in addition to the Deductions from the Customs Duties therein-before provided for, 'there shall be set aside annually a Sum equal to One Ninth Part of the Amount derived from such 'Duties, to be applied by the Commissioners of the Treasury in effecting Improvements in the Harbours 'and other Public Works in the *Isle of Man*, the necessary Repairs and Improvements in the Harbours 'taking Priority to other Public Works; and that it shall be lawful for the Court of Tynwald from

'Time

'Time to Time to determine what Improvements and Public Works shall be so undertaken, the Lieu-
'tenant Governor having a Veto upon such Decision: And whereas under an Act of the Session
3 & 4 Vict. c. 63. 'holden in the Third and Fourth Years of Her Majesty, Chapter Sixty-three, the said Harbour Com-
'missioners are empowered, with the Consent of the Commissioners of Her Majesty's Treasury, to
'borrow from the Commissioners acting in the Execution of the Act of the Fifty-seventh Year of King
'*George* the Third, Chapter Thirty-four, Money for the Improvement of the Harbours of the said Isle,
'on the Security of certain Duties therein mentioned and since repealed, and the said annual Sum of
'Two thousand three hundred Pounds is now applicable to the same Purposes to which the said repealed
'Duties would be lawfully applicable: And whereas for expediting Improvements in the said Harbours
'it is expedient that further Power should be given to raise Money on the Security of the said annual
'Sum of Two thousand three hundred Pounds, and that Power should be given to raise Money on the
'Security of the Sums annually applicable to Improvements under Section Three hundred and fifty-five
'of the said Customs Consolidation Act:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Power to Harbour Commissioners of Isle of Man to borrow Money for effecting Improvements in Harbours.

I. It shall be lawful for the said Harbour Commissioners or the major Part of them (of whom Her Majesty's Receiver General in the *Isle of Man*, or his Deputy for the Time being, shall be one), from Time to Time, with the Approbation of the Commissioners of Her Majesty's Treasury, to borrow, of or from any Commissioners, Body, or Person willing to advance the same, on the Security of the said annual Sum of Two thousand three hundred Pounds, to be applied under the said Section Three hundred and fifty-four, and the Sums to be set aside annually for effecting Improvements under Section Three hundred and fifty-five of the said Customs Consolidation Act, 1853, or on the annual Sums so to be applied or set aside under either of such Sections, such Sum or Sums of Money as such Harbour Commissioners or the major Part of them (of whom the said Receiver General or his said Deputy shall be one), with such Approbation as aforesaid, may deem necessary, for the Purpose of effecting Improvements in the said Harbours, and by any Deed or Deeds under the Hands and Seals of the said Harbour Commissioners, or such Majority of them as aforesaid, to charge the said annual Sums on the Security whereof any such Money as aforesaid may be borrowed with the Repayment of the Principal Money and Interest, according to the Terms agreed on with any Commissioners or other Body or Person by whom the respective Advance may be made, without Prejudice, so far as respects the said annual Sum of Two thousand three hundred Pounds, to any Security given to the Commissioners acting in execution of the said Act of the Fifty-seventh Year of King *George* the Third, and not then discharged.

Power to Public Works Loan Commissioners to lend Money notwithstanding anything in 16 & 17 Vict. c. 40.

II. The Commissioners acting in execution of the said Act of the Fifty-seventh Year of King *George* the Third, Chapter Thirty-four, and in the Execution of any Act or Acts for amending or continuing the same, may make Advances, or further Advances, upon the Security of the said annual Sum of Two thousand three hundred Pounds, and of the Sums to be set aside annually under the said Section Three hundred and fifty-five of the said Customs Consolidation Act, or of either of the said annual Sums, and upon such Terms, as to the Time and Mode of Repayment and otherwise, as the Commissioners of Her Majesty's Treasury may approve, anything in an Act of the Session holden in the Sixteenth and Seventeenth Years of Her Majesty, Chapter Forty, notwithstanding.

Power to Treasury to give Directions for giving Effect to the Security, &c.

III. The Commissioners of Her Majesty's Treasury may declare what shall be a sufficient Discharge to the Commissioners or other Bodies or Persons advancing such Money in respect of the Advances made by them, and shall also give such Directions as may appear to them proper for securing the due Repayment, out of the annual Sums on the Security of which any Money may be borrowed under this Act, of the Money so borrowed, with the Interest thereof.

Securities not to be affected by certain Informalities.

IV. Any Security purporting to be executed by the said Harbour Commissioners or by such Majority of them as aforesaid, and which shall be approved by the Commissioners of Her Majesty's Treasury, shall not be impeachable on account of any Informality in the Election or Appointment of such Harbour Commissioners or of any of them, or on account of any Deficiency in Number of the general Body of such Commissioners for the Time being.

Application of Money borrowed on Sums applicable under Sect. 355 of 16 & 17 Vict. c. 107.

V. All Money which may be borrowed on the Security of the Sums to be annually set aside under Section Three hundred and fifty-five of the said Customs Consolidation Act shall be applied to such Improvements and Works only as the Court of Tynwald shall have determined to be undertaken; and the Commissioners of Her Majesty's Treasury may give such Directions as they may think fit for securing the Application of such Money accordingly, and generally for securing the due Application of the Money to be borrowed under this Act.

Consent of Admiralty to be signified before Works are commenced.

VI. No Work which may be determined to be undertaken by the Court of Tynwald shall be commenced or be constructed below High-water Mark at ordinary Spring Tides, nor shall any Works other than those of maintaining, repairing, and cleansing in any Harbour, or on the Shores of the *Isle of Man*, be commenced or be constructed by any Commissioners or Person whomsoever below such High-water Mark without the previous Consent of the Lord High Admiral of the United Kingdom of *Great Britain* and *Ireland*, or the Commissioners for executing the Office of Lord High Admiral aforesaid, for the Time being, to be signified in Writing under the Hand of the Secretary of the Admiralty, and then only according to such Plan, and under such Restrictions and Regulations, as the said Lord High Admiral,

or the said Commissioners for executing the Office of Lord High Admiral, may approve, such Approval being signified as last aforesaid; and where any such Work shall have been constructed it shall not be lawful for the Court of Tynwald or any Commissioners or Person at any Time to alter or extend the same, without obtaining previously to making any such Alteration or Extension the like Consent or Approval, and if any such Work shall be commenced or completed or be altered or extended contrary to the Provisions of this Act, it shall be lawful for the said Lord High Admiral, or the said Commissioners for executing the Office of Lord High Admiral, to abate, alter, and remove the same, and to restore the Site thereof to its former Condition.

Power to Admiralty to remove abandoned Works.

VII. If any Work be constructed in any Harbour, or on the Shores of the *Isle of Man*, under, over, through, or across any tidal Water, which affects or may affect any such Water or Access thereto, shall be abandoned or suffered to fall into Disuse or Decay, it shall be lawful for the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, to abate and remove the same, or such Part or Parts thereof as he or they may at any Time or Times deem fit and proper, and to restore the Site thereof to its former Condition.

CAP. LVII.

An Act to authorize an Extension of the Time for Repayment of a Loan made by the *West India* Relief Commissioners to the Island of *Dominica*. [6th *August* 1860.]

5 & 6 W. 4. c. 51.
2 & 3 W. 4. c. 125.

'WHEREAS under the Provisions of an Act passed in the Session holden in the Fifth and Sixth 'Years of King *William* the Fourth, Chapter Fifty-one, the Commissioners acting in the 'Execution of an Act of the Session holden in the Second and Third Years of King *William* the 'Fourth, Chapter One hundred and twenty-five, advanced by way of Loan in the Month of *March* 'One thousand eight hundred and thirty-six the Sum of Ten thousand Pounds for the Public Service 'of the Island of *Dominica*, such Loan to be repaid in Ten Years from the Date of the Advance, with 'Interest in the meantime after the Rate of Four Pounds *per Centum per Annum*; and by an Act of 'the Legislature of *Dominica*, the Repayment, as aforesaid, of such Loan, with Interest, was secured 'on the Revenues and Public Property of that Island: And whereas the Principal Sum of Four 'thousand five hundred and ninety-five Pounds Six Shillings and Tenpence was paid in reduction of 'the said Sum of Ten thousand Pounds; but the Residue of such last-mentioned Sum, with large 'Arrears of Interest thereon, remains unpaid: And whereas the Lords Commissioners of Her Majesty's 'Treasury proposed (and caused to be communicated to the Government of *Dominica*) the following 'Terms for the Liquidation of the Balance of the said Loan and Interest, *viz.*, that on the Government 'of *Dominica* making a legal Provision for the Payment of the annual Instalments, their Lordships 'would be prepared to capitalize the Arrears of Interest due, and to ask the Sanction of Parliament, 'not only to extend the Period for Payment, but also to reduce the Rate of Interest from Four to 'Three and a Quarter *per Centum*, and they would propose that such Sum should be liquidated by an 'Annuity for Twenty Years, computed at the Rate of Three and a Quarter *per Centum* Interest, the 'Annuity including such Interest and a Sinking Fund for the Principal: And whereas it is expedient 'that the Commissioners of Her Majesty's Treasury should be authorized to direct the Commissioners 'acting in the Execution of the recited Acts to accept the Repayment of the Balance due in respect 'of the said Loan by such Instalments or Annuity as aforesaid:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; (that is to say,)

Power to Treasury to accept an Annuity in lieu of Monies due in respect of Balance of Loan due from Dominica.

I. It shall be lawful for the Commissioners of Her Majesty's Treasury, if it shall appear to them that the Legislature of the said Island of *Dominica* have made a legal Provision for the Payment of such annual Instalments or Annuity for Twenty Years as herein-before mentioned, to direct that such Payment be accepted in liquidation of the Monies due in respect of the Balance of the said Loan of Ten thousand Pounds, and all Interest due or to become due in respect thereof.

CAP. LVIII.

An Act to amend the Act of the Eighteenth and Nineteenth Years of Her Majesty relating to Friendly Societies. [6th *August* 1860.]

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

In case of Dissolution of Society under Sect. 13. of 18 & 19 Vict. c. 63., not necessary to state

I. In case of the Dissolution of a Society, according to the Provisions of the Thirteenth Section of the Act passed in the Eighteenth and Nineteenth Years of Her Majesty, Chapter Sixty-three, it shall not be necessary to state in the Agreement the intended Appropriation or Division of the Funds or other Property, but it shall be lawful to the Members, if they shall think fit, to refer such Appropriation or Division to the Award of the Registrar; and in case Application shall be made in Writing by the Members of a Society, not being less in Number than Five Eighths of the whole Body thereof, setting forth

in Agreement intended Division of Funds, but may refer the same to the Award of the Registrar.

forth that the Funds of such Society are insufficient to meet the Claims thereon, with the Grounds upon which such Insufficiency can be proved, it shall be lawful for the Registrar to investigate the same, and if upon such Investigation he shall find that the said Society is in an insolvent Condition, and that it would conduce to the Interests of all Parties concerned that the Affairs of the Society should be wound up and brought to a Termination, he shall make an Award to that Effect, and shall direct in what Manner the Funds and Property of the Society shall be divided or appropriated, and it shall not be necessary in such Case that the Provisions of the said Thirteenth Section be complied with; provided that previous to such Investigation the Registrar shall give not less than Twenty-one Days Notice in Writing, to be sent by Post to the Trustees, Secretary, or other Officer of such Society, at the Place where such Society holds its Meetings.

Registrar's Award to be conclusive without Appeal.

II. Every Award so made as aforesaid by the Registrar shall be final and conclusive on all Members and other Persons having any Claim on the Funds of the said Society, without Appeal, and shall be enforced in the same Manner as by Section Forty-one of the said Act is provided for enforcing the Award of Arbitrators; and the Expenses of such Award, and of publishing the Notice of Dissolution in the Gazette, shall be paid out of the Funds of the Society before any Appropriation thereof shall be made.

Evidence of Dissolution.

III. When any Agreement for the Dissolution of a Society authorized by Section Thirteen of the said Act shall be transmitted to the Registrar, and when any Award authorized to be made by this Act shall be made by the Registrar, Notice thereof shall, within Twenty-one Days after the same shall have been so transmitted or made respectively, be advertised by the Registrar, as respects Societies in *England* in the *London Gazette*, as respects Societies in *Scotland* in the *Edinburgh Gazette*, and as respects Societies in *Ireland* in the *Dublin Gazette*; and unless within Three Calendar Months from the Date of the Gazette in which such Advertisement shall appear, a Member or other Person interested in or having any Claim on the Funds of the Society shall commence Proceedings to set aside the Dissolution of the Society consequent upon such Agreement or Award, the Society shall be considered for all Intents and Purposes, and in all Courts of Law and Equity, as legally dissolved, and the requisite Consents to such Agreement, or, as the Case may be, to the Application to the Registrar, to have been duly obtained, without Proof of the Signatures thereto.

Registrar's Report to contain Particulars of Awards.

IV. The Registrar in his next annual Report submitted to Parliament shall set forth the Particulars of every Award made under the Provisions of this Act which he may have made during the preceding Twelve Months.

Provisions as to Societies dissolved before passing of this Act.

V. In regard to Societies which have been dissolved before the passing of this Act, if Notice of any Agreement for the Dissolution of such Society, already transmitted to the Registrar, or of any Award made under Section Thirteen of the said Act, shall within Three Months after the passing of this Act be advertised in such Gazette as aforesaid, the Provisions of Section Three of this Act shall apply in the same Way as if such Agreement and Award had been transmitted and made subsequent to the passing of this Act.

Sect. 8. of 21 & 22 Vict. c. 101. repealed.

VI. The Eighth Section of the Act passed in the Twenty-first and Twenty-second Years of Her Majesty, Chapter One hundred and one, is hereby repealed; but where, previously to the passing of this Act, any Application has been made to the Registrar respecting the Dissolution of a Society under the said Section, such Society shall be dissolved in the same Manner and with the same Incidents as if this Act were not passed, and for the Purposes of such Dissolution the said Section shall be deemed to remain in full Force.

Penalty for not making annual Return to Registrar in compliance with Sect. 45. of 18 & 19 Vict. c. 63.

VII. If Default shall be made in transmitting to the Registrar before the First Day of *June* in each Year the general Statement or Copy of the last annual Report of any Society, in compliance with the Provisions of Section Forty-five of the Act of the Session of the Eighteenth and Nineteenth of *Victoria*, Chapter Sixty-three, the Officer making such Default shall be liable to a Penalty not exceeding Twenty Shillings, to be recovered, with Costs, at the Suit of the Registrar, before Two or more Justices, as to *England* in manner directed by an Act passed in the Session holden in the Eleventh and Twelfth Years of the Reign of Her Majesty Queen *Victoria*, Chapter Forty-three, intituled *An Act to facilitate the Performance of the Duties of Justices of the Peace out of Sessions within* England *and* Wales *with respect to summary Convictions and Orders*, and as to *Scotland* before Two or more Justices or the Sheriff of the County, in manner directed by the Act passed in the Session of Parliament holden in the Seventeenth and Eighteenth Years of the Reign of Her Majesty Queen *Victoria*, Chapter One hundred and four, intituled *An Act to amend or consolidate the Acts relating to Merchant Shipping*, as regards Offences in *Scotland* against that Act, not being Offences by that Act described as Felonies or Misdemeanors, and as to *Ireland* in manner directed by the Act passed in the Session holden in the Fourteenth and Fifteenth Years of the Reign of Her Majesty Queen *Victoria*, Chapter Ninety-three, intituled *An Act to consolidate and amend the Acts regulating the Proceedings of Petty Sessions, and the Duties of Justices of the Peace out of Quarter Sessions, in* Ireland, or any Act passed for the Amendment of the above-mentioned Acts; and the Justices or Sheriff imposing any Penalty under this Act may direct the whole or any Part thereof to be applied in or towards Payment of the Costs of the Proceedings; and subject to such Direction all Penalties shall be paid into the Receipt of Her Majesty's Exchequer, in such Manner as the Treasury may

may direct, and shall be carried to and form Part of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*.

VIII. If the Accounts and Returns required from certain Friendly Societies by the Commissioners for the Reduction of the National Debt, pursuant to Section Thirty-four of the said Act, be not made within Thirty Days after the same have been required, the Account of the said Society shall be closed by the said Commissioners, and thenceforth no Interest shall be credited to such Society thereon, until such Accounts and Returns shall be furnished to the said Commissioners, or the Money be withdrawn. *If Accounts not made to Commissioners, Interest thereon to cease, &c.*

IX. Any Application authorized by Section Twenty-four of the said recited Act to be made by any Person on behalf of a Society, may be made by the Registrar. *Application by Registrar.*

X. This Act and the Friendly Societies Acts, 1855 and 1858, shall be construed as One Act, and may be cited together for all Purposes as the Friendly Societies Acts. *This and Friendly Societies Acts to be construed as One.*

CAP. LIX.

An Act to extend the Provisions of the Universities and College Estates Act (1858), and of the Copyhold Acts, and of the Act of the Third and Fourth Years of the Reign of Her Majesty, Chapter One hundred and thirteen, and of the Seventeenth and Eighteenth Years of the same Reign, Chapter Eighty-four, so far as the same relate to Universities and Colleges.

[6th *August* 1860.]

'WHEREAS it is expedient that the Provisions of "The Universities and College Estates Act, 1858," should be extended, and that Power should be given to Universities and Colleges, with the Consent hereafter required, to raise Monies by Mortgage under proper Restrictions to provide Compensation for the Loss of Fines on Non-renewal of Leases:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: *21 & 22 Vict. c. 44.*

I. Whenever any Lease of any Lands belonging to the Universities of *Oxford*, *Cambridge*, or *Durham* respectively, or any College therein respectively, or the Colleges of *St. Mary* of *Winchester* near *Winchester*, or of King *Henry* the Sixth at *Eton*, the Leases of which have been customarily renewed on Payment of a Fine, shall from any Cause whatever (other than the Refusal of the University or College entitled to the Reversion of such Lands to accept such a Sum of Money by way of Fine as shall be deemed reasonable by the Copyhold Commissioners, and shall be tendered by the Lessee at the First and each successive Time of Renewal after the Commencement of this Act, or within Three Months of such Time, for the Renewal of any Lease theretofore regularly renewed,) remain unrenewed at any customary Period of Renewal, or whenever any Loss of Fines shall have been occasioned by the Surrender of any Lease upon any Transaction by way of Sale or Exchange between the said Universities or Colleges and their Lessees, under the Fourth Section of "The Universities and College Estates Act, 1858," it shall be lawful for the said Universities and Colleges respectively from Time to Time, with the Consent of the Copyhold Commissioners (such Consent to be evidenced by an Order to be issued under their Hands and the Common Seal of their Board), to raise by Mortgage of any Lands belonging to such University or College for any Term of Years (determinable as herein-after provided) such Sum or Sums of Money (together with all reasonable Costs and Expenses incidental to such Raising) as shall be required, and be stated in such Order, with Interest thereon not exceeding the Rate to be specified in such Order, for the Purpose of paying, by way of Indemnity, to the then existing Members of such University or College the same Amount of Money which would have accrued to the said Members if any such Lease as aforesaid had been renewed in manner theretofore accustomed: Provided always, that the said Power of raising Monies by Mortgage shall not be exercised for the Purpose of providing for the Loss of more than Two Fines in respect of the same Lands, and that upon the Creation of any such Mortgage Provision shall be made by such University or College, with the Approval of the said Copyhold Commissioners, for the Discharge of the borrowed Monies by some or One of the Modes prescribed by the Twenty-eighth Section of "The Universities and College Estates Act, 1858," or otherwise so and in such Manner as that the Principal Money to be borrowed at each customary Period of Renewal in respect of the same Lands may be discharged with the Mesne Interest of such Money within or at the Expiration of Thirty Years from the borrowing thereof; provided also, that in every such Mortgage there shall be contained a Proviso that when the whole of such Principal Monies, Interest, and Costs shall be discharged, the Mortgage Term thereby created shall absolutely cease: Provided always, that after any Sum shall have been raised under the Power herein-before contained in lieu of the Fines payable in respect of any Lease of any Lands no Fine shall thenceforth be taken for the Renewal or Grant of any Lease of the same Lands. *Power to raise Monies by Mortgage by way of Compensation for Loss of Fines on Non-renewal of Leases.*

II. The Order to be issued by the said Commissioners pursuant to the foregoing Provisions shall be similar to the "Form of Order authorizing a Mortgage," contained in the Schedule to the said "Universities and College Estates Act, 1858," with such Variations only as the Circumstances of the Case shall necessarily require. *Form of Order to be issued by Copyhold Commissioners evidencing their Consent.*

III. Where any Lands belonging to any such University or College as aforesaid shall at any Time have been leased at the best and most improved yearly Rent without Fine, no Fine, Premium, or Foregift, *Lands once leased at Rack-rent not there-*

after to be leased upon Fines.

Foregift, or anything in the Nature thereof, shall thereafter be taken by such University or College for the Grant or Renewal of any Lease of the same Lands.

Amendment of certain Provisions of the Copyhold Acts with respect to Universities and Colleges.

IV. 'And whereas it is expedient that certain Provisions of the Copyhold Acts, so far as the same 'Provisions relate to Universities and Colleges, should be amended and explained as hereafter provided:' Be it further enacted, That where any Manor belonging to any of the Universities of *Oxford*, *Cambridge*, and *Durham* respectively, or any College therein respectively, or the Colleges of *St. Mary* of *Winchester* near *Winchester*, or King *Henry* the Sixth at *Eton*, shall be held by any Person or Persons on Lease for a Life or Lives, or for a Term of Years, granted by any such University or College, the University or College entitled to such Manor in reversion expectant on such Lease, and the Lessee thereof as aforesaid, shall jointly constitute "the Lord" of such Manor within the Meaning of "The Copyhold Acts;" and all Consideration Monies payable to the Lord of any such Manor under the same Acts shall be dealt with in the Manner directed by the Thirty-ninth Section of "The Copyhold Act, 1852," or the Sixteenth Section of "The Copyhold Act, 1858," (due Notice of any such Dealing being previously given to the University or College entitled as aforesaid,) until the Time when the reversionary Interest of such University or College in the Manorial Rights of such Manor would, if the same had not been extinguished, have come into possession: When the said Consideration Monies, or any Securities in which the same may have been invested, shall, upon Petition to the Court of Chancery or on Application to the Trustees in whom the same shall then be vested (as the Case may be), be paid or transferred to the Copyhold Commissioners to the Account of the University or College entitled thereto, in the same Manner and to be applied for the same Purposes as Enfranchisement Monies payable for the Benefit of any University or College are directed to be paid and applied by the First Section of "The Universities and College Estates Act, 1858."

Power to transfer Lands vested in individual Members of Universities or Colleges to University or College upon like Trusts.

V. When any Lands shall be vested in any Person or Persons being a Member or Members of any of the said Universities or Colleges in trust or for the Benefit of the University or College, or the Head or any other Member thereof, it shall be lawful for such Person or Persons (with the Consent of the said Copyhold Commissioners, to be signified by any Writing under their Hands and the Common Seal of their Board) to convey and transfer such Lands in such Manner as that the same may be vested in the University or College in its Corporate Capacity, upon the Trusts nevertheless affecting the same Lands respectively.

Two Copyhold Commissioners to form a Board for Exercise of Powers under 21 & 22 Vict. c. 44.

VI. Any Two of the Copyhold Commissioners shall form a Board for the Exercise of the Powers and Authorities conferred on the said Commissioners by "The Universities and College Estates Act, 1858," and this Act; and any Order, Power of Attorney, or other Instrument issued or executed pursuant to the Provisions of the said Acts, which shall have been or shall hereafter be signed by any Two of the said Commissioners, and sealed with the Common Seal of their Board, shall be valid and sufficient for all Purposes whatsoever.

Extension of certain Provisions of the 3 & 4 Vict. c. 113. with respect to Universities and Colleges.

VII. 'And whereas it is expedient that the Provisions of the Act of the Third and Fourth Years of 'the Reign of Her Majesty (Chapter One hundred and thirteen), and also of the Act of the Seventeenth 'and Eighteenth Years of the same Reign (Chapter Eighty-four), so far as the same relate to Universities 'and Colleges, should be extended and amended as hereafter provided:' Be it further enacted, That Section Sixty-nine of the said Act of the Third and Fourth Years of Her Majesty shall be construed to extend to and shall include as well Benefices with Cure of Souls as Ecclesiastical Rectories, Prebends, and other Preferments without Cure of Souls, Advowsons, and Rights of Patronage, whether exclusive or alternate, Impropriate Rectories, and other Lands and Hereditaments annexed or belonging to, or held either wholly or partly by, or in trust for, any of the Universities of *Oxford*, *Cambridge*, and *Durham*, or any College therein respectively, or either of the Colleges of *St. Mary* of *Winchester* near *Winchester*, and of King *Henry* the Sixth at *Eton*, or the Head or any other Member of any such College, and also to extend to and to include and to authorize Sales by each of the same Universities, as well as each of the Colleges therein respectively, and the said Colleges of *St. Mary* of *Winchester* near *Winchester*, and of King *Henry* the Sixth at *Eton*, and shall also be construed to enable the said Universities or Colleges to sell Advowsons of Benefices the Patronage whereof shall be vested in any Person or Persons in trust for any of the said Universities or Colleges, or for the Benefit of the Head or any other Member thereof respectively, and also to authorize, under the Authority herein-after mentioned, the Annexation of the whole or any Part of the Lands or other Hereditaments or Endowments belonging to any such Ecclesiastical Rectory, Prebend, or other Preferment without Cure of Souls, Impropriate Rectories, and other Lands and Hereditaments aforesaid, or the Application of the Proceeds of any Sale thereof, and also the Application of the Proceeds of any Sale of Advowsons and Rights of Patronage, or any Part of the Proceeds of any such Sales, which may be made under the said Section of the said last-mentioned Act, or "The Universities and College Estates Act, 1858," or under any other Authority, or of any Monies, Stocks, Funds, or Securities belonging to such University, College, Head, or Member, by way of Endowment or Augmentation of any Benefice with Cure of Souls, the Patronage whereof shall belong to or be held in trust for or for the Benefit of such University or College, or the Head or other Member thereof: Provided nevertheless, that the Powers conferred by this Clause shall not be exercised to the Prejudice of the existing Interest of any such Head or other Member of a College without his Consent; and in case of any Diminution being occasioned in the Income of any such Head or other Member of a College by any Sale, Annexation, Purchase, or Investment

ment that may be made under the Provisions of the said Acts, Arrangements may be made under the like Authority for giving to such Head or other Member adequate Compensation for such Diminution of his Income out of the Revenues of such College, or out of the Proceeds of any such Sale or Investment; and the said Section of the said last-mentioned Act shall extend to authorize under the like Authority the Purchase out of any of the Corporate Funds or Revenues of any such University or College of Advowsons of Benefices, and also of any Rights of perpetual Presentation or Nomination to Benefices, whether such Benefices be or be not annexed to or held by or in trust for any of the said Universities, or any such College as aforesaid, or the Head or other Member of any such College, to be added to those in the Patronage of such University or College; and the Words "Colleges" and "College" in the said Section of the said last-mentioned Act shall include the Cathedral or House of *Christ Church* in *Oxford*, and the Words "proper Securities" in the same Section shall be construed to extend to authorize and shall include the Purchase of Lands in Fee Simple, and also an Investment on any of the Parliamentary Stocks or Public Funds of *Great Britain*; and all such Securities, Lands, and Stocks or Funds shall be settled, held, applied, or disposed of in such Manner as by the University or College effecting such Sale, Purchase, or Investment, and by the like Authority, shall be arranged and determined in that Behalf; and every Endowment or Augmentation which shall be made by any University or College of any Benefice with Cure of Souls under the Authority of this Section, or by virtue of the Provisions of the Act of the First and Second Years of His late Majesty King *William* the Fourth (Chapter Forty-five), or any other Act or Acts of Parliament, shall be valid notwithstanding the clear annual Value of such Benefice shall at the Time of such Endowment or Augmentation exceed or be thereby made to exceed the Limits prescribed by the Sixteenth Section of the said Act of the First and Second Years of King *William* the Fourth, or any other Act or Acts of Parliament: Provided, that no such Augmentation or Endowment beyond the clear annual Value of Five hundred Pounds shall be made under the said Act of the First and Second Years of King *William* the Fourth, except with the Consent of the Ecclesiastical Commissioners for *England* (to be testified by Writing under their Common Seal) in addition to such other Consents as may be otherwise required thereto.

Provision as to Right of Patronage severed.

VIII. On the Sale or Annexation under the last preceding Clause of any Ecclesiastical Rectory, Prebend, or other Preferment without Cure of Souls, or of any Impropriate Rectory to which any Right of Patronage shall belong, and which is not intended to be included in such Sale or to accompany such Annexation, such Right of Patronage shall immediately after such Sale or Annexation be separated from and be no longer exercised by the Holder of such Ecclesiastical Rectory, Prebend, or other Preferment without Cure of Souls, or Impropriate Rectory, but shall by force of this Act be absolutely transferred to and vested in the University or College, the former Patrons or Owners of such Ecclesiastical Rectory, Prebend, or other Preferment or Impropriate Rectory.

8 & 9 Vict. c. 18. incorporated.

IX. The Lands Clauses Consolidation Act, 1845, (except such Parts thereof as relate to the Purchase of Lands otherwise than by Agreement, and to the Recovery of Forfeitures, Penalties, and Costs, and to the Sale of superfluous Lands,) shall be incorporated with and form Part of the said Section Sixty-nine of the said Act of the Third and Fourth Years of Her Majesty (Chapter One hundred and thirteen) as extended by this Act, and as if the Corporate Name or Denomination of the University or College in each particular Case had been inserted therein instead of "the Promoters of the Undertaking:" Provided that the Powers by the said Act vested in "the Promoters of the Undertaking" shall be exercised only by such University or College with the Consent of the Ecclesiastical Commissioners for *England* testified as aforesaid.

The Ecclesiastical Commissioners constituted "the Authority" referred to.

X. "The Authority" herein-before and in the said Act of the Third and Fourth Years of Her Majesty provided shall, so far as relates to Universities and Colleges, be and be deemed to be "The Ecclesiastical Commissioners for *England*," and such Authority shall be deemed to be sufficiently exercised and evidenced by any Writing under their Common Seal.

Power to substitute Land or other permanent Endowment in lieu of annual Rents or other Payments, in Extension of certain Provisions of 17 & 18 Vict. c. 84.

XI. Where any Rent or annual Sum of Money granted, reserved, or made payable, or to be granted, reserved, or made payable under any of the Powers of the said Act of the Seventeenth and Eighteenth Years of Her Majesty (Chapter Eighty-four), or of the several Acts therein mentioned or otherwise, to the Incumbent of any Church or Chapel, by way of Endowment, or in augmentation of the Endowment of any such Church or Chapel, is or shall be charged upon or made payable out of any Rectory Impropriate Tithes, annual Revenues, Lands, Tenements, or other Hereditaments belonging to any of the said Universities or Colleges respectively, it shall be lawful for the said Universities and Colleges respectively, with the Consent of the Incumbent for the Time being of the said Church or Chapel, and also with the Consent of the Archbishop or Bishop of the Diocese within which the said Church or Chapel shall be situate, and also of the Patron or Patrons of the said Church or Chapel, (such Consent to be signified by the said consenting Parties respectively executing the Deed or Deeds herein-after mentioned,) and notwithstanding any Statute or Law to the contrary, by Deed duly executed to appropriate and annex in perpetuity to such Church or Chapel any Lands, Tithes or Portion of Tithes, or other Hereditaments belonging to any such University or College as aforesaid, to the Intent that the same may be held and enjoyed by the Incumbent for the Time being of such Church or Chapel in lieu of and substitution for such Rent or annual Sum of Money as aforesaid; and it shall be lawful for the said Incumbent for the Time being to accept to him and his Successors such substituted Endowment or Augmentation,

Augmentation, and thereupon by the same or any other Deed duly executed by him, and with such Consents and so signified as aforesaid, to release any Impropriate Rectory Tithes, annual Revenues, Lands, Tenements, or other Hereditaments theretofore charged with the said Rent or annual Sum of Money, and the Premises so released shall be thenceforth wholly discharged from the said Rent or Sum of Money, and from all Powers and Remedies for the Recovery thereof: Provided always, that no Consent of any Archbishop or Bishop shall be given to any such Annexation and Release respectively as aforesaid unless such substituted Endowment or Augmentation shall be proved to the Satisfaction of the said Archbishop or Bishop to produce an Income which shall exceed or be fully equal to the Rent or annual Sum of Money for which the same shall be substituted and be expressed to be so proved in the Deed by which such Consent shall be signified; provided also, that when any Lands, Tithes or Portions of Tithes, or other Hereditaments, which shall be so annexed as aforesaid, shall be comprised in any subsisting Lease or Leases previously granted thereof, such Annexation shall not prejudice or affect any such subsisting Lease or Leases; but in every such Case any Rent or Rents reserved by any such Lease or Leases, or a proportionate Part thereof (in case other Hereditaments shall also be comprised in such Lease or Leases), shall during the Continuance of the said Lease or Leases be payable to the Incumbent for the Time being of the Church or Chapel to which the Premises shall be annexed as aforesaid, and such Incumbent for the Time being shall have all the same Powers for the Recovery of the said Rent or Rents, or of the proportionate Part thereof, as aforesaid, as the University or College by whom the Annexation shall have been made might have had in case the Premises had not been so annexed.

Interpretation of Terms.

XII. This Act shall be read and construed according to the Definitions and Interpretations contained in the Thirty-first and Thirty-second Sections of "The Universities and College Estates Act, 1858," and the Word "College" in the said Act of the Third and Fourth Years of Her Majesty and in this Act shall be interpreted to include any "Hall" in the said Universities or either of them.

Short Title.

XIII. It shall be sufficient for all Purposes to cite this Act as "The Universities and College Estates Act Extension, 1860."

CAP. LX.

An Act to amend the Act for regulating the Queen's Prison. [6th *August* 1860.]

5 & 6 Vict. c. 22.

'WHEREAS by an Act of the Session holden in the Fifth and Sixth Years of Her Majesty, Chapter Twenty-two, "for consolidating the Queen's Bench, Fleet, and Marshalsea Prisons, " and for regulating the Queen's Prison," it is enacted, "that if any Prisoner confined in the Queen's " Prison should become or be found to be of unsound Mind during his or her Imprisonment, and " should be so reported by the Marshal or Keeper thereof to One of Her Majesty's Principal Secre- " taries of State, it should be lawful for such Secretary of State, by Warrant under his Hand directed " to the said Marshal or Keeper, upon the Certificate of Two Physicians or Surgeons that such Pri- " soner is of unsound Mind, to order that such Prisoner should be forthwith removed to the Royal " Hospital of *Bethlehem*, and the President, Treasurer, and Governors of *Bethlehem Hospital* should " be bound to receive such Prisoner, and him or her safely to keep until a Warrant of the Secretary " of State should be directed to them for Re-delivery of such Prisoner into the Custody of the Marshal " or Keeper of the Queen's Prison, as therein-after provided, and that every Prisoner so removed " should remain under Confinement in *Bethlehem Hospital* until it should be duly certified to One of " Her Majesty's Principal Secretaries of State, by Two Physicians or Surgeons, that such Prisoner " had become of sound Mind, whereupon the Secretary of State should issue his Warrant to the Pre- " sident, Treasurer, and Governors of *Bethlehem Hospital*, ordering that such Prisoner be re-delivered " into the Custody of the Marshal or Keeper of the Queen's Prison, for the Purpose of being remanded " to the Queen's Prison:" And whereas it is expedient that further Provision should be made as to Prisoners removed to *Bethlehem Hospital* as aforesaid, where they continue of unsound Mind after they would have been entitled to be discharged from the Queen's Prison:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Prisoners sent to Bethlehem Hospital under 5 & 6 Vict. c. 22. may be removed when they would have been entitled to their Discharge from the Prison.

I. Where any Prisoner has been removed from the Queen's Prison to the said Hospital of *Bethlehem* under the recited Enactment, and has not been duly certified to have become of sound Mind, but the Term of his Imprisonment has expired, or by reason of the Discharge of his Debts or otherwise such Prisoner, if he had been of sound Mind, and had continued in the Queen's Prison, would have been entitled to be discharged, it shall be lawful for One of Her Majesty's Principal Secretaries of State, if he so think fit, by his Warrant directed to the President, Treasurer, and Governors of *Bethlehem Hospital*, upon the Application of any Person who shall be named in such Warrant, to order the Removal of such Prisoner to any other registered Hospital, or to any Lunatic Asylum or House licensed for the Reception of Lunatics, or to the Care or Charge of any Person mentioned or named in such Warrant for this Purpose, and every such Warrant shall be made in Duplicate, and One of the Duplicates shall be delivered to and left with the Superintendent of the said Hospital of *Bethlehem*, and the other

Duplicate

Duplicate shall be delivered to and left with the Superintendent or Proprietor of the Hospital, Asylum, or House into which or the Person into whose Care or Charge the Prisoner is ordered to be removed, and such Warrant shall be a sufficient Authority for the Removal of such Prisoner, and also for his Reception into the Hospital, Asylum, or licensed House into which or by the Person into whose Care or Charge he is ordered to be removed, and thereafter the Authority of the Secretary of State in relation to the Prisoner so removed shall cease.

Lunatics removed from Bethlehem under this Act to be within the Provisions of the Lunacy Acts.

II. Any Prisoner removed under this Act to any Hospital, Asylum, or licensed House, or into the Care or Charge of any Person other than the Person upon whose Application the Warrant of the Secretary of State is mentioned to have been made, shall be considered and treated as an ordinary Lunatic Patient, under the Acts for the Regulation of the Care and Treatment of Lunatics, and the said Applicant for the Warrant shall have the same Powers, Rights, and Liabilities as if he had signed an Order for the Reception of the Lunatic under the said Acts, upon which such Lunatic had been lawfully received into such Asylum, registered Hospital, or licensed House, or by the Person into whose Care or Charge he is removed.

CAP. LXI.

An Act for taking the Census of *England*. [6th *August* 1860.]

'WHEREAS it is expedient to take the Census of *England* in the Year One thousand eight hundred and sixty-one:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Secretary of State to superintend the taking of the Census.

I. One of Her Majesty's Principal Secretaries of State shall have the Care of superintending the taking of the Census, and shall cause to be prepared and printed, for the Use of the Persons to be employed in taking it, such Forms and Instructions as he shall deem necessary; and the Registrar General shall issue all such Forms and Instructions to the Persons for whose Use they shall be intended; and all the Expenses which shall be incurred by Authority of such Secretary of State under this Act, shall be paid out of such Monies as shall be provided by Parliament for that Purpose.

Registrars Sub-Districts to be formed into Enumerator's Divisions.

II. Every Registrar's Sub-District in *England* shall be formed into Enumerator's Divisions according to Instructions to be prepared by or under the Direction of such Secretary of State, who shall cause a sufficient Number of Copies of such Instructions to be sent to every Registrar of Births and Deaths in *England;* and the Registrars, with all convenient Speed, shall divide the several Sub-Districts into Enumerator's Divisions according to such Instructions, and subject in each Case to be revised by the Superintendent Registrar, and to the final Revision and Approval of the said Registrar General.

Enumerators to be appointed.

III. The several Registrars of Births and Deaths in *England* shall make and return to their respective Superintendent Registrars a List containing the Names and Places of Abode of a sufficient Number of Persons, duly qualified according to Instructions to be prepared by or under the Direction of such Secretary of State, to act as Enumerators within their several Sub-Districts, and such Persons, when approved of by the Superintendent Registrar, shall be appointed by him Enumerators for taking the Census, subject nevertheless to the Approval of the said Registrar General; and the Registrar, with the Approval of the Superintendent Registrar, shall assign a Division to each Enumerator, and shall distribute to the several Enumerators in his Sub-District the Forms and Instructions which shall have been issued for that Purpose by the Registrar General, and shall personally ascertain that each Enumerator thoroughly understands the Manner in which the Duties required of him are to be performed.

Householders Schedules to be left at Dwelling Houses.

IV. Schedules shall be prepared by or under the Direction of such Secretary of State for the Purpose of being filled up by or on behalf of the several Occupiers of Dwelling Houses as herein-after provided, with Particulars of the Name, Sex, Age, Rank, Profession, or Occupation, Condition, Relation to Head of Family, and Birth-place of every living Person who abode in every House on the Night of *Sunday* the Seventh Day of *April* One thousand eight hundred and sixty-one, and also whether any were blind, or deaf and dumb; and the Registrars in *England* shall in the course of the Week ending on *Saturday* the Sixth Day of *April* in the Year One thousand eight hundred and sixty-one leave or cause to be left at every Dwelling House within their respective Sub-Districts One or more of the said Schedules for the Occupier or Occupiers thereof or of any Part thereof, and upon every such Schedule shall be plainly expressed that it is to be filled up by the Occupier of such Dwelling House, (or where such Dwelling House is let in different Stories or Apartments, and occupied distinctly by different Persons or Families, by the Occupier of each such distinct Story or Apartment,) and that the Enumerator will collect all such Schedules within his Division on the *Monday* then next following; and every Occupier of any Dwelling House, or of any distinct Story or Apartment in any Dwelling House, with or for whom any such Schedule shall have been left as aforesaid, shall fill up the said Schedule to the best of his or her Knowledge and Belief, so far as relates to all Persons dwelling in the House, Story, or Apartment occupied by him or her, and shall sign his or her Name thereunto, and shall deliver the Schedule, so filled up, or cause the same to be delivered, to the Enumerator, when required so to do; and every such Occupier who shall wilfully refuse or without lawful Excuse neglect to

Occupiers to fill up the Schedules and sign and deliver them to the Enumerator.

Penalty for Neglect.

to fill up the said Schedule to the best of his or her Knowledge and Belief, or to sign and deliver the same as herein required, or who shall wilfully make, sign, or deliver, or cause to be made, signed, or delivered, any false Return of all or any of the Matters specified in the said Schedule, shall forfeit a Sum not more than Five Pounds nor less than Twenty Shillings.

Schedules to be collected from House to House, and corrected if found to be erroneous.

V. The Enumerators shall visit every House in their respective Divisions, and shall collect all the Schedules so left within their Division from House to House, so far as may be possible, on *Monday* the Eighth Day of *April* in the Year One thousand eight hundred and sixty-one, and shall complete such of the Schedules as upon Delivery thereof to them shall appear to be defective, and correct such as they shall find to be erroneous, and shall copy the Schedules, when completed and corrected, into Books to be provided them for that Purpose, and shall add thereunto an Account, according to the best Information which they shall be able to obtain, of all the other Persons living within their Division who shall not be included in the Schedules so collected by them.

Enumerators to take an Account of Houses, &c., and to distinguish the Boundaries of Parishes, Boroughs, &c.

VI. Every Enumerator shall also take an Account of the occupied Houses, and of the Houses then building and therefore uninhabited, and also of all other uninhabited Houses within his Division; and shall also take an Account of all such Particulars herein-before mentioned, and none others, as by the Forms and Instructions which may be issued under this Act they may be directed to inquire into; and in the Book into which he shall have copied the Householders Schedules and other Particulars, as herein-before directed, each Enumerator shall distinguish the several Parishes and Places maintaining their own Poor within his Division, or such Parts thereof as shall be within his Division, and shall also distinguish those Parishes and Places or Parts of Parishes and Places within his Division which are within the Limits of any City or Borough returning or contributing to return a Member or Members to serve in Parliament, or of any incorporated City or Borough, or of any Ecclesiastical District, and shall

Enumerators to deliver their Books with the Householders Schedules to the Registrar.

deliver such Book to the Registrar of the Sub-District, together with the Householders Schedules collected by him, and shall sign a Form or Declaration to the Effect that the said Book has been truly and faithfully filled up by him, and that to the best of his Knowledge the same is correct, so far as may be known; which Form of Declaration shall be prepared by or under the Direction of such Secretary of State, and issued by the Registrar General with the Forms and Instructions aforesaid.

Registrars to verify the Enumerators Books.

VII. The Registrar to whom such Enumeration Book shall be delivered shall examine the same, and shall satisfy himself that the Instructions in each Case have been punctually fulfilled, and if not shall cause any Defect or Inaccuracy in the said Book to be supplied, so far as may appear possible; and when the Books shall have been made as accurate as is possible the Registrar shall deliver them to the Superintendent Registrar of his Sub-District.

Superintendent Registrars to examine Enumerators Books, and return them to Registrar General.

VIII. The Superintendent Register shall examine all the Books which shall be so delivered to him, and shall satisfy himself how far the Registrars have duly performed the Duties required of them by this Act, and shall cause any Inaccuracies which he shall discover in such Books to be corrected, so far as may be possible, and shall return on or before the First Day of *May* One thousand eight hundred and sixty-one all the Books which shall have been delivered to him to the Registrar General, for the Use of such Secretary of State.

An Abstract of Returns to be printed and laid before Parliament.

IX. The Secretary of State shall cause an Abstract to be made of the said Returns; and such Abstract shall be printed, and laid before both Houses of Parliament within Twelve Calendar Months next after the First Day of *June* in the Year One thousand eight hundred and sixty-one, if Parliament be sitting, or if Parliament be not sitting, then within the first Fourteen Days of the Session then next ensuing.

Masters, &c. of Gaols, &c. to be appointed Enumerators of the Inmates thereof.

X. The Master or Keeper of every Gaol, Prison, or House of Correction, Workhouse, Hospital, or Lunatic Asylum, and of every Public or Charitable Institution, which shall be determined upon by the said Registrar General, shall be the Enumerator of the Inmates thereof, and shall be bound to conform to such Instructions as shall be sent to him by the Authority of One of the said Secretaries of State, for obtaining the Returns required by this Act, so far as may be practicable, with respect to such Inmates.

Overseers, Peace Officers, and Relieving Officers of Unions formed under 4 & 5 W. 4. c. 76. bound to act as Enumerators.

XI. The Overseers of the Poor in every Parish, Township, and Place in *England*, and the Constables, Tithingmen, Headboroughs, or other Peace Officers for such Parishes, Townships, and Places, and the Relieving Officers in any Union formed under the Provisions of an Act passed in the Fifth Year of King *William* the Fourth, intituled *An Act for the Amendment and better Administration of the Laws relating to the Poor in* England *and* Wales, shall be bound to act as Enumerators under this Act within their respective Townships, Parishes, and Places, and Unions, if required so to act by One of the said Secretaries of State, and where they shall so act shall be entitled to Allowances as Enumerators under the Provisions of this Act; and every such Overseer, Relieving Officer, Constable, Tithingman, Headborough, and other Peace Officer who shall refuse or wilfully neglect so to act, and duly to perform the Duties required of the said Enumerators by this Act, shall for every such Offence forfeit a Sum not more than Ten Pounds nor less than Five Pounds.

Returns of houseless Poor and of Persons travelling or on Shipboard.

XII. The Secretary of State shall obtain, by such Ways and Means as shall appear to him best adapted for the Purpose, Returns of the Particulars required by this Act with respect to all houseless Persons, and all Persons who during the said Night of *Sunday* the Seventh Day of *April* were travelling or on Shipboard, or for any other Reason were not abiding in any House of which Account is to be taken

taken by the Enumerators, and other Persons as aforesaid, and shall include such Returns in the Abstract to be made by him as aforesaid.

Table of Allowances to Enumerators in England.

XIII. One of the said Secretaries of State shall cause to be prepared a Table of Allowances to be made to the several Enumerators, Registrars, Superintendent Registrars, and other Persons in *England* employed in the Execution of this Act; and such Table when approved by the Commissioners of Her Majesty's Treasury, shall be laid before both Houses of Parliament on or before the First Day of *March* One thousand eight hundred and sixty-one, if Parliament be sitting, or, if Parliament be not sitting, then within the first Fourteen Days of the Session then next ensuing.

Payments to be certified to Registrar General.

XIV. The Superintendent Registrar of every District in *England* shall within One Calendar Month next after the taking of the Census certify to the said Registrar General the total Amount of the Allowances to which he, and the Registrars, Enumerators, and other Persons in that District, are respectively entitled, according to the said Table.

Manner in which the Payments shall be made to Persons employed in execution of this Act in England.

XV. The Commissioners of Her Majesty's Treasury shall through the Registrar General, pay to each Superintendent Registrar out of the Monies provided by Parliament for that Purpose, the whole Amount of the Allowances to which the said Superintendent Registrar, and the Registrars, Enumerators, and other Persons in each District, are severally entitled, according to the said Table; and each Superintendent Registrar shall pay over to the Registrars in his District the Allowances to which the said Registrars are entitled; and shall also pay over or cause to be paid over to the Enumerators and other Persons in his District the Allowances to which they are severally entitled, according to the said Table; and the Receipts to be given by the Enumerators and other Persons, and Registrars, for Payment of their said Allowances, shall be delivered to the Superintendent Registrar, who shall transmit the same together with the Receipt for his own Allowance, to the Registrar General: Provided always, that no such Payment shall be made to any Enumerator or other Person who shall be required to act as an Enumerator under this Act, but upon Production of a Certificate under the Hand of the Registrar that the Duties required of such Enumerator or other Person acting as Enumerator by this Act have been faithfully performed, and the like Certificate shall be required under the Hand of the Superintendent Registrar with respect to the Registrar before any Payment shall be made to the Registrar, and the like Certificate under the Hand of the said Registrar General with respect to the Superintendent Registrar before any Payment shall be made to the Superintendent Registrar.

Penalty on Persons for wilful Default.

XVI. Every Superintendent Registrar and Registrar, and every Enumerator and other Person who shall be required to act as Enumerator, in *England*, so appointed as aforesaid, making wilful Default in any of the Matters required of them respectively by this Act, or making any wilfully false Declaration, shall for every such wilful Default or false Declaration forfeit a Sum not exceeding Five Pounds nor less than Two Pounds.

Penalty for refusing Information or giving false Answers.

XVII. The Enumerators and other Persons employed in the Execution of this Act shall be authorized to ask all such Questions as shall be directed in any Instructions to be prepared by or under the Direction of the said Secretary of State, which shall be necessary for obtaining the Returns required by this Act; and every Person refusing to answer or wilfully giving a false Answer to such Questions or any of them shall for every such Refusal or wilfully false Answer forfeit a Sum not exceeding Five Pounds nor less than Twenty Shillings.

Recovery and Application of Penalties.

XVIII. All Penalties imposed by this Act shall be recovered in a summary Manner before Two Justices of the Peace having Jurisdiction in the County or Place where the Offence is committed, in the Manner prescribed by Law in this Behalf; and shall be paid, One Half to the Informer, and the other Half to the Treasurer of the County or Place for which the Justices before whom the Forfeiture is recovered shall have acted, to be by him applied in aid of the Expenditure.

Interpretation of Terms.

XIX. In the Construction of this Act, the Words "Parish or Place, Parishes or Places," shall include the various Denominations of Townships, Tithings, Hamlets, Villages, Chapelries, Quarters, Wards, Parcels, Lordships, Manors, or Parts of any Parish, and all other Places, whether denominated Vills, Precincts, or otherwise, and whether connected with any Parish or deemed to be extra-parochial; and the Words "Dwelling House" shall include all Buildings and Tenements of which the whole or any Part shall be used for the Purpose of Human Habitation.

CAP. LXII.

An Act for taking the Census of *Ireland*. [6th *August* 1860.]

'WHEREAS it is expedient to take the Census of *Ireland* in the Year One thousand eight hundred and sixty-one:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Account of Population to be taken.

I. An Account of the Population of *Ireland* shall be taken at the Time and in the Manner herein-after directed.

Construction of Terms.

II. In the Interpretation of this Act, except where the Context or other Provisions of this Act require a different Construction, the Words "Lord Lieutenant" shall mean the Lord Lieutenant or other Chief Governors of *Ireland*.

By whom the Account shall be taken.

III. Such Officers and Men of the Police Force of *Dublin* Metropolis, and of the Constabulary Force, as the Lord Lieutenant shall direct, together with such other competent Persons as the Lord Lieutenant shall appoint to assist therein, shall, upon the Eighth Day of *April* and One or more next consecutive Days in the Year One thousand eight hundred and sixty-one, as the said Lord Lieutenant shall fix, severally visit every House within such Districts as may be assigned to them respectively, and take an Account in Writing, according to such Instructions as may be given to them by the Chief or Under Secretary to the Lord Lieutenant of the Number of Persons dwelling therein, and of the Sex, Age, Religious Profession, and Occupation of all such Persons, distinguishing the Persons born in the Place or Parish and County in which they shall be then dwelling; and shall also take an Account of the Number of inhabited Houses and of uninhabited Houses, and of Houses then building within such Districts respectively; and shall also distinguish those Parishes and Places, or Parts of Parishes and Places, within each District respectively, which are within the Limits of any City or Borough returning a Member or Members to serve in Parliament; and shall also take an Account of all such further Particulars as by such Instructions they may be directed to inquire into; and all the Expenses which shall be incurred by Authority of such Lord Lieutenant under this Act shall be paid out of such Monies as shall be provided by Parliament for that Purpose.

Masters, &c. of Gaols, &c. to be appointed Enumerators of the Inmates thereof.

IV. The Master or Keeper of every Gaol, Prison, or House of Correction, Workhouse, Hospital, or Lunatic Asylum, and every Barrack Master, and every Master or Keeper of every public or charitable Institution which shall be determined upon by the Lord Lieutenant, shall act as the Enumerator of the Inmates thereof, and shall be bound to conform to such Instructions as shall be sent to him by the Authority of the Lord Lieutenant for obtaining the Returns required by this Act, so far as may be practicable with respect to such Inmates.

Forms, &c. to be furnished for their Use.

V. For the more effectual obtaining of such Accounts, the said Chief or Under Secretary shall prepare and cause to be printed such Forms and Instructions for the Use of the several Persons who shall be appointed as aforesaid to take or certify the said Accounts as he shall deem necessary.

Power to make the Inquiry.

VI. The better to enable such Persons to take the said Accounts, they are hereby authorized and empowered to ask all such Questions of all Persons within their respective Districts, respecting themselves or the Persons constituting their respective Families, and of all such further Particulars as shall be necessary for the Purpose of taking the said Accounts.

Penalty for refusing to answer, or for giving false Answers.

VII. Every Person refusing to answer or wilfully giving a false Answer to any such Questions, and every Person in any way wilfully obstructing such Persons in the Execution of the Duties required of them under this Act, shall for every such Refusal, false Answer, or wilful Obstruction, on Proof thereof being made before any Justice or Justices at Petty Sessions for the District in which such Person shall reside, or if such Person shall reside within the Police District of *Dublin* Metropolis, before the Divisional Justices of such District, on the Testimony of One or more credible Witnesses, forfeit a Sum not exceeding Five Pounds, at the Discretion of the said Justice or Justices before whom such Complaint shall be so made.

Penalty on Persons employed if guilty of wilful Default or Neglect.

VIII. Every Member of the said Police or Constabulary Forces, or other Person, who shall be so appointed to take the said Accounts, or to assist therein, who shall make any wilful Neglect, Default, or Falsification in any Matters relating to the said Accounts, shall for every such Neglect, Default, or Falsification, on Proof thereof being made before any Justice or Justices at Petty Sessions for the District in which he shall so act, or in case such Member of the Police or Constabulary Force, or other Person, shall act for the Police District of *Dublin* Metropolis, before the Divisional Justices of such District, on the Testimony of One or more credible Witnesses, forfeit a Sum not exceeding Five Pounds nor less than Forty Shillings, at the Discretion of the said Justice or Justices before whom such Complaint shall be so made.

Proceedings how to be taken, and Penalties recovered and applied.

IX. All Proceedings under this Act, as to compelling the Appearance of such Member of the said Police or Constabulary Forces, or other Person, or of any Witness, and as to the Hearing and Determination of such Complaints, or any other Matter relating thereto, and as to the Application of Fines, Amerciaments, and forfeited Recognizances, imposed or levied under this Act at Petty Sessions, shall be subject in all respects to the Provisions of "The Petty Sessions (*Ireland*) Act, 1851," as the same is amended by "The Petty Sessions Clerk (*Ireland*) Act, 1858," (when the Case shall be heard in any Petty Sessions District,) and to the Provisions of the Acts relating to the Divisional Police Offices (when the Case shall be heard in the Police District of *Dublin* Metropolis), so far as the said Provisions shall be consistent with any special Provisions of this Act; and when any Fine or Penalty is imposed at any of the Divisional Police Offices of *Dublin* Metropolis, under the Provisions of this Act, such Fines and Penalties shall be paid over to the same Purposes and appropriated and applied in the same Manner as is now by Law authorized in respect of Fines and Penalties imposed at such Divisional Police Offices respectively.

Application of Fines and Penalties imposed.

The Persons taking the Accounts to certify their Correctness, and deliver them to the Officer appointed.

X. The said several Persons so appointed to take the said Accounts, or to assist therein, shall sign and certify the same, and make solemn Affirmation before any Justice of the Peace within the County, to the Effect that the said Account has been truly and faithfully taken by him (or them), and that to the best of his (or their) Knowledge the same is correct, so far as may be known, and shall deliver the same to such Officer of the said Police or Constabulary Forces, or other Person, as may be appointed by the Lord Lieutenant to receive the same, within each County, City, Town, or Place; and such Officer or

Person

Person shall examine the same, and cause any Defect or Inaccuracy which may be discovered therein to be supplied or corrected, so far as may be possible, and shall certify and transmit the same to the Office of the said Chief or Under Secretary, in such Manner and within such Time as the Lord Lieutenant shall direct, and the same shall be digested and reduced into Order under the Direction of the said Chief or Under Secretary, by such Persons as the Lord Lieutenant shall appoint for that Purpose; and an Abstract thereof shall be laid before both Houses of Parliament within Twelve Months after the Day on which the said Account shall be taken, or (if Parliament be not then sitting) within the first Fourteen Days of the Session next ensuing.

Such Officer to transmit them to the Office of the Chief Secretary.

Abstract to be laid before Parliament.

XI. Every solemn Affirmation or Declaration made or signed under the Authority of this Act shall be of the same Force and Effect as if the Person making such Affirmation or Declaration had taken an Oath in the usual Form, so that if the Person making such Affirmation or Declaration shall be convicted of having therein wilfully and falsely affirmed or declared any Matter or Thing, he shall be subject to the same Pains, Penalties, and Forfeitures to which Persons convicted of wilful Perjury are subject.

Punishment of Persons wilfully making false Affirmation or Declaration.

CAP. LXIII.

An Act to amend the Act of the Twenty-first and Twenty-second Years of *Victoria*, Chapter Forty-nine, to provide for the Relief of Her Majesty's Subjects professing the Jewish Religion. [6th *August* 1860.]

'WHEREAS it is expedient to amend the Act of the Twenty-first and Twenty-second *Victoria*, Chapter Forty-nine, so far as the same relates to Members of the House of Commons:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. Whenever the House of Commons shall order that any Resolution agreed to pursuant to the First Section of the said recited Act in the same Session shall be a Standing Order of the House, any Member professing the Jewish Religion may thenceforth be sworn pursuant to such Standing Order, so long as the same shall continue in force; and it shall be lawful for such Member, in taking and subscribing the Oath which by the Act of the Twenty-first and Twenty-second *Victoria*, Chapter Forty-eight, was substituted for the Oaths of Allegiance, Supremacy, and Abjuration, to omit the Words "and I make this Declaration upon the true Faith of a Christian," and the taking and subscribing by such Member, pursuant to such Standing Order, of the Oath so modified shall, so far as respects the Title to sit and vote in such House, have the same Force and Effect as the taking and subscribing by other Members of the said Oath in the Form required by the last-mentioned Act.

Omission of certain Words in Oath prescribed by 21 & 22 Vict. c. 48. when taken by Persons professing the Jewish Religion.

CAP. LXIV.

An Act to make further Provision for the Expenses of Local Boards of Health and Improvement Commissioners acting as Burial Boards. [6th *August* 1860.]

'WHEREAS by an Act passed in the Session holden in the Twentieth and Twenty-first Years of Her Majesty (Chapter Eighty-one), "to amend the Burial Acts," it is provided that upon the Petition of the Local Board of Health of any District established under the Public Health Act, or upon the Petition of any Commissioners elected by the Ratepayers and acting under or by virtue of the Powers of any Local Act of Parliament for the Improvement of any Town, Parish, or Borough, stating that the District of such Local Board of Health or of such Commissioners is co-extensive with a District for which it is proposed to provide a Burial Ground, and that no Burial Board has been appointed for such District, and that an Order in Council has been made for closing all or any of the Burial Grounds within the said District, it should be lawful for Her Majesty, with the Advice of Her Privy Council, in case Her Majesty see fit so to do, to order that such Local Board should be a Burial Board for the District of such Local Board, or that such Commissioners should be a Burial Board for the District of such Commissioners, and that thereupon such Local Board or such Commissioners, as the Case might be, should be a Burial Board for such District accordingly: And whereas under "The Local Government Act, 1858," a Local Board may, at the Option of the Vestry, be the Burial Board in certain Cases: And whereas it is expedient that such Local Boards and Commissioners respectively, when constituted Burial Boards, should be authorized to provide for their Expenses as herein-after mentioned:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in the present Parliament assembled, and by the Authority of the same, as follows:

20 & 21 Vict. c. 81.

21 & 22 Vict. c. 98. s. 49.

I. Any Money required by any Local Board constituted a Burial Board for defraying the Expense of carrying into execution the Powers and Provisions of the Burial Acts and of this Act in the District for which they may have been so constituted a Burial Board, or for paying any Monies borrowed or Annuities granted under the Authority of the said Acts, or any Interest on Monies borrowed, or for providing a Sinking Fund for the Repayment of such Monies, may, if the Local Board so think fit, be paid out of the General District Rates leviable within such District; and such Local Board may levy, as

Expenses of Local Board constituted a Burial Board may be paid out of General District Rate,

or by a separate Rate.

Part of the General District Rate, or by a separate Rate, under the Name and Designation of a Burial Rate to be assessed and recovered in like Manner as a General District Rate within the District for which they act as a Burial Board, such Sums of Money as shall be from Time to Time necessary for the Purposes aforesaid, or any of them.

Expenses of Improvement Commissioners, when acting as a Burial Board, may be paid out of Improvement Rate, or by a separate Rate.

II. Any Money required by any such Commissioners as aforesaid who shall have been constituted a Burial Board for defraying the Expense of carrying into execution the Powers and Provisions of the Burial Acts in the District for which they may have been so constituted a Burial Board, or for paying any Monies borrowed, or Annuities granted under the Authority of the said Acts, or any Interest on Monies borrowed, or for providing a Sinking Fund for the Repayment of such Monies, may, if the Commissioners so think fit, be paid out of the Improvement Rate leviable within such District, and the Commissioners as such Burial Board may levy as Part of the Improvement Rate, or by a separate Rate under the Name and Designation of a Burial Rate to be assessed and recovered in like Manner as an Improvement Rate, such Sums of Money as shall be from Time to Time necessary for the Purposes aforesaid, or any of them.

Separate Accounts to be kept.

III. The Local Board and the Commissioners respectively who may have been constituted a Burial Board shall keep distinct Accounts of their Receipts and Expenditure in the Exercise of their Functions as such Burial Board; and where their Expenses are defrayed by Monies raised under the Provisions of this Act, such Accounts shall be audited in the same Manner as other Accounts of the Receipts and Expenditure of such Local Board and Commissioners respectively, and any Surplus of the Monies raised by any Rate made under this Act, and of the Income of any Burial Ground provided by means of Monies raised or paid under the Provisions of this Act, which may remain after Payment of the Expenses and Monies which should be defrayed or paid under the Burial Acts, shall be applied in aid of the General District Rate or Improvement Rate, as the Case may be, levied within the District, which shall have been or might have been charged with a separate Rate under this Act.

As to Appointment of Burial Boards without Consent of Secretary of State.

IV. Where any Parish or Place has been divided into Two or more Parts or Districts for all or any Ecclesiastical Purposes, and any One of such Parts has a separate Burial Ground, it shall not be lawful for the Vestry or Meeting in the Nature of a Vestry for such entire Parish or Place to appoint a Burial Board without the Approval of One of Her Majesty's Principal Secretaries of State.

CAP. LXV.

An Act to authorize the Commissioners of the Treasury to further regulate the Postage on re-directed Letters of Commissioned and Warrant Officers, Seamen, and Soldiers whilst on actual Service. [6th *August* 1860.]

3 & 4 Vict. c. 96.

'WHEREAS an Act was passed in the Session of Parliament holden in the Third and Fourth 'Years of the Reign of Her Majesty, Chapter Ninety-six, for the Regulation of the Duties of 'Postage, and by the Fourteenth Section of the said Act, after reciting that Letters and Packets sent 'by the Post were chargeable by Law on being re-directed and again forwarded by the Post with a 'new and distinct Rate of Postage, it was enacted, that on every Post Letter re-directed (whether 'posted with any Stamp thereon or not) there should be charged for the Postage of such Letter from 'the Place at which the same should be re-directed to the Place of ultimate Delivery (in addition to all 'other Rates of Postage payable thereon) such a Rate of Postage only as the same would be liable to if 'pre-paid; and by the Fifty-third Section of the said Act certain Privileges were given and granted 'both to send and receive Letters, at a reduced Rate of Postage, to Seamen employed in Her Majesty's 'Navy, whether at home or abroad, and to Serjeants, Corporals, Drummers, Trumpeters, Fifers, and 'Private Soldiers in Her Majesty's Regular Forces, Militia, Fencible Regiments, Artillery or Royal 'Marines, whether at home or abroad, whilst respectively actually employed in Her Majesty's Service, 'and to Serjeants, Corporals, Drummers, Trumpeters, Fifers, and Private Soldiers in the Service of 'the *East India* Company, whilst actually employed in the Service of the Company; but the Letters 'of Commissioned Officers or Warrant Officers, whether in the Army or Navy, or Midshipmen, or 'Masters Mates of the Navy were not included in that Provision; and it was declared that with respect 'to Letters sent by any such privileged Persons, and with respect to Letters received by the Post by 'any of the said privileged Persons, certain Conditions therein respectively mentioned and prescribed 'should be observed; and also that any Letters received by the Post under that Enactment by any such 'privileged Persons which might have been re-directed should not be charged any Postage on or in

10 & 11 Vict. c. 85.

'respect of such Re-direction: And whereas another Act was passed in the Session of Parliament 'holden in the Tenth and Eleventh Years of the Reign of Her Majesty, Chapter Eighty-five, for 'giving further Facilities for the Transmission of Letters by Post and for the regulating the Duties of 'Postage thereon, and for other Purposes relating to the Post Office, and by the Seventh Section of 'the said last-mentioned Act it was provided that the Privilege given to Seamen and Soldiers by the 'said before-recited Act should be enjoyed by such Seamen and Soldiers, whether any such Letters 'should be liable to any Foreign Postage or not, but subject to the Payment of the Foreign Postage if 'any should be chargeable thereon: And whereas the like Privileges were afterwards given and 'granted to Seamen employed abroad in the Service of the *East India* Company, whilst actually em-

'ployed

'ployed in the Service of the Company, by Treasury Warrant duly made and bearing Date the Twenty-'eighth Day of *November* One thousand eight hundred and forty-four: And whereas another Act was 'passed in the Session of Parliament holden in the Twenty-first and Twenty-second Years of the 'Reign of Her Majesty, Chapter One hundred and six, for the better Government of *India*, and by the 'Fifty-sixth Section of the said last-mentioned Act it was provided that the Military and Naval Forces 'of the *East India* Company should be deemed to be the *Indian* Military and Naval Forces of Her 'Majesty: And whereas it is expedient to make further Provision for enabling Commissioned and 'Warrant Officers, Seamen, and Soldiers to receive their re-directed Letters free of the re-directed 'Rates of Postage whilst actually employed in Her Majesty's Service:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Power to Treasury, by Warrant, to authorize private Letters of Commissioned and Non-commissioned Officers, &c. to be delivered free of the Foreign Postage chargeable in respect of Re-direction;

I. The Commissioners of Her Majesty's Treasury may from Time to Time, by Warrant under their Hands, authorize all Letters received by the Post on their own private Concerns by Commissioned Officers and Warrant Officers whether in the Army or the Navy, and Midshipmen and Masters Mates in the Navy, whether at home or abroad, and by Commissioned and Warrant Officers, Midshipmen, and Masters Mates in Her Majesty's *Indian* Military and Naval Forces, and by Seamen employed in Her Majesty's Navy, whether at home or abroad, and by Serjeants, Corporals, Drummers, Trumpeters, Fifers, and Private Soldiers in Her Majesty's Regular Forces, Militia, Fencible Regiments, Artillery, or Royal Marines, whether at home or abroad, and by Serjeants, Corporals, Drummers, Trumpeters, Fifers, Private Soldiers, and Seamen in Her Majesty's *Indian* Military and Naval Forces, whilst respectively actually employed in Her Majesty's Service, to be delivered to all such Persons respectively free of Foreign Postage chargeable on or in respect of Re-direction on such Letters when such Letters shall have been re-directed and again forwarded by the Post and transmitted or sent through any Foreign Country, (the several Conditions imposed by the said Fifty-third Section of the before-recited Act of the Third and Fourth *Victoria*, Chapter Ninety-six, with respect to Letters received by the Post by the privileged Persons therein mentioned being duly observed with respect to Letters to be received by the Post by such Seamen, Serjeants, Corporals, Drummers, Trumpeters, Fifers, and Private Soldiers respectively as aforesaid,) and may also from Time to Time, by Warrant under their Hands, reduce or remit the Rates of Postage, *British* or Colonial, which may be chargeable by Law on or in respect of Re-direction on all Letters received by the Post on their own private Concerns by Commissioned Officers and Warrant Officers whether in the Army or Navy, and Midshipmen and Masters Mates in the Navy, whether at home or abroad, and by Commissioned Officers and Warrant Officers, Midshipmen and Masters Mates in Her Majesty's *Indian* Military and Naval Forces, whilst respectively actually employed in Her Majesty's Service, which shall have been re-directed and again forwarded by the Post.

or to reduce Rates of British or Colonial Postage.

London Gazette to be Evidence of due issuing of such Warrant.

II. Any printed Copy of the *London Gazette* in which any Warrant or Order issued or made under or by virtue of this Act, or purporting so to be, shall be published shall be admitted as Evidence by all Courts, Judges, Justices, and others of such Warrant or Order, and of the due making and issuing thereof, and of the Contents of any such Warrant, without any further or other Proof of such Warrant.

Act to be deemed a Post Office Act.

III. This Act shall be deemed and considered a Post Office Act, and the several Terms and Expressions used therein shall be construed according to the respective Interpretations contained or referred to in the said Act of the Third and Fourth Years of the Reign of Her Majesty, Chapter Ninety-six.

Commencement of Act.

IV. This Act shall come into operation on the First Day of *October* One thousand eight hundred and sixty.

CAP. LXVI.

An Act to amend the Medical Act (1858). [6th *August* 1860.]

21 & 22 Vict. c. 90.

'WHEREAS by "The Medical Act, 1858," it is provided that it shall be lawful for Her 'Majesty to grant to the Corporation of the Royal College of Physicians of *London* a new 'Charter, and thereby to give to such Corporation the Name of "The Royal College of Physicians of '*England*," and to grant to the Corporation of the Royal College of Physicians of *Edinburgh* a new 'Charter, and thereby to give to the said College of Physicians the Name of "The Royal College of 'Physicians of *Scotland*," and to grant to the Corporation of the King and Queen's College of 'Physicians in *Ireland* a new Charter, and thereby to give to such Corporation the Name of "The 'Royal College of Physicians of *Ireland*;" but Provision is not made by the said Act for reserving to 'the said Colleges, and the Presidents and Censors, Fellows, Members, Licentiates, and Extra Licen-'tiates thereof respectively, by their said new Names, the Powers, Privileges, Liberties, and Immunities 'to which they are respectively entitled by their existing Names, and Doubts have arisen whether, in 'case of the Acceptance by these Colleges respectively of new Charters under such altered Names 'respectively, the said Powers, Privileges, Liberties, and Immunities would legally attach and be 'preserved to them, and it is expedient that such Doubts should be removed: And whereas by an Act 'passed in the Fourteenth and Fifteenth Years of the Reign of King *Henry* the Eighth, intituled *The*

14 & 15 Hen. 8. c. 5.

'*Privileges*

'*Privileges and Authorities of Physicians in* London, certain Letters Patent, dated the Twenty-third 'Day of *September*, in the Tenth Year of the Reign of His said Majesty, whereby certain Physicians 'in *London* therein named were incorporated by the Name of "The President and College or Com- '"monalty of the Faculty of Physic in *London*," were ratified and confirmed; and by the said Act it 'was enacted, that the Six Persons named in the said Letters Patent, and Two more of the said Com- 'monalty to be chosen by them, should be called Elects, and that the said Elects should yearly choose 'One of them to be President of the said Commonalty, and that as oft as any of the Places of the said 'Elects should become void the Survivors should choose and admit One or more, as Need should 'require, of the said Faculty to supply the Number of Eight Persons, and that no Person should from 'thenceforth be suffered to practise in Physic through *England* until he be examined by the said 'President and Three of the said Elects, and have from them Letters Testimonial, except he be a 'Graduate of *Oxford* or *Cambridge*: And whereas the main Function of the said Elects, *viz.*, that of 'examining and granting Letters Testimonial, has been virtually superseded by the said Medical Act, 'and they have ceased to grant Letters Testimonial in accordance with the Provisions contained in the 'last-recited Act; and it is therefore expedient that the before-recited Provisions should be repealed:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Interpretation of Terms.

I. The Expression in the Medical Act and this Act "The Corporation of the Royal College of Physicians of *London*," or "The Royal College of Physicians of *London*," shall be taken to denote the Corporation of "The President and College or Commonalty of the Faculty of Physic in *London*."

New Charters may be granted to the Colleges.

II. Any new Charter which, under the Provisions of the Medical Act, shall be granted to the Corporation of the Royal College of Physicians of *London*, may be granted to them either by and in the Name of the Royal College of Physicians of *London*, or, as provided by that Act, by and in the Name of the Royal College of Physicians of *England*; and any such new Charter granted to the Corporation of the Royal College of Physicians of *Edinburgh* may be granted to that College either by and in its present Name, or, as provided by the Medical Act, by and in the Name of the Royal College of Physicians of *Scotland*; and any such new Charter granted to the Corporation of the King and Queen's College of Physicians in *Ireland* may be granted to that College either by and in its present Name, or as provided by the Medical Act, by and in the Name of the Royal College of Physicians of *Ireland*.

Colleges to retain all existing Rights, notwithstanding Change of Name.

III. The granting of new Charters to the said Corporations respectively by and in the altered Names and Styles respectively, as provided in the Medical Act, shall not, in respect of such Alteration of Name or Style merely, alter or affect in any way the Rights, Powers, Authorities, Qualifications, Liberties, Exemptions, Immunities, Duties, and Obligations granted, conferred, or imposed to or upon, or continued and preserved to the said Corporations respectively, and the respective Presidents, Censors, Fellows, Members, and Licentiates thereof, by the respective Charters and Acts of Parliament relating to the said Corporations respectively, or by the Medical Act, the Act to amend the Medical Act, the Medical Acts Amendment Act, 1860, and this Act respectively; but the said Corporations respectively, and the respective Presidents, Censors, Fellows, Members, and Licentiates thereof, shall, notwithstanding any such Change of Name and Style, have and retain all such and the same Rights, Powers, Authorities, Qualifications, Liberties, Exemptions, and Immunities, and be subject to all such and the same Duties and Obligations, as if such new Charters respectively had been granted to them by and in their respective Names and Styles as then existing.

Colleges to hold Property notwithstanding Change of Name.

IV. Each of the said Corporations shall also, notwithstanding any such Alteration of Name or Style, have, hold, and enjoy, and continue to have, hold, and enjoy, all Lands and other Real and Personal, Heritable and Moveable Property belonging to such Corporation, either beneficially or in trust, at the Date of the granting of such new Charter, and may execute and perform any Use or Trust for the Time being vested or reposed in such Corporation.

Provisions in 14 & 15 Hen. 8. c. 5. as to the Elects repealed.

V. So much of the Act of the Fourteen and Fifteen *Henry* the Eighth, Chapter Five, as relates to the Elects of the said Royal College of Physicians of *London*, and their Powers and Functions, shall be and the same is hereby repealed, but this Repeal shall not prejudice or affect the Rights and Privileges of any Persons to whom the said President and Elects may have granted Letters Testimonial; and all Trusts which by any Deed, Gift, Devise, or Bequest are vested in, or to be executed or performed by the Elects, or some defined Number of them, shall vest in and accrue to, and be executed and performed by the Censors of the said College for the Time being as if the Name of the Censors had in such Instruments respectively been used instead of that of the Elects, and the Office and Name of Elects of the said College shall henceforth wholly cease and determine.

Election of the President of the Royal College of Physicians of London.

VI. The Office of President of "The Royal College of Physicians of *London*" shall be an annual Office; and *Thomas Mayo*, Doctor of Physic, the now President of the said Corporation, shall remain such President until the Day next after *Palm Sunday* in the Year One thousand eight hundred and sixty-one, when he shall go out of Office; and the Fellows of the said Corporation shall, at a Meeting to be holden by them for that Purpose, on the same Day, and on the same Day in every subsequent Year, elect some One of the Fellows of the said Corporation in such Manner as shall be provided by any Byelaw or Byelaws made in that Behalf by the said Corporation, and for the Time being in force, to be

President

President of the said Corporation, but the retiring President shall always be capable of being re-elected, and every President shall remain in Office until the actual Election of a new President; or in case of the Death, Resignation, or other Avoidance of any such President before the Expiration of his Year of Office, the said Fellows shall, at a Meeting to be holden by them for that Purpose, as soon as conveniently may be (of which due Notice shall be given), elect One other of the Fellows of the said Corporation in such Manner as aforesaid to be President for the Remainder of the Year in which such Death, Resignation, or other Avoidance shall happen, and until such Election the Duties of President shall be performed by the senior Censor for the Time being.

CAP. LXVII.

An Act to continue an Act for authorizing the Application of Highway Rates to Turnpike Roads. [6th *August* 1860.]

'WHEREAS an Act was passed in the Fifth Year of the Reign of Her Majesty, intituled *An Act to authorize for One Year, and until the End of the then next Session of Parliament, an Application of a Portion of the Highway Rates to Turnpike Roads in certain Cases*, which Act has been continued by sundry Acts until the First Day of *October* in the Year One thousand eight hundred and sixty, and to the End of the then next Session of Parliament; and it is expedient that the same be further continued:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Act shall be continued until the First Day of *October* One thousand eight hundred and sixty-five, and to the End of the then next Session of Parliament. 4 & 5 Vict. c. 59. Recited Act further continued.

CAP. LXVIII.

An Act for the better Management and Control of the Highways in *South Wales*. [6th *August* 1860.]

'WHEREAS an Act was passed in the Session holden in the Fourteenth and Fifteenth Years of Her Majesty, Chapter Sixteen, for the better Management and Control of the Highways in *South Wales:* And whereas in pursuance of the said Act the Six Counties of *South Wales* have been divided by the County Roads Boards of their respective Counties into Districts for the better Repair and Maintenance of the Highways: And whereas it is expedient that the said Act should be repealed and other Provisions be made in lieu thereof:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: 14 & 15 Vict. c. 16.

I. The said Act shall be and is hereby repealed: Provided that nothing in this Act, except as herein-after provided, shall in any way affect or alter the aforesaid Highway Districts, or the Appointments of any Officers, but such Districts shall remain for the Purposes of this Act, and such Officers shall respectively hold Office on the like Tenure as if appointed under this Act. Recited Act repealed, Districts, &c. not affected.

II. Provided also, That it shall be lawful for the said County Roads Boards of the several Counties of *South Wales* respectively from Time to Time if they shall see Occasion to alter the Limits of any such District in their respective County either by consolidating the whole or any Part of it with any other District, or by dividing it into One or more Districts; and the Order by which such Alteration is made shall within One Month after the making thereof be published, together with a Description or Statement of the Boundaries of such Districts, or of the Parishes comprised therein respectively, by Advertisement in One or more of the Newspapers circulating in the County in which the Order is made, and Notice thereof shall be given to the Clerks of such Districts as are affected thereby. Districts may be altered from Time to Time.

III. Every County Roads Board acting in and for each of the said Counties respectively shall, by Writing, upon which no Stamp or other Duty shall be payable, appoint One Surveyor for each District declared as aforesaid, to overlook the Management and Repairs of the several Highway Districts in their County, and shall also determine the Salaries to be paid to such Surveyors respectively; and the Board may from Time to Time remove the said Surveyors, and so often as the said Offices or any of them shall become vacant shall appoint other fit and proper Persons for the same; and the Salaries of such Surveyors shall be paid out of the Highway Rate, and shall be, by an Order made by the County Roads Board, apportioned amongst and charged upon the Parishes within each respective District, in the same Manner and in the same Proportions as the County Rate shall be chargeable at the Time the Order is made: Provided nevertheless, that such District Surveyor shall not expend Monies levied in any one of the Parishes within his District, except for the Use and Benefit of the Parish in which it is so levied, unless with the Consent of the Inhabitants of such Parish in Vestry assembled, for the Purpose of carrying on Repairs or beneficial Improvements for the common Benefit of the Parishes aforesaid, and shall keep separate and distinct Accounts for each Parish within his District, and such Accounts shall specify the different Sums and the Persons to whom and by whom the same shall have been paid. Power to County Roads Board to appoint and dismiss Surveyors.

IV. All

Transfer of Property and Powers vested in existing Surveyors of Highways to Highway Boards.

IV. All Land and Property vested, or which, if this Act had not been passed, would have been vested, in any Surveyor of Highways of any Parish elected or appointed under the Act of the Fifth and Sixth Years of King *William* the Fourth, Chapter Fifty, and all the Powers of letting or otherwise disposing of any such Land or Property vested in, or which, if this Act had not been passed, would have been vested in or exercisable by such Surveyor, and all Rents, or other Income of Land or Property which such Surveyor is, or, if this Act had not been passed, would have been entitled to receive, shall, upon and after the Cesser under this Act of the Powers of such Surveyor, be vested in and exercisable and received by the Highway Board of the District in which such Parish is comprised; and all Tools, Materials, Implements, Matters, and Things purchased or provided, or thereafter to be purchased or provided, for the Use or Repair of the Highways of any Parish or District, and the Scrapings of such Highways, and all Books, Papers, Writings, and Accounts relating to such Highways, shall be vested in the Highway Board of the District in which the same are situate, and all Land, Chattels, and Property whatsoever hereby transferred to any Highway Board shall be vested in such Board for the Benefit of the Parish to which the same belongs, or to the Repairs of the Highways of which the same, or the Rents, Income, and Proceeds thereof, would have been applicable, and Credit shall be given to such Parish for such Rent, Income, and Proceeds accordingly, and in the Case of any such Chattels, belonging to or provided for any Parish which may be made available for the common Use or Benefit of the several Parishes within the District of such Highway Board, such Highway Board shall give such Parish Credit for what they may consider the Value thereof, as for so much Money received in respect of such Parish.

Duties of District Surveyor.

V. The Surveyor of Highways of each District shall, subject to the Control of the Highway Board for such District, maintain and keep in repair the Highways which the several Parishes in such District may be liable to repair, and for that Purpose shall on behalf of the Highway Board make all necessary Contracts for Highway Materials and for Cartage and other Works for the Repair of the Highways, and shall superintend the Execution of all such Works, and shall make all such Payments as by the Highway Board may be ordered to be made by him, and keep true and particular Accounts of all Monies received by him, and of the Application thereof, and shall keep separate and detailed Accounts of the Expenditure in or on account of each Parish, and shall at every ordinary Meeting of the Highway Board produce his Accounts for Examination and Allowance by the Board, and report to such Board such Circumstances in relation to the State of the Highways in the District and the other Matters aforesaid as may require the Order or Direction of the Board, and as to the Progress or Completion of all Works which may have been ordered by the Board, and shall submit to the Board an Estimate of the Expense of any proposed Work, and shall twice at the least in every Year, or oftener if the Board direct, report in Writing the State and Condition of all Highways in the District.

Powers and Responsibilities of Surveyor.

VI. The Surveyor of Highways of each District shall, except for the Purpose of making, assessing, and levying Rates, and producing and verifying his Accounts at Special Sessions, and except as herein otherwise provided, have all Duties, Powers, and Responsibilities, as regards the Parishes in such District, of a Surveyor elected under the said Act of the Fifth and Sixth Years of King *William* the Fourth, Chapter Fifty; and all Acts and Provisions not hereby repealed, applicable to such last-mentioned Surveyor, shall, save as herein otherwise provided, apply in like Manner to a Surveyor of Highways of a District appointed under this Act, and all Penalties and Forfeitures or Parts thereof payable to such Surveyor shall be paid by him to the Treasurer of the Highway Board, to the Credit of the Parish in respect whereof the same are recovered: Provided, nevertheless, that such Surveyor shall in the Exercise of such Duties and Powers act under the Directions and Control of the Highway Board, and shall be indemnified by such Board out of the Monies coming to the Hands of their Treasurer in respect of all Expenses and Liabilities properly incurred by him.

Highways to be continued under the Care and Management of existing Local Boards.

VII. The Maintenance and Repairs of the several Highways situate and being within the several Districts which have been or shall be hereafter formed, shall, subject to the Authority of the said County Roads Board, be under the Care and Management of Local Boards, to be styled Highway Boards, and which are and shall hereafter be constituted in manner following; that is to say, all Persons who are now elected or who shall hereafter be elected Guardians of the Poor for the Parish or Parishes contained in such District during the Period they are such Guardians, and all Her Majesty's Justices residing within or acting at any Petty Sessions within or holden for the District, shall constitute the Highway Board for such District, and such Justices shall not by reason of being Members of such Highway Board be incapable of acting as Justices of the Peace in the Execution of this Act, or in any Matters relating to the Highways under the Care and Management of said Board; and every such Board shall be a Body Corporate by the Style of the Highway Board for the District of (inserting the Name of the Highway District), and by that Name shall have perpetual Succession and a Common Seal, and sue and be sued, and have Power and Authority (without Licence in Mortmain) to hold Lands for the Purposes of the Highways.

Highway Boards to hold Four ordinary Meetings every Year.

VIII. The Highway Board for every District shall in every Year hold not less than Four ordinary Meetings, and the Meetings of such Board after their First Meeting shall be holden at such convenient Place or Places, and at such Times, as they shall at their First Meeting and from Time to Time thereafter appoint; and One of such Meetings shall be appointed for the Purpose of auditing the annual Accounts

Accounts of the Board as herein-after provided; and any such Board may also hold special Meetings, every such special Meeting to be called by the Clerk to such Board, by the Direction of the Chairman or Vice-Chairman, or upon the Requisition of any Three Members of such Board; provided that no Business, Matter, or Question shall be done, discussed, or entertained at any such special Meeting other than the special Business or Matter for which it shall have been called, and which shall be specified in the Notice convening such Meeting. Special Meetings may be holden.

IX. Any Meeting of the Highway Board may be adjourned from Time to Time to any Day and Hour and to the same or any other Place; and if there be not Three Members of the Board present within One Hour after the Time appointed for holding any Meeting then it shall be lawful for the Members or Member present, or, if no Member be present, for the Clerk to such Board, to adjourn such Meeting in manner aforesaid. Adjournment of Meetings.

X. Notice in Writing of every special Meeting of any Highway Board, and of every Meeting of any such Board holden by Adjournment (whether by Adjournment from an ordinary or a special Meeting), shall be given by the Clerk to such Board to every Member thereof, and every such Notice shall be given or sent by the Post or otherwise by the Clerk to every such Member, or left at his Place of Abode, Seven Days, or, in the Case of a Meeting holden by Adjournment, Three Days at least before the Day appointed for the Meeting to which it relates. Notice of special Meetings and of Meetings by Adjournment.

XI. The Highway Board for each District shall elect Two Members of such Board to be the Chairman and Vice-Chairman thereof for the Space of One Year, and such Election shall take place at their First Meeting, or at some Adjournment thereof, in every Year; and the Chairman and Vice-Chairman of each Highway Board at the Commencement of this Act shall continue in Office until their Successors shall be appointed at the First Meeting of the Board as aforesaid; and the Chairman, or, in case of his Absence at the Commencement of any Meeting the Vice-Chairman, shall preside at all Meetings of such Board, and shall have a Casting Vote in addition to his Vote as a Member; and in case at the Commencement of any Meeting both Chairman and Vice-Chairman be absent, then such other Member as may be chosen by the major Part of the Members present shall preside as Chairman of such Meeting; and whenever the Chairman or Vice-Chairman shall die or become disqualified, refuse, or become incapable to act, such Board shall at their ordinary Meeting to be holden next after such Death, Disqualification, Refusal, or Incapacity, elect some other Member of such Board in his Stead. Chairman and Vice-Chairman to be elected.

XII. All Acts, Orders, Matters, and Things by this Act authorized to be made or done by any Highway Board may be made or done by the major Part of the Members of any such Board present at any Meeting to be holden by virtue of this Act, the whole Number present together at such Meeting not being less than Three; and all Orders made by any such Board shall be in Writing, and signed by the Chairman presiding at the Meeting at which the same are made, and countersigned by the Clerk, and sealed with the Seal of the Board. Quorum. Authentication of Orders.

XIII. No Defect in the Qualification or Election of any Person acting as a Member of a Highway Board at any Meeting thereof, the Majority of the Persons assembled at which shall be entitled to act as Members of such Board, shall be deemed to vitiate or make void any Proceedings of such Board in which he may have taken part. Defect of Election, &c. of Members not to vitiate Proceedings.

XIV. Any Highway Board shall have Power by Writing, upon which no Stamp or other Duty shall be payable, to appoint a fit and competent Person to be Clerk to such Board, and shall also determine the Amount of Salary to be paid to the Clerk; and the Clerk, in Person, or by such Deputy as shall be elected by such Board, shall attend all Meetings of such Board, and shall conduct the Correspondence thereof, and enter and keep, in Books to be provided for the Purpose, Notes, Minutes, or Copies, as the Case may require, of the Meetings, Acts, Orders, Resolutions, Proceedings, and Correspondence of such Board, and shall keep all Books, Papers, and Documents committed to his Charge, and shall perform all such other Duties as the Board may direct. Power to Highway Boards to appoint Clerks.

XV. Any Highway Board shall, at their next General Annual Meeting after the passing of this Act, by Writing, upon which no Stamp or other Duty shall be payable, appoint a fit and competent Person to be Treasurer of such Board, and the said Board shall have Power to fix, and from Time to Time to alter as they see fit, the Salary, if any, to be paid to such Treasurer; and the Highway Board shall, before the aforesaid Treasurer shall enter upon his Office, take sufficient Security for the due Performance by him of the Duties of the Office; and the Treasurer of each Highway Board shall receive and hold to the Account of such Board all Moneys paid to or for the Use of such Board, and shall make Payments thereout under Orders of such Board, and shall once in every Three Months, or on such Days as the Board may direct, or oftener if required by the Board, make up an Account of all Moneys received and paid by him, and deliver the same to the Clerk of the Board; and he shall keep separate and distinct Accounts for each Parish within his District, and such Accounts shall specify the different Sums, and the Persons to whom and by whom the same shall have been paid. Appointment of Treasurer.

XVI. The Salaries to be paid to the Clerk and Treasurer of each District shall, by an Order to be made by the Highway Board of such District, be paid out of the Moneys levied for the Repair and Maintenance of the Highways, and shall be apportioned and charged upon the Parishes within each respective Salaries of Clerk and Treasurer, how to be paid.

respective District in the same Manner and in the same Proportion as the County Rate shall be chargeable at the Time such Order is made.

Power to dismiss Clerk, &c.

XVII. The Highway Board may at any Time dismiss any Clerk or Treasurer so appointed, and as often as the said Offices shall become vacant by such Dismissal, or by Death, Resignation, or otherwise, the said Highway Board shall at their next regular Meeting, or as soon after as conveniently may be, appoint some other fit and proper Person to fill the same.

Two Offices not to be held by the same Person.

XVIII. The Offices of Treasurer, Clerk, and Surveyor of any Highway Board, or any Two of such Offices, shall not be held by the same Person, or by Persons in Partnership with each other, or by Persons in the Relation of Employer and Clerk, Agent, or Servant, one of the other, or of the Partner of either of them; and if any Person shall accept or hold either the Office of Treasurer, Clerk, or Surveyor contrary to this Provision he shall forfeit and pay the Sum of One hundred Pounds to any Person who shall sue for the same, to be recovered, with full Costs of Suit, in any Court of competent Jurisdiction.

Highway Boards to have the Management of the Highways.

XIX. The Highway Board for each District shall, subject to the Provisions and Exceptions in this Act, have the Management of the several Highways lying within their District, and of the repairing and maintaining of the same, and shall direct the Execution of any Works which may from Time to Time be necessary for such Purposes; but it shall not be lawful for any Person, being a Member of any Highway Board, to hold any Place, Office, or Appointment of Emolument, or to be a Contractor directly or indirectly, or to be concerned or engaged in any Contract for making or repairing, or in any way relating to the Road or Roads in the District for which such Person shall act.

Highway Board may contract to repair Highways within Districts of Local Boards, &c.

XX. The Highway Board of any District may contract with all or any of the following Bodies; (that is to say,) any Local Board of Health constituted under "The Public Health Act, 1848," any Local Board constituted under "The Local Government Act, 1858," any Commissioners or other Body acting under any Local Act of Parliament, the County Roads Board, the Court of Quarter Sessions of the County in which the District is situate, and the Council of any Borough for the Repair and Maintenance by such Highway Board of all or any of the Highways or Turnpike Roads under the Care of such Local Board of Health, Local Board, County Roads Board, Commissioners, or other Body, (as the Case may be,) or of the Highways over and at the Ends of Bridges which are maintainable at the Expense of the County or of any Borough, or any other Highways which are maintainable at the Expense of the Borough; and such Highway Board may contract as aforesaid, upon such Terms as to the Payments to be from Time to Time made to such Board in respect of their undertaking such Repairs and Maintenance, and as to the Duration and Determination of the Contract, as may be agreed upon between the Parties; and any such Local Board of Health, Local Board, Commissioners, County Roads Board, or other Body, Court or Quarter Sessions, and Council may contract as aforesaid with such Highway Board; and while any Contract made under this Provision is in force the Highway Board and their Surveyor shall, in respect of the Repairs and Maintenance of the Highways and Roads to which such Contract relates, have and perform the same Powers and Duties and be subject to the same Responsibilities as with regard to Highways within the District of such Board, and the other contracting Party shall be divested of all Powers, Duties, and Responsibilities in respect of such Repairs and Maintenance, and all Money payable under such Contract shall be paid out of the Moneys which would have been applicable to defray the Expenses of the Repair and Maintenance of such Highways or Turnpike Roads if such Contract had not been made.

Expenses of Highway Board, how to be defrayed.

XXI. Every Highway Board, for defraying the Repairs, Expenses, and apportioned Part of Expenses chargeable as aforesaid on each Parish within their District, shall from Time to Time, by Order under their Seal, require the Overseers of such Parish to levy, and to pay over to the Treasurer of such Board, or into any Bank in such Order mentioned, and within the Time or Times thereby limited, the Sum which, after giving due Credit to such Parish for all Penalties and other Moneys received in respect thereof, such Board may require for the Purpose aforesaid (and any such Order may be made wholly or in part in respect of Expenses incurred at any Time within Six Months before the making of the Order, or of Expenses to be thereafter incurred); and where any Parish within the Meaning of this Act is Part only of any Parish for which Overseers are appointed, the Highway Board shall specify in their Order the Part of such last-mentioned Parish on which any Sum required by such Board is to be levied.

Overseers to levy Rates for raising the Money required by Highway Board.

XXII. The Overseers of the Poor of the Parishes to whom such Orders as aforesaid are issued shall levy the Amounts mentioned therein according to the Exigency thereof, and shall for that Purpose make separate equal Pound Rates upon their Parishes, or the Parts thereof respectively upon which the Sums specified in such Orders are required to be levied, in respect of the Sums thereby ordered to be levied, and shall make such Rates of such Amount in the Pound on the annual Value of the Property rateable as will in their Judgment, having regard to all Circumstances, be sufficient to raise the Sums specified in such Orders; and such Rates shall be levied on the Persons and in respect of the Property by Law rateable to the Relief of the Poor in the respective Parishes, and shall be assessed upon the net annual Value of such Property, ascertained by the Rate for the Time being for the Relief of the Poor, provided that the Rate shall also extend to such Woods, Mines, and Quarries of Stone, or other Hereditaments, as were before the said Act of the Fifth and Sixth Years of King *William* the Fourth usually rated to the Highways; and the said Overseers shall, for the Purpose of levying such

Rates,

Rates, proceed in the same Manner, and have the same Powers, Remedies, and Privileges, as for levying Money for the Relief of the Poor, and all such Rates shall be allowed in the same Manner, and be subject to all the same Provisions in relation to Appeal and to excusing Persons from Payment on account of Poverty, and otherwise, as the Rate for the Relief of the Poor in the same Parish; and such Overseers shall pay to the Treasurer of the Highway Board, or otherwise as in such Orders directed, the Sums mentioned in the Orders within the Time or respective Times specified for that Purpose, and the Excess, if any, which may have been levied beyond such Sums shall be placed to the Credit of the Parish or Part in which the same has been levied; and the said Overseers shall, at the Time of making any such Payment, deliver with the Money a Note in Writing signed by them specifying the Amount so paid, which Note shall be kept as a Voucher for the Receipt of that particular Amount; and the Receipt of the Treasurer of the Board, or of any proper Officer or Person of or belonging to any Bank into which such Money is so paid, specifying the Amount paid to him by the Overseers, shall be a sufficient Discharge to the Overseers for such Amount.

Power to Highway Board to direct paid Collectors of Poor Rate to collect Highway Rate.

XXIII. In every Parish in which a paid Collector of Poor Rates shall have been or may hereafter be duly and legally appointed, every such Collector shall, if the Highway Board so direct and authorize him, collect the Highway Rate for every such Parish, and the Highway Board shall determine the Salary or additional Salary to be paid to every such Collector, and every such Collector shall have all the same Powers, Remedies, and Privileges for the levying and enforcing the Payment of such Rates as the Overseers of the Poor have under this Act; and it shall be lawful for every Highway Board, and they are hereby required, to take Security from every Collector authorized to collect the Highway Rate under this Act, which Security shall be to the full Amount of the Sum likely to be in the Hands of the said Collector at any One Time.

Restriction in Amount of Rates.

XXIV. Provided always, That the Rate or Rates to be levied for defraying any Expenses under this Act shall not exceed in any One Year the Amount in the Pound of the rateable Value of the Property rateable thereto under this Act now by Law limited in respect of the Highway Rate.

Overseers on Nonpayment of the Rate shall be distrained upon.

XXV. In case the Amount ordered by any such Order as aforesaid to be paid by the Overseers of any Parish be not paid in manner directed by such Order and within the Time or Times therein specified for that Purpose, it shall be lawful for any Two Justices of the Peace, upon the Complaint by the Board or by any Person authorized by them for this Purpose, to issue their Warrant for levying the Amount, or so much thereof as may be in arrear, by Distress and Sale of the Goods of all or any of the said Overseers, and in case the Goods of all the Overseers be not sufficient to pay the same the Arrears thereof shall be added to the Amount of the next Levy which shall be directed to be made in such Parish for the Purposes of this Act, and shall be collected by the like Methods.

Special Persons may be appointed to levy Rates on Default of Overseers.

XXVI. Any Highway Board may, in case of any Default or Neglect of any Overseers to pay the Amount required by any such Order as aforesaid, within the Time or Times and in the Manner directed by such Order, appoint Persons to levy any Money required by such Board for the Purposes of this Act in any Parish, and such Persons shall proceed in the same Manner, and have the same Powers, Remedies, and Privileges, and be subject to the same Regulations and Penalties with reference to the levying of such Money, as any Overseers would have had or been subject to with reference to levying any such Money in pursuance of an Order of the Highway Board.

Accounts to be made up to 25th March, and Statement to be published.

XXVII. The Accounts of every Highway Board shall be made up and balanced on the Twenty-fifth Day of *March* in every Year, and shall be audited by such Board, and signed by the Chairman; and such Board shall cause a Statement to be printed and published in One or more Newspapers circulated in their County within Thirty Days after the said Twenty-fifth Day of *March*, showing the Receipt and Expenditure in respect of each Parish, and the apportioned Part of Expenditure chargeable thereto in respect of the District Fund, and such other Particulars, and in such Form, as the Secretary of State may direct, as herein-after mentioned.

Statement to be sent to Secretary of State. Penalty for Neglect.

XXVIII. The Clerk to every Highway Board shall, within such Thirty Days, transmit such Statement to One of Her Majesty's Principal Secretaries of State; and any such Clerk who shall not within the Time aforesaid transmit the said Statement to the said Secretary of State shall for every such Offence, upon a summary Conviction for the same before Two Justices of the Peace, be liable to a Penalty of Ten Pounds.

Abstract of Statements to be laid before Parliament.

XXIX. The Secretary of State shall cause the Statements so transmitted to be abstracted, and the Abstracts thereof to be laid before both Houses of Parliament, with the other Statements in relation to Highways required to be abstracted and laid before Parliament by the Act of the Session holden in the Twelfth and Thirteenth Years of Her Majesty, Chapter Thirty-five.

Secretary of State may cause Form of Statement to be prepared, &c.

XXX. It shall be lawful for One of Her Majesty's Principal Secretaries of State to cause to be prepared such Forms for such Statement as he may from Time to Time deem suitable, and also from Time to Time to alter the Forms for the annual Statement prescribed by the said Act of the Twelfth and Thirteenth Years of Her Majesty, but no Statement shall be transmitted under that Act concerning Parishes wholly within a Highway District under this Act.

XXXI. The

Councils of Boroughs having Commissions of the Peace may by Resolution assume the Powers of Highway Boards.

XXXI. The Council of every Borough having a separate Commission of the Peace may, by a Resolution of such Council at a Meeting held for the Purpose, in any Year after the Expiration of the Time limited by Law for the Election of Surveyors of Highways for that Year, or Forty Days at the least before the Commencement of the Time limited for such Election, assume the Powers of a Highway Board under this Act; but no such Resolution shall be valid unless a Month's previous Notice of the Meeting and of the Purpose thereof has been given in the Manner in which Notices of Meetings of the Council are by Law required to be given, and Two Thirds of the Members present at the Meeting concur in such Resolution; and the Chairman of any such Meeting may, with the Consent of a Majority of the Members present, adjourn the same from Day to Day; and Notice of such Resolution shall be certified under the Seal of the Corporation of such Borough to the Clerk of the Peace of the County, or (if such Borough be situate in more than One County) of each County in which the Borough is wholly or in part situate.

Where Resolution passed, Council to have Powers of Highway Board.

XXXII. Any such Council which may have assumed the Powers of a Highway Board, by Resolution passed and certified as aforesaid, shall, with respect to Parishes and Parts of Parishes within such Borough, have and be subject to the Powers and Obligations vested in or imposed on a Highway Board constituted under this Act with respect to Parishes forming the District of such Board, save that such Powers shall not extend to authorize the Appointment of a separate Clerk or Treasurer for the Purposes of this Act; and the Provisions of this Act applicable in the Case of Highway Districts formed thereunder, to the Highway Board thereof, and their Clerk, Treasurer, and Surveyor, shall, in the Case of such Borough, be respectively applicable to the Council and to the Town Clerk and Treasurer thereof, and to the Surveyor of Highways to be appointed by such Council, as if such Borough were a Highway District constituted under this Act, and such Council were the Highway Board thereof; and all Acts to be done by such Council by virtue of the Powers conferred by this Act shall be done in like Manner as if done by virtue of the said Act "for the Regulation of Municipal Corporations in *England* and "*Wales*;" and any such Council may, if they think fit, appoint a Committee for the Purposes of this Act, in like Manner as for any of the Purposes of such last-mentioned Act, the Acts of such Committee to be submitted as therein provided to the Council, for their Approval; provided nevertheless that the Expenses incurred in the Execution of this Act by the Council of any Borough or any Committee of such Council shall be defrayed in manner provided with respect to Expenses of Highway Boards: Provided always, that the Powers of the Council of a Borough under this Enactment shall not extend, nor shall its District as a Highway Board be deemed to include any Parish or District under any Board mentioned in the First Section of this Act.

5 & 6 W. 4. c. 76.

No Parochial Surveyor to be appointed after the passing of this Act.

XXXIII. From and after the passing of this Act no Parochial Surveyor shall be elected or appointed in *South Wales* under the said Act of the Fifth and Sixth Years of King *William* the Fourth, Chapter Fifty, for any Parish comprised in such District: Provided always, that any Surveyor whose Powers are so to cease as aforesaid shall recover any Highway Rate made by him before the Cesser of his Powers, and remaining unpaid, in the same Manner as if his Power in other respects had not ceased, and the Money so recovered shall be paid by him to the Treasurer of the Highway Board of the District in which such Parish is comprised under this Act; and in case such Surveyor die or become incapable to act before all Arrears of any such Rate are recovered, the same may be recovered by the Overseers of the Poor, who shall have the like Power for that Purpose as such Surveyor would have had, and shall pay the same to such Treasurer as aforesaid.

Accounts of existing Surveyors to be passed according to present Law, and Money and Effects to be paid and delivered to their Successors appointed under this Act.

XXXIV. The Accounts of every such Surveyor whose Powers shall so determine shall be passed within the like Periods respectively after such Determination, and in like Manner, and under and subject to the like Provisions in all respects, as if this Act had not been passed, save that it shall not be necessary that such Accounts be passed at a Special Sessions for the Highways, but the same may be passed at a Petty Sessions; and the Provisions of the said Act of the Fifth and Sixth Years of King *William* the Fourth, Chapter Fifty, concerning Payment and Delivery by a Surveyor leaving Office, and by the Executors and Administrators of a deceased Surveyor, of Money due from him, and Books, Accounts, Papers, Writings, Tools, Materials, Implements, and other Things, to his Successor in Office, and all the Provisions of such Act applicable in default of such Payment and Delivery, according to the Provisions of the said Act, shall be and remain applicable in relation to all Moneys, Books, Accounts, Papers, Writings, Tools, Materials, Implements, and other Things which if this Act had not been passed ought to have been paid and delivered to the Successor, under the said Act of King *William* the Fourth, of such Surveyor as if the Highway Board of the District in which the Parish or Parishes is or are comprised for which such Surveyor was appointed were the Successor in Office of such Surveyor, and had been appointed under the said Act of King *William* the Fourth.

Surveyor of Highway Board exempted from Turnpike Tolls.

XXXV. No Toll shall be demanded by virtue of any Act of Parliament on any Turnpike Road in any Highway District constituted under this Act from the Surveyor of the Highway Board of such District when executing or proceeding to execute his Duties as such Surveyor, and all Provisions applicable to the Exemptions in the Act of the Third Year of King *George* the Fourth, Chapter One hundred and twenty-six, shall apply to and in the Case of the Exemptions conferred by this Enactment.

XXXVI. Where

Power to Highway Board to order their Surveyor to repair certain Roads, and charge the Parties liable for the same.

XXXVI. Where any Highway which any Body Politic or Corporate or Person is liable to repair by reason of Tenure of any Land, or otherwise howsoever, is out of Repair, the Highway Board of the District in which such Highway is situate may, if they see fit, direct their Surveyor to repair the same, and the Expenses to be incurred in such Repair shall be paid by the Party liable to repair as aforesaid; and it shall be lawful for any Justice, upon the Application of any Person authorized in this Behalf by the Highway Board, to summon the Party liable to pay such Expenses to appear before Two Justices at a Time and Place to be named in such Summons, and upon the Appearance of the Parties, or in the Absence of either of them, it shall be lawful for such Justices to hear and determine the Matter, and make such Order, as well as to Costs or otherwise, as to them may seem just.

Power to Justices to order certain Highways to be made Highways to be repaired, &c. by the Parishes.

XXXVII. Where any Person or Corporation is liable, by reason of Tenure of Lands or otherwise, to repair any Highway situate in a Highway District, the Person or Corporation so liable, or the Surveyor of Highways of the District, may apply to any Justice of the Peace for the Purpose of making such Highway a Highway to be repaired and maintained by the Parish in which the same is situate; and such Justice shall thereupon issue his Summons requiring such Surveyor or the Party so liable to repair such Highway as aforesaid, to appear before Two or more Justices in Petty Sessions assembled, and the Justices at such Petty Sessions shall proceed to examine and determine the Matter, and shall, if they think fit, make an Order under their Hands that such Highway shall thereafter be a Highway to be thereafter repaired and maintained by the Parish, and shall in such Order fix the Proportion of the Expenses of repairing and maintaining such Highway to be annually paid by such Person or Corporation to the Treasurer of the Highway Board of the District in which such Highway is situate, and such Order shall be binding upon all Persons and Parties whatsoever: Provided nevertheless, that such Justices, instead of fixing the Proportion of the Expenses of repairing such Highway to be annually paid as aforesaid, may, by an Order under their Hands, fix a certain Sum to be paid by such Person or Corporation to the Treasurer of such Board, in full Discharge of all Claims thereafter in respect of the Repair and Maintenance of such Highway; and in default of Payment of such last-mentioned Sum, or of such annual Sum as aforesaid, the Clerk of such Board may proceed for the Recovery thereof in the same Manner as any Penalties or Forfeitures are recoverable under the said Act of the Fifth and Sixth Years of King *William* the Fourth, Chapter Fifty: Provided always, that when the Sum so fixed to be paid in full Discharge of all Claims thereafter in respect of the Repair and Maintenance of such Highway exceeds One hundred Pounds, the same, when received, shall be invested in the Name of the Highway Board of the District in some Public Government Securities, and the Interest and Dividends arising therefrom shall be applied by such Board towards the Repair and Maintenance of the Highways within the Parish in which such Highway is situate; but when such Sum does not exceed One hundred Pounds, the same, or any Part thereof, at the Discretion of such Highway Board, shall from Time to Time be applied by such Board towards the Repair and Maintenance of the Highways within such Parish; and from and after the making of such Order such Highway shall be repaired in like Manner and at the like Expense as other Highways which such Parish is liable to repair.

Provisions for Discontinuance of Maintenance of unnecessary Highways.

XXXVIII. When any Highway Board consider any Highway within their District unnecessary for public Use, they may direct their Surveyor to apply to Two Justices to view the same, and shall authorize him to pay all Expenses attending such View (which Expenses and other the Expenses of the Surveyor consequent upon such Application shall be Expenses chargeable under this Act on the Parish in which the Highway in question is situate), and thereupon the like Proceedings shall be had as in the Case where Application is made under the said Act of the Fifth and Sixth Years of King *William* the Fourth, Chapter Fifty, to procure the stopping up of any Highway, save only that the Order to be made thereupon, instead of directing the Highway to be stopped up, shall direct that the same shall cease to be a Highway which the Parish is liable to repair, and the Liability of the Parish shall cease accordingly; and for the Purpose of such Proceedings under this Enactment, such Variation shall be made in any Notice, Certificate, or other Matter preliminary to the making of such Order as the Nature of the Case may require: Provided always, that if at any Time thereafter, upon Application of any Person interested in the Maintenance of such Highway, after One Month's previous Notice in Writing thereof to the Clerk of the Highway Board for the District in which such Highway is situated, it appear to any Court of General or Quarter Sessions of the Peace that from any Change of Circumstances since the Time of the making of any such Order as aforesaid under which the Liability of the Parish to repair such Highway has ceased, the same has become of public Use, and ought to be kept in repair by the Parish, they may direct that the Liability of the Parish to repair the same shall revive from and after such Day as they may name in their Order, and such Liability shall revive accordingly, as if the first-mentioned Order had not been made; and the said Court may by their Order direct the Expenses of and incident to such Application to be paid as they may see fit.

Regulations as to the Adoption of new Roads to be maintained under this Act.

XXXIX. And with respect to the Adoption of new Roads to be maintained as public Roads under this Act, be it enacted, That no Road or Occupation Way made or hereafter to be made by or at the Expense of any Individual or private Person, Body Politic or Corporate, shall be deemed or taken to be a public Road, to be repaired and maintained according to the Provisions of this Act, unless the Person, Body

Body Politic or Corporate, proposing to dedicate such Road to the Use of the Public, shall give Three Calendar Months previous Notice in Writing to the District Surveyor of the District of his Intention to dedicate such Road to the Use of the Public, describing its Situation and Extent; and the said District Surveyor, upon receiving such Notice, shall view the same, and shall report to the Highways Board of the District whether such Road is well and properly laid out and made, and whether the same is of sufficient public Utility to justify its being kept in repair and maintained as One of the Highways of such District; and if the said Board shall be satisfied, upon such Report or otherwise, that the said Road ought to be so kept in repair and maintained, they shall certify in Writing accordingly; and such Certificate, signed by the Chairman of the Highway Board for the Time being, shall be transmitted by him to the County Roads Board of such County; and thereupon, after the said Road shall have been used by the Public, and duly repaired and kept in repair by the said Person, Body Politic or Corporate, for the Space of Twelve Calendar Months, the same shall thenceforth become One of the Highways of such County, and shall thereafter be repaired and maintained according to the Provisions of this Act.

Proceedings in case Highways are not kept in repair.

XL. From and after the passing of this Act, if any Highway is out of repair, or is not well and sufficiently repaired and amended, an Information thereof on the Oath of One credible Witness is given to any Justice of the Peace, it shall and may be lawful for such Justice and he is hereby authorized and required to issue a Summons requiring the Surveyor of the District in which such Highway is situated, or other Person or Body Politic or Corporate chargeable with such Repairs, to appear before the Justices at some Petty Sessions in the said Summons mentioned to be held within the Division in which the said Highway may be situate, and the said Justices shall either appoint some competent Person to view the same, and report thereon to the Justices in Petty Sessions assembled on a certain Day and Place then and there to be fixed, at which the said District Surveyor or other Party as aforesaid shall be directed to attend, or the said Justices shall fix a Day whereon they or any Two of them shall attend to view the said Highway; and if to the Justices at such Petty Sessions, on the Day and at the Place so fixed as aforesaid, it shall appear, either on the Report of the Person so appointed by them to view, or on the View of the said Justices, that the said Highway is not in a State of thorough and effectual Repair, they the said Justices at such last-mentioned Petty Sessions shall make an Order requiring the said District Surveyor to repair the said Highway within a Time limited therein, and shall make an Order requiring the Overseers of the Poor, or other Party or Body Politic or Corporate liable to the Repair of the said Highway, to pay to the Treasurer, at such Time or Times as they shall direct, either in One Sum or by Instalments, a Sum of Money to be therein stated, which shall be equal in Amount to the Sum which the said Justices shall on the Evidence produced before them judge requisite for the repairing such Highway; and in default of such Money being paid within the Time so limited, it shall be lawful for any Two Justices of the Peace to issue their Warrant for levying the Amount of Money, or so much thereof as may not be paid within the Time limited, by Distress and Sale of the Goods of the said Overseers of the Poor, and such Money, when recovered, shall be applied to the Repair of such Highway; and in case more Parties than One are bound to repair any such Highway, the said Justices shall direct in their Order what Proportion shall be paid by each of the said Parties: Provided nevertheless, that the said Justices shall not have Power to make such Orders as aforesaid in any Case where the Duty or Obligation of repairing the said Highway comes in question.

Power to Justices to order Highways to be repaired at the Expense of the Parties liable.

If Money not paid the same to be levied by Distress.

Width of Roads to be maintained when they cease to be Turnpike Roads.

XLI. All Roads hereafter ceasing to be Turnpike Roads shall on their so ceasing be repaired and maintained by the Surveyor or Board, or other Body liable to maintain the same, to the same Width as they are or were required to be while Turnpike Roads; and all Roads heretofore Turnpike Roads, which have already ceased to be so, shall be repaired and maintained by such Surveyor, Board or other Body, to the present Width of such Roads, and after the passing of this Act, as regards any Road which has ceased or which may cease to be a Turnpike Road, the Erection or making of any Building, Hedge, Ditch, or other Fence, or the doing of any other Act which would have been deemed an Encroachment on any such Road if the same had continued to be a Turnpike Road, shall be deemed an Encroachment on a Highway, within Section Sixty-nine of the said Act of the Fifth and Sixth Years of King *William* the Fourth, although the same may be beyond the Distance from the Centre of the Carriageway mentioned in the said Section.

Acts to be done at Special Sessions for Highways may be done at Petty Sessions.

XLII. It shall not be requisite for the Justices of the Peace to hold Special Sessions for executing the Purposes of the said Act of the Fifth and Sixth of King *William* the Fourth, Chapter Fifty; but all Acts and Matters which might have been done at such Special Sessions under the said Act or this Act, or under any other Act of Parliament, may be done by Two or more Justices at any Petty Sessions.

5 & 6 W. 4. c. 50. to remain in force, except as otherwise provided.

XLIII. Except as herein otherwise provided, all the Provisions of the said Act of the Fifth and Sixth Years of King *William* the Fourth, Chapter Fifty, shall remain in force and be applicable as well to the Highways to be managed under this Act as to the Highways which may continue to be managed under that Act, and the said Act and this Act shall be construed together as One Act.

Act to extend only to South Wales.

XLIV. This Act shall extend only to *South Wales*, and in the Construction of this Act, "*South Wales*" shall include and comprise the Six Counties following, and no others, viz., the Counties of *Glamorgan, Brecknock, Radnor, Carmarthen, Pembroke*, and *Cardigan*.

XLV. In

XLV. In the Construction of this Act, unless there be something in the Subject or Context repugnant to such Construction, the Word "Parish" shall mean any Parish, Place, or District maintaining its own Highways, or which, if this Act and the said Act of the Fourteenth and Fifteenth Years of Her Majesty had not been passed, would have maintained its own Highways, and where Part only of any such Parish, Place, or District is comprised in a Highway District constituted under this Act shall mean such Part; the Word "Borough" shall mean a Borough according to the Meaning of the Act of the Session holden in the Fifth and Sixth Years of King *William* the Fourth, "for the "Regulation of Municipal Corporations in *England* and *Wales*," or any Corporate Place which since the passing of that Act has become subject to the Provisions thereof; and the Word "County" shall mean any County, Riding, Division, or Liberty having a separate Court of Quarter Sessions of the Peace. Interpretation of Terms.

CAP. LXIX.

An Act to enable the Ecclesiastical Commissioners for *England* to apply certain Funds towards the Repairs of the Cathedral or Collegiate Church of *Manchester*. [6th *August* 1860.]

'WHEREAS it is expedient more effectually to enable the Ecclesiastical Commissioners to carry 'out the Intentions of the "*Manchester* Parish Division Act, 1850," and to secure the full 'Benefits intended by the said Act to the several Rectors, Incumbents, or Ministers entitled to receive 'from Time to Time Payments in augmentation of the Endowments of their Rectories, Parishes, or 'Districts as prescribed by the said Act, and to prevent a Diminution hereafter in the Payments to be 'made to them by reason of any Diminution in the Receipts of the Commissioners arising from any 'extraordinary Charges which may be incurred in the Restoration or Repair of such Part or Parts of 'the Cathedral or Collegiate Church of *Manchester* as the Dean and Canons thereof are now liable to 'repair, and some or the whole of which Part or Parts are in great Need of Restoration and Repair:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: 13 & 14 Vict. c. 41.

I. The Ecclesiastical Commissioners may and they are hereby authorized and empowered to expend or to authorize the said Dean and Canons of *Manchester* to expend in the necessary Restoration or Repair of the said Part or Parts of the said Cathedral or Collegiate Church so much of the Monies paid to them under the Provisions of the said Act prior to the First Day of *January* One thousand eight hundred and sixty as to them may seem fit. As to appropriating certain Funds to Repair of Cathedral Church at Manchester.

II. Provided always, That, except so far as is hereby authorized, the said Part or Parts of the said Cathedral or Collegiate Church shall be maintained and kept in repair as by the said Act prescribed; provided also, that nothing herein contained shall affect or alter the Application as prescribed in the said Act of the Monies hereafter to be paid to the Commissioners by the said Dean and Canons. Cathedral Church to be maintained as prescribed, &c.

CAP. LXX.

An Act to confirm certain Provisional Orders made under an Act of the Fifteenth Year of Her present Majesty, to facilitate Arrangements for the Relief of Turnpike Trusts. [6th *August* 1860.]

'WHEREAS, in pursuance of the Act of the Session holden in the Fourteenth and Fifteenth Years 'of Her Majesty, "to facilitate Arrangements for the Relief of Turnpike Trusts, and to make '"certain Provisions respecting Exemptions from Tolls," certain Provisional Orders have been made 'by the Right Honourable Sir *George Cornewall Lewis*, One of Her Majesty's Principal Secretaries 'of State, for reducing the Rate of Interest and for extinguishing the Arrears of Interest on the Mort'gage Debts charged or secured on the Tolls or Revenues of certain Turnpike Roads, and such Orders 'have been published in the *London Gazette* and in Newspapers circulating in the Neighbourhood of 'such Roads, and the Dates of such Provisional Orders, and the Acts under which the Tolls or Reve'nues on which such Debts are charged or secured are levied or raised, together with the Amount to 'which the Rate of Interest on such Debts is to be reduced, and the Days up to which the Interest and 'Arrears of Interest on such Debts are to be extinguished by such Orders, are mentioned in the Sche'dule to this Act: And whereas it is expedient that the said Provisional Orders should be confirmed 'and made absolute:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: 14 & 15 Vict. c. 38.

I. The said Provisional Orders are hereby confirmed and made absolute, and shall be as binding and of the like Force and Effect as if the Provisions thereof had been expressly enacted by Parliament. Provisional Orders confirmed.

SCHE-

SCHEDULE.

Date of Provisional Order.	TITLE OF LOCAL ACT.	Amount of Principal Debt.	Interest to be reduced to the following Rates per Annum.	Arrears of Interest to be extinguished to the following Dates.
		£ s. d.		
1859. 11 Nov.	3 Geo. 4. c. 50., "An Act for more effectually "repairing the Road from the North End of "a Lane called Rosemary Lane in the "Township of Broughton to the Town of "Mold in the County of Flint, and for di- "verting a Part of the said Road, and for "making a new Branch of Road to commu- "nicate with the said Road."	2,044 0 0	4*l.* per Cent.	31 Dec. 1859.
1860. 4 April.	54 Geo. 4. c. 4., "An Act for enlarging the "Term and Powers of Two Acts of His "present Majesty, for repairing the Road "from the West End of Saint Ives Lane in "the Town of Saint Neots in the County "of Huntingdon to the Pavement at the "End of Bell Lane in the Town of Cam- "bridge."	3,778 9 0	3*l.* per Cent.	24 June 1859.

CAP. LXXI.

An Act to make Provision as to Stock and Dividends unclaimed in *Ireland*. [6th *August* 1860.]

56 G. 3. c. 60.

'WHEREAS by an Act of the Fifty-sixth Year of King *George* the Third, Chapter Sixty, Provision is made for transferring all Capital Stock in respect of which any Annuities constituting 'Part of the National Debt are payable at the Bank of *England*, and also the Annuities for Years 'therein mentioned and other terminable Annuities, and upon or in respect of which no Dividends 'shall have been demanded for the Period of Ten Years (except as therein mentioned), and the Balances 'of Sums issued for paying the Principal of Stocks or Annuities which shall not have been demanded 'for the same Period, to the Commissioners for the Reduction of the National Debt; and by the said 'Act Provision is made for Re-transfer of such Stock and Annuities, and Payment of the Dividends 'due thereon, to Persons showing their Title thereto; and the High Court of Chancery is thereby 'empowered, upon Application of the Claimants, to make Order for such Transfer and Payment or 'otherwise relating thereto: And whereas an Act was passed in the Session holden in the Eighth and

8 & 9 Vict. c. 62.

'Ninth Years of Her Majesty, Chapter Sixty-two, "to make further Provisions as to Stock and '"Dividends unclaimed," and such Acts extend only to such Stocks, Funds, or Annuities which then 'were or at any Time thereafter should be transferable at the Bank of *England:* And whereas it is 'expedient that the Provisions of the said Acts should be extended to the Stocks, Funds, and Annuities 'transferable at the Bank of *Ireland* and the Dividends thereon:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Provisions as to unclaimed Stock and Dividends to extend to Stock transferable at the Bank of Ireland.

I. All the Provisions of the said recited Acts of the Fifty-sixth Year of King *George* the Third and the Eighth and Ninth Years of Her Majesty shall henceforth extend and apply to all Stocks, Funds, and Annuities constituting any Part of the National Debt, and transferable at the Bank of *Ireland*, and to the Dividends thereon, and to the Governor and Company of the Bank of *Ireland* and their Officers, and to the Court of Chancery in *Ireland*, in like Manner as if the said Provisions were here repeated and re-enacted, and the "Bank of *Ireland*" were therein substituted and referred to where in the said Acts respectively the "Bank of *England*" is mentioned or referred to, and "the Court of Chancery in *Ireland*" were therein substituted and referred to where in the said Acts "the High Court of Chancery" is mentioned or referred to.

Notice by Advertisements in Ireland before

II. Provided, That where under the said Act of the Eighth and Ninth Years of Her Majesty Notice is to be given by Advertisements in One or more Newspapers circulating in *London* and elsewhere, the Governor

Governor and Company of the Bank of *Ireland* shall, in respect of the like Re-transfer of Stock or Annuities or Payment of Dividends under this Act, require the Notice to be given by such Advertisements as aforesaid, and also by Advertisements in One or more Newspapers circulating in *Dublin* and elsewhere in *Ireland*. Re-transfer or Payment of Dividend.

CAP. LXXII.

An Act to promote and facilitate the Endowment and Augmentation of small Benefices in *Ireland*. [6th *August* 1860.]

'WHEREAS by an Act passed in the Session of Parliament held in the Fourteenth and Fifteenth Years of Her present Majesty, Chapter Seventy-two, intituled *An Act to consolidate and amend the Laws relating to the Erection and Endowment of Churches and Chapels and Perpetual Curacies in* Ireland, Provision was made "with respect to the Endowment of small Rectories and Vicarages and Perpetual Curacies, and Acquisitions of Patronage thereby;" and it is expedient that further Provision in that Behalf be made:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: 14 & 15 Vict. c. 72.

I. This Act may be cited as the "Endowment and Augmentation of small Benefices Act (*Ireland*), 1860." Short Title.

II. In the Construction of this Act the following Words shall have the Meaning hereto assigned to them; (that is to say,) Construction of Terms.

"Ecclesiastical Person" shall be taken to include Archbishop, Bishop, Dean, Rector, Vicar, Impropriate Curate, and every Ecclesiastical Corporation:

"Benefice" shall mean and include Rectory, Vicarage, Perpetual Curacy, District Parochial Church, or Chapel of Ease, and Grange:

"Incumbent" shall mean Rector, Vicar, or Perpetual Curate.

III. Any Person or Persons, Body Politic or Corporate, being under no legal Disability or Incapacity, may, without any Licence of Alienation or in Mortmain, by and with the Consent of the Ecclesiastical Person or Corporation seised of the Right of Presentation thereof, and of the Bishop of the Diocese, by Deed endow any Benefice, having no Provision or Endowment thereunto belonging of the yearly Value of Fifty Pounds, the Advowson or Right of Presentation whereof shall belong to any Ecclesiastical Person, with any Lands, Tithes, Tenements, or Hereditaments of the yearly Value of not less than Seventy-five Pounds, or with Money in the Government Funds producing at the Time of the Endowment a yearly Income of not less than Seventy-five Pounds, to be invested in the Name of the Bishop of the Diocese and the Incumbent of the Benefice aforesaid, as a perpetual Provision for the Incumbent of the said Benefice and his Successors for ever; and thereupon the Ecclesiastical Person seised of the Advowson, Right of Patronage, Nomination, or Presentation of such Benefice may, with the Consent of the Bishop of the Diocese, assign the same by Deed to be entered in the Registry of the Diocese and enrolled in the Rolls Office of the High Court of Chancery in *Ireland*, to Trustees, who shall not be less than Four nor more than Six in Number, to be for that Purpose nominated and appointed in the first instance by the Person or Persons, Body Politic or Corporate, endowing or augmenting such Benefice; and from and after such Endowment and Conveyance, registered and enrolled as aforesaid, the Trustees so nominated and appointed, and their Successors, shall be, together with the Bishop of the Diocese for the Time being, the only Patrons of such endowed or augmented Benefice; and the Vacancies which shall from Time to Time occur in the Number of such nominated Trustees by Death, Resignation, Disqualification, or Inability to act shall be filled up in such Manner as by the said Deed of Endowment shall be provided, and in default of any such Provision, in such Manner as the Bishop of the Diocese shall under his Hand and Seal direct and appoint; and if it shall happen that all such Trustees for the Time being shall die without having (in pursuance of any such Power in the said Deed of Endowment contained) appointed their Successors, then the Minister for the Time being of such Benefice, with the Consent of the Bishop of the Diocese, may appoint the Number of Trustees required by the Deed of Endowment, and in case there shall be no such Minister, the Bishop of the Diocese may nominate and appoint the requisite Number of Trustees: Provided that no Person shall be qualified to be nominated to or to act in the Office of a Trustee unless he be a Member of the United Church of *England* and *Ireland*. When Benefice is of less Value than 50*l.*, an Endowment of not less than 75*l.* may be made, &c. Patronage of such Benefice to be vested in Trustees.

CAP. LXXIII.

An Act to continue certain Turnpike Acts in *Great Britain*, and to extend the Provisions of the Act of the Fourteenth and Fifteenth Years of Her present Majesty, Chapter Thirty-eight. [6th *August* 1860.]

'WHEREAS it is expedient to continue for limited Times the Acts herein-after specified:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Turnpike Acts Continuance.

All Turnpike Acts expiring before the End of the next Session continued to 1st Oct. 1861, except 54 G. 3. c. lix., 4 G. 4. c. xlviii.

I. Every Act now in force for regulating, making, amending, or repairing any Turnpike Road in *Great Britain* which will expire on or before the End of the next Session of Parliament shall be continued until the First Day of *October* One thousand eight hundred and sixty-one and to the End of the then next Session of Parliament, except an Act of the Fifty-fourth Year of King *George* the Third, Chapter Fifty-nine, "for continuing and amending Two Acts of His present Majesty, for repairing the "Road from the Guide Post at the West End of the Town of *Hampton*, over *Sunbury Common*, to "the Town of *Staines*, in the County of *Middlesex*;" and an Act of the Fourth Year of King *George* the Fourth, Chapter Forty-eight, "for more effectually repairing, widening, and improving the Roads "from the West End of *Toller Lane*, near *Bradford*, through *Haworth*, to *Blue Bell* near *Colne*, and "from the *Two Laws* to *Kighley*, in the Counties of *York* and *Lancaster*;" and except as herein-after mentioned.

Acts in Schedule continued till 1st Nov. 1861.

II. The Acts mentioned in the Schedule to this Act annexed shall continue in force until the First Day of *November* One thousand eight hundred and sixty-one, and no longer, unless Parliament shall in the meantime continue the same respectively.

III. 'And whereas the Provisions of an Act of the Session holden in the Fourteenth and Fifteenth 'Years of Her Majesty, Chapter Thirty-eight, for facilitating the Arrangements therein mentioned 'with the Creditors of Turnpike Trusts, are confined to the Cases "where the Revenues of any Turn-'"pike Road in *England*, applicable to the Payment of the Interest upon the Principal Money for the '"Time being charged or secured on the Tolls or Revenues of such Road are insufficient for the '"Payment in full of such Interest," and it is expedient that such Provisions should be extended to 'other Cases as respects the Turnpike Roads herein-after mentioned:'

Provisions of 14 & 15 Vict. c. 38. extended to Cases herein named.

So much of the said Act as confines the Operation thereof to the Case where the Revenues of a Turnpike Road are insufficient for the Payment in full of such Interest as aforesaid shall, so far only as relates to any Turnpike Road in *England* the Act in relation to which is continued by this Act, be repealed; and in the Case of any such Turnpike Road the Provisions of the said Act of the Fourteenth and Fifteenth Years of Her Majesty shall be applicable (although the Revenues of such Turnpike Road be not insufficient for such Payment as aforesaid).

Short Title.

IV. In citing this Act in other Acts of Parliament and in legal Instruments it shall be sufficient to use the Expression "The Annual Turnpike Acts Continuance Act, 1860."

SCHEDULE.

53 G. 3. c. xxiv. An Act for enlarging the Term and Powers of an Act of His present Majesty, for repairing the Roads leading from the Parishes of Yoxford, Saxmundham, and Benhall, in the County of Suffolk, to the Town of Aldeburgh, in the said County.

55 G. 3. c. xc. An Act for continuing and amending an Act of His present Majesty, for repairing several Roads leading from Shenfield to Harwich and Rochford, and other Places in the County of Essex, and for extending the said Act to the Road from Great Hallingbury to Hockerill in the County of Hertford.

56 G. 3. c. xiv. An Act for enlarging the Term and Powers of an Act of His present Majesty, for repairing and widening the Road from Preston Candover to Basingstoke, and from thence to Alton in the County of Southampton.

59 G. 3. c. xxv. An Act for repairing the Road from Shelton's Lane in Bury in the County of Huntingdon to a House formerly called The Spread Eagle in the Hamlet of Stratton in the Parish of Biggleswade in the County of Bedford.

1 & 2 G. 4. c. vi. An Act to enlarge the Term and Powers of Two Acts of His late Majesty for repairing and widening the Road from a Bridge over a Stream called Sudbrook near the City of Gloucester to the Nine Mile Stone on the Bristol Road near the Clay Pitts in the County of Gloucester, and for extending the Powers thereof to the Entrance of the City of Gloucester.

4 G. 4. c. cx. An Act for repairing and improving the Road leading from Skipton in the County of York to Colne in the County of Lancaster.

6 G. 4. c. xlvi. An Act for repairing the Road from Kingston-upon-Thames to Leatherhead in the County of Surrey.

6 G. 4. c. lxxxvii. An Act for more effectually repairing and improving the Roads from Sheet Bridge to Portsmouth and from Petersfield to the Alton and Alresford Turnpike Road near Ropley in the County of Southampton, and for making and maintaining a new Branch of Road to communicate therewith.

6 G. 4. c. cxlix. An Act for repairing, widening, improving, and maintaining in repair the Turnpike Roads from Leeds to Halifax, and the several Branches and Roads therein mentioned, in the West Riding of the County of York.

7 & 8 G. 4. c. lxix. An Act for repairing the Road leading from Ealand to the Town of Leeds in the West Riding of the County of York.

10 G. 4. c. iii. An Act for repairing, improving, and maintaining in repair the Road from Brandlesome Moss Gate in the Township of Elton to the Duke of York Public House in the Township of Blackburn, and a Branch Road therefrom, all in the County Palatine of Lancaster.

10 G. 4. c. xxii. An Act for repairing the Road from the Town of Biddenden to the Turnpike Road from Ashford to Feversham, at Boundgate, in the County of Kent.

An

An Act for more effectually repairing and improving the Road from Kipping's Cross in the County of Kent to Flimwell Vent in the County of Sussex, and certain other Roads therein described. 10 G. 4. c. xxvi.

An Act for more effectually repairing the Road from the Brick Kilns on East Malling Heath to Pembury Green, and from Brandbridges to the Four Wents near Matfield Green, and from the said Road into the Mereworth and Hadlow Road in the County of Kent. 10 G. 4. c. lvi.

An Act for more effectually repairing and otherwise improving certain Roads and Bridges in the Liberties of the Borough of Berwick-upon-Tweed, and Counties of Durham and Berwick, and improving the Entrance to the Town of Berwick. 10 G. 4. c. lix.

An Act for more effectually repairing the Roads from Alfreton to Higham and Tibshelf in the County of Derby. 10 G. 4. c. lxv.

An Act for making and maintaining a Turnpike Road between the Town of Tarporley in the County Palatine of Chester and the Town of Whitchurch in the County of Salop. 10 G. 4. c. lxxvii.

An Act for maintaining and repairing the Road from the River at Swathling through Botley to the Road at Sherril Heath in the County of Southampton. 10 G. 4. c. lxxxi.

An Act for making and maintaining a Road from Sheepscar, through Woodhouse Carr, to Meanwood-side in the Parish of Leeds, in the West Riding of the County of York. 10 G. 4. c. lxxxvii.

An Act for more effectually amending the Road from Oldham in the County of Lancaster to Ripponden in the County of York, and other Roads in the same Counties, and for making and maintaining a new Branch to communicate therewith. 10 G. 4. c. lxxxix.

An Act for continuing certain Powers to the Trustees of the Road leading from the Borough of Southwark to the Kent Road in the County of Surrey called Great Dover Street, for the Purposes therein mentioned. 10 G. 4. c. cxiii.

An Act for more effectually repairing and improving the Road from Edenfield Chapel to Little Bolton, and certain Branch Roads connected therewith, all in the County Palatine of Lancaster. 2 & 3 Vict. c. xlvii.

CAP. LXXIV.

An Act to amend the Provisions of the Act for the Regulation of Municipal Corporations in *Ireland*, with respect to the Appointment of Coroners in Boroughs. [6th *August* 1860.]

'WHEREAS by an Act passed in the Third and Fourth Years of the Reign of Her present Majesty, intituled *An Act for the Regulation of Municipal Corporations in* Ireland, it is, by the One hundred and fifty-third Section thereof, enacted, that the Council of every Borough in which a separate Court of Quarter Sessions of the Peace should be holden as was therein-after provided, should, within Ten Days after the Grant of the said Court should have been signified to the Council of said Borough, appoint a fit Person, not being an Alderman or Councillor, to be Coroner of such Borough so long as he should well behave himself in his Office of Coroner, and should fill up every Vacancy in the Office of Coroner for the Borough occurring by Death, Resignation, or Removal within Ten Days next after such Vacancy, and none thereafter should take any Inquisition which belongs to the Office of Coroner within such Borough, save only the Coroner so from Time to Time to be appointed: And whereas the Councils of certain of the Boroughs named in Schedule "A." to the said recited Act annexed, have not considered it advisable to present a Petition for a separate Court of Quarter Sessions of the Peace or a Court of Record for the Trial of Civil Actions in such Boroughs, under the One hundred and sixty-third Section of the said Act, and no separate Court of Quarter Sessions of the Peace is holden in the said Boroughs, as is in and by the said recited Act in that Behalf provided, and the Councils thereof have not on that account been able to appoint Coroners for such Boroughs, which has been productive of public Inconvenience, and it is expedient that such Councils should have the Power of appointing Coroners for such Boroughs respectively:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: 3 & 4 Vict. c. 108.

I. Notwithstanding that no separate Court of Quarter Sessions of the Peace is or shall be holden in any Borough named in Schedule "A." to the said recited Act annexed, as in the said recited Act provided, it shall be lawful to and for the respective Town Councils of every Borough named in the said Schedule, that is to say, the Boroughs of *Belfast, Clonmell, Cork, Drogheda, Dublin, Kilkenny, Limerick, Londonderry, Sligo,* and *Waterford,* to appoint a fit Person, not being an Alderman or Councillor of such Borough, to be Coroner of the said Borough so long as he shall well behave himself in his Office of Coroner, and to fill up every Vacancy in the Office of Coroner of the Borough occurring by Death, Resignation, or Removal within Ten Days next after such Vacancy, and from and after such Appointment none (save as herein-after mentioned) shall take any Inquisition which belongs to the Office of Coroner within such Borough, save only the Coroner so from Time to Time to be appointed: Provided always, that no Person shall be elected as Coroner as aforesaid who shall not be seised or possessed of such an Estate as would qualify him to be appointed Coroner of a Borough under the One hundred and fifty-third Section of the said recited Act; and every such Person shall, before he acts as such Coroner, take and subscribe the same Oaths and shall be liable to be removed in the same Manner as

Town Councils of certain Boroughs respectively may appoint a Coroner.

No Person to be appointed who is not

qualified as under Sect. 153. of recited Act.

as if he were a Coroner appointed under the said Section; and every Coroner so appointed under this Act shall be paid and remunerated in such Manner and out of such Funds, and shall have and exercise all the same Powers, Privileges, and Authorities, and shall perform the same Duties, and be subject to the same Liabilities, Incidents, and statutory Privileges in all respects as if a separate Court of Quarter Sessions of the Peace were held in such Borough as in the said Act provided, and such Coroner were duly appointed under the Provisions of the said One hundred and fifty-third Section.

Part of Sect. 155. of 3 & 4 Vict. c. 108. repealed.

II. 'And whereas by the One hundred and fifty-fifth Section of said recited Act it is enacted, "That ' " in every Borough in and for which no separate Sessions of the Peace shall be holden, no Person after ' " the First Day of *December* next after the First Election of Councillors under that Act in that ' " Borough shall take any Inquisition which belonged to the Office of Coroner within such Borough, ' " save only the Coroner of the County at large in which such Borough was situated :"' Be it enacted, That so much of the said Act as is herein-before set forth shall be and the same is hereby repealed, so far as the same applies to the said Boroughs named in Schedule "A." to the said Act annexed or any of them: Provided always, that until the Council of any such Borough shall have appointed a Coroner of such Borough, or filled up any Vacancy in the Office of Coroner as herein-before mentioned, the Coroners of the County at large in which such Borough is situated, or any of them, shall have Authority to and shall and may hold Inquisitions and otherwise act as Coroner in such Borough, and shall be entitled to be paid for the same in the same Manner as if this Act had not been passed.

CAP. LXXV.

An Act to make better Provision for the Custody and Care of Criminal Lunatics.

[6th *August* 1860.]

39 & 40 G. 3. c. 94. 3 & 4 Vict. c. 54.

'WHEREAS by the Act of the Session holden in the Thirty-ninth and Fortieth Years of King ' *George* the Third, Chapter Ninety-four, and the Act of the Session holden in the Third and ' Fourth Years of Her Majesty, Chapter Fifty-four, Her Majesty is empowered, where any Person is ' charged with any such Offence as therein mentioned, and acquitted on account of Insanity, and where ' any Person is indicted for any Offence and upon an Arraignment is found insane, to give Order for ' the safe Custody of such Person during Her Pleasure, in such Place and in such Manner as She may ' think fit; and by the said Act of the Third and Fourth Years of Her Majesty One of Her Majesty's ' Principal Secretaries of State is empowered, upon such Certificate as therein mentioned of the Insanity ' of any Person imprisoned as therein mentioned, to direct such Person to be removed to such County ' Lunatic Asylum, or other proper Receptacle for insane Persons, as the said Secretary of State may ' judge proper and appoint: And whereas by the Acts of the Session holden in the Fifth and Sixth ' Years of Her Majesty, Chapter Twenty-nine, and of the Session holden in the Sixth and Seventh ' Years of Her Majesty, Chapter Twenty-six, the said Secretary of State is empowered to order any ' Convict in *Pentonville* or *Millbank* Prison becoming or found insane during Confinement to be ' removed to such Lunatic Asylum as the said Secretary of State may think proper: And whereas it is ' expedient that Provision should be made for the Custody and Care of Criminal Lunatics in an Asylum ' or Asylums appropriated to that Purpose:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

5 & 6 Vict. c. 29. 6 & 7 Vict. c. 26.

Her Majesty may appoint Asylum for Criminal Lunatics.

I. It shall be lawful for Her Majesty from Time to Time, by Warrant under Her Royal Sign Manual, to appoint that any Asylum or Place in *England* which Her Majesty may have caused to be provided or appropriated, and may deem suitable for this Purpose, shall be an Asylum for Criminal Lunatics, and the Provisions of this Act shall be applicable to every such Asylum.

Secretary of State may direct Criminal Lunatics to be confined in the Asylum.

II. It shall be lawful for One of Her Majesty's Principal Secretaries of State, by Warrant under his Hand, to direct to be conveyed to and kept in any such Asylum any Person for whose safe Custody during Her Pleasure Her Majesty is authorized to give Order, or whom such Secretary of State might direct to be removed to a Lunatic Asylum under any of the Acts herein-before mentioned, or under any other Act of Parliament, or any Person sentenced or ordered to be kept in Penal Servitude, who may be shown to the Satisfaction of the Secretary of State to be insane, or to be unfit from Imbecility of Mind for Penal Discipline; and the Secretary of State may direct to be removed to and kept in such Asylum any such Persons as aforesaid, who, under any previous Order of Her Majesty or Warrant of the Secretary of State, may have been placed and remain in any County Lunatic Asylum, or other Place of Reception for Lunatics, and every Person directed by the Secretary of State to be conveyed or removed to and kept in an Asylum under this Act, shall be conveyed to such Asylum accordingly, and shall be kept therein until lawfully removed or discharged, and that with every Person so conveyed or removed there shall be transmitted a Certificate, as set forth in Schedule A. to this Act annexed, duly filled up and authenticated, the Contents of which Certificate shall be transcribed into the General Register to be kept in every such Asylum.

Nothing to affect the Authority of the Crown to

III. Nothing in this Act shall restrain or affect the Authority of Her Majesty, where She may so think fit, to give such other Order for the safe Custody of any such Person as aforesaid as She might have given if this Act had not been passed, or restrain or affect the Authority of the Secretary of State to

to continue in or direct to be removed to any County Asylum or other Place for the Reception of Lunatics any of the Persons aforesaid whom he might have so continued or directed to be removed if this Act had not been passed. make other Provision for the Custody of a Criminal Lunatic.

IV. It shall be lawful for the Secretary of State from Time to Time to appoint any such Persons as he may think fit, being not less than Three in Number, to be a Council of Supervision for any Asylum under this Act, and to remove all or any of the said Council, and upon the Removal, Death, or Resignation of any Member of the said Council, to appoint another in his Place; and also from Time to Time to appoint for the Asylum a resident Medical Superintendent, a Chaplain, and such other Officers, Assistants, and Servants as he may deem necessary, and at Pleasure to remove such Superintendent, Chaplain, Officers, Assistants, and Servants respectively; and the Secretary of State, with the Approval of the Commissioners of Her Majesty's Treasury, shall fix the Salaries to be paid to the Superintendent, Chaplain, Officers, Assistants, and Servants of such Asylum. Secretary of State to appoint Council of Supervision and Officers for Asylums.

V. It shall be lawful for the Secretary of State from Time to Time to make Rules for the Government and Management of the Asylum, and for the Duties and Conduct of the Officers thereof, and for the Care and Treatment of the Persons confined therein, and to subscribe a Certificate that they are fit to be enforced, and such Rules, when so certified, shall be binding on the Council, and all Officers, Assistants, and Servants of the Asylum, and all other Persons whomsoever, and all such Rules shall be laid before Parliament within Twenty-one Days after they shall be certified, or if Parliament be not sitting then within Twenty-one Days after the next Meeting of Parliament. Secretary of State to make Rules for the Government of the Asylum.

VI. Subject to the Rules certified by the Secretary of State under this Act, the Council of Supervision shall superintend and direct the Management and Conduct of the Asylum, and the Care and Treatment of the Lunatics confined therein; and such Council or any Two of them shall from Time to Time, as by the Rules shall be provided, and at such other Times as they may think fit, report in Writing to the Secretary of State in relation to the Management and Conduct of the said Asylum and the Condition thereof, and to any Matters concerning the same; and if any Person detained and confined as aforesaid shall be of a Religious Persuasion differing from that of the Established Church, a Minister of such Persuasion at the special Request of such Person or of his Friends or Relations shall be allowed to visit him at proper and reasonable Times by Application to the Medical Superintendent, and under such Rules as may be approved of by the Secretary of State, but no such Person shall be compelled to attend any of the Ordinances or Instructions of any Religious Persuasion other than his own. Subject to such Rules, Council to superintend Asylum.

VII. The Provisions of the Acts herein-before mentioned, or of any other Act for the Removal or Discharge of Lunatics whom the said Secretary of State is, under the herein-before mentioned Acts or any other Act now in force, authorized to direct to be removed to any Lunatic Asylum, shall extend and apply to any Lunatic whom the Secretary of State may direct to be conveyed to any Asylum for Criminal Lunatics appointed under this Act: Provided always, that any Order for Removal or Discharge which may now be made by the Secretary of State on the Certificate of Two Physicians or Surgeons may be made on the Certificate of the Resident Medical Superintendent of the Asylum and any Two of the Council of Supervision. Provision as to Removal and Discharge of Lunatics.

VIII. Provided also, That where by reason of the Expiration of his Term of Imprisonment or Penal Servitude, or otherwise, a Person confined in the Asylum would be entitled to his Discharge if duly certified to have become of sound Mind, it shall be lawful for the Secretary of State by his Warrant to order the Discharge of such Person, although he may not have been certified as aforesaid, to the Intent that he may be placed in a County Lunatic Asylum, or otherwise subjected to the same Care and Treatment as Lunatics not being Criminals. Provision for Discharge of Persons confined after their Term of Imprisonment has expired.

IX. Provided also, That it shall be lawful for the Secretary of State by his Warrant to permit any Person confined in the Asylum to be absent from such Asylum upon Trial for such Period as he may think fit, or to permit any such Person to be absent from such Asylum upon such Conditions in all respects as to the Secretary of State shall seem fit, and in case any Person so permitted to be absent upon Trial for any Period do not return at the Expiration of such Period, or in case any of the Conditions on which any Person is so permitted to be absent be broken, the Person not returning at such Expiration or absent after any such Condition has been broken, as the Case may be, may be re-taken as herein provided in the Case of an Escape. Secretary of State may permit any Lunatic to be absent from Asylum on Trial, &c.

X. All Provisions in the said Act of the Third and Fourth Years of Her Majesty for the Payment of the Conveyance of such insane Persons as therein mentioned to any Asylum or other Receptacle, and of his Maintenance therein, shall extend and be applicable to the Conveyance of any such Person to any Asylum for Criminal Lunatics, and his Maintenance therein, and all Sums payable under any Order made under such Provisions shall be paid and applied towards defraying or reimbursing the Expenses in respect of which the same are paid, or other Expenses of the Asylum, as the Commissioners of Her Majesty's Treasury may direct. Provisions of 3 & 4 Vict. c. 54. as to Expenses of Conveyance and Maintenance to apply to this Act.

XI. In case of Escape of any Person confined in any Asylum for Criminal Lunatics, he may be retaken at any Time by the Superintendent of such Asylum, or any Officer or Servant belonging thereto, or any Person assisting such Superintendent, Officer, or Servant in this Behalf, or any other Person authorized in Writing in this Behalf by the Secretary of State or such Superintendent, and conveyed to and received and detained in such Asylum. Lunatics escaping may be retaken by Superintendent, &c.

XII. Any

Punishment of Persons for Rescue or permitting Escape.

XII. Any Person who rescues any Person ordered to be conveyed to any Asylum for Criminal Lunatics during the Time of his Conveyance thereto, or of his Confinement therein, and any Officer or Servant in any Asylum for Criminal Lunatics, who through wilful Neglect or Connivance permits any Person confined therein to escape therefrom, or secretes, or abets or connives at the Escape of any such Person, shall be guilty of Felony, and being convicted thereof shall be liable to be kept in Penal Servitude for any Term not exceeding Four Years, or to be imprisoned for any Term not exceeding Two Years, with or without Hard Labour, at the Discretion of the Court, and any such Officer or Servant who carelessly allows any such Person to escape as aforesaid, shall on summary Conviction before Two Justices of such Offence, forfeit any Sum not exceeding Twenty Pounds nor less than Two Pounds.

Penalty on Officers or Servants ill-treating Lunatics.

XIII. Any Superintendent, Officer, Nurse, Attendant, Servant, or other Person employed in any Asylum for Criminal Lunatics who strikes, wounds, ill-treats, or wilfully neglects any Person confined therein, shall be guilty of a Misdemeanor, and shall be subject to Indictment for every such Offence, and on Conviction under the Indictment to Fine or Imprisonment, with or without Hard Labour, or to both Fine and Imprisonment, at the Discretion of the Court, or to forfeit for every such Offence, on a summary Conviction thereof before Two Justices, any Sum not exceeding Twenty Pounds nor less than Two Pounds.

Commissioners in Lunacy to visit Asylums;

XIV. Two or more of the Commissioners in Lunacy, One at least of whom shall be a Physician or Surgeon, and One at least a Barrister, shall, once or oftener in each Year, on such Day or Days and at such Hours of the Day and for such Length of Time as they think fit, and also at any Time when directed by the Secretary of State, visit every Asylum for Criminal Lunatics, and shall inquire as to the Condition, as well mental as bodily, of the Persons confined therein, or any of them, and shall also make such other Inquiries as to such Asylum as to them may seem proper, or as such Secretary of State may direct.

and report to Secretary of State.

XV. The Commissioners in Lunacy shall in the Month of *March* in every Year report to One of Her Majesty's Principal Secretaries of State the Visits made as aforesaid in the preceding Year, and all such Particulars in relation to every Asylum visited as aforesaid as they think deserving of Notice, and shall also report in like Manner in relation to any Visit made by the Direction of the Secretary of State, as soon as conveniently may be after such Visit, and a Copy of every such Report shall be laid before Parliament within Twenty-one Days after the Receipt thereof, or if Parliament be not sitting, then within Twenty-one Days after the next Meeting of Parliament.

SCHEDULE A.

STATEMENT respecting CRIMINAL LUNATICS to be filled up and transmitted to the MEDICAL SUPERINTENDENT with every CRIMINAL LUNATIC.

Name
Age
Date of Admission
Former Occupation
From whence brought
Married, single, or widowed
How many Children
Age of youngest
Whether First Attack
When previous Attacks occurred
Duration of existing Attack
State of bodily Health
Whether suicidal or dangerous to others
Supposed Cause
Chief Delusions or Indications of Insanity
Whether subject to Epilepsy
Whether of temperate Habits
Degree of Education
Religious Persuasion
Crime
When and where tried
Verdict of Jury
Sentence

CAP. LXXVI.

An Act to amend the Burial Grounds (*Ireland*) Act (1856). [6th *August* 1860.]

19 & 20 Vict. c. 98.

'WHEREAS it is expedient to amend "The Burial Grounds (*Ireland*) Act, 1856:"' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. The

I. The Provisions contained in the said Act shall extend to authorize any Burial Board to contract for and purchase any Lands, and Buildings thereon, for the Purpose of making Additions to any Burial Ground, although such Burial Ground shall not have been formed or purchased under the said Act, provided that such Burial Ground is not attached or contiguous to any Church or Chapel or Place of Worship actually used for Divine Worship, nor is situate in a private Demesne; and such Burial Board shall have and exercise, with respect to the Acquisition and Management of such Additions, all the Powers and Authorities and be subject to all the Provisions contained in the said Act with respect to the Acquisition and Management of new Burial Grounds, in the same Manner as if the Acquisition of such Additions had been authorized by the said Act. Provisions of recited Act to be extended to Additions to existing Burial Grounds.

II. When any Burial Ground not being attached or contiguous to any such Church, Chapel, or Place of Worship, nor situate as aforesaid, is without any sufficient Fence, or is not kept in decent Order, the Burial Board for the Union, Borough, or Town within which such Burial Ground shall be situated may, by Notice in Writing to the Owner of such Burial Ground, require him properly to fence the same or put the same in decent Order within a Time to be specified in such Notice, not being less than Six Calendar Months, and if such Notice be not complied with within the Time specified in such Notice, the said Burial Board may securely fence such Burial Ground, and put the same into decent Order, and the Expense thereof shall be deemed Part of the Expenses incurred in the Execution of the said Act. When Burial Ground not fenced or kept in Order by Owner, Burial Board may serve a Notice requiring the same to be fenced, &c.

III. When such Owner cannot be ascertained, or Notice as aforesaid cannot be served, such Burial Board may give Notice, by public Advertisement in some Newspaper circulating in the County wherein such Burial Ground is situated, of their Intention to fence such Burial Ground, or put the same in decent Order, as the Case may be, and after the Expiration of a Time to be specified in such Notice, not being less than Six Calendar Months, may proceed to fence such Burial Ground, or put the same in decent Order; and when such Notice shall have been given or Advertisement published, and the Expense of fencing of such Burial Ground or putting the same in decent Order shall have been defrayed by such Burial Board, as herein-before mentioned, such Burial Ground shall be under the Control and Management of such Burial Board, and they shall be deemed the Owners thereof until such Time as they shall have been reimbursed by the Owner thereof the Expense so incurred by them, with Interest thereon at the Rate of Five Pounds *per Centum per Annum*. After Six Months from Service of Notice, &c. Burial Board empowered to fence Burial Ground, and keep the same in order, and take the Management.

IV. When the Owner of any Burial Ground shall be desirous of putting the same under the Management of the Burial Board of the District, it shall be lawful for such Burial Board to accept the Management thereof, and thereupon the said Burial Board shall be deemed the Owners thereof, and shall have and exercise all the Powers and Authorities of the said recited Act and of this Act, with respect to the same, until the Owner, his Heirs or Assigns, shall repay to the said Burial Board all Expenses incurred by them in securely fencing such Burial Ground or putting the same into decent Order, with Interest thereon at the Rate of Five Pounds *per Centum per Annum*. Burial Boards may accept the Management of Burial Grounds.

V. This Act shall be deemed to be incorporated with "The Burial Grounds (*Ireland*) Act, 1856," and shall be as if this Act and the said Act were One Act. Act to be construed as One Act.

CAP. LXXVII.

An Act to amend the Acts for the Removal of Nuisances and the Prevention of Diseases.

[6th *August* 1860.]

'WHEREAS the Provisions of "The Nuisances Removal Act for *England*, 1855," and "The Diseases Prevention Act, 1855," concerning the Local Authority for the Execution of the said Acts are defective, and it is expedient that the said Acts should be amended as herein-after mentioned:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: 18 & 19 Vict. cc. 121. and 116.

Nuisances Removal.

I. Section Three, Section Six, Section Seven, and Section Nine of the said "Nuisances Removal Act for *England*, 1855," shall be repealed: Provided always, that such Repeal as aforesaid shall not extend to any Charges or Expenses already incurred, but the same may be defrayed and recovered, and all Proceedings commenced or taken under the said Act, and not yet completed, may be proceeded with, and all Contracts under the said Act shall continue and be as effectual, as if this Act had not been passed. Sections 3, 6, 7, and 9 of 18 & 19 Vict. c. 121. repealed.

II. The following Bodies shall respectively be the Local Authority to execute the said Nuisances Removal Act in the Districts hereunder stated in *England*: Local Authority to execute the Nuisances Removal Act.

In any Place within which the Public Health Act is or shall be in force, the Local Board of Health:

In any other Place wherein a Council exists or shall exist, the Mayor, Aldermen, and Burgesses by the Council, except in the City of *London* and the Liberties thereof, where the Local Authority shall be the Commissioners of Sewers for the Time being, and except in the City of *Oxford* and Borough of *Cambridge*, where the Local Authority shall be the Commissioners acting in execution of the Local Improvement Acts in force respectively in the said City and Borough:

In

In any Place in which there is no Local Board of Health or Council, and where there are or shall be Trustees or Commissioners under an Improvement Act, such Trustees or Commissioners:

In any Place within which there is no such Local Board of Health, Council, Body of Trustees, or Commissioners, if there be a Board of Guardians of the Poor for such Place, or for any Parish or Union within which such Place is situate, such Board of Guardians, and, if there be no such Board of Guardians, the Overseers of the Poor for such Place, or for the Parish of which such Place forms Part.

Highway Board or Nuisances Removal Committees now subsisting may be continued so long as they employ Sanitary Inspectors.

III. Provided, That in any Place where a Highway Board or "The Nuisances Removal Committee" chosen by the Vestry in pursuance of the said Act is subsisting, and at the Time of the passing of this Act employs or joins with other Local Authorities in employing a Sanitary Inspector or Inspectors, such Highway Board or Nuisances Removal Committee may continue to act, and a like Committee may be annually chosen by the Vestry for such Place in the same Manner as if this Act had not been passed; but in case in any Year the Nuisances Removal Committee be not chosen for such Place in manner provided by the said Act, or if the Highway Board or Committee now subsisting or hereafter chosen fail for Two Months in any Year to appoint or employ a Sanitary Inspector or Inspectors, the Authority of such Highway Board or Committee shall cease, and no like Committee shall be chosen for such Place, and the same Body or Persons shall thenceforth be the Local Authority for the Place as if no such Highway Board or Committee had been appointed therein.

How Expenses of Local Authority to be defrayed.

IV. All Charges and Expenses incurred by the Local Authority in executing the said Nuisances Removal Act, and not recovered as therein provided, shall be defrayed as follows; to wit,

Out of General District Rates where the Local Authority is a Local Board of Health:

Out of the Borough Fund or Borough Rate where the Local Authority is the Mayor, Aldermen, and Burgesses by the Council:

Provided always, that in the City of *Oxford* and Borough of *Cambridge* such Expenses shall be deemed annual Charges and Expenses of cleansing the Streets of the said City and Borough respectively, and shall be so payable:

Out of the Rates levied for Purposes of Improvement under any Improvement Act, where the Local Authority is a Body of Trustees or Commissioners acting in execution of the Powers of such an Act:

Where a Board of Guardians for a Union is such Local Authority for the whole of such Union, such Charges and Expenses shall be defrayed by means of an Addition to be made to the Rate for the Relief of the Poor of the Parish or Parishes for which the Expense has been incurred, and be raised and paid in like Manner as Money expended for the Relief of the Poor:

Where the Board of Guardians for a Union is such Local Authority for Two or more Places maintaining their own Poor, but not for all such Places in such Union, such Charges and Expenses shall be paid out of the Poor Rates of the Places aforesaid for which the Board is the Local Authority:

Where the Board of Guardians for a Union is under this Act the Local Authority for a single Place maintaining its own Poor, and where the Board of Guardians for any such single Place, or the Overseers of any such Place, or "The Nuisances Removal Committee" continued or chosen as herein-before provided in any such Place, are under this Act the Local Authority for such Place, such Charges and Expenses shall be defrayed out of the Rates for the Relief of the Poor thereof:

Where the Board of Guardians for a Union is under this Act the Local Authority for Part only of any Place maintaining its own Poor, together with the whole of any other such Place or Part of any other such Place, such Board shall apportion such Charges and Expenses between or among any or every such Part and any or every such Place; and so much of such Charges and Expenses as may be apportioned to any or every such Place for the whole of which such Board is the Local Authority shall be defrayed out of the Rates or Funds applicable to the Relief of the Poor thereof:

So much of any such Charges and Expenses as may be apportioned to Part of a Place maintaining its own Poor, and any such Charges and Expenses incurred by any Board of Guardians or Overseers, where such Board or Overseers are the Local Authority for Part of any such Place only, shall be defrayed by means of an Addition to be made to the Rate for the Relief of the Poor thereof, and be raised and paid in like Manner as Money expended for the Relief of the Poor.

Board of Guardians may appoint Committees for particular Parishes.

V. Provided, That the Board of Guardians for a Union may appoint a Committee or Committees of their own Body, under Section Five of the said Nuisances Removal Act, to act in and for One or more of the Parishes or Places for which the Board is the Local Authority; and every Committee so appointed shall have the full Power of executing the said Act in all respects, within the specified Place or Places for which it is appointed, unless its Power be expressly limited by the Terms of its Appointment; and the Board of Guardians shall cause the Charges and Expenses of every such Committee to be paid out of the Poor Rates of the Place or Places for which such Committee is appointed; and where a Committee is so appointed for any such Place or Places the Charges and Expenses of the Board as Local Authority for or in respect of the Place or Places for which a Committee is not appointed shall be paid or contributed by such last-mentioned Place or Places in like Manner as the Expenses of a Committee: Provided that where any One such Committee is appointed for all the Places for which the

Board

Board is the Local Authority its Charges and Expenses shall be contributed and paid in like Manner as the Charges and Expenses of the Board would have been contributed and paid if such Committee had not been appointed.

Saving for the Vestries and District Boards of the Metropolis.

VI. Provided also, That as regards the Metropolis, the Vestries and District Boards under the Act of the Session holden in the Eighteenth and Nineteenth Years of Her Majesty, Chapter One hundred and twenty, within their respective Parishes and Districts, shall continue and be the Local Authorities for the Execution of the said Nuisances Removal Act, and their Charges and Expenses shall be defrayed as if this Act had not been passed.

Wells, &c. belonging to any Place vested in Local Authority, &c.

VII. All Wells, Fountains, and Pumps provided under Section Fifty of "The Public Health Act, 1848," or otherwise, for the Use of the Inhabitants of any Place, and not being the Property of or vested in any Person or Corporation other than Officers of such Place, shall be vested in the Local Authority under this Act for such Place, who shall from Time to Time cause to be kept in good Repair and Condition and free from Pollution all Wells, Fountains, and Pumps vested in them under this Act, and may also keep in good Repair and Condition and free from Pollution other Wells, Fountains, and Pumps dedicated to or open to the Use of the Inhabitants of such Place.

Penalty for fouling Water.

VIII. If any Person do any Act whatsoever whereby any Fountain or Pump is wilfully or maliciously damaged, or the Water of any Well, Fountain, or Pump is polluted or fouled, he shall, upon summary Conviction of such Offence before Two Justices, forfeit a Sum not exceeding Five Pounds for such Offence, and a further Sum not exceeding Twenty Shillings for every Day during which such Offence is continued after written Notice from the Local Authority in relation thereto; but nothing herein contained shall extend to any Offence provided against by Section Twenty-three of the said "Nuisances Removal Act."

Appointment of Inspectors of Nuisances.

IX. Local Authorities under this Act may, for the Purposes of the Act, severally appoint or employ Inspectors of Nuisances, and make such Payments as they see fit for the Remuneration and Expenses of such Inspectors.

Diseases Prevention.

Sections 2. and 3. of 18 & 19 Vict. c. 116. repealed.

X. Sections Two and Three of "The Diseases Prevention Act, 1855," and every other Enactment constituting a Local Authority for the Execution of the same Act, or providing for the Expenses of the Execution thereof, except those contained in the Eighteenth and Nineteenth of *Victoria*, Chapter One hundred and twenty, the Metropolis Local Management Act, shall be repealed.

Guardians and Overseers of the Poor to be the Local Authorities for executing Diseases Prevention Act.

XI. The Board of Guardians for every Union, or Parish not within an Union, in *England* shall be the Local Authority for executing the said Diseases Prevention Act in every Place within their respective Unions and Parishes, and in every Parish and Place in *England* not within a Union, and for which there is no Board of Guardians, the Overseers of the Poor shall be the Local Authority to execute the same Act; and the Expenses incurred in the Execution of such Act by the Board of Guardians for a Union shall be defrayed out of the Common Fund thereof, and the Expenses of the Board of Guardians or Overseers of the Poor of any single Parish or Place shall be defrayed out of the Rates for the Relief of the Poor of such Parish or Place; provided that every such Board of Guardians shall, for the Execution of the said Act for the Prevention of Diseases, have the like Powers of appointing Committees, with the like Authority, and where any such Committee is appointed the Expenses thereof and of the Board shall be paid in the same Manner, as herein-before provided where such a Board is the Local Authority for the Execution of the said Nuisances Removal Act; provided also, that any Expenses already incurred by any Local Authority in the Execution of the said Act shall be defrayed as if this Act had not been passed; provided, moreover, that in respect of any Place where, under this Act, the Local Authority for executing the Nuisances Removal Act is any other Body than the Board of Guardians or the Overseers of the Poor, the Privy Council, if it see fit, may, in the Manner provided for the Exercise of its Powers under the Public Health Act, 1858, authorize such other Body to be, instead of the Board of Guardians or the Overseers of the Poor, the Local Authority for executing the Diseases Prevention Act; provided also, that as regards the Metropolis the Vestries and District Boards under the Act of the Session holden in the Eighteenth and Nineteenth Years of Her Majesty, Chapter One hundred and twenty, within their respective Parishes and Districts, shall continue to be the Local Authorities for the execution of the said "Diseases Prevention Act, 1855," and their Charges and Expenses shall be defrayed as if this Act had not been passed.

Local Authorities may provide Carriages for Conveyance of infected Persons.

XII. It shall be lawful for the Local Authority for executing the said "Diseases Prevention Act" to provide and maintain a Carriage or Carriages suitable for the Conveyance of Persons suffering under any contagious or infectious Disease, and to convey such sick and diseased Persons as may be residing within such Locality to any Hospital or other Place of Destination, and the Expense thereof shall be deemed to be an Expense incurred in executing the said Act.

Justices, on the Application of Householders, may order the Re-

XIII. Upon Complaint before a Justice of the Peace by any Inhabitant of any Parish or Place of the Existence of any Nuisance on any private Premises in the same Parish or Place, such Justice shall issue a Summons requiring the Person by whose Act, Default, Permission, or Sufferance the Nuisance arises, or if such Person cannot be found or ascertained, the Owner or Occupier of the Premises on which the Nuisance arises, to appear before Two Justices in Petty Sessions assembled at their usual

moval of Nuisances.

Place of Meeting, who shall proceed to inquire into the said Complaint, and act in relation thereto as in Cases where Complaint is made by a Local Authority under Section Twelve of the said Nuisances Removal Act, and as if the Person making the Complaint were such Local Authority: Provided always, that it shall be lawful for the said Justices, if they see fit, to adjourn the Hearing or further Hearing of such Summons for an Examination of the Premises where the Nuisance is alleged to exist, and to require the Admission or authorize the Entry into such Premises of any Constable or other Person or Persons, and thereupon the Person or Persons authorized by the Order of the Justices may enter and act as the Local Authority might under a like Order made by any Justice under Section Eleven of the said Act: Provided also, that the Costs in the Case of every such Application shall be in the Discretion of the Justices, and Payment thereof may be ordered and enforced as in other Cases of summary Adjudication by Justices: Any Order made by Justices under this Enactment shall be attended with the like Penalties and Consequences for Disobedience thereof and subject to the like Appeal as any Order made under Section Twelve of the said Nuisances Removal Act, and the Justices making such Order may thereby authorize any Constable or other Person or Persons to do all Acts for removing or abating the Nuisance condemned or prohibited, and for executing such Order, in like Manner as a Local Authority obtaining the like Order might do under the said Act, and to charge the Costs to the Person on whom the Order is made, as is provided in the Case where a like Order is obtained and executed by such Local Authority.

Guardians may procure sanitary Reports.

XIV. The Guardians of any Union, or Parish not within an Union, may at any Time employ One of their Medical Officers to make Inquiry and report upon the sanitary State of their Union or Parish, or any Part thereof, and pay a reasonable Compensation for the same out of their Common Fund.

Interpretation of Terms.

XV. The several Words used in this Act shall be construed in the same Manner as is declared with reference to the same Words in the above-cited Act, termed "The Nuisances Removal Act for *England*, 1855," and all the Provisions therein, and in "The Diseases Prevention Act, 1855," contained, shall respectively be applicable to this Act, except so far as they shall be hereby repealed, or be inconsistent with anything herein provided.

Justices not incapable of acting by being Members of Bodies to execute Nuisances Removal Act.

XVI. No Justice of the Peace shall, unless objected to at the Hearing of any Complaint or Charge, be deemed incapable of acting in Cases other than Appeals arising under the said Nuisances Removal Act by reason of his being a Member of any Body hereby declared to be the Local Authority to execute the said Act, or by reason of his being a Contributor, or liable to contribute, to any Rate or Fund out of which it is hereby provided that all Charges and Expenses incurred in executing the said Act, and not recovered as therein provided, shall be defrayed.

CAP. LXXVIII.

An Act to place the Employment of Women, Young Persons, and Children in Bleaching Works and Dyeing Works under the Regulations of the Factories Acts. [6th *August* 1860.]

'WHEREAS it is the Practice of some of the Occupiers of Bleaching Works and Dyeing Works to keep Females, Young Persons, and Children at Work during the Night, and an unreasonable Number of Hours during the Day: And whereas such Practices are not necessary to the successful carrying on of those Trades, but are very injurious to the Health and Morals of the Females, Young Persons, and Children employed therein, and it has become necessary to regulate the Employment of such People, and to provide for the Education of such Children: And whereas an Act was passed in the Fourth Year of the Reign of His late Majesty, intituled *An Act to regulate the Labour of Children and Young Persons in the Mills and Factories of the United Kingdom:* And whereas an Act was passed in the Seventh Year of the Reign of Her present Majesty, intituled *An Act to amend the Laws relating to Labour in Factories:* And whereas an Act was passed in the Tenth Year of the Reign of Her present Majesty, intituled *An Act to limit the Hours of Labour of Young Persons and Females in Factories:* And whereas an Act was passed in the Fourteenth Year of the Reign of Her present Majesty, intituled *An Act to amend the Acts relating to Labour in Factories:* And whereas an Act was passed in the Seventeenth Year of the Reign of Her present Majesty, intituled *An Act further to regulate the Employment of Children in Factories:* And whereas an Act was passed in the Twentieth Year of the Reign of Her present Majesty, intituled *An Act for the further Amendment of the Laws relating to Labour in Factories:*' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

3 & 4 W. 4. c. 103.
7 & 8 Vict. c. 15.
10 & 11 Vict. c. 29.
13 & 14 Vict. c. 54.
16 & 17 Vict. c. 104.
19 & 20 Vict. c. 38.

Recited Acts to apply to Bleaching and Dyeing Works, and to the Employment of Females, Young Persons, and Children therein.

I. That from and after the First Day of *August* One thousand eight hundred and sixty-one the Powers and Provisions of the herein-before recited Acts shall apply and be held to apply to Bleaching Works and Dyeing Works, except Works in which the Operation of Bleaching by the Open-air Process is the only Operation of Bleaching carried on, and to the Employment of Females, Young Persons, and Children in Bleaching Works and Dyeing Works, except as aforesaid, to all Intents and Purposes as completely and effectively as if such Bleaching Works and Dyeing Works had been mentioned and included in the Provisions of the herein-before recited Acts or any of them, except as is herein-after provided: Provided nevertheless, that until the First Day of *August* One thousand eight hundred and sixty-

sixty-two it shall be lawful to employ Females above the Age of Eighteen Years and Young Persons in Bleaching Works and Dyeing Works until Eight of the Clock at Night on every working Day except *Saturdays*, and until Half-past Four of the Clock in the Afternoon on *Saturdays*.

Time during which Females and Young Persons may be employed on Saturdays and other Days in certain Cases.

II. Provided also, That after the said First Day of *August* One thousand eight hundred and sixty-two it shall be lawful to employ Females above the Age of Eighteen Years and Young Persons in Bleaching Works and Dyeing Works, in every Case where the Employment of such Females and Young Persons, as regulated by the herein-before recited Acts, or any of them, or by this Act, shall have been suspended or Time shall have been lost in consequence of Fluctuations in Trade, the Nature of the Process, or any other Cause, in recovering Time so lost, until Half-past Four of the Clock in the Afternoon on *Saturdays*, and until Eight of the Clock at Night on other Days: Provided that by means of such Employment the whole Time which such Females and Young Persons, or any of them, shall have been employed during the then present Calendar Month and the then last past Six Calendar Months, do not exceed the total Number of Hours which such Females and Young Persons may lawfully be employed according to the Provisions of the First Section of this Act and of the Provisions of the recited Acts.

Restriction as to Time Females and Young Persons are to be employed.

III. It shall not be lawful in any Case, after the said First Day of *August* One thousand eight hundred and sixty-one, to employ Females and Young Persons or any of them in Bleaching Works or Dyeing Works, except such Works as before excepted, after Half-past Four of the Clock in the Afternoon of any *Saturday*, or for more than Nine Hours on any *Saturday*, or for more than Twelve Hours on any other Day.

Females and Young Persons may be employed during the Night in certain Cases, Saturday Night excepted.

IV. In any Bleaching Works or Dyeing Works in which the Employment of Females and Young Persons shall have been suspended during any Day or Part of a Day, by reason of a Deficiency or Excess of Water in the Stream which, by means of a Waterwheel, should drive the Machinery or Part of the Machinery in such Works, but shall have failed so to do, it shall be lawful to employ such Females and Young Persons in such Cases during the Day and the Night following such Day (except such Day be *Saturday*, when they may work until Six of the Clock) for the same Number of Hours within the Twenty-four consecutive Hours of such Day and Night as such Females and Young Persons may then otherwise be lawfully employed according to the Provisions of the herein-before recited Acts or of this Act.

Occupiers who employ Females and Young Persons according to the Provisions of this Act to keep Registers in the Form given in the Schedules annexed hereto.

V. After the Month of *July* in the Year One thousand eight hundred and sixty-two the Occupier of every Bleaching Works or Dyeing Works, except such Works as before excepted, who shall employ Females and Young Persons, or any of them, after Half of an Hour after Two of the Clock in the Afternoon on any *Saturday*, or after Six of the Clock in the Evening on any other Day or Days, or during the Night, as herein-before provided, shall every Day, except *Sundays*, before Twelve of the Clock at Noon, register in a Book, first approved by an Inspector, in the Form given in Schedule (A.) to this Act annexed, in case such Females and Young Persons, or some of them, shall severally have been employed at or during a different Time or Times, the Time which each and every such Female and Young Person shall severally have been employed during the working Day last passed; and in case all such Females and Young Persons shall have been employed at one and as near as may be the same Time, then such Occupier shall every Day, except *Sundays*, before Twelve of the Clock at Noon register in a Book first approved by an Inspector, in the Form given in Schedule (B.) to this Act annexed, the longest Time which any such Females and Young Persons shall have been employed during the working Day last passed; and the Time so registered shall be held to be the Time which all such Females and Young Persons were so employed in such Works, unless it be proved otherwise to the Satisfaction of a Justice of the Peace.

As to Employment of Females &c. not before employed in Bleaching Works, &c.

VI. It shall be lawful to employ in Bleaching Works and Dyeing Works Females and Young Persons who shall not at any Time previous have been employed in any Bleaching Works or Dyeing Works, or who shall not have been employed at the same Works during the Calendar Month then last passed for the same Hours and at the same Time which it may then be lawful to employ Females and Young Persons who shall then be and have been employed at such Bleaching Works or Dyeing Works and none other during the Six Calendar Months last passed.

Interpretation of Terms.

VII. In the Construction of this Act the Words "Bleaching Works" and "Dyeing Works" shall be understood respectively to mean any Building, Buildings, or Premises in which Females, Young Persons, and Children, or any of them, are employed, and in One or more of which Buildings or Premises any Process previous to packing is carried on in the Occupation of Bleaching, Dyeing or Finishing of any Yarn or Cloth of Cotton, Silk, Wool, or Flax, or any of them, or any Mixture of them, or any Yarn or Cloth of any other Material or Materials, and in One or more of which Processes Steam, Water, or other mechanical Power is used or employed; and the Words "the Operation of Bleaching by the Open-air Process" shall include every Process, whether of preparing, beetling, dyeing, finishing, or otherwise, to which Yarn or Cloth *bonâ fide* bleached in the open Air in Fields or Greens is usually and properly subjected.

Amendment of Sect. 28. of 7 & 8 Vict. c. 15. as to

VIII. That so much of Section Twenty-eight of the herein-before secondly recited Act as provides that Notices of all Time lost which is intended to be recovered, and of all Time which shall be recovered, shall be hung up in the Entrance of the Factory, and the whole of Section Thirty-three of

Notice of Time lost intended to be recovered.

the said Act, shall not apply to the Employment of Females or Young Persons under the Provisions of this Act; and that so much of Section Twenty-eight of the said Act as provides that Notices of the Times of the Day and Amount of Time allowed for their several Meals, of all Time lost which is intended to be recovered, and of all Time which shall be recovered, shall be hung up in the Entrance of the Factory, and so much of Section Thirty-six of the said Act as provides that during any Meal Time which shall form any Part of the Hour and a Half allowed for Meals no Child or Young Person shall be employed, or allowed to remain in any Room in which any manufacturing Process is then carried on, and all the Young Persons employed in a Factory shall have the Time for Meals at the same Period of the Day, shall not apply to the Employment of Male Persons above Thirteen Years of Age in any Dyeing Works, or to the Employment of Children or Young Persons during the Meal Time of such Male Persons.

Act not to apply to Premises used solely for Purposes declared in 8 & 9 Vict. c. 29. regulating Labour of Children in Print Works.

IX. Nothing in this Act contained shall extent or apply to any Person in so far as they are employed in the open Air, or to any Building, Buildings, or Premises used solely for the Purposes declared in the Act of the Ninth Year of *Victoria*, intituled *An Act to regulate the Labour of Children, Young Persons, and Females in Print Works*, or to the Occupier of such Building, Buildings, or Premises in respect thereof, or to any Person or Persons employed solely in the Manner declared and regulated by the said Act, or to any Premises, either open, inclosed, or covered, used or to be used *bonâ fide* exclusively for the Purposes of carrying on the Process, Occupation, Trade, or Business of Turkey Red Dyeing, or to any Employment necessary or incident thereto, or to the Occupier of such Premises in respect thereof, or to the Employment upon such Premises of any Females, Young Persons, or Children solely engaged or employed in any such Process, Occupation, Trade, Business, or Employment.

Certain Provisions not to extend to Bleaching Works, &c.

X. Provided always, That the Provisions of the Factories Acts in regard to requiring Machinery to be fenced off, and the Ceilings of Buildings to be whitewashed, shall not extend to Bleaching Works or Dyeing Works.

Hours of Work defined.

XI. Provided always, That for the Purposes of this Act (except as in this Act otherwise provided) the Time within which a Person may be employed in Bleaching, Dyeing, or Finishing Works is from Six of the Clock in the Morning to Eight of the Clock in the Evening, but so that such Person shall not work more than Eight Hours on *Saturday*, Twelve Hours on any other Day, nor more than Sixty Hours in a Week.

Provisions in Factories Acts as to Meal Times not to extend to this Act.

XII. The Provisions contained in the Factories Acts fixing the Times for the Meals of the Workpeople employed in Factories shall not extend to Workpeople employed in Bleaching Works or Dyeing Works.

SCHEDULE (A.)

Register of the Time which each and every Female and Young Person has been employed during the Week ending [*February* 18*th*, 1860], by [*John Armstrong and Company*] at the [*Fir Trees*] Bleaching Works or Dyeing Works, situate in the Township of [*Hopeton*] in the County of [*Lancaster*].

Progressive No. in Certificate Book.	Surname.	Christian Name.	Feb. 13. Monday.		Feb. 14. Tuesday.		Feb. 15. Wednesday.		Feb. 16. Thursday.		Feb. 17. Friday.		Feb. 18. Saturday.	
			Hrs.	Min.	Hrs.	Min.	Hrs.	Min.	Hrs.	Min.	Hrs.	Min.	Hrs.	Min.

SCHEDULE (B.)

Register of the longest Time which any Female or Young Person has been employed on each Day of the Month ending [*February* 18*th*, 1860], by [*John Armstrong and Company*] at the [*Fir Trees*] Bleaching Works or Dyeing Works, situate in the Township of [*Hopeton*] in the County of [*Lancaster*].

(1860.)	Monday.		Tuesday.		Wednesday.		Thursday.		Friday.		Saturday.	
	Hrs.	Min.	Hrs.	Min.	Hrs.	Min.	Hrs.	Min.	Hrs.	Min.	Hrs.	Min.
Week ending (January 28) - -												
Week ending (February 4) - -												
Week ending (February 11) - -												
Week ending (February 18) - -												

CAP. LXXIX.

An Act to provide additional Accommodation for the Sheriff Courts in *Scotland*

[6th *August* 1860.]

'WHEREAS it is expedient that additional Accommodation should be provided for the Sheriff Courts in *Scotland* and the Offices connected therewith:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title.

I. This Act may be cited for all Purposes as "The Sheriff Court Houses Act, 1860."

Interpretation of Terms.

II. The following Words and Expressions in this Act shall have the Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Construction:

The Word "Sheriff" shall include Sheriffs Substitute:

The Word "Magistrates" shall include Provost Magistrates and Council:

The Expression "Lands and Heritages," and the Expression "Valuation Rolls" shall have the same Meaning as is assigned to these Expressions in "The Valuation of Lands (*Scotland*) Acts," Seventeenth and Eighteenth *Victoria*, Chapter Ninety-one, and Twenty-first *Victoria*, Chapter Fifty-eight:

The Word "Court House" shall include Sheriff Clerk's Offices and Accommodation for the Procurator Fiscal, and for Procurators and Witnesses, and for the safe Custody of Documents:

The Expression "Erection of a Court House" shall include the Addition to and the Alteration or rebuilding of any Court House already existing, and all necessary Works connected with such Erection, Addition, Alteration, or Rebuilding, and shall also include the Purchase of any existing Building for the Purpose of a Court House.

Representation may be made to the Secretary of State of Inadequacy of existing Court Houses.

III. On a Representation in Writing being made to One of Her Majesty's Principal Secretaries of State, by any Three Commissioners of Supply of any County, or by Her Majesty's Lieutenant and the Sheriff Depute of any County in *Scotland*, setting forth that the Court House Accommodation in such County is inadequate, it shall be lawful for the Secretary of State to remit such Representation for Investigation, and report to such Persons as he may think fit, and to make such other Inquiry with respect thereto as he may think necessary.

Secretary of State to send Representation with Opinion, to Clerk of Supply.

IV. If it shall appear to the Secretary of State, on Consideration of the Reports made to him, that a Court House or Additions to any existing Court House is or are required, he shall transmit such Representation to the Clerk of Supply of the County, with an Intimation of his Opinion thereon, for the Purpose of being laid before the Commissioners of Supply of the County.

Meeting of Commissioners of Supply to be called and held within One Month after the Receipt of Intimation, and Burghs may send Representatives.

V. Within Fourteen Days after the Receipt of such Intimation, a Special Meeting of the Commissioners of Supply of the County, for the Purpose of considering the same, shall be called by Advertisement, stating the Purpose thereof, and signed by the Convener of the County, and inserted once in each of Two successive Weeks in at least One Newspaper published in the County, or if there be no Newspaper published therein, in at least One Newspaper published in an adjoining County, and such Meeting shall be held within One Month after the Receipt of such Intimation from the Secretary of State; and it shall be lawful for the Magistrates of every Royal and Parliamentary Burgh in the County, the Lands and Heritages situate in which Burgh are of not less yearly Value than Twenty thousand Pounds, as appearing from the Valuation Rolls, if they see cause, from Time to Time to elect such Number of Persons respectively as is set forth in the Schedule to this Act annexed to be present as their Representatives at the said Meeting, and at all subsequent Meetings of Commissioners of Supply for the Purposes of this Act, and such Persons shall be entitled to be present and to vote at such Meetings in like Manner with the Commissioners of Supply of the County.

Commissioners may adopt Resolution, &c.

VI. The Commissioners of Supply may at such Meeting resolve to proceed with the Erection of a Court House; or, if it shall appear to them that additional Accommodation is not required at the Time, they may adopt a Resolution to that Effect.

Secretary of State to dispose of Resolution.

VII. The Resolution of such Meeting shall, within Eight Days after the Date thereof, be transmitted by the Clerk of Supply to the Secretary of State; and in the event of a Resolution being adopted that additional Accommodation is not required, the Clerk of Supply shall along with the same transmit any Statement of their Reasons for adopting such Resolution which the Commissioners of Supply or the said Representatives of Burghs may think fit to submit to the Secretary of State; and on considering such Resolution and Statement (if any) it shall be lawful for the Secretary of State to dispose of the same, by deciding that additional Accommodation shall be provided, either by the Erection of a Court House or that additional Accommodation is not required at the Time, as he may think fit.

Decision of Secretary of State to be intimated to the Clerk of Supply.

VIII. The Decision of the Secretary of State shall be intimated to the Clerk of Supply, and in the event of such Decision being to the Effect that additional Accommodation shall be provided, it shall be lawful for the Commissioners of Supply, and they are hereby required, immediately after the Receipt of such Intimation, to proceed in Terms thereof to obtain Plans and Specifications of a Court House.

Plans and Specifications to be deposited in Sheriff Clerk's

IX. Such Plans and Specifications shall, after being approved of by the Commissioners of Supply, be deposited in the Sheriff Clerk's Office of the County, and shall there remain for Fourteen Days after the Insertion in a Newspaper published in such County, or if there be no Newspaper published therein, in a Newspaper

Office for Public Inspection.

Newspaper published in an adjoining County, of a Notice intimating that such Plans and Specifications have been so deposited; and during the said Period of Fourteen Days such Plans and Specifications shall be open to Public Inspection free of Charge.

Plans and Specifications to be approved by the Secretary of State.

X. On the Expiration of the said Period of Fourteen Days, such Plans and Specifications shall be transmitted by the Clerk of Supply to the Secretary of State, who shall either approve of the same, or direct that any Alterations or Additions which he thinks necessary may be made thereon; and any Alterations or Additions directed by the Secretary of State shall be made by the Commissioners of Supply; and such Plans and Specifications shall thereafter be again transmitted by the Clerk of Supply to the Secretary of State, for his Approval.

On Plans and Specifications being approved of, Buildings to be proceeded with.

XI. On such Plans and Specifications being approved of by the Secretary of State, the same shall be returned to the Clerk of Supply; and the same, with an Estimate of the necessary Expense, having been submitted to and approved of by the Commissioners of Her Majesty's Treasury, it shall be lawful for the Commissioners of Supply, and they are hereby required, immediately after the Receipt of the Plans and Specifications so approved, to proceed to purchase and acquire the Lands required for the Court House, and enter into Contracts, and to do all other Things necessary for carrying into effect the Purposes of this Act; and such Court House shall be erected and completed under the Superintendence of the Commissioners of Supply, or any Committee or Person appointed by them for that Purpose.

8 & 9 Vict. c. 18. incorporated.

XII. For facilitating the Purchase of Lands for the Purposes of this Act, "The Lands Clauses Consolidation (*Scotland*) Act, 1845," is hereby incorporated with this Act; and the Expression "the Promoters of the Undertaking" in the said Act shall, for the Purposes of this Act, mean the Commissioners of Supply of any County in *Scotland*: Provided that nothing in the said Act or in this Act contained shall authorize the Purchase of Lands otherwise than by Agreement.

Court Houses vested in Commissioners of Supply.

XIII. The Court Houses to be erected under the Provisions of this Act, and the Lands, Property, and Effects acquired for the Purposes thereof, shall vest in the Commissioners of Supply of the County in which such Court Houses are erected; and all Dispositions and Conveyances of Lands purchased and acquired under the Authority and for the Purposes of this Act shall be granted and taken to the Commissioners of Supply of such County by that Name, without further Description; and the Court Houses, Property, and Effects, which shall be so vested and acquired, shall be held by and for the Use of the Commissioners of Supply of such County for the Time being, without the Necessity of any continuing Title or Renewal of the Investiture, other than the said Dispositions and Conveyances and this Act; and such Court Houses shall be managed and kept in a proper State of Repair by the Commissioners of Supply of such County, who shall have the Control and Superintendence thereof.

Agreements may be made for Use of Court Houses by other Parties.

XIV. The Commissioners of Supply may make and enter into Agreements and Arrangements for and with respect to the Use of any Court Houses erected under the Provisions of this Act, or any Part thereof, with any Persons or Corporations desiring to use the same, on such Terms and Conditions as may be agreed upon, except on such Days as the said Court Houses are required for the Discharge of the ordinary Civil and Criminal Jurisdiction of the Sheriffs; and any Questions or Differences as to the Use or Disposal of any Court Houses erected or improved under the Provisions of this Act, or any Part thereof, which may arise between the Commissioners of Supply and such Persons or Corporations, or any other Person entitled or claiming to be entitled to the Use of such Court Houses, or any Part thereof, shall be referred to and decided by the Lord Advocate of *Scotland* for the Time being, whose Decision shall be final, and not subject to Review in any Court or by any Process whatsoever.

One Half of Expense of Buildings to be defrayed out of Monies provided by Parliament and the other Half by Assessment.

XV. On the Completion of any Court House which may be erected or improved under the Provisions of this Act, an Account of the total Expense thereof, including the Purchase of Lands and all incidental Expenses incurred in or with respect to the Erection or Improvement and fitting up and furnishing thereof, certified as correct under the Hands of the Convener and Two Commissioners of Supply of the County, shall be transmitted by the Clerk of Supply to the Commissioners of Her Majesty's Treasury; and it shall be lawful for the Commissioners of Her Majesty's Treasury, on the Receipt of such Account and Certificate, to pay One Half of such total Expense to such Commissioners of Supply, or their Treasurer, out of any Monies to be provided by Parliament from Time to Time for that Purpose; and the other Half of such total Expense shall be raised and defrayed by Assessment, as herein provided, on the Lands and Heritages in such County and the Burghs situate therein.

Expenses of Management and Repair to be defrayed out of Monies provided by Parliament.

XVI. The Expense of maintaining, managing, and keeping in repair, and of cleaning, lighting, and warming, the Court Houses to be erected or improved under the Provisions of this Act, including the Salaries or Wages of Porters, Hall Keepers, and other Persons employed therein, and other incidental annual Disbursements, shall be paid by the Commissioners of Her Majesty's Treasury out of any Monies to be from Time to Time provided by Parliament for that Purpose: Provided that the Accounts of all such Expenses shall be transmitted to and certified by the Queen's and Lord Treasurer's Remembrancer, in such Manner as the Commissioners of Her Majesty's Treasury shall direct.

Additional Sum may be contributed in Circuit Towns.

XVII. In the event of a Circuit Court of Justiciary being authorized to be held in any Burgh not being now a Circuit Town, it shall be lawful for the Commissioners of Her Majesty's Treasury, out of any Monies to be provided by Parliament from Time to Time for that Purpose, to contribute, towards the Erection of a Court House in such Burgh, over and above the Sums herein-before mentioned, the Amount which it shall appear to the said Commissioners corresponds to any Saving of Public Money thereby effected.

XVIII. In

As to Disposal of Court Houses ceasing to be used.

XVIII. In case any Court House, or any Part thereof, not being the Property of private Parties or of the Magistrates and Council of the Burgh in which it is situate, shall cease to be used as such in consequence of other Accommodation having been provided under this Act, the Commissioners of Supply may sell the same for such Price as they may obtain therefor, and convey the same to the Purchaser: Provided always, that when the Building so discontinued forms Part of any Building used for other Purposes, the first Offer of the same shall be made to the Parties having Right to the other Parts of the Building, at such Price as may be agreed on, or in case of Disagreement, as may be fixed by Valuators appointed by the Sheriff of the County: Provided also, that the Price received shall be applied to the Purposes for which an Assessment is authorized by this Act, and in Diminution *pro tanto* of the Sum so to be levied.

Assessments to be imposed on Lands and Heritages.

XIX. The Assessments for the Purposes of this Act, to be called "The Court House Assessments," shall be imposed and levied for such Periods as may be necessary by the Commissioners of Supply of every County in which a Court House has been erected or improved under the Provisions of this Act, and the Magistrates of every Burgh situate therein, respectively on all Lands and Heritages situate within such County and Burghs, according to the yearly Rent or Value thereof as established by the Valuation Rolls, and such Commissioners of Supply and Magistrates respectively are hereby empowered and required to impose and levy such Assessments accordingly, and that at such Rate in every Year as such Commissioners of Supply shall deem necessary, in order to provide sufficient Funds for the Purposes of this Act, including such Sum as may be required to cover the Expenses of Assessment, Collection, and Management, and any Arrears of preceding Years, and the Assessment shall be payable as for the Period from *Whitsunday* in the Year in which the same is imposed to *Whitsunday* in the Year immediately following, and may be levied either on the Proprietor or Tenant of such Lands and Heritages; but the Tenant, in the event of his paying such Assessment, shall be entitled to deduct the Amount from the Rent payable by him: Provided that such Commissioners of Supply or Magistrates shall not levy any Assessment in respect of any Dwelling House, Shop, or other such Premises, or any Offices or Outhouses connected therewith, which shall be unoccupied and unfurnished during the whole Period to which such Assessment applies.

Regulations as to Payment of small Assessments.

XX. In the Case of Lands and Heritages situated within any Burgh, let at a Rent under Four Pounds *per Annum*, or for a less Period than Half a Year, Deduction shall be allowed by the Magistrates of the Assessment for each entire Period of Six Months, from *Whitsunday* to *Martinmas* or from *Martinmas* to *Whitsunday*, during which any such Premises shall be unoccupied or not furnished.

Commissioners of Supply may grant Relief from Assessment in Cases of Poverty.

XXI. The Commissioners of Supply or the Magistrates, as the Case may be, may, on the Ground of the Poverty of any Person liable in Assessment under this Act in respect of any Lands and Heritages in Value not amounting to Four Pounds *per Annum*, remit, in whole or in part, Payment of the said Assessment by such Person, in such Manner as they shall in their Discretion think just and reasonable, but upon no other Account whatsoever.

County of Lanark to be divided into Four Districts for Assessment under this Act.

XXII. The County of *Lanark* shall, for Purposes of Assessment under this Act, be divided into Four separate Districts, namely, the Upper Ward, the Lower Ward, the *Airdrie* District of the Middle Ward, as defined in "The *Airdrie* Rural District Police and *Airdrie* District Court Houses Act (1855)," and the *Hamilton* District, comprehending the Remainder of the Middle Ward; and the Court House Assessments under this Act, in respect of the Court Houses and Offices in each of the said Districts, shall be apportioned upon and levied from the landward Part and Burghs within such District only, and shall not affect the other Part of the said County.

Mode of recovering Assessments.

XXIII. The whole Powers and Rights of issuing Summary Warrants for Recovery of the Land and Assessed Taxes shall be applicable to the Assessments by this Act authorized to be imposed and levied, and Sheriffs, Magistrates, Justices of the Peace, and other Judges shall grant Warrants for the Recovery of such Assessments in the like Form and under the like Penalties as is provided in regard to such Land and Assessed Taxes and other public Taxes; and all Assessments imposed in virtue of this Act shall, in the Case of Bankruptcy or Insolvency, be paid out of the first Proceeds of the Estate, and shall be preferable to all other Debts of a private Nature due by the Parties assessed.

Disputes as to Assessments to be summarily settled.

XXIV. Any Dispute which may arise between the Commissioners of Supply of any County, or the Magistrates of any Burgh, or any Person or Persons acting under them, respectively, on the one Part, and any Person holding himself aggrieved on the other, relating to any Assessment under this Act which it may not be competent or convenient to try and determine in the Sheriff Small Debt Court, shall be determined in a summary Manner by the Sheriff of the County in which such Dispute shall arise, or of the County in which the Court House is situate in respect of which such Assessment is leviable; and such Sheriff shall, on a written Petition being presented to him by any of the said Parties, appoint them to appear before him, and shall then investigate the Matter in dispute in such Way as he may think proper, and decide the same summarily; and such Decision shall be final, and shall not be subject to Appeal or Review in any Court or by any Process whatsoever.

Clauses of 10 & 11 Vict. c. 16. respect-

XXV. The Clauses of "The Commissioners Clauses Act, 1847," with respect to the Mortgages to be executed by the Commissioners, are hereby incorporated with this Act; and the Word "Commissioners"

ing Mortgages incorporated.

sioners" in the said Clauses shall mean the Commissioners of Supply of any County in *Scotland*, and the Expression "the Special Act" in the said Clauses shall mean this Act.

Power to borrow on Mortgage.

XXVI. It shall be lawful for the Commissioners of Supply of any County to borrow on Bond or Mortgage, for the Purposes of this Act, any Sum not exceeding the Amount specified in the Account and Certificate herein-before mentioned as the total Expense incurred in the Erection or Improvement of any Court House or Offices, under the Provisions of this Act, and to make and grant Mortgages and Assignations of the Lands and Buildings vested in and acquired or to be acquired and erected by such Commissioners of Supply in virtue of this Act, and the Assessments to be levied under the Provisions thereof, in Security of the Payment of the Money so borrowed and Interest thereon; and if after having borrowed the said Sum or any Part thereof such Commissioners of Supply shall pay off the same, otherwise than by means of the Monies received by them from the Commissioners of Her Majesty's Treasury, under the Provisions of this Act, or by means of the Sinking Fund provided for in the said Commissioners Clauses Act, it shall be lawful for them again to borrow the Amount so paid off, either by granting new Mortgages and Assignations in Security therefor, or otherwise, and so from Time to Time as they shall think proper.

Power to borrow on Cash Credit.

XXVII. It shall be lawful for such Commissioners of Supply, in the course of the Erection of any such Court House as aforesaid, to take from any Bank or Banking Company Credit on a Cash Account, to be opened and kept with such Bank or Banking Company in the Name of such Commissioners of Supply or their Clerk or Treasurer, according to the Usage of Bankers in *Scotland*, to the Extent of the estimated Expense of the Erection of such Court House, as approved by the Commissioners of Her Majesty's Treasury, or any Part thereof, and to make and grant Mortgages and Assignations of the Lands and Buildings vested in and acquired or to be acquired and erected by them in virtue of this Act, and the Assessments to be levied under the Provisions thereof, in Security of the Payment of the Amount of such Credit, or of the Sums advanced from Time to Time on such Cash Account, with the Interest thereon.

Monies raised, &c. to be applied to Purposes of this Act.

XXVIII. The whole Monies raised or borrowed under the Authority of this Act shall be applied to the Purposes herein specified, and to no other Purpose whatsoever; and separate and distinct Accounts of all Monies received and Payments made under the Authority of this Act shall be kept, made out, audited, and published in the Manner provided by the Police (*Scotland*) Act, Twentieth and Twenty-first *Victoria*, Chapter Seventy-two; and the Enactments and Provisions contained in Sections Forty to Forty-seven, both inclusive, of the said Act, with respect to the Appointment and Duties of a Collector of Assessments, and the keeping, making out, auditing, and publishing of Accounts, are hereby incorporated with this Act, and shall be applicable to the Assessments authorized to be levied and the Property to be acquired under the Authority of this Act, in the same Manner as if such Enactments and Provisions were herein repeated and re-enacted.

Quorum of Commissioners of Supply.

XXIX. In all Meetings and Proceedings under or with reference to this Act, any Five Commissioners of Supply of any County shall be deemed to be a Quorum, and shall be entitled to exercise all the Powers conferred by this Act; and every Question which may arise at any such Meeting shall be determined by the Votes of the Majority of Commissioners of Supply and Representatives of Burghs present at such Meeting; and where the Votes of those present shall be equal, the Preses of such Meeting shall have a Casting Vote, in addition to his deliberative Vote.

Preses of Meetings.

XXX. In all Meetings of Commissioners of Supply under or with reference to this Act the Convener of the County, or, in the Absence of the Convener, the Person who may be elected by the Commissioners of Supply and Representatives of Burghs present at such Meeting to act as their Preses, shall be the Preses of such Meeting.

Authentication of Documents relating to the Execution of this Act.

XXXI. For the Purposes of this Act, the Signature of the Convener of the County, or of the Preses of any Meeting of Commissioners of Supply of any County, or of the Chairman of any Committee to be appointed for carrying into effect the Purposes of this Act, adhibited to any Writing or Document, shall be equivalent to the Signatures of the whole Commissioners of Supply or of the whole Members of such Committee present at a Meeting thereof respectively; and the Addition to such Signature of the Word "Convener," "Chairman," or "Preses," shall be good *primâ facie* Evidence that such Signature is the Signature of such Convener, Chairman, or Preses, as the Case may be, and that such Writing or Document is genuine and authentic.

Actions by or against Commissioners of Supply, how to be brought, and not to abate.

XXXII. All Actions, Suits, or Proceedings with respect to any Matter or Thing relating to the Execution of this Act, to be brought by or against the Commissioners of Supply of any County, shall be in the Name of the Clerk of Supply, or the Collector to be appointed under the Provisions of this Act, for the Time being, as the Party Pursuer or Defender representing such Commissioners of Supply; and no such Action, Suit, or Proceeding wherein such Commissioners of Supply shall be concerned as Pursuers or Defenders, in the Name of the Clerk of Supply or of such Collector, shall cease or abate by the Death, Resignation, or Removal of any such Clerk of Supply or Collector, or by any Change in such Commissioners of Supply, but the Clerk of Supply or Collector for the Time being shall be deemed to be the Pursuer or Defender, as the Case may be, in every such Action, Suit, or Proceeding.

SCHE-

SCHEDULE referred to in this Act.

Showing the Number of Members to be elected as Representatives of the several Royal and Parliamentary Burghs entitled to elect Representatives under this Act.

Annual Value of Lands and Heritages not less than £	Number of Representatives.
300,000	8
200,000	6
100,000	4
50,000	2
20,000	1

CAP. LXXX.

An Act to regulate the Levying and Collection of the Inventory Duty payable upon Heritable Securities and other Property in *Scotland*. [6th *August* 1860.]

'WHEREAS by an Act passed in the present Session of Parliament, Chapter Fifteen, it was enacted, that Money secured on Heritable Property in *Scotland*, and Money secured by *Scotch* Bonds in favour of Heirs and Assignees, excluding Executors, should for the Purposes of the Act be held and interpreted to be Moveable Property, and should be included in any Inventory to be exhibited and recorded in any Commissary Court in *Scotland* of the Estate and Effects of any Person deceased entitled thereto, and in *England* and *Ireland* respectively should be deemed to be Estate and Effects for or in respect whereof any Probate of Will or Letters of Administration should be granted; and that every such Inventory, Probate, and Letters of Administration should be chargeable with Stamp Duty in respect of such Moveable Property; and that such Property and the Value thereof should be included in any Affidavit as therein mentioned, made on applying for Probate or Letters of Administration in respect thereof, in *England* or *Ireland*; and it is expedient that the levying and collecting of the said Duty should be regulated as herein-after mentioned:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: 23 & 24 Vict. c. 15.

Money secured on Heritable Property in Scotland and Scottish Bonds, &c. liable to Inventory Duty.

I. All Money secured on Heritable Property in *Scotland*, and all Money secured by *Scottish* Bonds and other Instruments, excluding Executors, and all Money secured by *Scottish* Bonds and other Instruments the Rights to which shall be taken excluding Executors, constituting the Succession or Part of the Succession of any Person who shall have died on or after the Third Day of *April* in the Year One thousand eight hundred and sixty, shall be liable to Inventory Duty under the said recited Act.

Duty, and Interest thereon, shall be a Debt to Her Majesty, to be payable by Person who shall take Money secured.

II. The said Duty, with Interest thereon at the Rate of Five *per Centum per Annum* from the Expiry of the Period of Six Months after the Death of such deceased Person, shall be a Debt to Her Majesty, and shall be payable by any and every Person who shall take any Money secured as aforesaid, constituting the Succession or Part of the Succession of any Person deceased, and that whether he shall take the same as having a beneficial Interest therein, or as Trustee, or in any other Capacity, and whether he shall have an absolute Right, or only a Liferent or Life Interest, or other limited Right or Interest therein, and whether he shall take the same by Mortis causâ Conveyance, or by special Destination, or by Inheritance.

Stamped Special Inventory to be lodged on Oath with the Solicitor of Inland Revenue at Edinburgh.

III. The Person or Persons so taking such Money as aforesaid shall, within Six Months next after taking the same or any Part thereof or any Interest due thereon, lodge with the Solicitor of Inland Revenue at *Edinburgh* a full and true Inventory upon Oath or solemn Affirmation, to be called a "Special Inventory," in the Form of the Schedule annexed hereto, of all Money secured as aforesaid, constituting the Succession or Part of the Succession of such deceased Person, such Special Inventory having thereon a Stamp denoting the Duty payable on the Value of such Money secured as aforesaid contained in such Inventory, being the same Rate and Amount of Duty, whether testate or intestate, as the Case may be, which would have been payable as Inventory Duty on Moveable or Personal Estate of the same Value; and the Oath or Affirmation to the said Special Inventory may be taken before any Magistrate or Justice of the Peace within the United Kingdom or the Colonies, or any *British* Consul; provided that in all Cases the Duty, together with the Interest and necessary Expenses, upon any Money contained in such Inventory, by whomsoever the same may have been originally paid, shall, in the Absence of any special Agreement or Provision or valid Testamentary Direction to the contrary, be ultimately borne by the Person or Persons beneficially interested in such Money, and if there shall be more than One Person so interested the Duty shall be borne by them proportionally according to their several and beneficial Interests in the Money on which the Duty has been so paid.

Money so secured may be added to Inventory of Per-

IV. It shall be lawful for the Executor or Executors of the Deceased to add the Amount of Money so secured, and the Value thereof, including the Proceeds accrued thereon, as herein-after mentioned, to the Inventory in *Scotland* of the Deceased's Moveable or Personal Estate, and to pay the Stamp Duty on

sonal or Moveable Estate.

on the aggregate Amount, in which Case no Special Inventory or separate Stamp Duty shall be required from the Person or Persons beneficially entitled to the Money so secured; provided that in this Case the Executor or Executors of the Deceased shall make Oath (or, if so privileged, solemn Affirmation,) of the true Amount and Value of the said Money and Proceeds; and the contingent Provision for Return of Duty, herein-after provided for, in regard to the Debts of the Deceased, shall in such Case be applicable *mutatis mutandis;* and farther, in this Case, the Inventory Duty so paid on the aggregate Amount of the Deceased's Moveable or Personal Estate, and of the said Money and Proceeds, shall, in the Absence of any special Agreement or Provision or valid Testamentary Direction to the contrary, be ultimately borne by the Persons beneficially interested proportionally according to their several and beneficial Interests in the aggregate Amount on which the Stamp Duty shall have been so paid, and with Right of Relief accordingly.

As to Return of Duty on the Ground of Debts.

Duty paid on the aggregate Amount to be borne by Parties according to their beneficial Interest.

Property for Payment of Inventory Duty shall be valued at the Date of the Affidavit to the Inventory.

V. The Special Inventory provided by this Act, and the Inventory of the Personal Estate of a Deceased, containing also the Property on which Duty is imposed by the recited Act and this Act, shall be stamped with Duty according to the Value of the Property contained therein at the Time they shall be respectively sworn to, including the Proceeds accrued thereon down to that Time, and the Duty or deficient Duty according to such Value and Proceeds and Interest thereon, at the Rate of Five *per Centum per Annum*, shall be a Debt due to Her Majesty by the Person making Oath to said Inventories; and it is hereby provided, that the Inventory and additional Inventory of any Person deceased required to be exhibited and recorded in the proper Commissary Court in *Scotland* shall be stamped with Duty according to the Value of the Property contained therein at the Time they shall be respectively sworn to, including the Proceeds accrued thereon down to that Time; and the Duty or deficient Duty according to such Value and Proceeds, and Interest thereon at the Rate of Five *per Centum per Annum*, shall be a Debt to Her Majesty by the Person making Oath to said Inventory and additional Inventory, and his Heirs and Successors; and if such Inventory and additional Inventory shall not be exhibited and recorded, the Inventory Duty on all the Personal or Moveable Estate and Effects of the Deceased, and Interest thereon at the Rate of Five *per Centum per Annum* from the Expiry of the Period of Six Months after the Death of such deceased Person, shall be payable and shall be a Debt to Her Majesty by the Person who shall intromit with or enter upon the Possession and Management of such Personal or Moveable Estate and Effects, or any Part thereof, and his Heirs and Successors.

Power to grant a Return of Duty under Circumstances herein stated.

VI. The Commissioners of Inland Revenue shall grant a Return of the said Duty, corresponding to a rateable Apportionment of the Amount by which the Debts (in respect of which a Claim for Return of Inventory Duty may be competent) shall be proved to the Satisfaction of the said Commissioners to exceed the Personal Estate of the Deceased, between the Amount of the Money contained in the said Special Inventory and all the other Heritable Property of the Deceased; provided such Return shall be claimed within Three Years from the Date of lodging the Special Inventory.

Intromitters, &c. held to have taken Money so secured.

VII. Every Person shall for the Purposes of this Act be held to have taken Money secured as aforesaid who shall have received or intromitted with such Money or any Part thereof, or any Interest due thereon, or who shall have made up a Title thereto.

Money secured on Land by absolute Conveyance, &c. to fall under the Provisions of the Act.

VIII. Money secured upon Heritable Property by Conveyance *ex facie* absolute, and Money secured by Adjudication when the Right of Reversion has not expired, and all Money secured in any other Way upon Heritable Property, shall be subject to the Provisions of the recited Act and this Act: Provided always, that nothing therein and herein contained shall be held to apply to Feu Duties or to other permanent periodical Payments which are made a Real Burden upon Land, where Payment of a Capital Sum of Money is not thereby secured.

Recited Act repealed to a certain Extent.

IX. The said recited Act is hereby repealed, in so far as it provides that in *England* and *Ireland* the said Money shall be deemed Estate and Effects for and in respect of which Probate and Letters of Administration shall be granted, and shall be included in the Affidavit made on applying for Probate or Letters of Administration in *England* and *Ireland*.

SCHEDULE.

SPECIAL Inventory of the Money secured on Heritable Property in Scotland, and Money secured by Scotch Bonds, &c., excluding Executors, belonging to [*Name and Description of Deceased*], who died at on the Day of 18 for Payment of the Duty imposed by the Act 23 & 24 Victoria, Cap. 80.

	£	s.	d.
I. Bond and Disposition in Security dated , granted by in favour of the Deceased, over Lands in the County of [*Fife*] [*or* Houses in the City of (*Edinburgh,*) &c. *If Deceased acquired Right by Assignation, &c., describe Title.*]			
II. Interest thereof from the Day of to the Day of			

III. Bond

£ s. d.

III. Bond dated , granted by in favour of the Deceased, excluding Executors [*If the Deceased's Right is by Assignation, &c., describe Right*] - - - - - - - - - -

IV. Interest thereon as above - - - - - - - - -

At the Day of One thousand eight hundred and , in Presence of Esquire, One of the Magistrates for the City of [*Edinburgh*] [*or* Justice of the Peace, *or* British Consul],

Appeared who, being solemnly sworn and examined, depones, that [*Name and Description of Deceased*] died at on the Day of ; that the Deponent has Right to the above Subjects [*or* Part of the above Subjects, *or* to the Liferent of the above Subjects, *&c.*] as Heir of the Deceased [*or* as Legatee, *or* as One of the Trustees of the Deceased, *&c.*] ; that the Deponent knows of no Settlement or other Writing left by the Deceased relative to the Disposal of his Personal Estate or Effects or any Part thereof [*or* that the Deponent does not know of any Settlement or Writing relative to the Disposal of the Deceased's Personal Estate or Effects or any Part thereof, other than a general Disposition and Deed of Settlement dated the Day of , registered in the Books of Council and Session on the Day of] ; that the foregoing Inventory, each Page of which is signed by the Deponent as relative hereto, is a full and complete special Inventory of all the Money or Property belonging to the Deceased, and Proceeds thereof, liable to the Duty imposed by the Acts 23 Vict. Cap. 15. and 23 & 24 Vict. Cap. 80. [*this Act*], in so far as the same has come to the Deponent's Knowledge ; and that the said Property is of the Value of Pounds and under the Value of Pounds. All which is Truth, as the Deponent shall answer to God.

CAP. LXXXI.

An Act to continue Appointments under the Act for consolidating the Copyhold and Inclosure Commissions, and for completing Proceedings under the Tithe Commutation Acts.

[6th *August* 1860.]

'WHEREAS under an Act of the Session holden in the Fourteenth and Fifteenth Years of Her Majesty (Chapter Fifty-three), "to consolidate and continue the Copyhold and Inclosure "Commissions, and to provide for the Completion of Proceedings under the Tithe Commutation Acts," certain Powers of appointing Commissioners and other Officers as therein mentioned were limited to continue for Two Years next after the Day of the passing of that Act, and thenceforth until the End of the then next Session of Parliament, and no Commissioner or other Officer or Person appointed or continued under that Act was to hold his Office for a longer Period than Two Years next after the Day of the passing of that Act, and thenceforth until the End of the then next Session of Parliament: And whereas by certain Acts, and ultimately by an Act of the Session holden in the Twenty-first and Twenty-second Years of Her Majesty, Chapter Fifty-three, the said Powers of appointing Commissioners and other Officers have been continued, and the Period limited for the holding of Office under the said first-mentioned Act has been extended until the First Day of *August* One thousand eight hundred and fifty-nine, and thenceforth until the End of the then next Session of Parliament: And whereas it is expedient that the said Powers of the said first-mentioned Act should be continued, and that the said Period thereby limited should be extended as herein-after mentioned:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: The Powers of appointing Commissioners and other Officers limited to continue as aforesaid by the said Act of the Fourteenth and Fifteenth Years of Her Majesty shall be further continued until the First Day of *August* One thousand eight hundred and sixty-one, and thenceforth until the End of the then next Session of Parliament, and the Period limited for the holding of Office under the said Act shall in like Manner be extended until the said First Day of *August* One thousand eight hundred and sixty-one, and thenceforth until the End of the then next Session of Parliament.

14 & 15 Vict. c. 53.

21 & 22 Vict. c. 53.

Powers of Appointment of Commissioners, &c. under 14 & 15 Vict. c. 53. continued.

CAP. LXXXII.

An Act to amend the Provisions of "The Common Law Procedure (*Ireland*) Act Amendment (1853)."

[6th *August* 1860.]

'WHEREAS it is expedient to amend "The Common Law Procedure Amendment Act, 1853," as herein-after mentioned:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

16 & 17 Vict. c. 113.

I. The Provisions in the said recited Act contained for enabling any of the Superior Courts of Common Law at *Dublin*, or a Judge, to make an Order as to any Stock, Funds, Annuities, or Shares, or

Provisions of recited Act enabling Judges

to make Orders in respect of Stock, &c. standing in Name of Incumbered Estates Court, to apply to "the Landed Estates Court (Ireland)."

or Money, or as to the Dividends, Interest, or annual Produce thereof, in which any Judgment Debtor shall have an Estate or Interest, and which shall be standing in the Name of the Court of the Commissioners for the Sale of Incumbered Estates in *Ireland*, as if the same had been standing in the Name of a Trustee for such Judgment Debtor, shall extend and apply to "the Landed Estates Court (*Ireland*)," as fully and effectually as if the Words "the Landed Estates Court (*Ireland*)" were inserted therein instead of the Words "the Court of the Commissioners for the Sale of Incumbered Estates in *Ireland*:" Provided, however, that it shall be lawful for "the Landed Estates Court (*Ireland*)," on the Application of the Judgment Creditor, to make such Order in respect of the same as shall be just.

CAP. LXXXIII.

An Act to explain an Act of the Eighteenth and Nineteenth Years of Her present Majesty enabling Infants, with the Approbation of the Court of Chancery, to make binding Settlements of their Real and Personal Estate on Marriage. [6th *August* 1860.]

18 & 19 Vict. c. 43.

'WHEREAS an Act was passed in the Eighteenth and Nineteenth Years of Her Majesty, Chapter 'Forty-three, intituled *An Act to enable Infants, with the Approbation of the Court of Chancery, 'to make binding Settlements of their Real and Personal Estate on Marriage:* And whereas Doubts 'have been entertained as to the Power of the Court of Chancery in *Ireland* to give such Approbation, 'and it is expedient that such Doubts should be removed:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

The Words "Court of Chancery" in the said Act shall include Court of Chancery in Ireland.

I. In the Interpretation of the said recited Act, and for all the Objects and Purposes thereof, the Words "Court of Chancery" shall include and be taken to include the Court of Chancery in *Ireland*, and all Orders made and Approbations already given by the Court of Chancery in *Ireland*, in Cases provided for and contemplated by the said Act, shall be as valid and binding in Law as if the Words "the Court of Chancery in *Ireland*" had been expressly contained in the said Act in all Places where the Words "the Court of Chancery" are mentioned therein.

CAP. LXXXIV.

An Act for preventing the Adulteration of Articles of Food or Drink. [6th *August* 1860.]

'WHEREAS the Practice of adulterating Articles of Food and Drink for Sale, in fraud of Her 'Majesty's Subjects, and to the great Hurt of their Health, requires to be repressed by more 'effectual Laws than those which are now in force for that Purpose:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Penalty on Persons selling Articles of Food or Drink knowing the same to be injurious to Health.

I. Every Person who shall sell any Article of Food or Drink with which, to the Knowledge of such Person, any Ingredient or Material injurious to the Health of Persons eating or drinking such Article has been mixed, and every Person who shall sell as pure or unadulterated any Article of Food or Drink which is adulterated or not pure, shall for every such Offence, on a summary Conviction of the same before Two Justices of the Peace at Petty Sessions in *England*, and in *Scotland* before Two Justices of the Peace in Justice of the Peace Court, or before the Sheriff Substitute of the County, or before Justices at Petty Sessions or a Divisional Justice in *Ireland*, forfeit and pay a Penalty not exceeding Five Pounds, together with such Costs attending such Conviction as to the said Justices shall seem reasonable; and if any Person so convicted shall afterwards commit the like Offence it shall be lawful for such Justices to cause such Offender's Name, Place of Abode, and Offence to be published, at the Expense of such Offender, in such Newspaper or in such other Manner as to such Justices shall seem desirable.

As to subsequent Offences.

Power to appoint Analysts.

II. In the City of *London* and the Liberties thereof the Commissioners of Sewers of the City of *London* and the Liberties thereof, and in all other Parts of the Metropolis the Vestries and District Boards acting in execution of the Act for the better Local Management of the Metropolis, in *England* and *Ireland* the Court of Quarter Sessions of every County, and the Town Council of every Borough having a separate Court of Quarter Sessions, and in *Scotland* the Commissioners of Supply at their Ordinary Meetings for Counties, and Town Councils within their several Jurisdictions, may, from Time to Time for their respective City, Districts, Counties, or Boroughs, appoint and remove One or more Persons possessing competent medical, chemical, and microscopical Knowledge as Analysts of all Articles of Food and Drink purchased within the said City, Metropolitan Districts, Counties, or Boroughs, and may pay to such Analysts such Salary or Allowances as they may think fit; but such Appointments and Removals shall at all Times be subject in *Great Britain* to the Approval of One of Her Majesty's Principal Secretaries of State, and in *Ireland* to that of the Lord Lieutenant.

Protection against Articles of Food and Drink being tampered

III. On the Hearing by the Justices of any Complaint under this Act in any District, County, or Borough wherein any Analyst shall have been appointed, the Purchaser shall prove to the Satisfaction of such Justices that the Seller of the Article of Food or Drink alleged to be adulterated, or his Servants, had such Notice of the Intention of the Purchaser to have such Article analysed, and also such

Opportunity

Opportunity of accompanying the Purchaser to an Analyst appointed by this Act, as the Justices shall think reasonable, in order to secure such Article from being tampered with by the Purchaser. with by Purchaser.

IV. Any Purchaser of any Article of Food or Drink in any District, County, City, or Borough where there is any Analyst appointed under this Act shall be entitled, on Payment to the Analyst of a Sum not less than Two Shillings and Sixpence nor more than Ten Shillings and Sixpence, to have any such Article analysed by any Analyst who may be appointed for such District, County, City, or Borough, and to receive from such Analyst a Certificate of the Result of his Analysis, specifying whether in his Opinion such Article is adulterated, and also whether it is so adulterated as to be injurious to the Health of Persons eating or drinking the same; and such Certificate duly signed by such Analyst shall, in the Absence of any Evidence to the contrary, be sufficient Evidence before the Justices or in any Court of Justice of the Matters therein certified, and the Sum so directed to be paid for such Certificate shall be deemed Part of the Costs. Power to Purchasers of Articles of Food and Drink to have them analysed. Certificate of Analyst made Evidence.

V. The Justices before whom any Complaint may be made under this Act may, in their Discretion, cause any Article of Food or Drink to be examined and analysed by such skilled Person as they may appoint for that Purpose, who may be required to give Evidence of the same at the Hearing of the Case; and the Expense thereof, and of such Examination and Analysis, if not paid by the Complainant or Party complained against, shall be deemed Part of the Expenses of executing this Act, but nevertheless such Expense may be ordered by such Justices to be paid by the Party so complaining or complained against, as they shall think proper. Power to Justices to have Articles of Food and Drink analysed.

VI. Any Person who has been convicted of any Offence punishable by this Act by any Justices may appeal to the next General or Quarter Sessions of the Peace which shall be held for the City, County, Town, or Place wherein such Judgment or Conviction shall have been made, or in the Case of the Conviction having been before a Sheriff Substitute in *Scotland*, then the Appeal shall be to the Sheriff of the County, provided that such Person enter into a Recognizance within Two Days next after such Conviction, with Two sufficient Sureties, conditioned to try such Appeal, and to be forthcoming to abide the Judgment and Determination of the Court at such General or Quarter Sessions, or Sheriff, and to pay such Costs as shall be by such Court awarded; and the Justices before whom such Conviction shall be had are hereby empowered and required to take such Recognizance; and the Court at such General or Quarter Sessions, or Sheriff, are hereby authorized and required to hear and finally determine the Matter of every such Appeal, and may award such Costs to the Party appealing or appealed against as they shall think proper. Appeal to Quarter Sessions.

VII. If any such Conviction or Judgment or Order of Forfeiture shall happen to be made within Six Days before any General or Quarter Sessions of the Peace shall be held for the City, County, Town, or Place wherein such Conviction shall have been made, the Person who shall think himself aggrieved by any such Conviction may, on entering into a Recognizance in manner and for the Purposes before directed, be at liberty to appeal either to the then next or next following General or Quarter Sessions of the Peace which shall be held for any such City, County, Town, or Place wherein any such Conviction shall have been made, on giving Six Days Notice to the Complainant of his Intention to appeal. Where Conviction within Six Days of Quarter Sessions, Time allowed for Appeal.

VIII. Any Person who shall have been convicted by any Justices or Sheriff Substitute of any Offence punishable by this Act, in respect of the selling of any Article of Food or Drink which shall have been manufactured according to any Process patented before the passing of this Act, either by the Patentee or Owner of the Patent, or by any Person carrying on his Business or otherwise claiming under him during the Continuance of such Patent may, instead of appealing to the General or Quarter Sessions of the Peace or Sheriff of the County, apply in Writing within Five Days after such Conviction to the Justices or Sheriff Substitute, to state and sign a Case for the Opinion of One of the Superior Courts of Law thereon, in like Manner as under the Statute of the Twentieth and Twenty-first Years of Her Majesty, Chapter Forty-three, he might have applied to the Justices to state and sign a Case, and thereupon all such Proceedings shall take place upon and in relation to such Application, and all such Provisions shall be applicable thereto as would have taken place upon and in relation thereto, and been applicable thereto, under the Provisions of the said last-mentioned Act; and in *Scotland*, for the Purposes of such Appeal, the Justices or Sheriff Substitute may state and sign a Case for the Opinion of the Court of Session, in like Manner as the Justices in *England* and *Ireland* may, for the Opinion of the Superior Courts of Law under the said Act, and the Court of Session shall have in relation thereto the like Powers as the Superior Courts have under the said Act, and all the other Provisions of the said Act shall be applicable to such Appeals. Persons convicted of selling adulterated patented Article may have a Case stated for Opinion of Superior Court.

IX. In *England* the Provisions in the Nuisances Removal Act for *England*, 1855, as to Procedure, and the Provisions of the Act of the Eleventh and Twelfth Years of the Reign of Her present Majesty, intituled *An Act to facilitate the Performance of the Duties of Justices of the Peace and of Session within* England *and* Wales *with respect to summary Convictions and Orders*, and in *Scotland* the ordinary Rules regulating the Procedure of Justices of the Peace, so far as the same are respectively applicable, shall extend and apply to Cases arising under this Act in *England* or *Scotland*; and all Monies arising from Penalties under this Act in any County, City, District, or Borough where there are Analysts appointed under this Act shall, when paid or recovered, be paid in *England* and *Ireland* to the Vestry, District Board, Commissioners, County Treasurer, or Town Council for such County, City, District, or Borough Procedure in Cases under this Act. Application of Monies.

Borough respectively, to be applied for the general Purposes of such Vestry, District Board, Commissioners, County, City, or Borough respectively, and to the Collector of Rogue Money for each County in *Scotland.*

Proceedings in Ireland as to Complaints, &c. to be subject to Provisions of 14 & 15 Vict. c. 93. and 21 & 22 Vict. c. 100.

X. All Proceedings under this Act in *Ireland* as to compelling the Appearance of any such Person or of any Witness, and as to the Hearing and Determination of such Complaints, and as to the making and executing of such Orders, and as to the Applications of Fines, Amerciaments, and forfeited Recognizances imposed or levied under this Act at Petty Sessions, shall be subject in all respects to the Provisions of "The Petty Sessions (*Ireland*) Act, 1851," as the same is amended by "The Petty Sessions Clerk (*Ireland*) Act, 1858," (when the Case shall be heard in any Petty Sessions District,) and to the Provisions of the Acts relating to the Divisional Police Offices (when the Case shall be heard in the Police District of *Dublin* Metropolis), so far as the said Provisions shall be consistent with any special Provisions of this Act; and when any Fine or Penalty is imposed at any of the Divisional Police Offices of *Dublin* Metropolis, or by the Justices in any Corporate Town, under the Provisions of this Act, such Fines and Penalties shall be paid over to the same Purposes and appropriated and applied in the same Manner as is now by Law authorized in respect of Fines and Penalties imposed at such Divisional Police Offices, or by the Justices in any such Corporate Town respectively.

Appeal to Quarter Sessions.

XI. In *Ireland* any Person who has been convicted of any Offence punishable by this Act may appeal to the next Court of Quarter Sessions to be held in the same Division of the County where the Order shall be made by any Justice or Justices in any Petty Sessions District, or to the Recorder at his next Sessions where the Order shall be made by the Divisional Justices in the Police District of *Dublin* Metropolis, or to the Recorder of any Corporate or Borough Town when the Order shall be made by any Justice or Justices in such Corporate or Borough Town (unless when any such Sessions shall commence within Seven Days from the Date of any such Order, in which Case, if the Appellant sees fit, the Appeal may be made to the next succeeding Sessions to be held for such Division or Town); and it shall be lawful for such Court of Quarter Sessions or Recorder, as the Case may be, to decide such Appeal, if made in such Form and Manner, and with such Notices, as are required by the Petty Sessions Acts respectively herein-before mentioned as to Appeals against Orders made by Justices at Petty Sessions; and all the Provisions of the said Petty Sessions Acts respectively as to making Appeals and as to executing the Orders made on Appeal, or the original Orders where the Appeals shall not be duly prosecuted, shall also apply to any Appeal or like Order to be made under the Provisions of this Act.

As to Expenses of executing Act.

XII. The Expense of executing this Act shall be borne, in the City of *London* and the Liberties thereof, out of the Consolidated Rates raised by the Commissioners of Sewers of the City of *London* and the Liberties thereof, and in the rest of the Metropolis out of any Rates or Funds applicable to the Purposes of the Act for the better Local Management of the Metropolis, and in Counties out of the County Rate, and in Boroughs out of the Borough Fund, or out of the Rogue Money in Counties in *Scotland.*

Indictment or other Remedy not affected.

XIII. Nothing in this Act contained shall be held to affect the Power of proceeding by Indictment, or to take away any other Remedy against any Offender under this Act.

Interpretation of Terms.

XIV. In the Construction of this Act the Words "Articles of Food or Drink" shall (if not inconsistent with the Context or Subject Matter) include not only all alimentary Substances, whether Solids or Liquids, but also all Eatables or Drinkables whatsoever not being Medical Drugs or Articles usually taken or sold as Medicines, but this Act shall not be construed so as to affect the ordinary Reduction of the Strength of Foreign, *British*, or Colonial Spirits by Persons licensed and paying Duties under the Excise.

CAP. LXXXV.

An Act to amend Two Acts of the Seventeenth and Eighteenth Years, and of the Eighteenth Year, of Her present Majesty, relating to the Registration of Births, Deaths, and Marriages in *Scotland.* [6th *August* 1860.]

17 & 18 Vict. c. 80.

18 & 19 Vict. c. 29.

'WHEREAS it is expedient to alter and amend the Act passed in the Seventeenth and Eighteenth Years of the Reign of Her present Majesty, intituled *An Act to provide for the better Registration of Births, Deaths, and Marriages in* Scotland, and the Act passed in the Eighteenth Year of the same Reign, intituled *An Act to make further Provision for the Registration of Births, Deaths, and Marriages in* Scotland:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Certain Sections of recited Acts repealed.

I. Sections Eighteen, Nineteen, Forty-two, and Fifty-four of the first-recited Act, and Section One of the second-recited Act, are hereby repealed.

Register of Neglected Entries.

II. It shall be competent for any Person on Payment of a Fee of Five Shillings to register in a Book to be kept for the Purpose in the General Registry Office, to be called "The Register of Neglected Entries," any Birth, Death, or Marriage which shall have taken place in *Scotland* between the Thirty-first Day of *December* One thousand eight hundred and the First Day of *January* One thousand eight hundred and fifty-five: Provided always, that in order to such Registration there shall be produced to the

the Registrar to [illegible] a Warrant to that Effect by the Sheriff of the County in which such Birth, Death, or Marriage occurred, to be granted upon a Petition, of which Intimation, by Advertisement or otherwise, shall be made as such Sheriff may direct, and after due Inquiry, and hearing any Parties having Interest who may appear to oppose such Petition, and which Warrant, and all written Documents produced to him, together with his Notes, which such Sheriff is hereby required to take, of all parole Evidence adduced before him, shall be transmitted to the Registrar General, and shall be retained among the Records of his Office: Provided also, that a Copy of the Entry of any neglected Birth, Death, or Marriage subsequent to the Year One thousand eight hundred and nineteen shall be made and transmitted from the General Registry Office to the Registrar of the Parish or District in which such neglected Birth, Death, or Marriage occurred, and shall by him be recorded in such Form and Manner as the Registrar General may direct.

Correction of Errors in Registers kept prior to 1st January 1855.

III. Errors which shall be discovered in an Entry relative to a Birth, Death, or Marriage, in any Register kept prior to the passing of the first-recited Act, which shall have taken place in *Scotland* after the Thirty-first Day of *December* One thousand eight hundred, it shall be lawful for the Sheriff of the County wherein the said Register is kept, upon the Application of any Person having Interest, of which Application such Intimation shall be made as the Sheriff may direct, and upon Production of such Evidence, written or parole, as the Sheriff shall deem satisfactory, to authorize the Registrar General (or the Registrar in whose Custody such Register may be at the Time) to correct the same in such Form and Manner as the Sheriff may direct: Provided that no Part of the original Entry shall be obliterated, and that the Warrant of the Sheriff authorizing the Correction and all written Documents produced to him, together with his Notes, which such Sheriff is hereby required to take, of all parole Evidence adduced before him, shall be transmitted to the Registrar General, and shall be retained among the Records of his Office.

Provisions in Sects. 2. and 3. of 17 & 18 Vict. c. 80. repealed with reference to Salaries of Registrar General and Secretary.

IV. The Provisions in the Second and Third Sections of the first-recited Act with reference to the Salaries of the Registrar General and the Secretary to the Registrar General are hereby repealed; and it shall be lawful for the Commissioners of Her Majesty's Treasury to pay to the Registrar General such Salary as that the Amount thereof and of the Salary received by him as Depute Clerk Register shall not together exceed the Sum of One thousand Pounds *per Annum*, and to pay to the Secretary to the Registrar General such Salary, not exceeding Five hundred Pounds *per Annum*, as shall from Time to Time be fixed by the said Commissioners, and such Salaries shall be paid out of any Monies to be voted by Parliament for that Purpose.

Landward and Burghal Parts of Parishes may be united.

V. It shall be lawful for the Sheriff, if he shall think it expedient upon a joint Application of the Parochial Board of any Parish, and of the Town Council of any Burgh situated within such Parish, or upon the Application of the Registrar General, to unite such Burgh or any Portion thereof to any Landward Part of such Parish, or to unite any Landward Part of such Parish to such Burgh or any Portion thereof, and also to regulate and determine any Questions which may arise as to the Assessments to be levied for Registration Purposes upon such Burghs or Portions of Burghs, and upon such Landward Parts of such Parishes respectively, and all Questions as to the Right to elect a Registrar for such united Districts; and it shall also be lawful for the Sheriff to regulate and determine all Questions which may arise as to such Assessment, or such Right of Election, in the Case of all Unions which shall already have been effected under the Provisions of the First Section of the second-recited Act hereinbefore repealed; and the Decision of the Sheriff in all such Cases shall be final, and not subject to Review in any Court or by any Process whatsoever.

All existing Parochial Registers before 1820 to be transmitted to Registrar General, and after 1820 till 1855 to Parish Registrar.

VI. All existing Parochial Registers of Births or Baptisms, Deaths or Burials, and Marriages or Proclamations of Banns, which shall have been kept in every Parish prior to the First Day of *January* One thousand eight hundred and fifty-five, shall, as far as regards such Registers made and entered prior to the Year One thousand eight hundred and twenty, be transmitted, under the Direction of the Sheriff, to the Registrar General for Preservation in the General Registry Office at *Edinburgh*, and, as far as regards such Registers from the Year One thousand eight hundred and twenty inclusive to the said First Day of *January* One thousand eight hundred and fifty-five, shall be delivered over to the Custody and Care of the Person who shall have been appointed Registrar of the Parish under the first-recited Act; and where any Parish shall be divided, such last-mentioned Registers shall remain in the Custody of the Registrar of that Portion of the divided Parish wherein such Registers are at the Time of the Division; and the Registrar to whom such Registers shall be so delivered shall, if required by the Registrar General, make or cause to be made exact Inventories and Indexes thereof in so far as such Inventories and Indexes do not already exist, noticing in such Inventories any Blanks or Deficiencies therein or other Matter requiring to be noticed; and an authenticated Copy of each such Inventory, and a general Abstract of each such Index, shall be transmitted by him to the Registrar General for Preservation in the General Registry Office; and the Registers from the Year One thousand eight hundred and twenty to the said First Day of *January* One thousand eight hundred and fifty-five, hereby appointed to remain with the Registrar of the Parish, shall, at the End of Thirty Years after the said First Day of *January*, be transmitted under the Direction of the Sheriff to the Registrar General

General for Preservation as aforesaid; and all such Registers, and the original Inventories, Indexes, and general Abstracts, and the authenticated Copies thereof, whether in the Custody of the Registrar or Registrar General, may be searched, and certified Copies or Extracts of Entries taken therefrom, at all reasonable Times by any Person upon Payment of the Fees authorized to be taken for the like Searches and Copies made in or taken from the Registers and Indexes appointed to be kept under the first-recited Act: Provided always, that in all Cases it shall be lawful for the Sheriff, if he shall think fit, upon a Representation to that Effect, to direct that the original Burial Registers shall remain in the Custody of the Kirk Session to whom they belong, Copies of the same being furnished to the Registrar General.

Sessional Record to be restored to the Kirk Session of the Parish.

VII. If any of the Parochial Registers referred to shall be found to contain Entries relating to Sessional or other Matters, as well as Entries relating to Births or Baptisms, Deaths or Burials, and Marriages or Proclamations of Banns, such Entries shall be separated from the rest of the Register, under the Direction of the Registrar General, for the Purpose of being bound and delivered over to the Kirk Session of the Parish to which the Register pertains; and where it shall be impossible to effect such Separation in consequence of the Sessional or other Matter being intermixed with the Entries relating to Births or Baptisms, Deaths or Burials, and Marriages or Proclamations of Banns, the whole of the Register shall remain with the Registrar General, or the Registrar of the Parish, as the Case may be: Provided, that it shall be lawful to the Kirk Session or any one acting under its Authority to have Access to and to make Copies of such Sessional or other Matter without Payment of Fees: Provided also, that where the Portion falling to be delivered to the Kirk Session shall happen to contain any Entries from which the Occurrence of a Birth or Baptism, Death or Burial, or Marriage or Proclamation of Banns may be proved, it shall be lawful for the Registrar General to cause Copies of such Entries to be made for the Purpose of this and the first-recited Act, and the Cost of making such Copies shall be defrayed in the Manner prescribed by the Fifth Section of the said first-recited Act.

Provision as to Fire-proof Safes and Offices.

VIII. With reference to the Twenty-second Section of the first-recited Act, it shall be lawful for the Sheriff, on the Receipt of a written Application to that Effect from the Registrar General, to direct that a Fire-proof Safe or other Place of Deposit shall be provided in any Parish, District, or Burgh, for the due Custody of the Registers and other Documents connected with Registration, by the Parochial Board, Heritors, or Town Council of the Parish, District, or Burgh to which such Registers pertain; and the Cost of such Safe or other Place of Deposit shall be included under the Assessment authorized to be levied by the Fiftieth Section of the first-recited Act; and further, it shall be lawful for the Parochial Board, Heritors, or Town Council of any Parish, District, or Burgh, where they shall consider it expedient, to include under the aforesaid Assessment such Sums as may be required for the Provision and Maintenance of a suitable Office for the Use of the Registrar; provided that such Office shall be situated within such Parish, District, or Burgh.

Provision in 17 & 18 Vict. c. 80. s. 25. as to annual Publication of Lists of Registrars, &c. repealed.

IX. The latter Portion of the Twenty-fifth Section of the first-recited Act, with reference to the annual Publication by the Sheriff of a List of Registrars and Assistant Registrars, is hereby repealed: Provided that all Elections of Registrars shall be intimated to the Sheriff as well as to the Registrar General, in the Manner prescribed by the Twelfth Section of the first-recited Act, and that due Intimation shall be made by the Sheriff of all newly appointed Registrars in such Form as he may consider expedient.

Register of Births, Deaths, and Marriages of Scottish Subjects occurring in Foreign Countries.

X. The Birth of any Child of *Scottish* Parents, or the Death or Marriage of any *Scottish* Subject, which shall have taken place in any Foreign Country since the passing of the first-recited Act, if intimated to the Registrar General within Twelve Months after the passing of this Act, and the Birth of any Child of *Scottish* Parents, or the Death or Marriage of any *Scottish* Subject, which shall take place in any Foreign Country, if intimated to the Registrar General within Twelve Months after the Date thereof, in accordance, as near as may be, with the Forms prescribed in Schedules (A.), (B.), and (C.) respectively to the first-recited Act annexed, and duly certified by the *British* Consul of the Country or District within which such Birth, Death, or Marriage shall have taken place, shall be entered in a Book to be kept for the Purpose in the General Registry Office, to be called "The Foreign Register;" and all such Intimations shall be filed, and the relative [redacted]es verified by the Signature of the Registrar General.

Provision in Sect. 31. of 17 & 18 Vict. c. 80. as to the Signature of the Register by the Sheriff repealed.

XI. So much of the Thirty-first Section of the first-recited Act [redacted] requires the Signature of the Sheriff in the Register of Births, in the Cases therein referred [redacted] hereby repealed; and in lieu thereof the Signature of the District Examiner, appointed under the [redacted]visions of the Third Section of the second-recited Act, shall be sufficient: Provided always, that in all such Cases, before the Examiner adhibits his Signature to the Register, the Registrar shall produce the written Authority of the Sheriff for making the Registration, which shall be transmitted along with the Duplicate Registers to the Registrar General: Provided also, that the Entry of any Birth, which shall have been registered upwards of Three Months after its Occurrence, if signed by such Examiner, shall be admissible in Evidence to prove such Birth, anything in the said Section to the contrary notwithstanding.

Mode of reckoning the Period of "Six

XII. 'Whereas Doubts have arisen as to the Mode of reckoning the Period of "Six Months," referred 'to in the Thirty-second and Thirty-third Sections of the first-recited Act:' It is hereby declared, That unless

unless a Certificate, in the Form of Schedules (D.) or (E.) to the said Act annexed, is presented to the Registrar within Six Months after the Registration of the Birth to which such Certificate relates, it shall not be lawful for the Registrar to record the Baptismal or other Name, without the written Authority of the Sheriff endorsed upon such Certificate.

Months" referred to in 17 & 18 Vict. c. 80. ss. 32. and 33.

XIII. The Additions and Alterations directed and authorized by the recited Acts to be made in the Duplicate Registers, instead of being given Effect to in the Manner therein prescribed, shall be inserted in the Register of Corrected Entries, referred to in the Sixty-third Section of the first-recited Act, in such Form and Manner as the Registrar General may direct.

Additions and Alterations to be inserted in Register of Corrected Entries.

XIV. The Medical Certificate referred to in the Forty-first Section of the first-recited Act shall be transmitted by the Medical Person to the Registrar within Seven Days after the Death of the Person to whom it relates, instead of within Fourteen Days thereafter: Provided that in case such Certificate shall not be so transmitted, the Registrar shall transmit to such Medical Person a Form of the Certificate prescribed by the said Act, and by a written or printed Requisition, under his Hand, shall require such Medical Person forthwith to return to the Registrar such Certificate duly filled up in Terms of the said Act; and such Certificate so filled up shall be so returned within Three Days after the Receipt thereof by such Medical Person.

Medical Attendant to transmit Certificate of Death to Registrar within Seven Days.

XV. So much of the Forty-sixth Section of the first-recited Act as provides for a Copy of Schedule (C.) to the said Act annexed being given out along with the Certificate of Proclamation of Banns, and so much of the Fifty-second Section of the said Act as requires the Registrars to furnish Copies of the said Schedule to Session Clerks, are hereby repealed: Provided that in every Case of regular Marriage a Copy of the said Schedule shall, upon Production of the Certificate of Proclamation of Banns, be procured by the Parties contracting the Marriage, previous to its Solemnization, from the Registrar of the Parish or District within which such Marriage is intended to be solemnized, who shall be bound, as far as possible, to fill up the said Schedule.

Provisions in 17 & 18 Vict. c. 80. ss. 46. and 52. as to Schedule (C.) repealed.

XVI. So much of the Fiftieth Section of the first-recited Act as requires the Examination and Verification by the Sheriff of the Registrar's half-yearly Accounts of Registrations is hereby repealed; and in lieu thereof it shall be lawful for the Parochial Board or Heritors by whom the relative Assessment is levied, to take such Proceedings as may be deemed expedient for the Purpose of ascertaining the Correctness of such Accounts.

Alteration of 17 & 18 Vict. c. 80. s. 50. as to Verification of Registrar's Accounts.

XVII. It shall be lawful for the Registrar to include in his half-yearly Accounts of Registrations the Expense attending the Postage or Carriage of all Letters or Packets, and all other necessary Disbursements relating exclusively to the Execution of his Office, and for all such Expenses he shall be repaid out of the Assessment authorized to be levied by the Fiftieth Section of the first-recited Act; and the necessary Expense incurred in the Correction of an Error under the Provisions of the Sixty-third Section of the first-recited Act, where such Expenses are not paid by the Party or Parties through whose Fault such Error was committed, and where such Error was not committed through the Registrar's own Carelessness, shall be defrayed by the Parochial Board, and shall be included under the aforesaid Assessment: Provided that it shall be lawful for the Parochial Board to recover such Expenses from the Party or Parties through whose Fault the said Error was committed: Provided also, that where any Search or Extract shall be required by or on behalf of a Pauper, the Registrar shall be entitled to include the Cost thereof in the Account which he is required to render to the Parochial Board under the Fiftieth Section of the Act first before recited.

Provision as to Payment of Registrar's Postages, &c.

XVIII. If any Registrar shall represent to the Registrar General that his Remuneration under the Provisions of the Fiftieth Section of the first-recited Act is inadequate, the Registrar General may require the Parochial Board to increase the Sum payable to the Registrar to such Amount as the Registrar General considers necessary; and in the event of the Parochial Board delaying or refusing to pay such increased Remuneration, it shall be lawful for the Registrar General to make a summary Application to the Sheriff, who shall, after hearing Parties and making such Inquiry as he thinks fit, determine both the Expediency of any such Increase, and the Amount thereof; and all Expenses incurred in and with respect to such Application shall be paid by the Parochial Board, or the Registrar, as the Sheriff may determine; and the Decision of the Sheriff in all such Applications, both on the Merits and as to Expenses, shall be final and not subject to Review in any Court or by any Process whatsoever.

As to Remuneration of Registrar.

XIX. It shall be lawful for the District Examiners, appointed under the Provisions of the second-recited Act, to correct all such clerical Errors as may be discovered at the periodical Examination of the Duplicate Registers, subject to such Rules and Regulations as may be made by the Registrar General, with the Approbation of One of Her Majesty's Principal Secretaries of State.

Clerical Errors in Duplicate Registers may be corrected by District Examiners.

XX. This Act shall commence and take effect from and after the passing thereof, with the Exception of Sections Eleven, Thirteen, and Nineteen, and so much of Section One as provides for the Repeal of Sections Forty-two and Fifty-four of the first-recited Act, which shall not take effect till the First Day of *January* One thousand eight hundred and sixty-one; and the recited Acts, excepting in so far as altered by this Act, shall remain in full Force and Effect; and this Act shall be deemed a Part of the recited Acts, and shall be read and construed therewith as if the Three Acts formed One Act.

Commencement of Act.

CAP. LXXXVI.

An Act to make Provision respecting the Marriages of *British* Subjects in the *Ionian Islands*.

[6th *August* 1860.]

'WHEREAS it is expedient to make Provision respecting Marriages which have been or may hereafter be contracted by Subjects of Her Majesty in the *Ionian Islands*:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Marriages already contracted in the Ionian Islands to be valid.

I. All Marriages between Subjects of Her Majesty, or to which any such Subject shall be Party, contracted in the said Islands before the passing of this Act, under Authority of any Warrant, Licence, or other written Permission of the Lord High Commissioner of the said Islands, at whatever Hour, in whatever Place, or by whatever Ceremony the same may have been solemnized, shall be deemed to be as valid in Law, and cognizable in like Manner, as if the same had been solemnized within Her Majesty's Dominions with a due Observance of all Forms required by the Law: Provided always, that this Enactment shall not extend to render valid any Marriage which before the passing of this Act has been declared invalid by any Court of competent Jurisdiction, or any Right dependent on the Validity or Invalidity thereof, or any Marriage where either of the Parties has afterwards during the Life of t other lawfully intermarried with any other Person.

Mode of contracting Marriages.

II. All Marriages between Subjects of Her Majesty, or to which such Subjects shall be Party, wh shall be contracted in the said Islands after the passing of this Act, under Authority of any Lice granted by the said Lord High Commissioner, or by any Officer authorized by him to grant s Licences, shall be deemed to be valid and cognizable as aforesaid, provided the same shall have b solemnized in manner herein-after mentioned; that is to say,

(1.) Every such Marriage shall be solemnized, with open Doors, in the Place specified in su Licence, being either some Christian Place of Worship, or the Palace of the Lord High Comm sioner at *Corfu*, or the Residence of the Resident of the Lord High Commissioner in any other the said Islands:

(2.) Every such Marriage shall be solemnized between the Hours and within the Period specified in such Licence, and in the Presence of Two or more Witnesses, and of the officiating Minister, or, if there be no officiating Minister, of the Secretary of the Lord High Commissioner, or of such Resident as aforesaid;

(3.) The Ceremony of Marriage, if solemnized in any Christian Place of Worship, shall be such as may be required or permitted by the Persons entitled to regulate the Use of the said Place of Worship; and, if solemnized in any other Place, may be such as the Parties thereto may think fit to adopt; provided only, that if such Marriage shall not be solemnized according to the Rites of the United Churches of *England* and *Ireland*, then, in some Part of the Ceremony, and in the Presence of the Two Witnesses, and, as the Case may be, of the said Secretary or Resident or officiating Minister, each of the Parties shall make the following Declaration:

"I do solemnly declare that I know not of any lawful Impediment why I, *A.B.*, may not be joined in lawful Matrimony to *C.D.*":

And shall say to each other—

"I call upon these Persons here present to witness that I, *A.B.*, do take thee, *C.D.*, to be my lawful wedded Wife [*or* Husband]."

Certificate of Marriage to be signed in Presence of Two Witnesses.

III. Immediately after the Solemnization of any Marriage under the Provisions of this Act, a Certificate of the same shall, in the Presence of the Two Witnesses, be signed in triplicate by the Parties thereto, and, as the Case may be, by the said officiating Minister, Secretary, or Resident; and One Copy of such Certificate shall be delivered to the Parties to the Marriage, and the other Copies shall be transmitted to the Lord High Commissioner, and shall be registered in such Manner as he shall appoint; and a Copy of such Registry, purporting to be certified under the Hand and official Seal of the said Secretary, shall be received as Evidence in the Law of the Marriage to which it relates, without its being necessary for any Person signing such Copy or Registry to attend in Person to prove the same.

Entries of Marriages to be reported to Registrar General.

IV. In the Month of *January* in every Year the said Lord High Commissioner, or any Officer authorized by him, shall make and transmit to One of Her Majesty's Principal Secretaries of State, to be transmitted by him to the Registrar General, a true Copy, certified under the Hand of the Lord High Commissioner or that of the Officer authorized by him, of all the Entries of Marriages during the preceding Year in the Register Book kept by the said Lord High Commissioner; and if there shall have been no Marriage registered during the preceding Year, the Lord High Commissioner, or such authorized Officer, shall transmit a Certificate of such Fact to Her Majesty's Secretary of State, to be transmitted by him to the Registrar General.

Copies to be kept by Registrar General, who shall allow

V. The Registrar-General shall cause Indexes of all the said certified Copies of Marriage Registers to be made and kept in the General Register Office; and every Person shall be entitled, on Payment of the Fees herein-after mentioned, to search the said Indexes between the Hours of Ten in the Morning and

and Four in the Afternoon of every Day except *Sundays*, *Christmas Day*, and *Good Friday*, and to have a certified Copy of any Entry in the said certified Copies of the Registers; and for every Search of the said Indexes shall be paid the Sum of One Shilling, and for every such certified Copy the Sum of Two Shillings and Sixpence, and no more, shall be paid to the Registrar General, or such other Officer as shall be appointed for that Purpose on his account, in addition to the Stamp Duty of One Penny imposed by an Act of the present Session, Chapter Fifteen. Searches to be made and give certified Copies.

VI. The Registrar General shall cause to be sealed or stamped, with the Seal of the General Register Office, all such certified Copies of Marriage Entries given in the said Office; and all certified Copies of Entries purporting to be sealed or stamped with the Seal of the said Register Office shall be received as Evidence of the Marriage to which the same relates, without any further or other Proof of such Entry; and no certified Copy, purporting to be given in the said Office, shall be of any Force or Effect which is not sealed or stamped as aforesaid. Such Copies to be Evidence.

VII. The Lord High Commissioner may, by Writing under his Hand and Seal, to be promulgated in such Manner as he shall think fit, make Regulations respecting the Form of the Licence and Certificate herein-before mentioned, and respecting the Conditions of issuing the said Licence, and respecting the Fees payable on the issuing of such Licence, and on the Solemnization of any Marriage, and respecting the Disposal of such Fees, and respecting the Registration of such Marriages according to the Laws of the *Ionian Islands*, and respecting all other Matters requisite for carrying into execution the Provisions of this Act; provided that no Marriage shall be deemed to be invalid in consequence of the Infraction or Non-observance of such Regulations. Lord High Commissioner may make Regulations as to Forms of Licence and Certificate, &c.

VIII. If any Marriage shall be had under the Provisions of this Act by means of any wilfully false Notice, Oath, Affirmation, or Declaration made by either Party to such Marriage as to any Matter to which a Notice, Oath, Affirmation, or Declaration is required by this Act, or by any such Regulations as aforesaid, it shall be lawful for Her Majesty's Attorney General or Solicitor General to sue for the Forfeiture of all Estate and Interest in any Property accruing to the offending Party by such Marriage, and the Proceedings thereupon and the Consequences thereof shall be the same as are provided by Law in the like Case with regard to Marriages solemnized by Licence in *England* according to the Rites of the Church of *England*. As to Marriages procured by false Notices, Declarations, &c. Penalty.

IX. Any Person who, for the Purpose of procuring, preventing, or delaying any Marriage, shall knowingly and wilfully make or sign any false Oath, Affirmation, Declaration, or Notice authorized or required by this Act, or by any such Regulations as aforesaid, shall suffer the Penalties of Perjury, and such Offender may be tried in any County or Place in the United Kingdom, in the same Manner, and be dealt with in all respects, as if the Offence had been committed in such County or Place. False Notice, &c. punishable as Perjury.

X. In any and every Action or Suit for Forfeiture, and upon every or any Prosecution for Perjury as aforesaid, the Declaration or Certificate of the Lord High Commissioner, or of his Secretary, or of any such Resident as aforesaid, under their respective Hands and official Seals, shall be received as Evidence in the Law of all Facts and Matters stated in such Declaration or Certificate, without its being necessary for such Lord High Commissioner, Secretary, or Resident to attend in person to prove the same. Evidence.

XI. Nothing herein contained shall be construed to render invalid any Marriage heretofore or hereafter solemnized within the said Islands which Marriage was or shall be valid according to the Laws of the said Islands. Act not to invalidate Marriages otherwise lawful.

XII. The Terms "Lord High Commissioner," "Resident of the Lord High Commissioner," and "Secretary of the Lord High Commissioner," shall include respectively any Person lawfully acting in any of such Capacities. Interpretation of certain Terms.

CAP. LXXXVII.

An Act to remove Doubts as to the Authority of the Senior Member of the Council of the Governor General of *India* in the Absence of the President. [13th *August* 1860.]

'WHEREAS Doubts have arisen where the Governor General of *India* has nominated some Member of his Council to be President of the said Council during his Absence, under the Provisions of the Act of the Session holden in the Third and Fourth Years of King *William* the Fourth, Chapter Eighty-five, and the President so appointed is absent owing to Indisposition or other Cause, whether it is competent to the Senior Member of the Council present at the Council to preside and exercise the Powers and Authorities which during the Absence of the Governor General, where no such President is appointed, such Senior Member is competent to exercise under the Provisions of the Act of the Session holden in the Thirty-ninth and Fortieth Years of King *George* the Third, Chapter Seventy-nine, and it is expedient that such Doubts should be removed:' Be it therefore declared and enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: 3 & 4 W. 4. c. 85. 39 & 40 G. 3. c. 79.

I. Whenever a President of the Council of the Governor General of *India* appointed by the said Governor General under the Provisions of the said Act of the Third and Fourth Years of King *William* the Fourth is from Indisposition or other Cause absent from any Meeting of the Council (the Governor General During Absence of Governor General or any Presi-

dent appointed by him, the Senior Member present to preside and act.

General also continuing absent therefrom), it is and shall be deemed to have been lawful for the Senior Member of the Council who is present at such Meeting to preside at the Council, and to exercise the Powers and Authorities which during the Absence of the Governor General he is competent to exercise under the Provisions of the said Act of the Thirty-ninth and Fortieth Years of King *George* the Third where no such President is appointed.

CAP. LXXXVIII.

An Act to extend certain Provisions for Admiralty Jurisdiction in the Colonies to Her Majesty's Territories in *India*. [13th *August* 1860.]

12 & 13 Vict. c. 96.

'WHEREAS an Act was passed in the Session holden in the Twelfth and Thirteenth Years of Her Majesty, Chapter Ninety-six, "to provide for the Prosecution and Trial in Her Majesty's Colonies of Offences committed within the Jurisdiction of the Admiralty," and by such Act it was provided, that for the Purposes thereof the Word "Colony" should mean any Island, Plantation, Colony, Dominion, Fort, or Factory of Her Majesty, except the United Kingdom and the Islands of *Man*, *Guernsey*, *Jersey*, *Alderney*, and *Sark*, and the Islands adjacent thereto respectively, and except also all such Parts and Places as were under the Government of the *East India* Company: And whereas it is expedient that the Provisions of the said Act should extend to all Parts and Places heretofore under the Government of the *East India* Company in like Manner as to other Colonial and Foreign Possessions of Her Majesty:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Provisions of the recited Act to extend to India.

I. So much of the said Act as excepts the Parts and Places then under the Government of the *East India* Company from the Interpretation of the Word "Colony" shall be repealed, and for the Purposes of the said Act the Word "Colony" therein shall include and apply to every Part and Place heretofore under the Government of the *East India* Company, or which may be under the Government of Her Majesty in *India*, and all the Provisions of the said Act shall be construed and take effect accordingly.

Provision for Persons entitled to be tried by the Supreme Court of a Presidency.

II. Provided always, That where any Person within any Place in *India* is charged with the Commission of any Offence in respect of which Jurisdiction is given by the said Act, or where any Person charged with the Commission of any such Offence is brought for Trial under the said Act to any Place in *India*, if at any Time before his Trial he make it appear to the Court exercising Criminal Jurisdiction in the Place where he is so charged or brought for Trial, that in case the Offence charged had been committed in such Place he could have been tried only in the Supreme Court of One of the Three Presidencies in *India*, and claim to be tried by such a Supreme Court accordingly, the said Court exercising Criminal Jurisdiction as aforesaid shall certify the Fact and Claim to the Governor of such Place or chief Local Authority thereof, and such Governor or chief Local Authority thereupon shall order and cause the Person charged to be sent in Custody to such One of the Presidencies as such Governor shall think fit for Trial before the Supreme Court of such Presidency, and the said Supreme Court and all public Officers and other Persons in the Presidency shall have the same Jurisdiction and Authorities, and proceed in the same Manner in relation to the Person charged with such Offence, as if the same had been committed or originally charged to have been committed within the Limits of the ordinary Jurisdiction of such Supreme Court.

CAP. LXXXIX.

An Act to extend in certain Cases the Provisions of the Superannuation Act, 1859. [13th *August* 1860.]

'WHEREAS it is expedient that Provision should be made for the Grant of Superannuation Allowances to Persons who may have served both in the Office of the Secretary of State for *India*, and likewise in the permanent Civil Service of the State, within the Meaning of Section Seventeen of the Superannuation Act, 1859:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Superannuation Act, 1859, to extend to Cases of Joint Service in the Office of Secretary of State for India, and in the permanent Civil Service.

I. Whenever any Person shall have been transferred from any Situation or Employment in the permanent Civil Service entitling him to Superannuation Allowance under the Superannuation Act, 1859, to any Situation or Employment in the Office of the Secretary of State for *India*, entitling him to Superannuation Allowance under Section Eighteen of the "Act for the better Government of *India*," Twenty-one and Twenty-two *Victoria*, Chapter One hundred and six, or whenever any Person shall have been transferred from any such last-mentioned to any such first-mentioned Situation or Employment, such Person shall be entitled to Superannuation Allowance calculated on his whole Service according to the Provisions of the Superannuation Act aforesaid, and such Allowance shall be paid out of the Revenues of *India* and out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, or out of Monies voted by Parliament, in such Portions respectively as shall have been earned by such Person in the respective Services aforesaid.

CAP.

CAP. XC.

An Act to repeal the Duties on Game Certificates and Certificates to deal in Game, and to impose in lieu thereof Duties on Excise Licences and Certificates for the like Purposes.

[13th *August* 1860.]

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

After passing of this Act the Duties in respect of Certificates to kill and deal in Game as contained in 52 G. 3. c. 93. Sched. (L.), 56 G. 3. c. 56., and 1 & 2 W. 4. c. 32. repealed.

I. From and after the passing of this Act the respective Duties of Assessed Taxes now payable under the several Acts of Parliament in that Behalf in respect of Certificates to kill Game in *Great Britain*, and to deal in Game in *England*, and all the Provisions, Rules, and Directions for assessing, charging, and collecting any of the said Duties contained in Schedule (L.) of the Act passed in the Fifty-second Year of King *George* the Third, Chapter Ninety-three, and also the Duties now payable in *Ireland* under the Act passed in the Fifty-sixth Year of King *George* the Third, Chapter Fifty-six, in respect of every Certificate of having registered a Deputation as a Gamekeeper, and in respect of every Certificate to authorize any Person, not being a Gamekeeper, to kill Game in *Ireland*, and also the Nineteenth and Twentieth Sections of the Act passed in the First and Second Years of King *William* the Fourth, Chapter Thirty-two, shall respectively cease and determine, and the same are hereby repealed, except as to any Arrears of the said Duties respectively, and as to any Penalties incurred before the Commencement of this Act.

In lieu of Duties repealed, the Duties herein named to be levied.

II. In lieu of the Duties hereby repealed there shall be granted, charged, and paid for and upon the several Licences and Certificates to take or kill Game, and Licences to deal in Game herein-after mentioned, the respective Duties or Sums of Money herein-after expressed or denoted; (that is to say,)

	£	s.	d.
For a Licence in *Great Britain* or a Certificate in *Ireland* to be taken out by every Person who shall use any Dog, Gun, Net, or other Engine for the Purpose of taking or killing any Game whatever, or any Woodcock, Snipe, Quail, or Landrail, or any Conies, or any Deer, or shall take or kill by any Means whatever or shall assist in any Manner in the taking or killing by any Means whatever of any Game, or any Woodcock, Snipe, Quail, or Landrail, or any Coney, or any Deer:			
If such Licence or Certificate shall be taken out after the Fifth Day of *April* and before the First Day of *November*,			
To expire on the Fifth Day of *April* in the following Year	3	0	0
To expire on the Thirty-first Day of *October* in the same Year in which the Licence or Certificate shall be taken out	2	0	0
If such Licence or Certificate shall be taken out on or after the First Day of *November*,			
To expire on the Fifth Day of *April* following	2	0	0
Provided always, That any Person having the Right to kill Game on any Lands in *England* or *Scotland* shall be entitled to take out a Licence to authorize any Servant for whom he shall be chargeable to the Duty of Assessed Taxes as a Gamekeeper, to kill Game upon the same Lands, upon Payment of the Duty of	2	0	0
And for every Licence to deal in Game in *England*, *Scotland*, or *Ireland*, to be granted under this Act	2	0	0

Duties granted to be Excise Duties under the Commissioners of Inland Revenue.

III. The Duties by this Act granted shall be under the Management of the Commissioners of Inland Revenue, and shall be deemed to be Excise Duties, and all the Powers, Provisions, Clauses, Regulations, and Directions contained in any Act relating to Excise Duties or to Penalties under Excise Acts, and now or hereafter in force, shall respectively be of full Force and Effect with respect to the Duties by this Act granted, and to the Penalties hereby imposed, so far as the same are or may be applicable, and shall be observed, applied, and enforced for and in the collecting, securing, and recovering of the said Duties and Penalties hereby granted and imposed respectively, and otherwise in relation thereto, so far as the same shall be consistent with and not superseded by the express Provisions of this Act, as fully and effectually as if the same had been herein repeated and specially enacted in this Act with reference to the said last-mentioned Duties and Penalties respectively.

Licence to be taken out for taking or killing Game in Great Britain.

Penalty for Neglect.

IV. Every Person before he shall in *Great Britain* take, kill, or pursue, or aid or assist in any Manner in the taking, killing, or pursuing by any Means whatever, or use any Dog, Gun, Net, or other Engine for the Purpose of taking, killing, or pursuing any Game, or any Woodcock, Snipe, Quail, or Landrail, or any Coney, or any Deer, shall take out a proper Licence to kill Game under this Act, and pay the Duty hereby made payable thereon; and if any Person shall do any such Act as herein-before mentioned in *Great Britain* without having duly taken out and having in force such Licence as aforesaid, he shall forfeit the Sum of Twenty Pounds.

Exceptions and Exemptions.

V. The following Exceptions and Exemptions from the Duties and Provisions of this Act are hereby made and granted; (that is to say,)

Exceptions.

Exceptions.

1. The taking of Woodcocks and Snipes with Nets or Springes in *Great Britain*.
2. The taking or destroying of Conies in *Great Britain* by the Proprietor of any Warren or of any inclosed Ground whatever, or by the Tenant of Lands, either by himself or by his Direction or Permission.
3. The pursuing and killing of Hares respectively by coursing with Greyhounds, or by hunting with Beagles or other Hounds.
4. The pursuing and killing of Deer by hunting with Hounds.
5. The taking and killing of Deer in any inclosed Lands by the Owner or Occupier of such Lands, or by his Direction or Permission.

Exemptions.

1. Any of the Royal Family.
2. Any Person appointed a Gamekeeper on behalf of Her Majesty by the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, under the Authority of any Act of Parliament relating to the Land Revenues of the Crown.
3. Any Person aiding or assisting in the taking or killing of any Game, or any Woodcock, Snipe, Quail, Landrail, or Coney, or any Deer, in the Company or Presence and for the Use of another Person who shall have duly obtained, according to the Directions of this Act, and in his own Right, a Licence to kill Game, and who shall by virtue of such Licence then and there use his own Dog, Gun, Net, or other Engine for the taking or killing of such Game, Woodcock, Snipe, Quail, Landrail, Coney, or Deer, and who shall not act therein by virtue of any Deputation or Appointment.
4. And as regards the killing of Hares only, all Persons who, under the Provisions of the Two several Acts, 11th and 12th *Victoria*, Chapter 29. and Chapter 30. respectively, are authorized to kill Hares in *England* and *Scotland* respectively, without obtaining an annual Game Certificate.

Not to alter 11 & 12 Vict. cc. 29. and 30., except that "Game Certificate" in said Acts, and also in 1 & 2 W. 4. c. 32., shall be read as "Licence to kill Game."

VI. Provided always, That nothing herein contained shall extend to repeal, alter, or affect any of the Provisions of the said Two several Acts of the Eleventh and Twelfth Years of Her Majesty, Chapter Twenty-nine and Chapter Thirty, further than that the Term "Game Certificate" in the said Acts respectively used shall be construed to mean a Licence to kill Game under the Provisions of this Act, and shall be so read accordingly; and that the Term "Game Certificate" used in the Act of the First and Second Years of King *William* the Fourth, Chapter Thirty-two, shall be construed and read in like Manner; and that wherever in the said last-mentioned Act the Duty of Three Pounds Thirteen Shillings and Sixpence on a Game Certificate is mentioned the Duty of Three Pounds on a Licence to kill Game shall be read in lieu.

Licences may be taken out on behalf of Assessed Servants acting as Gamekeepers for Persons having Right to kill Game, or under Deputations from Lords of Manors.

VII. Any Person having the Right to kill Game on any Lands in *England* or *Scotland*, and being charged or liable to be charged to the Assessed Tax on Servants in respect of any Gamekeeper, by whomsoever deputed or appointed, and whether deputed or appointed or not, and any Person granting a Deputation or Appointment in *Great Britain* to the Servant of any other Person who shall be duly charged to the Assessed Tax on Servants in respect of such Servant, whether as Gamekeeper or in any other Capacity, with Power and Authority to take or kill any Game, shall respectively be at liberty to take out a Licence to kill Game on behalf of any such Servant, on Payment of the Duty of Two Pounds for the Year ending on the Fifth Day of *April*, and such Licence shall exempt the Servant named therein during his Continuance in the same Capacity and Service, and on his quitting such Service shall also exempt any Servant who shall succeed him in the same Service and Capacity, or who shall succeed to the Deputation of the same Manor or Royalty or Lands within the Year for which the Licence is granted, during the Remainder of such Year; and no such Servant on whose Behalf a Licence shall have been duly obtained as aforesaid shall be required to obtain a Licence for himself, or be liable to any Penalty by reason of not obtaining a Licence in his own Name.

On Change of Gamekeeper, or Revocation of Deputation, Licence may be continued to Successor.

VIII. Every such Licence to kill Game taken out on behalf of any such Servant as aforesaid shall, upon the Revocation of any such Deputation or Appointment, or on his quitting the Service of the Master by whom such Licence shall have been taken out, be from thenceforth of no further Effect as to the Person named therein as such Servant, or so deputed or appointed as aforesaid; but if within the Year for which such Licence was granted the said Master, on the quitting of such Servant, shall employ another Servant as Gamekeeper in his Stead, or the Person by whom such Deputation or Appointment was made shall on the Revocation thereof make a new Deputation or Appointment to any Person in his Service, or in the Service of the same Master by whom such Licence shall have been taken out, and who shall have been charged or be chargeable to the said Assessed Tax on Servants as aforesaid, the Officer by whom such Licence was granted, or the proper Officer appointed by the Commissioners in that Behalf, shall renew such Licence for the Remainder of that Year, on behalf of the fresh Servant or the Person so newly appointed, as the Case may be, without Payment of any further Duty, by indorsing on such Licence the Name and Place of Abode of the said last-mentioned Servant, or the Person to whom such last-mentioned Deputation or Appointment shall have been granted, and declaring the same to be a renewed Licence free of Duty.

IX. Provided

Such Licences not available for Acts done out of Limits of Manor, &c.

IX. Provided always, That no such Licence taken out for or on behalf of any Person, being such Servant or acting under a Deputation or Appointment as aforesaid, shall be available for such Person in any Suit or Prosecution where Proof shall be given of his doing or having done any Act for which a Licence is required under this Act on Land on which his Master had not a Right to kill Game.

Persons doing any Act requiring a Licence to kill Game, to produce the same, on Demand, or declare their Names, Places of Residence, &c.

X. If any Person shall be discovered doing any Act whatever in *Great Britain* in respect whereof a Licence to kill Game is required under this Act, by any Officer of Inland Revenue, or by any Lord or Gamekeeper of the Manor, Royalty, or Lands wherein such Person shall then be, or by any Person having duly taken out a proper Licence to kill Game under this Act, or by the Owner, Landlord, Lessee, or Occupier of the Land on which such Person shall then be, it shall be lawful for such Officer or other Person aforesaid to demand and require from the Person so acting the Production of a Licence to kill Game issued to him; and the Person so acting is hereby required to produce such Licence to the Person so demanding the Production thereof, and to permit him to read the same, and (if he shall think fit) to take a Copy thereof or of any Part thereof; or in case no such Licence shall be produced to the Person demanding the same as aforesaid, then it shall be lawful for the Person having made such Demand to require the Person so acting forthwith to declare to him his Christian and Surname and Place of Residence, and the Place at which he shall have taken out such Licence; and if such Person shall, after such Demand made, wilfully refuse to produce and show a Licence to kill Game issued to him, or in default thereof as aforesaid to give to the Person so demanding the same his Christian and Surname and Place of Residence, and the Place at which he shall have taken out such Licence, or if he shall produce any false or fictitious Licence, or give any false or fictitious Name or Place, or if he shall refuse to permit any Licence which he may produce to be read, or a Copy thereof or of any Part thereof to be taken, he shall forfeit the Sum of Twenty Pounds.

Penalty for Refusal.

Licence to be void if Party be convicted under 1 & 2 W. 4. c. 32. or 2 & 3 W. 4. c. 68.

XI. If any Person, having obtained a Licence to kill Game under this Act, shall be convicted of any Offence under Section Thirty of the said Act of the First and Second Years of King *William* the Fourth, Chapter Thirty-two, or under the Act of the Second and Third Years of King *William* the Fourth, Chapter Sixty-eight, the said Licence shall thenceforth be null and void.

Commissioners to publish Lists of Persons licensed to kill Game.

XII. The Commissioners of Inland Revenue shall, when and as they shall see fit, cause Lists of the Names and Residences of the several Persons to or for whom Licences to kill Game have been granted under this Act to be inserted in such Newspapers or published in such other Manner as to them shall seem proper, distinguishing in such Lists the Persons acting under any Deputation, Appointment, or Authority from others, and the Manors, Royalties, or Lands for which Deputations, Appointments, or Authorities have been granted, and also distinguishing the Rate of Duty paid for such Licences.

Provisions of 1 & 2 W. 4. c. 32. and 2 & 3 Vict. c. 35., relating to Licences to deal in Game, to be in force throughout the United Kingdom.

XIII. All the Clauses and Provisions of the Two several Acts passed respectively in the First and Second Years of King *William* the Fourth, Chapter Thirty-two, and the Second and Third Years of Her present Majesty, Chapter Thirty-five, relating to the granting of Licences by Justices of the Peace to deal in Game, and to the holding of Special Sessions by such Justices in their respective Divisions or Districts for the Purpose of granting such Licences, and also all the Clauses, Provisions, and Penalties contained in the said Acts or either of them relating to Dealers in Game, and to the selling of Game, either by or to such Dealers or others, shall, so far as the same are consistent with the express Provisions of this Act, and as the same are altered or amended by this Act, extend to and be of full Force and Effect in and throughout the whole of the United Kingdom, and shall be observed, applied, and enforced as if the same, so altered or amended and made consistent with the express Provisions of this Act, had been herein repeated and specially enacted: Provided always, that no Person shall be authorized to sell Game to any licensed Dealer unless he shall have taken out a Three Pound Licence under this Act.

Persons licensed by the Justices to deal in Game, to pay for and obtain a Licence under this Act.

XIV. Every Person who shall have obtained any Licence to deal in Game from the Justices of the Peace, under the Provisions of the said Two several Acts in the preceding Clause mentioned, shall annually, and during the Continuance of such Licence, and before he shall be empowered to deal in Game under such Licence, obtain a further Licence to deal in Game under this Act, on Payment of the Duty hereby charged thereon, and if any Person obtaining a Licence from the said Justices as aforesaid shall purchase or sell or otherwise deal in Game before he shall obtain a Licence to deal in Game under the Provisions of this Act, he shall forfeit the Sum of Twenty Pounds.

To whom Licences to deal in Game to be granted.

List of Persons to be kept for Inspection.

XV. Provided always, That no Licence to deal in Game shall be granted under the Provisions of this Act to any Person, except upon the Production of a Licence for the like Purpose duly granted to him by the Justices of the Peace, as aforesaid, and then in force; and every Officer appointed or authorized to grant Licences to deal in Game under this Act shall in each Year make out a List, to be kept in his Possession, containing the Name and Place of Abode of every Person to whom he shall have granted or issued a Licence to deal in Game under this Act, and such Officer shall at all seasonable Hours produce such List to any Person making Application to inspect the same, and shall be entitled to demand and receive for such Inspection the Sum of One Shilling:

By whom Licences shall be granted, and Form thereof.

XVI. All Licences and Certificates to kill Game and to deal in Game respectively, under the Provisions of this Act, shall be in such Form as the Commissioners of Inland Revenue shall from Time to Time provide in that Behalf, and shall denote the Amount of Duty charged thereon respectively, and shall be granted, signed, and issued at the Chief Office of Inland Revenue in *London*, *Edinburgh*, and *Dublin* respectively, and by the several Supervisors of Excise in their respective Districts, or by such

other

other Officers of Inland Revenue and at such Places as the said Commissioners shall think fit to employ and appoint respectively in that Behalf; and every such Licence shall contain the proper Christian and Surname and Place of Residence of the Person to whom the same shall be granted, with any other Particulars which the Commissioners of Inland Revenue may direct to be inserted therein, and shall be dated on the Day when the same was actually issued, and shall have Effect and be in force upon the Day of the issuing thereof, and shall expire on the Day therein mentioned for the Termination thereof.

Duration and Expiration of Licences.

XVII. All the Clauses, Powers, Provisions, and Regulations, Pains and Penalties, contained in or imposed by the Act passed in the Fifth and Sixth Years of Her Majesty's Reign, Chapter Eighty-one, relating to Certificates to kill Game in *Ireland*, shall be of full Force and Effect and shall be applied in *Ireland* to the Certificates to be granted under this Act and the Duties hereby imposed thereon, as fully and effectually as if the same were herein repeated and specially enacted in reference to such last-mentioned Certificates and Duties.

5 & 6 Vict. c. 81., relating to Game Certificates in Ireland, to continue in force.

XVIII. Every Licence and Certificate to kill Game taken out respectively in *Great Britain* and *Ireland* under this Act, by or on behalf of any Person in his own Right, and not as a Gamekeeper or Servant, shall be available for the killing of Game in any Part of the United Kingdom.

Licences, &c. available throughout U.K.

XIX. The Act passed in the Seventh and Eighth Years of King *George* the Fourth, Chapter Forty-nine, intituled *An Act to exempt Persons who have procured Game Certificates in* Great Britain *from the Duty on Game Certificates in* Ireland, *and to authorize the Persons who have paid Duty on Game Certificates in* Ireland *to kill Game in* Great Britain, *upon paying the additional Duty only*, shall be and the same is hereby repealed.

7 & 8 G. 4. c. 49. repealed.

CAP. XCI.

An Act for removing Doubts respecting the *Craven* Scholarships in the University of *Oxford*, and for enabling the University to retain the Custody of certain Testamentary Documents. [13th *August* 1860.]

'WHEREAS it is expedient to remove certain Doubts respecting the *Craven* Scholarships in the 'University of *Oxford*, and to enable the University to retain the Custody of certain Testa- 'mentary Documents:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Removing Doubts as to Scholarships founded by Will of Lord Craven.

I. 'Whereas Doubts have arisen whether the Scholarships founded by the Will of *John* Lord *Craven*, 'and commonly called the *Craven* Scholarships, are included within the Words "University or College 'Emolument" in the Act of the Seventeenth and Eighteenth Years of the Reign of Her Majesty:' Be it enacted, That the said *Craven* Scholarships shall be deemed to be University Emoluments within the Meaning of the said Act, and that all Statutes or Regulations which heretofore and since the passing of the said Act have been made by the University and approved by Her Majesty in Council, conformably to the Conditions and Provisions of the said Act, in relation to the said *Craven* Scholarships, shall have the same Force and Effect as if the said Scholarships had been expressly named and included in the said Act as University Emoluments, and in Elections to the said Scholarships no Person shall be entitled to Preference by reason of his being of the Name or Kindred of the Founder: Provided that nothing herein or in the said Act or in such Statutes or Regulations contained shall preclude the High Court of Chancery from augmenting from Time to Time the Number of Scholars, whenever the increased Income of the Foundation shall permit.

20 & 21 Vict. c. 77.

II. 'And whereas by an Act Twenty and Twenty-first *Victoria*, Chapter Seventy-seven, it was 'enacted that "the acting Judge and Registrar of every Court, and other Person now having Juris- 'diction to grant Probate or Administration, and every Person having the Custody of the Documents 'and Papers of or belonging to such Court or Person, shall, upon receiving a Requisition for that 'Purpose, under the Seal of the Court of Probate from a Registrar, and at the Time and in the 'Manner mentioned in such Requisition, transmit to the Court of Probate, or to such other Place as in 'such Requisition shall be specified, all Records, Wills, Grants, Probates, Letters of Administration, 'Administration Bonds, Notes of Administration, Court Books, Calendars, Deeds, Processes, Acts, 'Proceedings, Writs, Documents, and every other Instrument relating exclusively or principally to 'Matters or Causes Testamentary, to be deposited and arranged in the Registry of each District, or 'in the principal Registry, as the Case may require, so as to be easy of Reference, under the Control and 'Direction of the Court:" And whereas in the Case of the Court of the Chancellor of the University of 'Oxford it has been found inconvenient to separate the Testamentary Records, Instruments, and Papers 'of or belonging to the said Court from the other Records, Instruments, and Papers thereof;' Be it further enacted, That the Vice Chancellor of the said University shall, as soon as conveniently may be, cause to be made an Index to such of the Records and other Instruments and Papers whatsoever of or belonging to the said Court as relate exclusively or principally to Matters or Causes Testamentary, which shall be as accurate as the Nature of the said Records and other Instruments and Papers will permit, and shall transmit a Copy of such Index to the Principal Registrar of Her Majesty's Court of Probate,

University to retain the Custody of certain Testamentary Documents and transmit

Probate, and such Transmission thereof shall be a sufficient Compliance with the above-recited Enactment of the said Act, so far as regards the Court of the Chancellor of the said University, and it shall thereafter be lawful for the said University, notwithstanding the said Act, to retain the Custody of all the Records, Documents, and Papers to which such Index shall relate: Provided that all the said Records, Instruments, and Papers shall at all convenient Times be liable to be inspected and to have Extracts or Copies taken therefrom by the Authority of the Principal Registrar of Her Majesty's Court of Probate, or of the District Registrar of the same Court at *Oxford*, on Payment of the same Fees as would have been payable if such Records, Instruments, and Papers had been deposited in the principal Registry, or in the Registry of the *Oxford* District, as the Case might have required; such Fees to be paid to the same Person or Persons as would in that Event have been entitled to receive the same; and that no Officer of the said University, or of the said Court of the Chancellor thereof, shall be entitled to receive any Fee from any Person inspecting the said Records, or taking Extracts or Copies therefrom by the Authority aforesaid.

an Index thereof to Court of Probate.

CAP. XCII.

An Act to amend the Law relative to the *Scottish* Herring Fisheries. [13th *August* 1860.]

48 G. 3. c. 110.
51 G. 3. c. 101.
52 G. 3. c. 153.
54 G. 3. c. 102.
55 G. 3. c. 94.
1 G. 4. c. 103.
1 & 2 G. 4. c. 79.
5 G. 4. c. 64.
7 G. 4. c. 34.
1 W. 4. c. 54.
6 & 7 Vict. c. 79.
10 & 11 Vict. c. 91.
14 & 15 Vict. c. 26.

'WHEREAS the following Acts were passed for the Encouragement and Regulation of the *British* White Herring Fishery; that is to say, the Acts Forty-eighth *George* the Third, Chapter One hundred and ten; Fifty-first *George* the Third, Chapter One hundred and one; Fifty-second *George* the Third, Chapter One hundred and fifty-three; Fifty-fourth *George* the Third, Chapter One hundred and two; Fifty-fifth *George* the Third, Chapter Ninety-four; First *George* the Fourth, Chapter One hundred and three; First and Second *George* the Fourth, Chapter Seventy-nine; Fifth *George* the Fourth, Chapter Sixty-four; Seventh *George* the Fourth, Chapter Thirty-four; First *William* the Fourth, Chapter Fifty-four; Sixth and Seventh *Victoria*, Chapter Seventy-nine; Tenth and Eleventh *Victoria*, Chapter Ninety-one; and Fourteenth and Fifteenth *Victoria*, Chapter Twenty-six: And whereas it is expedient that the recited Acts should be amended, and that further Provision should be made for carrying into effect the Purposes thereof:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title.

I. This Act may be cited for all Purposes as "The Herring Fisheries (*Scotland*) Act, 1860."

Interpretation of Terms.

II. The following Words in this Act shall have the several Meanings hereby assigned to them:

The Words "the Commissioners" shall mean the Commissioners of the *British* White Herring Fishery:

The Word "Superintendent" shall mean and include the Naval Superintendent appointed under the Authority of the recited Acts or any of them, and the Superintendent or Superintendents appointed under the Authority of this Act:

The Words "Officer of the Fishery" shall mean an Officer of the *British* White Herring Fishery appointed under the Authority of the recited Acts or any of them, or this Act:

The Words "the Coasts of *Scotland*" shall mean and include all Bays, Estuaries, Arms of the Sea, and all tidal Waters within the Distance of Three Miles from the Mainland or adjacent Islands.

Commissioners may appoint Superintendents of the Fishery.

III. The Commissioners may from Time to Time, subject to the Approval of the Commissioners of Her Majesty's Treasury, appoint any Person or Persons to be Superintendent or Superintendents of the Fishery; and every Superintendent so appointed shall have and be entitled to exercise all the Powers, Functions, and Privileges which can be exercised or are enjoyed under and in virtue of the recited Acts or any of them, or this Act, by the Naval Superintendent, or by the Officers of the Fishery appointed by the Commissioners of Her Majesty's Treasury, under the Authority of the Act Forty-eighth *George* the Third, Chapter One hundred and ten, except the superintending of the curing of Herrings, and the branding of Barrels containing the same; and every Person who resists or obstructs any Superintendent in the Execution of the Duties of his Office shall be liable to a Penalty not exceeding Fifty Pounds, or, failing Payment thereof, to Imprisonment for any Period not exceeding Sixty Days.

Commissioners may fix Periods during which the Herring Fishing may not be carried on.

IV. It shall not be lawful to take or fish for Herrings or Herring Fry on the West Coasts of *Scotland*, between the Points of *Ardnamurchan* on the North and the *Mull of Galloway* on the South, at any Time between the First Day of *January* and the Thirty-first Day of *May* inclusive in any Year, nor between *Cape Wrath* on the North and the said Point of *Ardnamurchan* on the South at any Time between the First Day of *January* and the Twentieth Day of *May* inclusive in any Year, and the Commissioners may, on Application made to them, and after such Inquiry as they shall think necessary, by Regulations to be made by them from Time to Time, fix the Periods, if any, during which it shall not be lawful to take or fish for Herrings within any other Limits or Locality on the Coasts of *Scotland*; and every Person who takes or fishes for Herrings or Herring Fry in breach or contravention of the above Enactment or of any such Regulations shall be liable to a Penalty of not less than Five and not exceeding Twenty Pounds for every such Offence; and all Nets used for taking or fishing for Herrings in breach or contravention of the above Enactment or of any such Regulations may be seized

seized by the Superintendent, or any Person acting under his Orders, or by any Officer of the Fishery, or by Order of any Sheriff, Justice of the Peace, or Magistrate having Jurisdiction under this Act, and shall be forfeited.

Commissioners may make Regulations for the Management and Protection of the Herring Fisheries, &c.

V. The Commissioners may from Time to Time make such Regulations as they think fit for the more effectual Government, Management, and Protection of the Herring Fisheries on the Coasts of *Scotland*, and for the Preservation of Order among the Persons engaged therein; and every Person who commits any Breach or Contravention of any such Regulations shall be liable to have his Boat detained by the Superintendent, or any Person acting under his Orders, or by any Officer of the Fishery, or by Order of any Sheriff, Justice, or Magistrate having Jurisdiction under this Act, and shall be liable to a Penalty of not less than Five and not exceeding Twenty Pounds for every such Offence.

Commissioners may prohibit the Use of Trawl, Beam, and Drag Nets;

VI. The Commissioners may, on Application made to them, and after such Inquiry as they shall think necessary, by Regulations to be made by them from Time to Time, prohibit on the Coasts of *Scotland*, and within such Limits and for such Periods as they may think fit, the Use of any Trawl, Drag, or Beam Net which, in the Opinion of the said Commissioners, is injurious to the Spawn of Herring, or otherwise to the Herring Fishery; and every Person who commits any Breach or Contravention of any such Regulations shall be liable to a Penalty of not less than Five and not exceeding Twenty Pounds for every such Offence: Provided, that this Provision shall not in any way affect any of the Prohibitions or Requirements of any of the recited Acts in so far as relates to fishing for Herrings.

and rescind Regulations, &c.

VII. The Commissioners may from Time to Time rescind, alter, or amend any Regulation or Regulations made by them under the Authority of this Act.

Regulations to be approved by the Lords of the Treasury, and to be published.

VIII. All Regulations made by the Commissioners under the Authority of this Act shall, before taking effect, be submitted to and approved by the Commissioners of Her Majesty's Treasury, and shall thereafter be published by printed Copies thereof being posted up in conspicuous Positions near the Harbours or other Places frequented by Fishermen in the Districts or Places to which the Regulations shall apply, and by printed Copies thereof being deposited with every Officer of the Fishery in such Districts or Places, and in the Office of the Sheriff Clerk of the County, and also by Advertisement inserted in some Newspaper published or circulated in such Districts or Places, either setting forth such Regulations in full, or intimating that such Regulations have been made and that Copies thereof are lodged with the Officers of the Fishery as aforesaid, all in such Manner as the Commissioners shall direct; and on such Regulations being so published it shall not be any Defence against Proceedings for the Enforcement of any Penalty or Forfeiture incurred by any Breach or Contravention thereof, that the Person charged with such Breach or Contravention was ignorant of such Regulations: Provided that such Regulations shall be so published at least Two Weeks before taking effect; and a printed Copy of any Regulation signed by the Secretary of the Commissioners for the Time being shall be Evidence of the Terms of such Regulation, and that the same has been duly published, reserving to any Person having Interest the Right to prove that the same was not so published.

Penalty under 14 & 15 Vict. c. 26. s. 6. declared.

IX. Every Person committing any Breach or Contravention of the Provisions of the Sixth Section of the Act Fourteenth and Fifteenth *Victoria*, Chapter Twenty-six, shall for each Offence be liable to a Penalty of not less than Five and not exceeding Twenty Pounds for every such Offence, and every Net used in contravention of the said Act shall be forfeited.

Nets and Fishing Implements when found to be delivered to Commissioners, &c., and, unless liable to Forfeiture, to be restored to the Owners, or if not claimed to be sold.

X. All Nets, Buoys, Floats, or other Fishing Implements or Apparatus whatsoever, abandoned and found by or delivered to the Superintendent or any Officer of the Fishery, shall be held subject to the Orders and at the Disposal of the Commissioners or their Secretary, and shall, unless the same are liable to Forfeiture under the Provisions of the recited Acts or any of them, or of this Act, be restored to the Owner thereof or his Representatives, on Evidence being produced of his or their Right thereto: Provided that if the same shall not be claimed and Evidence of the Right thereto produced by the Person claiming the same within the Space of One Year, such Nets or other Implements shall, if not liable to Forfeiture as aforesaid, be sold by Public Auction by the Commissioners, and the Price thereof, after deducting Expenses, shall be accounted for to the Commissioners of Her Majesty's Treasury.

Fishing Boats and Implements of Fishing to be marked and numbered; if not, they may be seized and detained.

XI. All Fishing Boats used for the Purpose of fishing for Herrings on the Coasts of *Scotland*, and the Sails and Buoys and principal Floats of each Net, and all other Implements of Fishery belonging to such Boats, shall be marked in such Manner as the Commissioners may direct by Regulations made and published as herein mentioned; and every such Boat, Sail, Buoy, Net, or other Implement of Fishery which shall not be so marked and numbered as aforesaid may be seized by the Superintendent or any Person acting under his Orders, or by any Officer of the Fishery, or by Order of any Sheriff, Justice, or Magistrate having Jurisdiction under this Act, and shall be detained for such Period not exceeding One Month as the Superintendent shall determine.

48 G. 3. c. 110. s. 46. repealed, and Names of Owners to be painted on Boats.

XII. The Forty-sixth Section of the Act Forty-eighth *George* the Third, Chapter One hundred and ten, is hereby repealed; and from and after the passing of this Act the Owner of every Boat which shall be employed in the Herring Fishery shall paint, or cause to be painted in a distinct and legible Manner upon the Stern of such Boat, in White or Yellow Roman Letters of Two Inches in Length, on a Black Ground, the Name of the Owner of the Boat, and the Port or Place to which she belongs; and every

Boat

Boat employed in the Herring Fishery on which such Names as aforesaid shall not be painted in manner before directed shall be detained for a Period not exceeding One Month, and may be seized by the Superintendent or any Person acting under his Orders, or by any Officer of the Fishery, or by Order of any Sheriff, Justice, or Magistrate having Jurisdiction under this Act.

If Names not painted on Boats they shall be detained.

XIII. For the Purposes of the Provisions of the Sixth Section of the Act Fourteenth and Fifteenth *Victoria*, Chapter Twenty-six, the Herring Fishery shall be held to be carried on whenever Herrings are being caught, and every Net, other than Drift Nets, which, in the Opinion of such Commissioners, may be used for the Purpose of taking Herrings in contravention of the said Act, shall during the whole Time of such Herring Fishery be removed and laid aside, or shall be liable to be seized and forfeited, and the Owner thereof to be proceeded against accordingly; and the finding of any such other Net in any open Place, and not removed and laid aside as aforesaid, shall be held *primâ facie* Evidence of the Purpose of the Possessor of such Net to use the same in contravention of the Provisions of the recited Acts or of this Act; and unless such Possessor shall prove to the Satisfaction of the Sheriff, Justice or Justices of the Peace, or Magistrate, before whom he may be prosecuted, that such Net was not intended to be used for any such unlawful Purpose, such Net shall be forfeited and destroyed, and the Possessor thereof shall be liable in the Penalty imposed by the Sixth Section of the said Act; and, in addition to any Superintendent or Person acting under his Orders, or any Officer of the Fishery, every Constable or Officer of the Police of any County or Burgh acting under the Authority and Orders of the Sheriff or any Justice of the Peace or Magistrate of such County or Burgh shall, for the Purpose of enforcing the Provisions of the Sixth Section of the said Act, have within such County or Burgh the Power to seize any such Net in order to the Condemnation and Forfeiture thereof; and on the Requisition of any Superintendent or other Officer of the Fishery, any Constable or Officer of Police shall be entitled to assist and co-operate with him or them in the Execution of this Act.

Nets other than Drift Nets to be laid aside during Fishery, and if not laid aside may be seized and forfeited.

XIV. It shall be lawful for the Superintendent or any Officer of the Fishery, or for the Procurator Fiscal of any County or Burgh, to apply by Petition in the Form of Schedule (A.) to this Act annexed, or as nearly so as may be, to any Sheriff, Justice of the Peace, or Magistrate having Jurisdiction in such County or Burgh, to grant Warrant to search for and seize any Net or other Fishing Apparatus prohibited by or used or intended to be used in contravention of any of the recited Acts or this Act; and any Forfeiture or Penalty imposed by or incurred under the Provisions of the recited Acts or any of them, or of this Act, may be sued for, enforced, and recovered, with Expenses, in the Form and Manner directed or provided by the recited Acts or any of them, or by Petition or Complaint presented by or in the Name of the Secretary of the Commissioners for the Time being, or the Superintendent or any Officer of the Fishery, or any Procurator Fiscal within the County or Burgh where the Offence has been committed or is to be tried, or at the Instance of any Person or Persons who may prosecute the same, to the Sheriff or any Two or more Justices of the Peace or Magistrates having Jurisdiction as herein-after provided; and where Proceedings are so taken by Petition or Complaint the same may be served by any Officer of the Law or any Officer of the Fishery; and it shall be lawful for the Sheriff, Justice, or Magistrate to summon the Person complained of to appear personally at any Time and Place to be named in the Summons; and if such Person shall not appear accordingly then (upon Proof of the due Service of the Summons by delivering a Copy thereof to such Person, or at his usual Place of Abode to some Inmate thereat, and explaining the Purport thereof to such Inmate,) either to proceed to hear and determine the Case in the Absence of such Person or to issue his or their Warrant for apprehending and bringing such Person before him or them, as the Case may be, or (if satisfied from Information on Oath that such Person is likely to abscond) to issue such Warrant in the first instance without any previous Summons, and the Person in whose Name such Petition or Complaint shall be presented shall be entitled to and have the Benefit of all the Privileges, Protections, and Provisions given and conferred by any Act or Acts to or for Officers of the Customs and Excise on the Occasion of their acting in the Execution of their respective Offices, as to any Action or Suit or any Matter relating thereto; and all Penalties imposed and recovered under the Provisions of the recited Acts or any of them, or of this Act, shall be appropriated and disposed of in Terms of the Act Forty-eighth *George* the Third, Chapter One hundred and ten.

Mode of enforcing Fines, Forfeitures, and Penalties.

XV. It shall be competent to try all Offences under the recited Acts or any of them, or this Act, before any Sheriff or any Two or more Justices of the Peace or Magistrates having Jurisdiction in the Place where the Offence was committed, or where the Offender resides or is found, or if Offenders charged with the same Offence reside within different Jurisdictions, then before any Sheriff or any Two or more Justices of the Peace or Magistrates having Jurisdiction in the Place, or within the County or Burgh, where any One of such Offenders resides or is found; and all Orders or Warrants of Service or Citation, Judgments, Sentences, Convictions, or other Warrants of Execution, may be served or enforced upon or against any Offender, or his Goods or Effects, or any Witness, in any other County, Burgh, or Place where such Offender or Witness resides or is found, or where the Goods and Effects of any Offender are found, as well as in the County, Burgh, or Place where the same are issued, provided the same be endorsed by the Sheriff or a Justice of the Peace or Magistrate of such other County, Burgh, or Place; and such Endorsation shall be sufficient Authority to the Sheriff Officers or Constables of both Jurisdictions

Judges who may try Offences, and Mode of Enforcement of Orders and Sentences.

tions respectively to put such Orders, Warrants, Judgments, Sentences, Convictions, or other Warrants into execution within such other County, Burgh, or Place.

Jurisdiction where Offence committed on the Coasts.

XVI. Where any Offence under the recited Acts or any of them, or this Act, shall be committed on the Coasts of *Scotland*, such Offence shall be held to have been committed within the County or either of the Counties next adjacent to the Place where such Offence was committed.

Petitions, Orders, and Sentences may be in a Summary Form as in Schedule (B.)

XVII. Any Petition or Complaint, and Proceedings following thereon, before the Sheriff or Justices of the Peace or Magistrates before whom any Person or Persons shall be complained of or proceeded against for any Offence under the Provisions of the recited Acts or any of them, or of this Act, and the Orders, Warrants, Judgments, Sentences, and Convictions therein, may be in a Summary Form, and may be printed or written, or partly printed and partly written, and may be in the Form of Schedule (B.) to this Act annexed, or as nearly so as may be; and the same, or Extracts thereof, signed by the Clerk of Court, shall be sufficient Authority to any Officer of the Law or Officer of the Fishery to serve such Petition or Complaint, and to any Officer of the Law to enforce such Orders, Warrants, Judgments, Sentences, and Convictions; and the same or Extracts thereof shall be endorsed as herein-before provided, if they are to be enforced in any other Jurisdiction than that in which they were issued: Provided that all Citations to Offenders shall be served at least Six Days previous to the Day of Trial therein specified.

No Record of Evidence necessary, and no Proceedings to be quashed or reviewed.

XVIII. It shall not be necessary to have any written Record of Evidence in any Petition or Complaint or Proceedings under the Provisions of the recited Acts or any of them, or of this Act; and such Petitions or Complaints, and the Orders, Warrants, Judgments, Sentences, Convictions, and Proceedings therein, shall not be quashed or vacated for Want of Form, and shall not be subject to Appeal or Review in any Court, or by any Process whatsoever except as herein-after provided.

Appeal.

XIX. It shall be lawful for any Person who shall have been found liable to any Penalty under the Provisions of any of the recited Acts or of this Act, in case such Penalty shall not be of less Amount than Ten Pounds, within Two Days of such Conviction, to require the Judge before whom he shall have been tried, or the presiding Judge if more than One, to state in Writing the material Facts of the Case, proved in Evidence at the Trial, and any Circumstances which such Judge may deem to be important with reference to the Sentence pronounced; and the Judge shall thereafter authenticate such Statement with his Signature, and deliver the same to the Defender or his Agent, and the Defender may thereupon appeal to the next Circuit Court of Justiciary, or, where there are no Circuit Courts, to the High Court of Justiciary at *Edinburgh*, in the Manner and by and under the Rules, Limitations, Conditions, and Restrictions contained in an Act passed in the Twentieth Year of the Reign of His Majesty King *George* the Second, for taking away and abolishing heritable Jurisdiction in *Scotland*, with this Variation, that such Person shall, in place of finding Caution in the Terms prescribed by this Act, be bound to find Caution to pay the Penalty or Forfeiture and Expenses awarded against him by the Sentence appealed from in the event of the Appeal being dismissed or not insisted in, together with any additional Expenses that may be awarded by the Court on deciding or dismissing the Appeal.

Boats, Nets, &c. forfeited may be sold or destroyed. As to Proceeds in case of Sale.

XX. All Boats, Nets, Buoys, Floats, or other Fishing Implements or Apparatus which shall be forfeited under the Provisions of the recited Acts or any of them, or of this Act, or of any Regulation to be made by the Commissioners as herein provided, may be either sold by Public Auction, or destroyed by the Commissioners, as they shall think fit; and in Cases of Sale the Proceeds, after deducting Expenses, shall be accounted for to the Commissioners of Her Majesty's Treasury, or, if the Magistrate declaring the Forfeiture shall so direct, One Half thereof shall be paid to the Captor or Informer.

Judge may grant Warrant of Imprisonment, failing Payment of or Security for Penalty and Expenses.

XXI. It shall be lawful for any Sheriff or Justices of the Peace or Magistrates who shall try any Petition or Complaint under the Provisions of the recited Acts, or any of them, or of this Act, and who in pronouncing Sentence shall decern against any Offender for Payment of any Penalty or Expenses, to grant Warrant (failing Payment of the Penalty or Expenses so decerned for, or Security therefor being found to the Satisfaction of the Clerk of Court) for the Recovery of such Penalty and Expenses by Poinding and Imprisonment, and for imprisoning such Offender for any Period not exceeding Thirty Days, unless such Penalty and Expenses be sooner paid; and such Warrant may be carried into execution by the Imprisonment of the Offender in any Prison within the Jurisdiction where the same was issued, or, after such Warrant is endorsed as herein provided, in any Prison within any other Jurisdiction where he may be found.

Persons found committing Offences may be apprehended.

XXII. Any Person found in the Act of committing any Offence in contravention of the Provisions of the recited Acts or any of them, or of this Act, and refusing, when required by any Officer of the Fishery or any Officer of Police, to state his Name and Place of Residence, may be apprehended and brought before any Sheriff, Justice of the Peace, or Magistrate having Jurisdiction, who shall forthwith examine and discharge or commit such Person until Caution *De judicio sisti* be found, as the Case may require: Provided that such Person shall not be detained more than Twenty-four Hours without the Warrant of a Sheriff, Justice of the Peace, or Magistrate for such Detention.

Her Majesty may appoint Five additional Commissioners.

XXIII. It shall be lawful for Her Majesty, Her Heirs and Successors, by Letters Patent under the Seal appointed to be kept and used in *Scotland* instead of the Great Seal thereof, to nominate and appoint any Number of Persons, not exceeding Five, to be Commissioners of the *British* White Herring Fishery,

Fishery, in addition to the Commissioners appointed under the recited Acts of the Forty-eighth and Fifty-fifth *George* the Third and Tenth and Eleventh *Victoria*, and the other Acts before recited.

Limitation of Actions.

XXIV. No Prosecution or other Proceeding whatever shall be brought or commenced against any Person for any Offence against this Act or the recited Acts, unless the same shall be commenced within Six Months after such Offence shall have been committed.

Regulations to be laid before Parliament.

XXV. All Regulations made by the Commissioners under the Authority of this Act shall, so soon as the same have been approved by the Commissioners of Her Majesty's Treasury, be laid before both Houses of Parliament forthwith, if Parliament be then sitting, or, if Parliament be not then sitting, immediately on the assembling of the then next Session of Parliament.

Act not to apply to Ireland or the Isle of Man.

XXVI. Nothing in this Act contained shall be held or construed to apply to Fishing on the Coasts of *Ireland* or the *Isle of Man*.

SCHEDULE (A.)

Unto the Honourable the Sheriff *or* Her Majesty's Justice or Justices of the Peace *or* Magistrate of the County or Burgh of

The Complaint of *A.B.*

Humbly showeth,

That the Complainer has good Reason to believe that a Net [*or Nets or other fishing Apparatus*] prohibited by or used or intended to be used in contravention of "The Herring Fisheries (Scotland) Act, 1860," or the Acts therein recited, or one or other of the said Acts, is situate and to be found [*describe the Place*].

May it therefore please your to grant Warrant to search for and seize the said Net [*or other fishing Apparatus*], to be dealt with in Terms of the said Acts or any of them.

WARRANT [*to be endorsed on Complaint*].

[*Place and Date*].

Grants Warrant as craved.

(Signed) *A. B.*, Sheriff.
_____ Justice of the Peace.
_____ Magistrate.

SCHEDULE (B.)

FORMS OF PROCEEDINGS.

COMPLAINT.

Unto the Honourable the Sheriff *or* Her Majesty's Justice or Justices of the Peace *or* Magistrate of the County or Burgh of

The Complaint of *A.B.*

Humbly showeth,

That *C.D.* has been guilty of a Contravention of "The Herring Fisheries (Scotland) Act, 1860," or of the Act [*specify the Act or Acts*] therein recited, or of one or other of the said Acts, in so far as [*here describe the Offence generally, and state the Time and Place when and where the same was committed*], whereby the said *C.D.* has incurred the Forfeiture [*or* Penalty] of , provided by the Section [*or* Sections] of the said Act [*or* Acts].

May it therefore please your to grant Warrant to summon the said *C.D.* to appear before to answer to this Complaint, and to be dealt with in Terms of the said Acts or one or other of them.

According to Justice, &c.

[*Signed by Complainer or Informer.*]

WARRANT.

[*Place and Date.*]

Having considered the foregoing Complaint, grants Warrant to summon the said *C.D.* complained of to compear before [*Sheriff, Justices of the Peace,* or *Magistrate and Place and Time,*] and that by serving the said *C.D.* with a Copy of the foregoing Complaint and of this Deliverance; and also grants Warrant for citing Witnesses at the Instance of both Parties, to attend at the same Place and Time.

[*Sheriff, Justice of Peace, or Magistrate.*]

SENTENCE.

[*Place and Date.*]

The [*Sheriff, Justices of the Peace,* or *Magistrate*], in respect of the Evidence adduced [*or* of the judicial Confession of the said *C.D., as the Case may be*], convicts the said *C.D.* of the Offence charged,

charged, and decerns and adjudges him to forfeit and pay to the Complainer the Sum of of Penalty, with the Sum of of Expenses, One Half of the said Penalty to be retained by the Complainer, and the other Half thereof [*or as the Case may be*] to be paid and accounted for by him to the Commissioners of Her Majesty's Treasury; and failing Payment by the said *C.D.* forthwith* grants Warrant for Recovery of the said Penalty and Expenses by Poinding of his Goods and Effects, and summary Sale thereof on the Expiration of not less than Forty-eight Hours after such Poinding; appoints a Return or Execution of such Poinding and Sale to be reported within Eight Days from this Date, and in the meantime grants Warrant for detaining the said *C.D.* in the Prison of until such Return be reported.

* [*If it shall appear at the Trial that no sufficient Poinding can be made within the Jurisdiction of the Sheriff, Justices of the Peace,* or *Magistrate, say here,* "and in respect it appears that no sufficient Poinding and Sale can be had whereon to levy the said Penalty and Expenses, grants Warrants to imprison the said *C. D.* in the Prison of for the Space of from this Date, unless the said Penalty and Expenses be sooner paid, and decerns."]

SENTENCE OF FORFEITURE.

The [*Sheriff, Justice of the Peace,* or *Magistrate*], in respect of the Evidence adduced [*or* of the judicial Confession of the said *C.D., as the Case may be*], finds that a Net [*or Nets or other fishing Apparatus*] prohibited by or used or intended to be used in contravention of "The Herring Fisheries (Scotland) Act, 1860," or of the Act [*specify the Act*] therein recited, has been forfeited in Terms of the said Act or Acts, and declares the same to be forfeited accordingly [and further, *if the Magistrate see Cause,* appoints One Half of the Proceeds thereof, when sold, to be paid to *E. F.*, the Captor *or* Informer].

WARRANT OF IMPRISONMENT.

To be granted in case of a Return being made that no sufficient Goods and Effects could be found.

[*Place and Date.*]

The [*Sheriff, Justice of the Peace,* or *Magistrate*], in respect of the Return made that no sufficient Effects can be found whereon to levy the said Penalty and Expenses, grants Warrant to imprison the said *C.D.* in the Prison of for the Space of from this Date, unless the said Penalty and Expenses be sooner paid, and decerns.

WARRANT OF LIBERATION.

[*Place and Date.*]

The [*Sheriff, Justice of the Peace,* or *Magistrate*], in respect of the Return of a sufficient Poinding and Sale of the Effects of the said *C.D.* [*or* in respect of Payment having been made of the said Penalty and Expenses, *as the Case may be*], grants Warrant to the Keeper of the Prison of for the immediate Liberation of the said *C.D.*, and decerns.

CAP. XCIII.

An Act to amend and further extend the Acts for the Commutation of Tithes in *England* and *Wales.* [13th *August* 1860.]

6 & 7 W. 4. c. 71.

'WHEREAS an Act was passed in the Session of Parliament held in the Sixth and Seventh Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for the Commutation of Tithes in* England *and* Wales, and the said Act has been amended, and the Provisions thereof have been extended, by Acts passed in the Sessions of Parliament held in the First Year, the First and Second Years, the Second and Third Years, the Third Year, the Fifth and Sixth Years, the Ninth and Tenth Years, and the Tenth and Eleventh Years of the Reign of Her present Majesty: And whereas it is expedient that the said Acts should be amended, and that the Provisions thereof should be further extended in manner herein-after mentioned:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Corn Rents under Local Acts may be converted into Tithe Rentcharge.

I. Where Corn Rents are payable by virtue of any Local Act of Parliament, in commutation of the whole or Part of the Tithes of any Parish, and such Corn Rents shall be subject to Variation at certain Periods under the Provisions of the same Act, the Commissioners, upon the Application in Writing of the Owners of Lands liable to the Payment of the major Part in Value of such Corn Rents, or of the Persons to whom a major Part in Value of such Rents are payable, at any Time at which the said Corn Rents might be subjected to Variation under such Local Act, or at any other Time, upon the joint Application in Writing of the Owners of Lands liable to the Payment of the major Part in Value of such Corn Rents, and of the Persons to whom a major Part in Value of such Rents are payable, may by an Award under their Hands and Seal convert the same into a Rentcharge, to be thenceforth and for ever thereafter payable, in like Manner and subject to the like Incidents as Rentcharges awarded under the said

said recited Acts are payable and subject to: Provided always, that nothing in this Act contained shall be construed to render any such Rentcharge liable to Parochial or other Rates or Taxes from which the Corn Rents in respect of which such Rentcharge shall have been awarded were free and exempt.

County or Towns from whose Returns Average to be calculated.

II. Wherever the Local Act provides that the average Prices upon which any Corn Rents shall be varied shall be taken from any County or from Towns from which Corn Returns are made, the Commissioners shall calculate the Rentcharge to be awarded by them in lieu of such Corn Rents upon the Returns for such County or such Towns; and where no Corn Returns are made from the Towns so named, the Commissioners shall select Two Towns in the same or any adjoining County from which there are Returns, and give Notice thereof in such Manner as to them shall seem fit, and shall appoint a Time (being not less than Twenty-one Days from the Date of the Notice) within which Objections to such Selection may be signified in Writing to the Commissioners by any Person interested, and if there be any such Objections the Commissioners shall consider the same, and shall either confirm the Selection, or select some other Towns, as they may think fit.

How Average to be calculated.

III. The Commissioners shall calculate the Rentcharge to be awarded in lieu of any such Corn Rents upon the average Prices for the Number of Years next preceding the Date of the Application to them, which shall be provided by such Local Act as the Basis of Variation, having due Regard to the average Prices upon which such Corn Rents were ascertained, and such Calculation, where practicable, shall be made with reference to the particular Grain mentioned in the Local Act under which such Corn Rents are payable, or if there shall be no Returns of such Grain, upon the average Prices of Wheat, Barley, and Oats.

Commissioners to apportion Rentcharge.

IV. The Commissioners shall apportion the Rentcharge to be awarded by them in lieu of Corn Rents upon and among the Lands heretofore subject to such Corn Rents, either by a general Schedule or a Schedule in Detail of the same Lands, to be annexed to and form Part of their Award, and with or without a Map of the same Lands or any Part thereof, but the Commissioners shall not require a Map unless the same shall in their Opinion be rendered necessary for the Identification of any such Lands; and the Commissioners shall deposit a Draft of such Award for Inspection in the same Manner as by the said recited Acts is required in reference to an Instrument of Apportionment, and shall cause Notice of such Deposit to be given in such Manner as to them shall seem fit, and shall by such Notice specify the Time (being not less than Twenty-one Days) within which Objections in Writing to such proposed Award may be signified to the Commissioners; and in case any Notice of Objection shall be given within the Time limited as aforesaid, the Commissioners shall appoint a Time and Place for hearing such Objections, and shall by themselves or by an Assistant Commissioner take such Objections into their Consideration; and if there be no Notice of Objections, or when the said Commissioners or Assistant Commissioner shall have heard and determined all such Objections, the Commissioners shall confirm such Award, with or without Amendments, as they shall see fit, and such Award shall thenceforth be binding and conclusive on all Persons whomsoever, subject to the Provision herein-after contained, and shall be conclusive Evidence on every Matter in the said Award set forth and contained.

Power of Appeal to a Court of Law.

V. Any Person dissatisfied with the said Award, and who shall be desirous of appealing against the same, shall have the same Power of Appeal as is given by the said first-recited Act in the Case of a Decision given under the Forty-fifth Section of such Act, notwithstanding that the yearly Payment in dispute shall be less than Twenty Pounds; and the Court is hereby empowered to amend such Award, or to remit the same to the Commissioners to be amended by them in such Manner as the said Court shall direct, and the Commissioners shall thereupon amend the same, in conformity to such Direction, and the Award so amended shall be binding and conclusive on all Persons whomsoever.

Comptroller of Corn Returns to furnish Information.

VI. The Commissioners shall have Access to the Books of the Comptroller of Corn Returns for the Time being, and shall be furnished by him with such Information as they may require for the Purposes of any Award of Rentcharge in lieu of Corn Rents.

Commissioners to have same Powers as in Tithe Commutations.

As to Expenses of Awards, &c.

VII. In making any such Award, and any Inquiries incident thereto, the Commissioners shall have the same Powers as to the Attendance and Examination of Witnesses, the Production of Documents, and all other Matters, as are given by the said recited Acts in Matters relating to the Commutation of Tithes; and all Expenses of or incident to any such Award or any Part thereof shall be borne and paid by and amongst the Owners of Lands heretofore liable to such Corn Rents, and the Persons to whom the same were payable respectively, in such Proportion and Manner as the Commissioners shall direct, and be recoverable in like Manner as Expenses under the said recited Acts are recoverable.

Copies of Award to be deposited &c.

VIII. The Commissioners shall cause to be made Two Copies of every such Award of Rentcharge in lieu of Corn Rents, which Copies shall be sealed by them and be deposited in like Manner and subject to all the like Incidents as provided by the said recited Acts in reference to the sealed Copies of an Instrument of Apportionment.

As to Recovery of Rentcharges awarded in lieu of Corn Rents.

IX. The Payment of any Rentcharge awarded in lieu of Corn Rents which shall be in arrear may be enforced by the same Ways and Means as Payment of Rentcharge in arrear may be enforced under the Provisions of the said recited Acts, or may be enforced, at the Option of the Person to whom the same Rentcharge is payable, by the same Ways and Means as are provided by the Local Act for the Recovery of the Corn Rents in lieu of which such Rentcharge shall have been awarded.

X. In

Where Consents not given, Draft of proposed altered Apportionment to be deposited for Inspection.

X. In any Case of altered Apportionment in which the Consent of the whole of the Landowners interested in such Alteration shall not be signified thereto, the Commissioners shall, in lieu of the Service of Notice required by the said Acts, cause a Draft of the proposed altered Apportionment to be deposited for Inspection, in the same Manner as by the said first-recited Act is required in reference to an Instrument of Apportionment, and shall cause Notice to be given of such Deposit in such Manner as to them shall seem fit, and shall by such Notice specify the Time (being not less than Twenty-one Days) within which Objections in Writing to such proposed altered Apportionment may be signified to the Commissioners; and in case any Notice of Objection shall be given within the Time limited as aforesaid, the Commissioners shall appoint a Time and Place for hearing such Objection, and shall, by themselves or by an Assistant Commissioner, take such Objection into their Consideration; and if there be no Notice of Objection, or when the said Commissioners or Assistant Commissioner shall have heard and determined every such Objection, the Commissioners shall confirm such altered Apportionment, with or without Amendments, as they shall see fit.

In case of Objection Commissioners to appoint a Time for hearing the same.

Rentcharge may be re-apportioned and redistributed on the same or on other Lands.

XI. With the Consent of the Owner or Owners of any Lands charged with Rentcharge under any Instrument of Apportionment, whether payable to One or more Owners of Rentcharge, and without regard to the Mode in which the same Rentcharge is apportioned by the said Instrument, the Commissioners may by an altered Apportionment reapportion and redistribute the same Rentcharge over and amongst the said Lands or any Part thereof, and to the Exclusion of any of such Lands, but no Rentcharge shall be charged upon any Land to the Exclusion of other Land of the same Owner, unless the Land so charged with Rentcharge is held for an Estate in Fee Simple or Fee Tail in Possession, or unless the same and the Land so excluded are settled to the same Uses.

Where Fences removed Rentcharge may be apportioned on Land Tithe-free jointly with other Land.

XII. Where, through the Removal or Alteration of Fences between Land charged with Rentcharge under any Instrument of Apportionment and Land upon which no Rentcharge is now charged, or which is Tithe-free, it becomes impossible or difficult to distinguish the Limits of the Land so charged with Rentcharge, the Commissioners may, with the Consent of the Owner of the said Lands, include the whole of such Lands in any Instrument of altered Apportionment to be made by the said Commissioners, and may apportion the Rentcharge as well on the said Land not heretofore charged as on the said Land heretofore liable to the Payment thereof, or on any Part thereof, provided that the whole of the Lands on which such Rentcharge is apportioned are held for an Estate in Fee Simple or Fee Tail in Possession, or are settled to the same Uses.

Land not to be charged to different Owner without Consent.

XIII. No Land shall be charged with Rentcharge payable to a different Owner than the Rentcharge previously charged thereon was payable to, without the Consent in Writing of the Owner of the Rentcharge so proposed to be charged, except in Cases of altered Apportionment after Inclosure.

Where Consent of Landowner not required.

XIV. It shall not be necessary to obtain the Consent of any Landowner to an altered Apportionment whose Lands are not charged with Rentcharge by such altered Apportionment.

Power to Commissioners to alter Apportionment where successive Alterations have made it inconvenient or difficult, but not to alter Amount, &c.

XV. Whenever it shall appear to the Commissioners that any Instrument of Apportionment shall have been altered by successive Instruments of altered Apportionment, so as in the Judgment of the Commissioners to render the Collection of the Rentcharge upon the Lands included in such Apportionment and altered Apportionments unreasonably inconvenient or difficult, the Commissioners may, upon the Application of the Person or Persons entitled to such Rentcharge or any Part thereof, and without Notice to or the Consent of any Owner of such Lands, make a further Instrument of altered Apportionment as regards the whole of the said Lands, or such Portions thereof as to them shall seem fit, but without making any Alteration in the Amount charged on the Lands of any particular Owner, and the altered Apportionment so made by the Commissioners shall be taken to be an Amendment of and in substitution for so much of the said original Apportionment and altered Apportionments as relates to the Lands included in the said lastly made altered Apportionment.

Power to Commissioners to alter Apportionment where Boundaries of Parishes have been altered.

XVI. Whenever any new Boundaries of Parishes shall have been or shall be set out upon any Inclosure or otherwise, and it shall appear to the Commissioners that the Apportionment of the Rentcharge in such Parishes is thereby rendered inconvenient, the Commissioners may make and confirm an altered Instrument of Apportionment adapted to the altered Distribution of the Lands in such Parishes or any of them, and to the new Boundaries which shall have been so set out, or otherwise the Commissioners may, by an Order under their Hands and Seal, declare the Lands which shall be affected by such Alteration of Boundaries, either with or without any other Lands comprised in such Inclosure, and whether such Lands are situate in One or more Parishes, to be a separate District for the Purposes herein-after mentioned, and may make and confirm an altered Instrument of Apportionment adapted to the altered Distribution of such Lands, with reference to the Owners both of the Lands and Rentcharge in such District, and the Commissioners may determine that the Amount of Rentcharge payable to each of the Owners of Rentcharge in such District shall be fixed and apportioned upon such particular Lands as to them shall seem convenient, so that no Lands are charged with more than their due Proportion of Rentcharge; and every such Determination shall be binding and conclusive, and such altered Apportionment, when confirmed, shall be annexed to the original Apportionment for that Parish from which the greatest Amount of Rentcharge is payable under the altered Apportionment, and Counterparts thereof shall be annexed to the original Apportionment for each of the other Parishes comprised in such District,

District, and Copies thereof shall be deposited in respect of each several Parish comprised in the District, in conformity with the Provisions of the said recited Acts.

Powers for altering Apportionments or Awards.

XVII. All the Powers given by the said recited Acts or by this Act in relation to the Alteration of Instruments of Apportionment shall extend to all altered Apportionments and to Awards of Rentcharge in lieu of Corn Rents, and to Awards under Local Acts by which any Rentcharge is awarded in lieu of Tithes, Glebe or Commonable or other Rights or Easements.

Tithes commuted for a Sum or Rate per Head may be converted into a Rentcharge.

XVIII. In any Case in which Tithes have been commuted for a Sum or Rate *per* Head to be paid for each Head of Cattle or Stock turned on Land subject to Common Rights or held or enjoyed in common, during the whole of the Year, the Commissioners may, upon the Application in Writing of any Person entitled to receive such Sum or Rate *per* Head, or of any Person who may be liable to pay the same or any Part thereof, by a Supplemental Award and Apportionment, by way of Supplement to the Apportionment under which such Rate *per* Head shall be now payable, convert the same into a gross Rentcharge, to be thereafter payable out of such Land.

Gross Rentcharge may be apportioned on Gated or Stinted Pastures.

XIX. Where a gross Rentcharge has been made payable in respect of the Tithes of any Gated or Stinted Pasture, and such Gates or Stints are rated to the Relief of the Poor, the Commissioners may, by the Instrument of Apportionment to be made of such Rentcharge, or by a Supplemental Award and Apportionment, where an Apportionment shall have been already made, upon the Application in Writing of the Person entitled to such Rentcharge, or of any Owner of a Gate or Stint, apportion such gross Rentcharge *pro rata* upon the Gates or Stints, and after such Apportionment or Supplemental Award and Apportionment the Owner of such Rentcharge shall have the same Powers for the Recovery of any Arrears thereof, by Distress on the Goods and Chattels of the Person rated to the Relief of the Poor in respect of the Gates or Stints the Rentcharge upon which is in arrear, as are given by the said recited Acts for the Recovery of Rentcharge in arrear, and such Powers of Distress may be exercised upon the Goods and Chattels of such Person, whether found upon the said Pasture or elsewhere.

Rentcharge on Commons may be commuted for a Part of the Land, or redeemed.

XX. In every other Case in which a gross Rentcharge is charged upon any Land subject to Common Rights, or held or enjoyed in common during the whole of the Year, the Commissioners shall, upon the Application in Writing of the Person entitled to such Rentcharge, or of any Person liable to pay the same or any Part thereof, convene a Meeting of the Owners of such Land and Persons liable to pay such Rentcharge, of which Twenty-one Days Notice shall be given in such Manner as to the Commissioners shall seem fit; and the Majority in Value of the Persons attending such Meeting may determine whether such Rentcharge shall be commuted for an equivalent Part of the Land on which it is chargeable, or be redeemed for a Sum equal to Twenty-five Times the Amount of such Rentcharge, to be paid by a Time to be limited by the Commissioners, and may further determine, if the Rentcharge is to be redeemed, whether the Redemption Money shall be raised by Rate on the Persons liable to such Rentcharge, or by Sale of a Portion of such Land: Provided always, that if no Determination be come to at such Meeting the Commissioners may proceed to commute the Rentcharge for Land as herein-after provided.

If Rentcharge is commuted for Land, Commissioners to set it out, &c.

XXI. If the Rentcharge is to be commuted for Land, the Commissioners shall define and set out the Land to be so given, and shall vest the same in the Owner of the Rentcharge by an Award, to be made by them in like Manner as Awards of Exchange of Glebe for other Land are made under the said recited Acts, and subject to all the like Incidents.

Commissioners to set out Land to be sold for Purposes of Redemption.

XXII. If the Rentcharge is to be redeemed for a Sum to be raised by the Sale of a Portion of the Land liable to such Rentcharge, the Commissioners may define and set out such Part of the Land as may be sufficient in Value to meet the Redemption Money and the Expenses of Sale, and may sell and dispose of the same by Public Auction or Private Contract, as they may think expedient.

Conveyance of Land sold to be executed by Commissioners.

XXIII. Upon every such Sale the Commissioners shall sign and deliver to each Purchaser a Receipt for his Purchase Money, which shall be a sufficient Discharge for the same, and upon Receipt of the whole Purchase Money for any of the Lands which shall be sold as aforesaid the Commissioners shall convey such Lands and the Fee Simple and Inheritance thereof in Possession by Conveyance under their Hands and Seal to such Uses and in such Manner as such Purchasers shall direct, and after such Conveyance the Premises conveyed shall be Freehold of Inheritance, and shall be held to the Uses and in Manner expressed in such Conveyance; and any such Conveyance may be to the Effect set forth in the Schedule to this Act, and shall be Evidence of the Regularity of the Sale in pursuance of which such Conveyance shall be made.

Recovery by Distress where Rate per Head is in arrear.

XXIV. Wherever a Sum or Rate *per* Head shall be in arrear, the Arrears shall be recoverable by Distress and impounding of any Cattle, Stock, Goods, or Chattels belonging to the Person in respect of whose Cattle or Stock such Sum or Rate *per* Head is in arrear, wherever the same may be found.

Upon Inclosure, Rate per Head may be converted into Rentcharge.

XXV. Where any Lands in respect to the Cattle or Stock upon which any Sum or Rate *per* Head shall be payable shall be inclosed, divided, allotted, or exchanged, under the Powers of any General or Local Act of Inclosure or otherwise, the Commissioners may, by the altered Apportionment which may be made by them, adapted to the altered Distribution of the said Lands, charge a Rentcharge equivalent to the Amount of the Sum or Rate *per* Head which shall have been previously payable, upon the Lands which shall have been allotted under the said Inclosure in lieu of the Rights in respect of which the

said Sum or Rate *per* Head was made payable, which Rentcharge shall be thereafter payable out of the same Lands, in such Manner and Proportion as the said altered Apportionment shall direct.

Power to Commissioners to order Maps to be detached from Instruments of Apportionments.

XXVI. Where by reason of the Size of the Map annexed to any Instrument of Apportionment, or other Circumstances, the Commissioners shall be of opinion that it is expedient that such Map should be detached and held separate from the said Instrument, the Commissioners may by an Order under their Hands direct that the said Map shall be so detached, and they may make the like Order upon the Application of the Incumbent and Churchwardens of any Parish or either of them, or the Registrar of any Diocese, in reference to the sealed Copy of any Instrument of Apportionment belonging to any such Parish, or held in the Custody of such Registrar, and thereupon every Map so detached shall have the same Force and Effect and be referred to as if the same were annexed to the said Apportionment, or the sealed Copies thereof.

Provision for Restoration of damaged Instrument of Apportionment.

XXVII. In any Case in which an Instrument of Apportionment or any Part thereof shall have been damaged or defaced, the Commissioners may by an Order under their Hands require the sealed Copy thereof which shall be deposited in the Parish or Registry of the Diocese to be delivered up to them, for a Time to be limited by such Order, for the Purpose of enabling them to restore such Portions of the said Instrument as shall have been so damaged or defaced, or of making an entire Copy of the said Instrument, which Instrument so restored, or entire Copy so made by them, being certified under their Hands and Seal, shall be of the same Force and have the same Effect as the said confirmed Instrument of Apportionment.

Justices may order an Instrument of Apportionment to be restored to proper Custody.

XXVIII. Whenever any Person, other than the Persons legally entitled to the Possession of the same, shall have Possession of the sealed Copy of any confirmed Instrument of Apportionment, it shall be lawful for any Two Justices of the Peace for the County or other Jurisdiction within which the Lands mentioned in the said Apportionment are situate, upon the Application of any Person interested in the Lands or Rentcharge, and upon Fourteen Days Notice in Writing of such Application to the Person or Persons in whose Custody such Copy shall be at the Time of such Application, to hear and determine such Application; and upon hearing such Application the said Justices may order such Copy to be removed from the Custody of the Person holding the same, and to be deposited in such other Custody as the said Justices, having Reference to the Security and due Preservation of such Copy, and to the Convenience of the Parties interested therein, may think fit, and may impose a Fine, not exceeding Twenty Shillings, for each Day that any such Copy shall be retained, contrary to the Terms of such Order, upon the Person so retaining it, and may make such further Order concerning the Notice to be given of such Removal and Deposit, and concerning the Costs of such Application and the said Fine, or of any Opposition thereto, as they may think reasonable.

Expenses of recovering Rentcharge.

XXIX. If a Rentcharge shall at any Time be in arrear and unpaid, and in order to enforce Payment thereof it shall become necessary for the Person entitled to the same to give Notice of his Intention to distrain upon the Lands liable to the Payment thereof for the Arrears of the said Rentcharge, according to the Provisions of the said recited Acts, the Owner of the Rentcharge shall in all Cases be entitled to Two Shillings and Sixpence for and in respect of each Notice which shall have been so issued, and such Sum shall be deemed and taken to be Part of the Rentcharge which is in arrear and unpaid, and shall be recoverable accordingly, in like Manner as the said Arrears of Rentcharge are recoverable.

Notice of Intention to distrain may be sent by Post.

XXX. Notice of Intention to distrain may be given in the Manner provided by the said recited Acts, or by sending it by the Post in a registered Letter to the Office or usual Place of Abode of the Person to whom the same is addressed.

Commissioners may order a Rentcharge not exceeding 15*l.* to be redeemed before Apportionment.

XXXI. Where, under any Agreement or Award which has been or hereafter shall be confirmed by the Commissioners, the Amount of the Rentcharge agreed or awarded to be paid instead of the Tithes of any Parish, and which shall not have been apportioned, shall not exceed the Sum of Fifteen Pounds, the Commissioners may, if they shall see fit, (and without the Consents of the Owner or Owners of the Lands chargeable with the said Rentcharge, or of the Person or Persons for the Time being entitled to the Receipt thereof,) by an Order under their Hands and Seal, direct that such Rentcharge shall be redeemed by the Payment by the Owners of the Lands chargeable therewith, within such Time as the Commissioners shall by such Order direct and appoint, of a Sum equal to Twenty-five Times the Amount of such Rentcharge.

Where Land divided, Commissioners may order Rentcharge to be redeemed after Apportionment.

XXXII. Whenever Lands charged with Rentcharge under any Instrument of Apportionment or altered Apportionment shall be divided for building or other Purposes into numerous Plots, and it shall appear to the Commissioners that no further Apportionment of the said Rentcharge can conveniently be made, the Commissioners may, if they shall see fit, upon the Application of any one Owner of the said Lands, and without the Consent of any other Owner, or of the Person for the Time being entitled to the Receipt of the said Rentcharge, and without Limitation as to the Amount thereof, by an Order under their Hands and Seal direct that such Rentcharge shall be redeemed by the Payment by the Owners of the Lands chargeable therewith, within such Time as the Commissioners shall by such Order direct and appoint, of a Sum equal to Twenty-five Times the Amount of such Rentcharge.

Provision in Cases where Rentcharge has been charged

XXXIII. Whenever it shall be shown to the Satisfaction of the Commissioners that by reason of Error as to Boundary or otherwise any Rentcharge or Portion of Rentcharge shall have been charged by any confirmed Instrument of Apportionment on Lands not within the Parish in respect of the Tithes

of

of which the aggregate Rentcharge, the Apportionment of which shall have been so confirmed, was agreed or awarded to be paid, the Commissioners may, if they shall see fit, upon the Application of the Owner or Owners of the said Lands, and without the Consent of any Owner of Land in the said Parish, or of the Person for the Time being entitled to the Receipt of the said Rentcharge, by an Order under their Hands and Seal, direct that such Rentcharge or Portion of Rentcharge so charged on Lands not within the Parish shall be redeemed by the Payment by the Owners of Lands charged with the Residue of the said Rentcharge by the said Apportionment, or any of them, within such Time as the said Commissioners shall by such Order direct and appoint, of a Sum equal to Twenty-five Times the Amount of such Rentcharge; and if there shall be any Question touching the Situation or Boundary of the Lands which shall be alleged to have been erroneously included in the said Apportionment, the Commissioners shall have the same Powers for hearing and determining the same as are given by the said first-recited Act for hearing and determining any Difference whereby the making of an Award of Rentcharge in lieu of Tithes is hindered.

on Lands which in consequence of Error in Boundary are not within the Parish where aggregate Charge is awarded.

Rentcharges where Land chargeable for more than One Parish.

XXXIV. Where any Land has been made chargeable with Rentcharges in lieu of Tithes for more than One Parish, the Commissioners, on being satisfied thereof, may determine in respect of which Parish the Rentcharge ought to have been charged, and may, by Order, direct such Rentcharge to be paid in respect of such Parish only.

Commissioners shall give Notice of Intention to order compulsory Redemption.

XXXV. Before the Commissioners shall order the compulsory Redemption of any Rentcharge, they shall cause Notice to be given of their Intention in such Manner as to them shall seem fit, and shall by such Notice specify the Time (being not less than Twenty-one Days) within which Objections in Writing to such proposed Order may be signified to them; and in case any Notice of Objections shall be given within the Time limited as aforesaid, the Commissioners shall, by themselves or an Assistant Commissioner, take such Objections into their Consideration.

Remedy in case Persons refuse to receive Redemption Money.

XXXVI. If the Person absolutely entitled to the Redemption Money refuses to receive the same, or if the Rentcharge be subject to Incumbrances, and the Commissioners shall consider that the Incumbrancers should be protected, such Redemption Money shall be dealt with as is provided in Cases where the Owner of the Rentcharge is only entitled thereto for a limited Estate.

Trustees may be appointed to receive Sums not exceeding 200*l.* payable Corporation.

XXXVII. Where the Money to be paid for the Redemption of any Rentcharge does not exceed Two hundred Pounds, and the Person for the Time being entitled to such Rentcharge shall be a Corporation not authorized to make an absolute Sale of such Rentcharge otherwise than under the Provisions of the said recited Acts, the Redemption Money may be paid into the Hands of Trustees to be nominated by the Commissioners, by Order under their Hands and Seal, and the Money when so paid shall be applied by the Trustees, with the Consent of the Commissioners, to the Purposes to which Money to be paid for the Redemption of any Rentcharge into the Bank of *England* in the Name of the Accountant General is by the said recited Acts directed to be applied, and upon every Vacancy in the Office of such Trustees some other Person shall be appointed by the said Commissioners in like Manner.

Provisions of recited Acts applicable to Redemptions under this Act.

XXXVIII. The Provisions of the said recited Acts respecting the Redemption of Rentcharge (except as otherwise by this Act is provided) shall be applicable to all Cases of Redemption of Rentcharge effected under this Act.

Expenses and Redemption Money, how to be raised.

XXXIX. For the Purposes of making any altered Apportionment, supplemental Award and Apportionment, or Award of Rentcharge in lieu of Corn Rents, or for the Purpose of collecting any Redemption Money which may have been fixed as herein-before provided, and not paid by the Time in that Behalf limited, and of assessing the same Redemption Money, and all Expenses of or incidental to any such altered Apportionment, supplemental Award and Apportionment, or Award, or of any such Redemption (including, if the Commissioners shall see fit, the Expense of the Assistant Commissioner's Attendance at any Meetings which may be necessary in the Matter of any such altered Apportionment, supplemental Award and Apportionment, or Award, or of any such Redemption), between the Owners of the Lands liable to the Rentcharge to be re-apportioned or redeemed, or to the Rentcharge awarded in lieu of Corn Rents, or Persons to whom the said Corn Rents were payable, the Commissioners or an Assistant Commissioner may employ such Land Surveyors and Tithe Valuers or other Persons as to them shall seem fit, and all the Powers and Provisions of the said recited Acts concerning the Valuers appointed for the Purposes of an original Apportionment of Rentcharge, and concerning the Assessment and Recovery of the Expenses of an original Award of Rentcharge or Apportionment, so far as in the Discretion of the Commissioners shall seem fit, shall be and the same are hereby made applicable to the Land Surveyors, Tithe Valuers, or other Persons so employed, and to the Assessment, Collection, and Recovery of any such Redemption Money; and of all Expenses incidental to any such altered Apportionment, supplemental Award and Apportionment, or Award, or to any such Redemption; but the Commissioners shall, before they proceed to collect any such Redemption Money or Expenses, cause a Schedule showing the total Amount thereof, and the Share thereof to be borne by each Person interested, to be deposited for Inspection, in the same Manner as by the said recited Acts is required in reference to an Instrument of Apportionment, and shall cause Notice to be given of such Deposit in such Manner as to them shall seem fit, and shall by such Notice specify the Time (being not less than Twenty-one Days) within which Objections in Writing to such proposed Apportionment of the Redemption Money and Expenses may be signified to the Commissioners; and in case any Notice of

Objections shall be given within the Time limited as aforesaid, the Commissioners shall, by themselves or by an Assistant Commissioner, take such Objections into their Consideration; and if there be no such Objections, or when the said Commissioners or Assistant Commissioner shall have heard and determined all such Objections, the Commissioners shall proceed to collect the said Redemption Money and Expenses as herein-before provided.

Informal Arrangements may be confirmed.

XL. Whenever Land or Money Payments, or both, have been given to the Titheowners of any Parish, and are now holden by them, instead of Tithes or Glebe or Commonable or other Rights or Easements, and it shall appear that such Land or Money Payments, or both, shall have been so given by virtue of any Act of Parliament the Provisions of which have not been fully carried out, or by virtue of any Arrangement which is not of legal Validity, the Commissioners may, if it shall appear just and expedient, having regard to all the Circumstances of or incident to the Case, by an Award confirm the Titheowner in possession of the said Land or Money, or both, and may confirm and render valid any such Arrangement, and may also award a Rentcharge, subject to the Provisions of the said recited Acts, when and in such Cases as to them shall seem fit; and, subject to such Confirmation and Award, the Commissioners may extinguish the Right of the Titheowners to the Perception of the said Tithes, or his Title to the said Glebe Rights or Easements, or to the Receipt of any Rentcharge instead thereof, other than the Rentcharge, if any, awarded over and above the Lands or Money, or both, so confirmed to them.

Copyhold and other Lands may be exchanged for Glebe.

XLI. So much of the said recited Acts as provides that the Land given to any Spiritual Person in exchange for Glebe of any Benefice shall be free from Incumbrances, and shall not be of Copyhold or Customary Tenure, subject to arbitrary Fine or the Render of Heriots, shall be repealed, and all Conditions, Charges, Incumbrances, and every other Incident affecting the Land so given shall upon such an Exchange be transferred to the said Glebe taken in exchange for the same Land; and the Glebe Land taken in exchange for any Copyhold or Customary Land shall be held of the Lord of the same Manor, under the same Rent, Custom, and Services as the said Copyhold or Customary Land previously was or ought to have been held, and without any new Admittance in respect thereof, but the Consent of the Lord of the same Manor shall be necessary to any Exchange in which any Land of Copyhold or Customary Tenure shall be included.

Formation of District within which extraordinary Charge for Hop Grounds, &c. shall be payable.

XLII. Whenever the Commissioners are requested in the Manner provided by the said recited Acts to charge an additional Rentcharge by way of extraordinary Charge upon any Hop Grounds or Market Gardens newly cultivated as such beyond the Limits of any District for which an extraordinary Charge for Hop Grounds or Market Gardens respectively shall have been already distinguished, the Commissioners may declare the Lands in the Parish in which such newly cultivated Hop Grounds or Market Gardens are situate a District within which the extraordinary Charge to be then fixed by them shall be thereafter payable.

Power to enter on Land.

XLIII. For the Purpose of ascertaining the Extent of the Land cultivated as Hop Grounds or Market Gardens, the Person to whom any extraordinary Charge upon such Land is or would be payable, his Agents or Servants, at all reasonable Times, may enter upon the said Land, and make an Admeasurement and Plan of the same, without being subject to any Action or Molestation for so doing.

Recited Acts and this to be as One.

XLIV. This Act shall be taken and construed as Part of the said first-recited Act, as amended and extended by the several Acts passed for the Amendment thereof, and by this Act.

The SCHEDULE to which this Act refers.

FORM OF CONVEYANCE BY COMMISSIONERS.

In the Matter of

WE, the Tithe Commissioners for England and Wales, by virtue of an Act of Parliament passed in the Year of the Reign of Queen Victoria, intituled [*here insert the Title of this Act*], and in consideration of the Sum of paid into our Hands by , being the Purchase Money of the Hereditaments herein-after described, do by these Presents convey unto his Heirs and Assigns, all that [*here describe the Premises*], with the Appurtenances, to hold the same unto the said his Heirs and Assigns [*here state the Uses, Trusts, or Purposes of the Conveyance, as the Case may require*].

In witness whereof we have hereunto set our Hands and affixed our Seal, this Day of

CAP. XCIV.

An Act to amend the Laws relating to the Militia. [13th *August* 1860.]

'WHEREAS it is expedient to amend the Laws relating to the Militia as herein-after provided:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Power to unite Portions of Militias of Two or more Coun-

I. It shall be lawful for Her Majesty, by Order signified by One of the Principal Secretaries of State, and in *Ireland* for the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, by Order signed by his or their Chief Secretary or Under Secretary, from Time to Time to direct the respective Lord

Lord Lieutenants to unite such Portions of the Militia of Two or more Counties, Ridings, Divisions, or Places in *Great Britain* as may be specified in such Order, and to form such united Portions into a Corps of Militia Artillery, and to direct what Number of Officers, and of what respective Ranks, shall be appointed to such united Corps, and what shall constitute the Staff thereof, and what Officers shall be appointed by the several Lord Lieutenants respectively, and to direct in which of the several Counties, Ridings, Divisions, or Places the Arms, Accoutrements, Clothing, and other Stores belonging to the united Corps shall be kept, and by the same or any other Order to determine (as regards *England*) the Number of Justices to be elected on behalf of each County, Riding, Division, or Place, for forming a Committee for providing and maintaining the Storehouse in which such Arms, Accoutrements, Clothing, and other Stores are to be kept.

ties to form an Artillery Corps.

II. Where any such united Corps of Militia Artillery is formed in *England* the Justices of every County, Riding, Division, or Place from which such united Corps is formed shall, at the General or Quarter Sessions next after the said Order has been notified to them by the Lord Lieutenant, elect the Number of Justices mentioned in such Order, to be with the Justices elected in like Manner for every other such County, Riding, Division, or Place, a Committee for providing and maintaining such Storehouse as aforesaid:

Appointment of Committee for providing Storehouse for united Militia Artillery Corps in England.

In case any Member of any such Committee die, resign, or become incapable to act, the Justices for the County, Riding, Division, or Place for which he was elected, at any General or Quarter Sessions for such County, Riding, Division, or Place, shall elect some other Justice in his Place, but notwithstanding any Vacancy in any Committee the continuing Members may act as if no such Vacancy had occurred.

III. Every such Committee shall within One Month after their Election assemble at some convenient Place to be named in a Notice to be given by Two or more of the Members thereof to the several Members so elected, such Notice to be given to each Member personally or left at his Place of Abode, or transmitted through the Post Office Seven Days at least before the Time appointed for such Meeting, and the said Committee may adjourn the said Meeting from Time to Time and from Place to Place and meet when and so often as they think necessary, and they shall at their First Meeting elect One of their Members to be their Chairman, who shall preside at all Meetings at which he is present, and in case of his Absence from any Meeting the Members present shall elect One of their Number to be Chairman for the Meeting, who shall preside at the Meeting:

Meetings of Committee.

To constitute a Meeting of the Committee there shall not be less than Three Members, except for Adjournment, which may be made by less than Three, and every Question shall be determined by a Majority of Votes, the Chairman (whether permanent or temporary) having a Vote, and, in the event of Equality of Votes, having a Second or Casting Vote.

IV. The said Committee or any Three of them shall have all the Powers for providing, repairing, enlarging, altering, and improving such Storehouse as aforesaid as are or may be given to the Justices of a County for providing, enlarging, altering, and improving any Storehouse for keeping the Arms and other Stores belonging to any Regiment of Militia of their County; and all the Provisions of such Act auxiliary to any such Powers, and in relation to any such Storehouse, shall extend and apply to and in the Case of the Powers conferred by this Enactment, and any Storehouse to be provided, altered, enlarged, or improved thereunder; and any Lands to be purchased for the Purposes of this Act shall be conveyed to such Persons, being not less than Five in Number, and in such Manner as the Committee purchasing the same may direct, in trust for the Purposes of this Act, and any Conveyance to be so made shall have the like Force and Effect as a Conveyance made under Section Eighty-one of "The Lands Clauses Consolidation Act, 1845."

Powers of Committee.

Lands purchased for Purposes of this Act to be conveyed to Trustees.

V. When and so often as any Land purchased under this Act shall be vested in less than Three Trustees, or there shall not be any Trustee thereof living, it shall be lawful for the said Committee or any Three or more of them, by an Instrument in Writing under their Hands, to appoint such Number of new Trustees of such Land as may be thought fit, and such Appointment shall be deposited and kept among the Records of such One of the Counties, Ridings, Divisions, or Places interested therein as the Committee may think fit, and all the Estate and Interest in such Land which at the Time of such Appointment may be vested in any Trustee or Trustees in trust for the Purposes aforesaid, or in any other Person as Heir or Devisee, or otherwise subject to such Trust, shall, by virtue of such Appointment, vest in the Trustees so appointed, either alone, or if there be any continuing Trustees or Trustee jointly with such continuing Trustees or Trustee, as the Case may require, without any Conveyance or Assurance for that Purpose.

Power for the Appointment of new Trustees in case of Death, &c.

VI. The said Committee shall from Time to Time certify to the Treasurer of each County, Riding, Division, or Place for the Payment of the Amount to be contributed by such County, Riding, Division, or Place towards the Expenses incurred by such Committee, according to and in proportion to the Number of Men ordered to be contributed by such County, Riding, Division, or Place to the united Corps of Artillery; and every Treasurer to whom such Amount is so certified shall raise such Amount out of the same Funds and in the same Manner as Sums required for the Expenses of the Storehouse for the Militia of such County, Riding, Division, or Place, and pay the same in manner directed by the Certificate

As to Payment of Expenses incurred by Committee.

Certificate of the said Committee, and every such Certificate shall be signed by the said Committee or Three or more of them.

Storehouse how to be provided in Scotland.

VII. Where any such united Corps of Militia Artillery is formed in *Scotland*, the Commissioners of Supply of the County in which the Stores thereof are directed to be kept shall, forthwith after the Order shall have been notified to them by the Lord Lieutenant, provide a secure and suitable Storehouse for keeping the Arms, Accoutrements, Clothing, and other Stores of the Corps; and all the Provisions and Powers applicable to the providing a Storehouse for the Militia of such County, and the Expenses incidental to the Use and Maintenance thereof, shall extend and be applicable to the providing a Storehouse for such united Corps and the Expenses incidental to the Use and Maintenance thereof; and the Sums required as aforesaid shall be certified, contributed, and paid as now by Law provided, in the Cases where several Counties in *Scotland* contribute to the Expenses of a Place for the safe Custody of the Arms and Stores belonging to a united Corps of Militia.

Provision for Storehouses for united Militias.

VIII. Where the Militia of any County, Riding, Division, or Place in *England* is united with the Militia of any adjoining County, Riding, Division, or Place, the Enactments herein-before contained for providing for the keeping of the Arms, Accoutrements, Clothing, and Stores belonging to a united Corps of Militia Artillery, and concerning the Expenses of providing a Storehouse for such united Corps, and incidental to the Use and Maintenance thereof, shall be applicable in the Case of the Militia united as aforesaid, save that the Expenses shall be defrayed in proportion to the Quotas fixed for the respective Counties, Ridings, or Places of which the Militias are united.

Expenses of Storehouses in Ireland.

IX. Where any united Corps of Militia Artillery is formed in *Ireland*, or where the Militia of any County or County of a City in *Ireland* is united with the Militia of any adjoining County or County of a City, the Costs of providing, in such Place as the Lord Lieutenant or Chief Governor or Governors shall direct, the Storehouses for keeping the Arms, Accoutrements, Clothing, and other Stores of the united Corps of Militia Artillery, or of the Militias united as aforesaid, shall be defrayed by the several Counties, or Counties of Cities, from the Militias of which the Corps of Militia Artillery is formed, or of which the Militias are united (as the Case may be) according to and in proportion to the Number of Men contributed by each County or County of a City to the united Corps of Artillery, or in proportion to the Quotas fixed for each such County or County of a City of which the Militias are united, and the necessary Sums to be contributed by each County or County of a City for this Purpose, including any Arrears in respect of such Costs before the Transmission of the Certificate thereof, shall be raised by the Presentment of the Grand Jury of each such County, and as to the Cities of *Dublin*, *Cork*, and *Limerick*, by the Town Councils of the Boroughs of *Dublin*, *Cork*, and *Limerick* respectively, on a Certificate of the Sum required, signed and transmitted in like Manner as provided in relation to the Cost of providing any House or Place for the keeping of the Arms, Accoutrements, Clothing, or other Stores of the Militia in such County or County of a City, by the Act of the Session holden in the Seventeenth and Eighteenth Years of Her Majesty, Chapter One hundred and seven, and all the Provisions of the said Act applicable to and in respect of such Costs shall be applicable to and in respect of the Sums to be contributed and raised in *Ireland* under this Act.

Payments to Counties in respect of Expenses of providing Quarters for Permanent Staff.

X. If the Lord Lieutenant or other Chief Governor or Governors of *Ireland* shall deem it expedient that the whole or any Number of the Permanent Staff of the Militia of any County or County of a City, or of the united Militia of any Counties, or of any united Artillery Corps, should be provided with Quarters in the Storehouse of such Militia, united Militia, or united Artillery Corps, it shall be lawful for the Grand Jury of such County or Counties, or for the Town Council of the Borough of *Dublin*, *Cork*, or *Limerick*, as the Case may be, to provide by Presentment the Cost of such Quarters; and in every such Case, and also where, in *England*, in any County, Riding, Division, or Place, the Justices in General or Quarter Sessions, or any Committee appointed under this Act, or in *Scotland* the Commissioners of Supply, add to the Buildings provided or to be provided for keeping the Arms and Stores of the Militia Quarters for such Number of the Permanent Staff as the Secretary of State shall deem expedient to be quartered as a Guard for the Arms and Stores, it shall be lawful for the Secretary of State from Time to Time, out of Monies to be provided by Parliament for this Purpose, to cause to be paid to the Treasurer of such County, Riding, Division, or Place, or such Commissioners of Supply, such yearly Sum as the Secretary of State may have agreed so to pay before such Quarters are provided, to be applied in aid of the Rates or Assessments out of which or of Monies raised on the Security of which the Expenses of providing such Quarters have been defrayed, and where such Expenses have been incurred on account of any united Corps of Militia or united Militias, such Sum shall be apportioned by the Secretary of State between or among the Counties, Ridings, Divisions, or Places which may have contributed to such Expenses in proportion to its Contribution thereto, and be paid to the Treasurers of the respective Counties, Ridings, Divisions, or Place, or the Commissioners of Supply of the respective Counties accordingly.

Provision in respect of Counties who have already provided Accommodation

XI. Where before the passing of this Act any Quarters shall have been provided for the Permanent Staff of the Militia by any County, Riding, or Place, it shall be lawful for the Secretary of State, upon being satisfied of the Sufficiency of such Quarters, to approve thereof in the same Manner as if the same had been erected with his Sanction subsequent to the passing of this Act, and it shall thereupon be lawful for the Secretary of State to cause to be paid to the Treasurer of such County, Riding, or Place

such

such yearly Sum as he may think fit, in the same Manner and to be applied for the same Purposes as if under the Provision herein-before contained such Sum had been agreed to be paid by him before such Quarters had been provided. for Permanent Staff.

XII. The Treasurer of every County, Riding, Division, or Place receiving any such Payment from the Secretary of State shall be accountable in respect thereof to the Treasurer of every Borough which may have contributed to the Expenses of providing the Quarters in proportion to its Contribution to such Expenses. Treasurers of Counties to be accountable for Payments by Sec. of State.

XIII. The Oath which under the Act of the Session holden in the Fifteenth and Sixteenth Years of Her Majesty, Chapter Fifty, is to be taken by every Volunteer raised as in the said Act mentioned, may be administered by any Justice of the Peace for any City or Borough, County, Riding, or Place where such Volunteer may happen to be. Borough Justices may administer Oaths to Militia Volunteers.

XIV. It shall be lawful for Her Majesty, by Order or Regulations signified by the Secretary of State, to direct that any Militia Volunteer, upon or at any Time after his Enrolment, be drilled, trained, or exercised by way of preliminary Instruction, at the Head Quarters of the Regiment, Battalion, or Corps in which he is enrolled, or at any other convenient Place, for any Time not exceeding Twenty-eight Days, although the Regiment, Battalion, or Corps, or any Part thereof, be not then called out for Training and Exercise, and during the Period of preliminary Instruction under this Provision the Volunteer shall be subject to the same Articles of War and to the same Laws in all respects as if he were a Militiaman lawfully called out for Training and Exercise; but such Period shall not be reckoned in lieu or in diminution of the Time in the same Year during which he might have been called out for Training and Exercise with all or any Part of the same Corps independently of this Enactment. Militia Volunteers may be drilled in addition to other Times of Training.

XV. 'And whereas by Section Twelve of the Act of the Session holden in the Twenty-second and 'Twenty-third Years of Her Majesty, Chapter Thirty-eight, after providing that every Deserter from 'the Militia, and every Person who in respect of any Offence against the Militia Laws is deemed a 'Deserter, may be tried by a Regimental Court-martial, or may be tried summarily by any Justice or 'Justices of the Peace as therein mentioned, it is enacted, that it shall be lawful for the Secretary-at-War 'to direct in which of the aforesaid Modes any such Deserter shall be tried:' So much of the said Section as provides that it shall be lawful for the Secretary-at-War to direct in which of the aforesaid Modes any such Deserter shall be tried shall be repealed; and every such Deserter, and every such Person who in respect of any Offence against the Militia Laws is deemed a Deserter, shall be tried summarily by any Justice or Justices of the Peace having Jurisdiction under the said Section, unless it be shown to such Justice or Justices that the Secretary-at-War has ordered such Deserter or Person to be tried by a Regimental Court-martial under the Provision herein-after contained; and it shall be lawful for such Secretary-at-War, by any general or special Directions or Regulations, to order any such Deserter or Person, or any Class or Description of such Offenders, with reference to the Time or Circumstances of their being apprehended or otherwise, to be tried by Regimental Court-martial according to the Provisions in the said Section mentioned for such Trial, and every such Deserter or Person to whom such Desertion or Regulation is applicable shall thereupon be tried and dealt with accordingly. So much of Sect. 12. of 22 & 23 Vict. c. 38 as provide the Modes in which Deserters shall be tried repealed. Deserters, &c. may be tried summarily by Justices unless Secretary-at-War shall order otherwise.

XVI. Every Deserter from any Regiment, Battalion, or Corps of Militia of any Part of the United Kingdom which is embodied at the Time of such Desertion or afterwards, shall, whether he shall or shall not have been punished for his Offence, be liable to serve for an additional Period equal to the Time which may have elapsed between the Time of his Desertion and the Time when he is apprehended or voluntarily returns to his Regiment, Battalion, or Corps; the Period of such additional Service to commence from the Expiration of the Period for which he was enrolled, or from the Time of his Apprehension or Return, which may last happen. Term of Service of Deserters from Embodied Militia extended.

XVII. It shall be lawful for the Colonel or Commanding Officer of any Regiment, Battalion, or Corps of Militia, pursuant to any Regulations or Directions of the Secretary-at-War, to authorize any Militia Volunteer or Volunteers belonging to such Regiment, Battalion, or Corps to enlist in Her Majesty's Regular Forces, and to give to any such Volunteer a conditional Discharge from the Militia, to become absolute on his being enlisted into, attested, and finally approved for Her Majesty's Regular Forces within a Time limited by such Colonel or Commanding Officer, in pursuance of such Regulations or Directions; and in case such Volunteer be so enlisted, attested, and finally approved within the Time so limited, his Enlistment shall be valid; but otherwise such Discharge shall be void. Provision as to Enlistment of Militia Volunteers in the Regular Forces.

XVIII. Except as herein-before provided, any Militiaman who enlists in Her Majesty's Regular Forces, or Her Majesty's *Indian* Forces, or Royal Marine Forces, or who enters Her Majesty's Navy, during the Continuance of his Engagement in the Militia, shall, if retained to serve in the Forces in which he has so enlisted or in the Navy, as the Case may be (in lieu of the Stoppages, if any, to which he may now by Law be liable), be subjected to a Stoppage of One Penny a Day of his Pay for Eighteen Calendar Months, to be applied as the Secretary of State shall direct; but no such Militiaman so enlisting or entering shall be released from his Engagement as a Militiaman, or be relieved from any Liability consequent on his wrongful Enlistment or Entry, save by or in pursuance of the Order of the Secretary of State, and which Order when the said Militiaman shall be within the United Kingdom shall be given only with the Consent of the Commanding Officer of the Regiment, Battalion, or Corps to Stoppage of Pay of Militiamen fraudulently enlisting in Her Majesty's Forces, &c., or entering the Navy.

to which such Militiaman belongs, and his Service under such wrongful Enlistment or Entry shall not be reckoned for Pension until the Day on which his Engagement for the Militia would have expired.

Allowances for Travelling Expenses of Officers attending Courts-martial.

XIX. So much of the Act of the Fifty-fifth Year of King *George* the Third, Chapter One hundred and sixty-eight, Sections Three and Four, and of the Act of the Session holden in the Seventeenth and Eighteenth Years of Her Majesty, Chapter One hundred and six, Sections Fifty-five and Fifty-six, as provides that Officers attending to form Courts-martial shall be entitled to Two Shillings for every Mile for going to such Court-martial, at the Commencement thereof, and returning after the Conclusion of the Proceedings of the Court shall be repealed; and all Officers attending to form such Courts as in the said Sections mentioned shall be entitled to such Allowances for their Travelling Expenses in going to such Court-martial and returning therefrom, as the Secretary-at-War by Regulations may from Time to Time direct.

In case of Invasion or imminent Danger thereof, Her Majesty may raise the Militia in Scotland to 15,000 Men.

XX. It shall be lawful for Her Majesty, in case of actual Invasion or imminent Danger thereof, the Reason being first communicated to Parliament if Parliament be then sitting, or declared in Council and notified by Proclamation if Parliament be not sitting or in being, to order and direct by Her Royal Proclamation that, in addition to the Number of Private Militiamen authorized to be raised and kept up for the Militia in *Scotland* by the Act passed in the Session holden in the Seventeenth and Eighteenth Years of Her Majesty, Chapter One hundred and six, there shall be forthwith raised and enrolled for the Militia in *Scotland* such Number of Men as to Her Majesty may seem fit, so as the whole Number of Men for the Time being raised for the Militia in *Scotland* shall not exceed Fifteen thousand Private Militiamen, and the Lieutenants and Deputy Lieutenants of the several Counties in *Scotland* shall forthwith proceed to raise and enrol such additional Men, at such Time or Times as shall be specified for that Purpose in such Proclamation; and all the Provisions applicable to the Militia raised in *Scotland* shall extend and be applicable to and for the raising, enrolling, training, and exercising, and the drawing out and embodying of the additional Men so ordered and directed to be raised and enrolled, and to the additional Men so raised: Provided always, that it shall be lawful for Her Majesty, whenever She may deem it expedient so to do, to reduce the whole or any Part of such additional Number of Men, and by Royal Proclamation to declare such Reduction accordingly.

Militia of Ireland may be increased in like Cases to 45,000.

XXI. It shall be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, in case of actual Invasion or imminent Danger thereof, to be signified by Proclamation from such Lord Lieutenant or Chief Governor or Governors, to order and direct by Proclamation that, in addition to the Number of Private Militiamen authorized to be raised and kept up in *Ireland* by the Act passed in the Session holden in the Seventeenth and Eighteenth Years of Her Majesty, Chapter One hundred and seven, there shall be forthwith raised and enrolled for the Militia in *Ireland*, such Number of Men as to such Lord Lieutenant or Chief Governor or Governors may seem fit, so as the whole Number of Men for the Time being raised for the Militia in *Ireland* shall not exceed Forty-five thousand Private Militiamen, and the Lieutenants and Deputy Lieutenants of the several Counties and Places in *Ireland* shall forthwith proceed to raise and enrol such additional Men, at such Time or Times as shall be specified for that Purpose in such Proclamation; and all the Provisions applicable to the Militia raised in *Ireland* shall extend and be applicable to and for the raising, enrolling, training, and exercising, and the drawing out and embodying of the additional Men so ordered and directed to be raised and enrolled, and to the additional Men so raised: Provided always, that it shall be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, whenever he or they may deem it expedient so to do, to reduce the whole or any Part of such additional Number of Men, and by Proclamation to declare such Reduction accordingly.

CAP. XCV.

An Act to facilitate the building of Cottages for Labourers, Farm Servants, and Artisans by the Proprietors of entailed Estates in *Scotland*. [13th *August* 1860.]

10 G. 3. c. 51.

'WHEREAS an Act was passed in the Tenth Year of the Reign of His Majesty King *George* the Third, intituled *An Act to encourage the Improvement of Lands, Tenements, and Hereditaments in that Part of* Great Britain *called* Scotland *held under Settlements of strict Entail*, by which Act it was, *inter alia*, provided that every Proprietor of an entailed Estate who should lay out Money in enclosing, planting, or draining, or in erecting Farmhouses and Offices or Outbuildings for the same, for the Improvement of his Lands and Heritages, should be a Creditor to the succeeding Heirs of Entail for Three Fourth Parts of the Money laid out in making the said Improvements; and the said Act contains various Provisions for determining the Amount and regulating the Recovery of the aforesaid Proportion of the Sums expended upon such Improvements: And whereas the Provisions of the said Act have been in certain respects amended by Two Acts, the one passed in the Session of Parliament holden in the Eleventh and Twelfth Years of the Reign of Her present Majesty, intituled *An Act for the Amendment of the Law of Entail in* Scotland, and the other passed in the Session of Parliament holden in the Sixteenth and Seventeenth Years of the Reign of Her present Majesty, intituled *An Act to extend the Benefits of the Act of the Eleventh and Twelfth Years of Her present Majesty, for the Amendment of the Law of Entail in* Scotland: And whereas the Second and Third

11 & 12 Vict. c. 36.

16 & 17 Vict. c. 94.

recited

'recited Acts contain various Enactments providing that Monies or Balances of Monies derived from 'the Sale of Portions of entailed Estates, or of Rights or Interests in or concerning such Estates, or in respect of permanent Damage done thereto, and Monies or Balances of Monies invested or held in 'trust for the Purpose of purchasing Lands to be entailed, may, under the Authority of the Court of 'Session, be applied, *inter alia*, in permanently improving such entailed Estates or Lands, or in Repay-'ment of Money already expended in such Improvements: And whereas it is expedient to facilitate the 'Erection of Cottages for Labourers, Farm Servants, and Artisans by the Proprietors of entailed 'Estates in *Scotland:* And whereas Doubts are entertained how far the Erection of such Cottages is 'within the Provisions of the said Act of the Tenth Year of His Majesty King *George* the Third:' Be it therefore declared and enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Provisions as to Improvements to include Erection of Cottages.

I. All the Provisions of the recited Acts which relate or apply to Improvements of entailed Estates shall be held and construed as including and applying to the Erection of Cottages for the Labourers, Farm Servants, and Artisans upon such Estates, in the same Manner in all respects as if the Erection of such Cottages had been specified in the Ninth Section of the first-recited Act among the other Improvements therein mentioned.

Such Erections to be held as permanent Improvements.

II. The Erection of Cottages for the Labourers, Farm Servants, and Artisans upon entailed Estates, or upon Lands towards the Improvement of which such Monies or Balances of Monies as aforesaid are applicable under the Powers of the Second and Third recited Acts, shall be held to be One of the permanent Improvements of such Estates or Lands contemplated by the Second and Third recited Acts; and all the Provisions of those Acts which relate to permanent Improvements of such Estates or Lands shall be held and construed as including and applying to the Erection of such Cottages.

Court or Sheriff to be satisfied that entailed Estates will be permanently benefited, and that Cottages have been substantially erected.

III. Provided always, That nothing in this Act contained shall authorize the Creation of any Charge upon entailed Estates, or against succeeding Heirs of Entail, in respect of the Erection of Cottages, or shall authorize the Application towards the Erection of Cottages of any Monies in which succeeding Heirs of Entail are interested, unless the Court before which Proceedings in pursuance of the recited Acts, or any of them, shall be taken shall be satisfied that the said Estates or the succeeding Heirs of Entail will be permanently benefited to the Extent of the Charge so created or Monies so applied, and that the Cottages in respect of which such Charge is created, or towards the Erection of which such Monies are applied, have been completed in a proper and substantial Manner.

CAP. XCVI.

An Act to amend the Police of Towns Improvement Act, so as to enable Towns and populous Places in *Scotland* to avail themselves of its Provisions for sanitary and other Improvements, without at the same Time adopting its Provisions as regards the Establishment and Maintenance of a Police Force. [13th *August* 1860.]

13 & 14 Vict. c. 33.

'WHEREAS an Act was passed in the Thirteenth and Fourteenth Year of the Reign of Her present Majesty, Chapter Thirty-three, intituled *An Act to make more effectual Provision for regulating the Police of Towns and populous Places in* Scotland, *and for paving, draining, cleansing, lighting, and improving the same:* And whereas it is expedient to amend certain Provisions contained in the said Act, and to extend the same in manner herein provided:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Householders may adopt certain Provisions of recited Act.

I. The Householders of any Burgh, Town, or populous Place, as defined in the said recited Act, may adopt the Provisions of the said Act relating to any Matter or Thing thereby provided for and authorized to be adopted, or to any One or more of the said Matters or Things, although they do not adopt the Provisions relating to the Establishment and Maintenance of a Police Force within such Burgh, Town, or populous Place, in the Manner required by the said Act.

Two or more contiguous Burghs, &c. may adopt Provisions of recited Act.

II. The said recited Act shall be held to extend and apply to Two or more contiguous Burghs, Towns, or populous Places as defined in the said Act; and it shall be lawful for such contiguous Burghs, Towns, or populous Places to unite in adopting the Provisions of the said Act, either in whole or in part, as authorized by this Act; and such Burghs, Towns, or populous Places shall, when so uniting, be held to form One Burgh, Town, or populous Place for the Purposes of the said Act and this Act.

Accounts may be made up for the Year ending at Whitsunday.

III. It shall be lawful for the Commissioners for any such Burgh, Town, or populous Place to make up their yearly Accounts under the said Act for the Period extending from the Term of *Whitsunday* in One Year to the Term of *Whitsunday* ensuing in the next Year, and to lay such Accounts before the Statutory Meeting of Commissioners in the Month of *August* in each Year, and such Commissioners may, if they see fit, nominate One Auditor only, in place of Two.

Commissioners may borrow on Security of Assessments due and unpaid.

IV. It shall be lawful for the Commissioners, if they shall find it necessary in any Year to make Disbursements for the Purposes of the recited Act beyond the Amount recovered of Assessments actually made and applicable to the Expenditure of such Year, to borrow Money on the Security of such Part of the Assessments as shall be due and unpaid, but not to an Amount greater than One Half of such

Part; and when any Money has been so borrowed it shall not be competent thereafter to borrow on the Security of any other Assessments leviable under the said Act until the Money so borrowed shall have been paid off; but nothing herein contained shall affect the Three hundred and fortieth Section of the said Act.

Proprietors may redeem Sewer Rates without being liable for future Interest.

V. At any Time before the Expiration of the Period for paying off any Loan contracted by the Commissioners, and any Expenses for which any General Sewer Rate or Assessment or any Special District Sewer Rate or Assessment has been made, the Owner or Occupier of the Premises assessed may redeem the future Assessment leviable in respect of such Premises, without being chargeable with any of the future Interest on the Debt.

Construction of Acts.

VI. The Provisions of the said Act, so far as the same are not inconsistent with the Enactments herein-before contained, shall be construed with such Enactments as One Act.

Short Title.

VII. This Act may be cited as "The Police of Towns (*Scotland*) Amendment Act, 1860."

CAP. XCVII.

An Act for amending and making perpetual the Railways Act, *Ireland* (1851).

[13th *August* 1860.]

14 & 15 Vict. c. 70.

'WHEREAS it is expedient that "The Railways Act (*Ireland*), 1851," should be amended as herein-after provided, and that with such Amendments the said Act should be made perpetual:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Periods of Notices shortened.

I. The Words "Twenty-one" shall be substituted for the Words "Thirty-one" in the Eighth Section of the said Act, and the Word "Fourteen" shall be substituted for the Words "Twenty-one" in the Ninth Section of the same Act.

After Deposit of Draft Award Company may, upon Deposit of such Amount as Arbitrator may think fit, enter on Lands.

II. The Twenty-second Section of the said Act is hereby repealed; and in lieu thereof be it enacted, That when the Company are desirous, for the Purposes of their Works, of entering upon any Lands before they would be entitled to enter thereon under the Provisions in the said Act, as amended by this Act, it shall be lawful for the Company, at any Time after the Arbitrator shall have framed his Draft Award, upon depositing in the Bank of *Ireland* as herein directed such Sum or Sums as the Arbitrator may certify to be in his Opinion the proper Amount to be so deposited in respect of any Lands authorized to be purchased or taken by the Company, and mentioned in such Draft Award, or of the several Interests in such Lands in respect of which no Agreement shall have been come to between the Company and the Persons entitled thereto, to enter upon and use such Lands for the Purpose of the Railway and Works of the Company; and the Arbitrator shall, upon the Request of the Company, at any Time after he shall have framed such Draft Award, certify under his Hand the Sum or Sums which in his Opinion should be so deposited by the Company in respect of any Lands mentioned in such Draft Award, or of any such Interests therein as aforesaid, before they enter upon or use the same as aforesaid, and the Sum or Sums to be so certified shall be the Sum or Sums set forth in such Draft Award as payable by the Company in respect of such Lands or of such Interests in such Lands in respect of which no Agreement shall have been come to between the Company and the Persons entitled thereto, or such greater Amounts as to the Arbitrator under the Circumstances of the Case shall seem proper; and notwithstanding such Entry as aforesaid, all Proceedings for and in relation to the Completion of the said Award, the Delivery of Certificates, and other Proceedings under the said Act as amended by this Act, and under this Act, shall be had, and Payments made as if such Entry and Deposit had not been made: Provided that the Company shall, where they enter upon any Lands by virtue of this present Provision, pay Interest at the Rate of Five Pounds *per Centum per Annum* upon the Purchase and Compensation Money payable by them in respect of any Lands so entered upon from the Time of their Entry until the Time of the Payment of such Purchase Money and Compensation to the Person entitled thereto, or where, under the Provisions of the said Act as amended by this Act, such Purchase Money or Compensation is required to be paid into the said Bank, then until the same with such Interest is paid into such Bank accordingly; and where under this Provision Interest is payable on any Purchase or Compensation Money, the Certificate to be delivered by the Company in respect thereof shall specify that Interest is so payable, and the same shall be recoverable in like Manner as the Principal Money mentioned in such Certificate.

Mode of Deposit.

III. The Twenty-third Section of the said Act is hereby repealed; and in lieu thereof be it enacted, That the Sum or Sums to be deposited as aforesaid in respect of any Lands or any Interests in any Lands shall be paid into the Bank of *Ireland* in the Name and with the Privity of the Accountant General of the Court of Chancery in *Ireland*, to be placed to his Account there, to the Credit of the Company (describing the Company by its proper Name), in the Matter of "The Railways Act (*Ireland*), 1851," and of the respective Owners of the Lands or of the Interests in Lands in respect of which the same is or are paid as aforesaid, subject to the Control or Disposition of the said Court, and upon such Deposit the Cashier of the said Bank shall give to the Company, or the Party paying in such Money by their Direction, a Receipt for the same.

IV. The

IV. The Twenty-fourth Section of the said Act is hereby repealed; and in lieu thereof be it enacted, That the Sum or Sums of Money so deposited as last aforesaid shall remain in the Bank by way of Security to the Parties respectively in respect of whose Interests in the Lands which shall so have been entered upon such Sum or Sums shall have been deposited for the Payment of the Money to become payable by the Company to such Parties respectively, for their respective Interests in such Lands under the Award of the Arbitrator; and the Money so deposited may, on Application by Petition of the Company, be ordered to be invested in Bank Annuities or Government Securities, and accumulated; and upon such Payment as aforesaid by the Company it shall be lawful for the Court of Chancery in *Ireland*, upon a like Application, to order the Money so deposited, or the Funds in which the same shall have been invested, together with the Accumulation thereof, to be repaid or transferred to the Company; or in default of such Payment as aforesaid by the Company, it shall be lawful for the said Court to order the same to be applied in such Manner as it shall think fit for the Benefit of the Parties for whose Security the same shall so have been deposited. Deposit to remain as a Security, and to be applied under Direction of the Court of Chancery.

V. If Part only of the Lands charged with any Rentcharge or Fee-farm Rent be required to be taken for the Purposes of the Special Act, the Apportionment of any such Rent or Rentcharge may be settled by Agreement between the Party entitled to the same and the Owner of the Lands on the one Part and the Promoters of the Undertaking on the other Part, and if such Apportionment be not settled by Agreement the same shall be settled by the Arbitrator; and the Owner of the Rentcharge or Fee-farm Rent shall have all the same Rights and Remedies for the Recovery of such apportioned Part, as against the Lands not required for the Purposes of the Special Act, as previously to such Apportionment he had for Recovery of the entire. Apportionment of Rentcharge, &c. where Part only of the Land charged is required.

VI. If any Lands shall be comprised in a Lease for a Life or Lives or for a Term of Years unexpired, Part only of which Lands shall be required for the Purposes of the Special Act, the Rent payable in respect of the Lands comprised in such Lease shall be apportioned between the Lands so required and the Residue of such Lands, and such Apportionment may be settled by Agreement between the Lessor and Lessee of such Lands on the one Part, and the Promoters of the Undertaking on the other Part, and if such Apportionment be not so settled by Agreement between the Parties, such Apportionment shall be settled by the Arbitrator, and after such Apportionment the Lessee of such Lands shall as to all future accruing Rent be liable only to so much of the Rent as shall be apportioned in respect of the Lands not required for the Purposes of the Special Act; and as to the Land not so required, and as against the Lessee, the Lessor shall have the same Rights and Remedies for the Recovery of such Portion of Rent as previously to such Apportionment he had for the Recovery of the whole Rent reserved by such Lease; and all the Covenants, Conditions, and Agreements of such Lease, except as to the Amount of Rent to be paid, shall remain in force with regard to that Part of the Land which shall not be required for the Purposes of the Special Act, in the same Manner as they would have done in case such Part only had been included in the Lease. Apportionment of Rent of Lands under Lease where Part only of such Lands is required.

VII. In case upon the Trial of any Traverse under the Provisions of the said Act it shall appear that the Sum awarded to the Traverser by the Jury shall be less than the Sum awarded by the Arbitrator, it shall be lawful for the Judge, if he shall think fit, to adjudge that such Traverser is not entitled to any Costs of such Traverse, or that the Company is entitled to Costs not exceeding the Sum of Ten Pounds against such Traverser; and such Adjudication of such Judge shall be entered in the Crown Book, and such Costs so awarded shall be deducted from the Purchase or Compensation Money payable by the Company to such Traverser, or shall be recovered from him by Distress in like Manner as is provided by the Fifty-third Section of "The Lands Clauses Consolidation Act, 1845," with respect to Costs payable to Promoters. Costs in case of Traverse.

VIII. "The Railways Act (*Ireland*), 1851," as amended by this Act, and this Act, shall be read together as One Act, and shall be made perpetual, and this Act shall be held to be incorporated with that Act in any Act already or hereafter incorporating that Act. Acts to be as One Act, and to be perpetual.

IX. This Act may be cited as "The Railways Act (*Ireland*), 1860." Short Title.

CAP. XCVIII.

An Act for taking the Census in *Scotland.* [20th *August* 1860.]

'WHEREAS it is expedient to take the Census of *Scotland* in the Year One thousand eight hundred and sixty-one:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. One of Her Majesty's Principal Secretaries of State shall have the Care of superintending the taking of the Census of *Scotland*, and shall cause to be prepared and printed, for the Use of the Persons to be employed in taking it, such Forms and Instructions as he shall deem necessary; and the Registrar General for *Scotland* shall issue all such Forms and Instructions to the Persons for whose Use they shall be intended; and all the Expenses which shall be incurred by Authority of such Secretary of State under this Act shall be paid out of such Monies as shall be provided by Parliament for that Purpose. Secretary of State to superintend Census.

Act to be sent to every Sheriff in Scotland.

II. The Registrar General for *Scotland* shall send a printed Copy of this Act to the Sheriff of every County in *Scotland*, and to the Chief Magistrate of every Royal Burgh, and of every Parliamentary Burgh having Magistrates, in *Scotland*.

Registrars Districts to be formed into Enumerator's Divisions.

III. Every Registrar's District in *Scotland* shall be formed into Enumerator's Divisions according to Instructions to be prepared by or under the Direction of such Secretary of State, who shall cause a sufficient Number of Copies of such Instructions to be sent to every Registrar of Births, Deaths, and Marriages in *Scotland;* and the Registrars, with all convenient Speed, shall divide the several Districts into Enumerator's Divisions according to such Instructions, and subject in each Case to be revised by the Sheriff of the County or the Magistrates of the Burgh, as the Case may be.

Enumerators to be appointed.

IV. The several Registrars of Births, Deaths, and Marriages in *Scotland* shall make and return to the Sheriff of the County, or to the Chief Magistrate of the Burgh, as the Case may be, a List containing the Names and Places of Abode of a sufficient Number of Persons, duly qualified according to Instructions to be prepared by or under the Direction of such Secretary of State, to act as Enumerators within their several Districts, and such Persons, when approved of by the Sheriff or Magistrates, shall be appointed by the Registrar, by any Writing under his Hand, Enumerators for taking the Census ; and the Registrar, with the like Approval, shall assign a Division to each Enumerator, and shall distribute to the several Enumerators in his District the Forms and Instructions which shall have been issued for that Purpose by the Registrar General, and shall personally ascertain that each Enumerator thoroughly understands the Manner in which the Duties required of him are to be performed.

Householders Schedules to be left at Dwelling Houses.

V. Schedules shall be prepared by or under the Direction of such Secretary of State for the Purpose of being filled up by or on behalf of the several Occupiers of Dwelling Houses as herein-after provided, with Particulars of the Name, Sex, Age, Rank, Profession, or Occupation, Condition, Relation to Head of Family, and Birth-place of every living Person who abode in every House on the Night of *Sunday* the Seventh Day of *April* One thousand eight hundred and sixty-one, and also whether any were blind, or deaf and dumb, and also whether any, and how many, of such Persons, being of the Age of from Five to Fifteen Years, attended School during the Week preceding ; and the Registrars in *Scotland* shall in the course of the Week ending on *Saturday* the Sixth Day of *April* in the Year One thousand eight hundred and sixty-one leave or cause to be left at every Dwelling House within their respective Districts One or more of the said Schedules for the Occupier or Occupiers thereof or of any Part thereof, and upon every such Schedule shall be plainly expressed that it is to be filled up by the Occupier of such Dwelling House, (or where such Dwelling House is let in different Stories or Apartments, and occupied distinctly by different Persons or Families, by the Occupier of each such distinct Story or Apartment,) and that the Enumerator will collect all such Schedules within his Division on the *Monday* then next following ; and every Occupier of any Dwelling House, or of any distinct Story or Apartment in any Dwelling House, with or for whom any such Schedule shall have been left as aforesaid, shall fill up the said Schedule to the best of his or her Knowledge and Belief, so far as relates to all Persons dwelling in the House, Story, or Apartment occupied by him or her, and shall sign his or her Name thereunto, and shall deliver the Schedule, so filled up, or cause the same to be delivered, to the Enumerator, when required so to do ; and every such Occupier who shall wilfully refuse or without lawful Excuse neglect to fill up the said Schedule to the best of his or her Knowledge and Belief, or to sign and deliver the same as herein required, or who shall wilfully make, sign, or deliver, or cause to be made, signed, or delivered, any false Return of all or any of the Matters specified in the said Schedule, shall forfeit a Sum not more than Five Pounds nor less than Twenty Shillings.

Occupiers to fill up the Schedules and sign and deliver them to the Enumerator.

Penalty for Neglect.

Schedules to be collected from House to House, and corrected if found to be erroneous.

VI. The Enumerators shall visit every House in their respective Divisions, and shall collect all the Schedules so left within their Division from House to House, so far as may be possible, on *Monday* the Eighth Day of *April* in the Year One thousand eight hundred and sixty-one, and shall complete such of the Schedules as upon Delivery thereof to them shall appear to be defective, and correct such as they shall find to be erroneous, and shall copy the Schedules, when completed and corrected, into Books to be provided them for that Purpose, and shall add thereunto an Account, according to the best Information which they shall be able to obtain, of all the other Persons living within their Division who shall not be included in the Schedules so collected by them.

Enumerators to take an Account of Houses, &c., and to distinguish the Boundaries of Parishes, Boroughs, &c.

VII. Every Enumerator shall also take an Account of the occupied Houses, and of the Houses then building and therefore uninhabited, and also of all other uninhabited Houses within his Division, stating the Number of Rooms having a Window or Windows in each Dwelling House; and shall also take an Account of all such Particulars herein-before mentioned, and none other, as by the Forms and Instructions which may be issued under this Act they may be directed to inquire into ; and in the Book into which he shall have copied the Householder's Schedules and other Particulars, as herein-before directed, each Enumerator shall distinguish the several Parishes and Places maintaining their own Poor within his Division, or such Parts thereof as shall be within his Division, and shall also distinguish those Parishes and Places or Parts of Parishes and Places within his Division which are within the Limits of any City or Borough returning or contributing to return a Member or Members to serve in Parliament, or of any incorporated City or Borough ; and shall deliver such Book to the Registrar of the District, together with the Householders Schedules collected by him, and shall sign a Form or Declaration to the Effect that the said Book has been truly and faithfully filled up by him, and that

Enumerators to deliver their Books, with the House-

that to the best of his Knowledge the same is correct, so far as may be known; which Form of Declaration shall be prepared by or under the Direction of such Secretary of State, and issued by the Registrar General with the Forms and Instructions aforesaid. holders Schedules, to the Registrar.

VIII. The Registrar to whom such Enumeration Book shall be delivered shall examine the same, and shall satisfy himself that the Instructions in each Case have been punctually fulfilled, and if not shall cause any Defect or Inaccuracy in the said Book to be supplied, so far as may appear possible; and when the Books shall have been made as accurate as is possible the Registrar shall deliver them to the Sheriff of the County or the Chief Magistrate of the Burgh, as the Case may be, as herein-after provided. Registrars to verify the Enumerator's Books, and deliver them to the Sheriff, &c.

IX. The Sheriff of every County and the Chief Magistrate of every Royal or Parliamentary Burgh in *Scotland* shall appoint a Time or Times, which shall not be earlier than the Fifteenth nor later than the Thirtieth Day of *April* One thousand eight hundred and sixty-one, for the Registrars of Districts within their respective Jurisdictions to attend at their respective Offices, or such other Places as they may appoint, with the Returns to be made under this Act, of which Times and Places Intimation shall be given to the Registrars in such Manner as shall be directed by the Sheriffs and Magistrates respectively, who shall then and there receive from the Registrars the Returns to be made as aforesaid, and cause every Registrar to make a Declaration to the Effect that the said Account has been truly and faithfully taken, and that to the best of his Knowledge the same is correct; and the Sheriffs and Magistrates, if they see Cause, may examine the Registrars touching any of the Matters to which the Returns relate, and shall thereafter direct the Clerks of their respective Jurisdictions to endorse the same (if not previously endorsed) with the Name of the County, and District thereof wherein the Parish or Place therein mentioned is situate, or otherwise (where any of the said Sheriffs shall think proper) they shall direct the Registrar to verify the said Returns before any Justice of the Peace of their respective Counties, and thereafter to transmit the same previously to the said Thirtieth Day of *April* in any convenient Manner to the said Sheriffs, who shall direct the same to be endorsed as aforesaid. Returns to be given to the Sheriffs of Counties and Chief Magistrates of Burghs.

X. The Sheriffs of Counties and the Chief Magistrates of Royal or Parliamentary Burghs in *Scotland* shall, on or before the First Day of *June* One thousand eight hundred and sixty-one, transmit the several original Enumeration Books by them received from the Registrars (together with a List of the Parishes and Places within their respective Counties and Burghs from whence no Returns have been made to them) to the Office of the Registrar General for *Scotland* for the Use of the Secretary of State. Sheriffs, &c. to receive and transmit Returns.

XI. The Secretary of State shall cause an Abstract to be made of the said Returns; and such Abstract shall be printed, and laid before both Houses of Parliament within Twelve Calendar Months next after the First Day of *June* in the Year One thousand eight hundred and sixty-one, if Parliament be sitting, or, if Parliament be not sitting, then within the first Fourteen Days of the Session then next ensuing. An Abstract of Returns to be printed, and laid before Parliament.

XII. The Master or Keeper of every Gaol, Prison, or House of Correction, Workhouse, Hospital, or Lunatic Asylum, and of every Public or Charitable Institution, which shall be determined upon by the said Registrar General, shall be the Enumerator of the Inmates thereof, and shall be bound to conform to such Instructions as shall be sent to him by the Authority of One of the said Secretaries of State, for obtaining the Returns required by this Act, so far as may be practicable, with respect to such Inmates. Masters, &c. of Gaols, &c. to be appointed Enumerators of the Inmates thereof.

XIII. The Secretary of State shall obtain, by such Ways and Means as shall appear to him best adapted for the Purpose, Returns of the Particulars required by this Act with respect to all houseless Persons, and all Persons who during the said Night of *Sunday* the Seventh Day of *April* were travelling or on Shipboard, or for any other Reason were not abiding in any House of which Account is to be taken by the Enumerators, and other Persons as aforesaid, and shall include such Returns in the Abstract to be made by him as aforesaid. Returns of houseless Poor and of Persons travelling or on Shipboard.

XIV. One of the said Secretaries of State shall cause to be prepared a Table of Allowances to be made to the several Enumerators, Registrars, Sheriff Clerks, Town Clerks, and other Persons in *Scotland* employed in the Execution of this Act; and such Table, when approved by the Commissioners of Her Majesty's Treasury, shall be laid before both Houses of Parliament on or before the First Day of *March* One thousand eight hundred and sixty-one, if Parliament be sitting, or, if Parliament be not sitting, then within the first Fourteen Days of the Session then next ensuing. Table of Allowances to Enumerators and other Persons employed.

XV. The Sheriff of every County and the Chief Magistrate of every Burgh in *Scotland* shall, within One Calendar Month next after the taking of the Census, certify to the said Registrar General the total Amount of the Allowances to which the Registrars, Enumerators, Sheriff Clerks, Town Clerks, and other Persons are respectively entitled, according to the said Table. Payments to be certified to the Registrar General.

XVI. The Sheriffs of Counties and the Chief Magistrates of Royal or Parliamentary Burghs in *Scotland* shall grant to the Sheriff Clerks and Town Clerks respectively, and to the several Registrars, Enumerators, or other Persons employed in the Execution of this Act, such Allowances as shall have been certified as herein-before provided, together with any necessary Expenses incurred by them or any of them in the Execution of this Act, and shall order Payment thereof to be made by the Collector of the Land Tax for the County or other Place out of any Money in his Hands, and such Collector shall pay Manner in which the Payments shall be made to Persons employed in execution of this Act.

pay the same accordingly; and the Receipts to be given by the Enumerators and other Persons, and Registrars, for Payment of their said Allowances, shall be delivered to the Sheriff Clerk or Town Clerk, as the Case may be, who shall transmit the same, together with the Receipt for his own Allowance, to the Registrar General: Provided always, that no such Payment shall be made to any Enumerator or other Person who shall be required to act as an Enumerator under this Act, but upon Production of a Certificate under the Hand of the Registrar that the Duties required of such Enumerator or other Person acting as Enumerator by this Act have been faithfully performed, and the like Certificate shall be required under the Hand of the Sheriff or Chief Magistrate, as the Case may be, with respect to the Registrar before any Payment shall be made to them.

Penalty for wilful Default.

XVII. Every Registrar, and every Enumerator and other Person who shall be required to act as Enumerator, so appointed as aforesaid, making wilful Default in any of the Matters required of them respectively by this Act, or making any wilfully false Declaration, shall for every such wilful Default or false Declaration forfeit a Sum not exceeding Five Pounds nor less than Two Pounds.

Penalty for refusing Information or giving false Answers.

XVIII. The Enumerators and other Persons employed in the Execution of this Act shall be authorized to ask all such Questions as shall be directed in any Instructions to be prepared by or under the Direction of the said Secretary of State, which shall be necessary for obtaining the Returns required by this Act; and every Person refusing to answer or wilfully giving a false Answer to such Questions or any of them shall for every such Refusal or wilfully false Answer forfeit a Sum not exceeding Five Pounds nor less than Twenty Shillings.

Recovery and Application of Penalties.

XIX. All Penalties imposed by this Act shall be recovered in a summary Manner before Two Justices of the Peace or Magistrates having Jurisdiction in the County or Place where the Offence is committed, in the Manner prescribed by Law in this Behalf; and shall be paid, One Half to the Informer, and the other Half to the Treasurer of the County or Place for which the Justices before whom the Forfeiture is recovered shall have acted, to be by him applied in aid of the Expenditure.

Interpretation of Terms.

XX. The Word "Sheriff" shall include "Sheriff Substitute," and the Words "Dwelling House" shall include all Buildings and Tenements of which the whole or any Part shall be used for the Purpose of Human Habitation.

CAP. XCIX.

An Act to continue the Corrupt Practices Prevention Act (1854). [20th *August* 1860.]

17 & 18 Vict. c. 102.
21 & 22 Vict. c. 87.
22 & 23 Vict. c. 48.

'WHEREAS an Act was passed in the Session holden in the Seventeenth and Eighteenth Years of Her Majesty, Chapter One hundred and two, "to consolidate and amend the Laws relating to "Bribery, Treating, and undue Influence at Elections of Members of Parliament;" and such Act was amended by an Act of the Session holden in the Twenty-first and Twenty-second Years of Her Majesty, Chapter Eighty-seven: And whereas the said first-mentioned Act as so amended has, by an Act of the Session holden in the Twenty-second and Twenty-third Years of Her Majesty, Chapter Forty-eight, been continued until the Tenth Day of *August* One thousand eight hundred and sixty, and it is expedient that it should be further continued:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Duration of Act.

The said first-mentioned Act, as amended by the said Act of the Twenty-first and Twenty-second Years of Her Majesty, shall continue in force until the Tenth Day of *August* One thousand eight hundred and sixty-one.

CAP. C.

An Act to repeal so much of the Act of the Twenty-second and Twenty-third *Victoria*, Chapter Twenty-seven, and of certain other Acts, as authorizes the Secretary of State in Council to give Directions for raising *European* Forces for the *Indian* Army of Her Majesty. [20th *August* 1860.]

'WHEREAS it is not expedient that a separate *European* Force should be continued for the Local Service of Her Majesty in *India*:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

So much of certain Acts as authorizes Secretary of State to direct raising European Forces for Indian Army of Her Majesty repealed.

So much of the Act of Parliament of the Twenty-second and Twenty-third of Her Majesty, Chapter Twenty-seven, intituled *An Act to repeal the Thirty-first Section of Sixteen and Seventeen* Victoria, *Chapter Ninety-five, and to alter the Limit of the Number of* European *Troops to be maintained for Local Service in* India, and of any former Act or Acts of Parliament, as renders it lawful for the Secretary of State in Council from Time to Time to give such Directions as he may think fit for raising such Number of *European* Forces as he may judge necessary for the *Indian* Army of Her Majesty, is hereby repealed: Provided always, that the same or equal Provision for the Sons of Persons who have served in *India*, and the Advantages as to Pay, Pensions, Allowances, Privileges, Promotion, and otherwise,

wise, secured to the Military Forces of the *East India* Company by the Act of the Twenty-first and Twenty-second Years of the Queen, Chapter One hundred and six, Sections Thirty-five, Fifty-six, and Fifty-eight, respectively, shall be maintained in any Plan for the Reorganization of the *Indian* Army, anything in this Act contained notwithstanding.

Provision as to certain Persons who have served in India.

CAP. CI.

An Act to continue the Poor Law Board. [20th *August* 1860.]

'WHEREAS by the Act of the Eleventh Year of the Reign of Her Majesty, Chapter One hundred and nine, Provisions were made for the Constitution and Appointment of Commissioners for 'administering the Laws for the Relief of the Poor in *England*, and for the Appointment of other 'Officers, which Provisions have been continued until the End of the present Session of Parliament, 'and it is expedient that such Provision should be further continued for a limited Period:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same,

The Poor Law Board to be continued for Three Years.

That the Commissioners appointed by Her Majesty the Queen, or to be appointed by Her Majesty, Her Heirs and Successors, under the Authority of the said Act, together with every Person by the said Act constituted in virtue of his Office such Commissioner, and every Officer and Person appointed or to be appointed by the Commissioners under the Provisions of the said Act, shall be empowered, unless he shall previously resign or be removed, to hold his Office and exercise the Powers thereof until the Twenty-third Day of *July* One thousand eight hundred and sixty-three, and until the Expiration of the said last-mentioned Period it shall be lawful for Her Majesty, Her Heirs and Successors, from Time to Time, at pleasure to remove the Commissioners for the Time being appointed by Her Majesty, or to be appointed by Her Majesty, Her Heirs and Successors, and upon every Vacancy in the Office of such Commissioner to appoint, as in the said Act is described, some other fit Person to the said Office.

CAP. CII.

An Act to provide for the Management of *East India* Stock, and of the Debts and Obligations of the Government of *India*, at and by the Bank of *England*. [20th *August* 1860.]

'WHEREAS under their Charter the *East India* Company are directed to cause an Accountant to keep a Book or Books in the Public Office or Place of Meeting of the same Company, and 'therein to enter the Amount of the Capital Stock of the same Company; and it is by the Charter 'directed that the Method of making Assignments and Transfers of the said Stock shall be by an 'Entry in the said Book or Books in Forms prescribed by the said Charter, and that the Entry signed 'as therein prescribed, and no other Way or Method, shall be the Manner and Method used in the 'passing, assigning, or transferring the Interest or Share in the said Stock and Fund: And whereas by 'the Act of the Third and Fourth *William* the Fourth, Chapter Eighty-five, it is enacted, that out of 'the Revenues of the *British* Territories in *India* there shall be paid to or retained by the said 'Company a yearly Dividend of Ten Pounds Ten Shillings *per Centum* on the Capital Stock of the 'said Company: And whereas it is expedient to empower the Directors of the said Company to make 'Arrangements with the Governor and Company of the Bank of *England* for the Management of the 'said Capital Stock by the Governor and Company of the Bank of *England*, and for the Transfer 'thereof at the said Bank: And whereas it is expedient to enable the Secretary of State for *India* in 'Council to defray the Expenses incident to such Arrangements:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Arrangements for Transfer of Stock of the East India Company, and Payment of Dividends thereon at the Bank of England.

I. From and after the Thirty-first Day of *August* One thousand eight hundred and sixty the Provisions contained in the said Charter which require the *East India* Company to keep Books in the Public Office or Place of Meeting of the Company for the Entry of the Capital Stock of the Company, and which relate to the Method and Form of making Assignments and Transfers of the said Stock in the said Books, shall cease to be of force; and the Directors of the *East India* Company are hereby empowered to make Arrangements with the Governor and Company of the Bank of *England* for the Management of the said Capital Stock by the Governor and Company of the Bank of *England*, and for the Transfer thereof, and the Payment of the Dividends thereon at the said Bank on and after the First Day of *September* One thousand eight hundred and sixty, or so soon afterwards as may be found convenient, in such Manner and Form, and upon such Terms and Conditions, and for such Remuneration, as may appear to the said Directors expedient and equitable, and be mutually agreed upon by them and the Governor and Company of the Bank of *England*, subject to the Consent of the Secretary of State for *India* in Council, so far as relates to the Amount of such Remuneration.

Secretary of State for India in Council to pay to the East

II. The Secretary of State for *India* in Council shall half-yearly, at the same Time that he shall pay to the *East India* Company the Dividend on the Capital Stock of the said Company due and payable to the said Company under the Act of Third and Fourth of *William* the Fourth, Chapter Eighty-five, pay also

India Company the Sum agreed to be paid to the Bank of England.

also to the said Company out of the Revenues of *India* such further Sum as may have been mutually agreed upon by the Directors of the said Company and the Governor and Company of the Bank of *England*, with such Consent as aforesaid, as the Remuneration to be paid by the said Company for the Expenses incurred and the Duties undertaken by the Governor and Company of the Bank of *England* under this Act.

Powers of Attorney existing previous to the 31st Dec. 1860 not to be defeated; and Bank authorized to act on any Powers lodged with the E. I. Company.

III. In the event of such Arrangements as aforesaid being made with the Governor and Company of the Bank of *England*, all Powers of Attorney for Transfer of any Share in the said Capital Stock, or for Receipt of the Dividends thereon, made or executed at any Time before the Thirty-first of *December* One thousand eight hundred and sixty, shall be as valid and effectual as if this Act had not passed, and the Governor and Company of the Bank of *England* are hereby authorized and required to give effect thereto in the same Way as the *East India* Company would have been authorized and compellable so to do if this Act had not passed; and the said Governor and Company shall be and they are hereby indemnified from any Act done by them in reliance on or on the Authority of any such Power, or of any Power of Attorney which may, previously to the taking effect of such Arrangements, have been lodged at the Office of the *East India* Company.

Evidence of the Title to Stock may be required by the Bank.

IV. In the event of such Arrangements as aforesaid being made, the Governor and Company of the Bank of *England*, before allowing any Transfer of any Part of the said Stock or the Receipt of any Dividends thereon, shall be at liberty to require Evidence of the Title of any Proprietor to any of the said Stock or the Dividends thereof, and such Evidence shall be the Declaration of competent Persons, to be made in pursuance of the Act of the Sixth *William* the Fourth, Chapter Sixty-two, or of such other Nature as the Governor and Company of the Bank of *England* shall require.

Secretary of State for India in Council to pay the Dividends half-yearly to the Bank.

V. In the event of such Arrangements as aforesaid being made the Secretary of State for *India* in Council shall in the Month of *December* One thousand eight hundred and sixty, and in every subsequent Year, so long as the Dividends on the said Capital Stock shall continue to be payable, Fifteen Days at the least before each of the half-yearly Days on which a Dividend on the said Capital Stock becomes payable, out of such Monies as may be applicable to the Payment of the Dividends, cause to be paid to the Chief Cashier for the Time being of the Bank of *England* to the Credit of the *East India* Company the Amount of the Dividend payable to the said Company under the Act Third and Fourth of *William* the Fourth, Chapter Eighty-five.

Secretary of State for India in Council to make Arrangements with Bank of England for paying Debts and Obligations of the Government of India, and Interest thereon.

VI. The Secretary of State for *India* in Council shall be and he is hereby authorized from Time to Time to make such Arrangements with the Governor and Company of the Bank of *England* as shall be deemed expedient for the Payment at the Bank of *England* of the Debts and Obligations contracted by or on behalf of the *East India* Company, and by or on behalf of the Secretary of State for *India* in Council, both in *India* and *Great Britain*, and of the Interest to accrue thereon, and for the Creation and Registration and for the Transfer of, and the Payment of Interest on, any Stock into which any such Obligations may be convertible, and for the Appointment of One or more Person or Persons for the Purpose of drawing Bills, on behalf of the Secretary of State in Council of *India*, upon the Governor General, and the Governors of the several Presidencies of *India* respectively, and otherwise in relation to the Management of such Debts and Obligations.

Accounts to be opened at Bank of England for Payment of current Demands.

VII. It shall be lawful for the Secretary of State for *India* in Council from Time to Time to open at the Bank of *England* such Account or Accounts for the Payment of current Demands as he may deem expedient, such Account or Accounts to be kept in such Name or Names, and drawn upon by such Person or Persons, and in such Manner, as may from Time to Time be directed by the said Secretary of State in Council, which Accounts shall be deemed public Accounts.

CAP. CIII.

An Act to apply the Sum of Ten Millions out of the Consolidated Fund to the Service of the Year One thousand eight hundred and sixty. [20th *August* 1860.]

CAP. CIV.

An Act to enable the Trustees of the Royal College of *Saint Patrick* at *Maynooth* to make Provision for certain necessary Buildings and Repairs. [20th *August* 1860.]

'WHEREAS it is necessary to make Provision for certain Buildings required to complete the unfinished Royal College of *Saint Patrick* at *Maynooth*, and for the annual Repairs of the said College:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Trustees may apply Portion of Grants towards Buildings and Repairs.

I. It shall be lawful for the Trustees of the said College, with the previous Sanction in every Case of the Lords Commissioners of Her Majesty's Treasury, from Time to Time to apply to the Purposes of such Buildings and Repairs the annual Sums provided by the Sixth Section of the Act of the Eighth and Ninth Years of Her present Majesty, Chapter Twenty-five, or any Part of the said Sums.

II. It

II. It shall be lawful for the Commissioners of Public Works in *Ireland*, with the like previous Sanction, to advance from Time to Time, and for the said Trustees to borrow on the Security of the said Sums, such Monies as may be necessary for the said Purposes, such Advances to be repaid out of the said Sums at such Periods, and at such Rate of Interest, and by such Instalments as Monies advanced by the said Commissioners under an Act of the Tenth Year of the Reign of Her present Majesty, Chapter Thirty-two, are by the Thirty-seventh Section of that Act made repayable. Commissioners of Public Works to advance Money towards Buildings and Repairs.

III. Nothing in this Act contained shall authorize any Expenditure to provide Accommodation in the said College for a greater Number of Students than the Number authorized by the said first-mentioned Act. Accommodation for Students.

IV. The Provisions of the Eighth and Ninth Sections of the said first-mentioned Act shall apply to any Buildings to be erected, enlarged, improved, fitted up, or furnished by Monies advanced by the Commissioners under the Provisions of the Second Section of this Act. 8 & 9 Vict. c. 25. ss. 8, 9. to apply to Buildings provided for under this Act.

CAP. CV.

An Act to provide for the Management of the General Prison at *Perth*, and for the Administration of Local Prisons in *Scotland*. [20th *August* 1860.]

'WHEREAS an Act was passed in the Second and Third Year of the Reign of Her present Majesty, intituled *An Act to improve Prisons and Prison Discipline in* Scotland; and another Act was passed in the Seventh and Eighth Year of the Reign of Her present Majesty, intituled *An Act to amend and continue, until the First Day of* September *One thousand eight hundred and sixty-one, and to the End of the then next Session of Parliament, the Law with respect to Prisons and Prison Discipline in* Scotland; and another Act was passed in the Fourteenth and Fifteenth Year of the Reign of Her present Majesty, intituled *An Act to amend certain Acts for the Improvement of Prisons and Prison Discipline in* Scotland: And whereas it is expedient that the Laws for the Administration of Prisons in *Scotland* should be consolidated and amended:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: 2 & 3 Vict. c. 42. 7 & 8 Vict. c. 34. 14 & 15 Vict. c. 27.

I. From and after the Thirty-first Day of *December* One thousand eight hundred and sixty, the recited Acts shall be and are hereby repealed, and this Act shall commence and take effect. Recited Acts repealed, &c.

II. The Repeal of the recited Acts shall not be held to repeal or in any way affect the Enactments of an Act passed in the Twentieth and Twenty-first Year of the Reign of Her present Majesty, intituled *An Act for the Regulation of the Care and Treatment of Lunatics, and for the Provision, Maintenance, and Regulation of Lunatic Asylums in* Scotland; and where in any Enactments of the last-recited Act, or of any other Act which shall continue in force after the Commencement of this Act, any of the Acts hereby repealed is cited or referred to, such Enactments shall be interpreted as if this Act were cited or referred to therein. Repeal not to affect 20 & 21 Vict. c. 71.

III. This Act may be cited for all Purposes as "The Prisons (*Scotland*) Administration Act, 1860." Short Title.

IV. The following Words and Expressions used in this Act shall in the Construction thereof be interpreted as follows, except where the Nature of the Provision or the Context shall be repugnant to such Construction: Interpretation of Terms.

The Word "Prisons" shall include all legal Prisons under this Act, whether administered by the Managers appointed in Terms of this Act or by County Boards, but shall not include Military Prisons, Police Cells, or other Places of Detention not administered either by such Managers or by a County Board:

"Local Prisons" shall include all legal Prisons under this Act, not administered by the said Managers:

The Expression "Classes of Prisoners for which a Prison is legal" shall include all Descriptions of Civil and Criminal Prisoners, other than such as are excepted in the Declaration, Order, or other Proceeding by which the Prison is rendered legal:

"Burgh" shall include and apply to the Cities, Burghs, and Towns which are Royal Burghs, or which send or contribute as Burghs to send a Member to Parliament:

"Town Councils" shall include the Lord Provost, or Provost or Chief Magistrate, and Magistrates and Council of Burghs:

"Magistrates" shall include the Administrators of the Affairs of a Burgh:

"Sheriff" shall include Sheriff Substitute:

"Landward Part of a County" shall include and apply to a County exclusive of the Burghs situated therein:

"Civil Prisoner" shall include all Persons imprisoned for Civil Debts due to Subjects; Prisoners for Debts or Taxes due to the Crown, not being Fines or Penalties inflicted on Conviction of Offences; Prisoners on Meditatione fugæ Warrants granted at the Instance of Creditors for Performance of Civil Obligations; Prisoners Ad factum præstandum; Prisoners until they find Caution to return to Service; and Prisoners until they find Caution under Writs of Law Burrows:

"Criminal Prisoner" shall include all other Descriptions of Prisoners:

"Administrators of a Prison" shall mean either the Managers of the General Prison or a County Board, as the Case may be:

"Medical Practitioner" shall mean a Person registered in Terms of an Act passed in the Twenty-first and Twenty-second Year of the Reign of Her present Majesty, intituled *An Act to regulate the Qualifications of Practitioners in Medicine and Surgery*, and an Act passed in the Twenty-second Year of the Reign of Her present Majesty, intituled *An Act to amend the Medical Act* (1858).

Appointments, Claims, and Obligations under repealed Acts to continue.

V. All Appointments made under the recited Acts, except in so far as the same are superseded by this Act, shall remain until the same are legally revoked or altered; and all Claims which have been created, and all Obligations and Penalties which have been incurred under the said Acts, and are not superseded by this Act, shall continue to be effectual; and all Orders lawfully made but not fulfilled, and all Matters left incomplete by the Repeal of the said Acts, shall be brought to a Conclusion under this Act, except in so far as the same are superseded thereby.

Rules for Prisons.

Rules as existing to continue until altered;

VI. All Rules for Prisons in *Scotland* which have been certified under the Hand of One of Her Majesty's Principal Secretaries of State, and have not been superseded by other Rules so certified, shall, except in so far as the same are superseded by this Act, be the Rules for Prisons in *Scotland*, and as such shall be binding on all Persons whom they may concern.

but Secretary of State to be substituted for General Board of Prisons.

VII. When the Words "General Board" are used in such Rules, in applying the same to Local Prisons, the Words "One of Her Majesty's Principal Secretaries of State" shall be substituted therefor: Provided that the Intimation required by such Rules to be made of an Escape or of a sudden Death shall be made to the Crown Agent.

Authorized Relaxations of Rules to continue.

VIII. Where in any Prison any Relaxation or Modification of any of such Rules shall before the Commencement of this Act have been authorized by the General Board of Directors of Prisons, such Rules shall be enforced in such Prison subject to such Relaxation or Modification, until the same are revoked by the Adoption of any new Rules under the Provisions of this Act.

Secretary of State empowered to alter Rules, or make new Rules.

IX. It shall be lawful at any Time for One of Her Majesty's Principal Secretaries of State to alter, modify, or supersede any Rule applicable at the Time to any Prison in *Scotland*, and all Rules, whether applicable to particular Prisons therein named or applicable to Prisons in *Scotland* generally, issued under the Hand of One of Her Majesty's Principal Secretaries of State, shall be specially communicated to the Administrators of every Prison to which they apply and published in the *Edinburgh Gazette*, and shall thereafter be binding on all Persons whom they may concern.

County Prison Boards.

Board for each County; and Orkney and Zetland to be separate.

X. There shall be in each County a County Prison Board; provided that for the Purposes of this Act *Orkney* and *Zetland* shall as heretofore be taken to be separate Counties; and the several County Boards in existence at the Commencement of this Act shall continue to be the County Boards under this Act until the First Appointment of County Boards under the Provisions thereof.

County Boards to be chosen by Commissioners of Supply and Magistrates of Burghs, &c.

XI. The County Boards shall be chosen by the Commissioners of Supply of the several Counties, and by the Magistrates of certain Burghs, and the Board of each County shall consist of the Number of Members set forth in reference to such County in the Schedule (A.) annexed to this Act, and shall be chosen by the Commissioners of Supply of each County, or by such Commissioners and the Town Council of any Burgh or Burghs situated in the County, according to the Proportion set forth in the said Schedule: Provided that the Sheriff, and in his Absence One Sheriff Substitute, of the County shall, in addition to the Members so chosen, be *ex-officio* Members of the County Board; and where there is more than One, the Sheriff Substitute whose Appointment is the earliest in Date shall be such Member.

As to Election of County Boards.

XII. The Commissioners of Supply of each County shall elect such Number of Members of the County Board as they are by this Act authorized to elect, at their Annual Meeting held on the Thirtieth Day of the Month of *April*, or on the first lawful Day thereafter, in the Year One thousand eight hundred and sixty-one, and in every subsequent Year; and the Town Councils of the several Burghs authorized to elect Members of County Boards shall also elect such Number of Members as they are by this Act authorized to elect in the Month of *April* One thousand eight hundred and sixty-one, and in every subsequent Year; and the Members of every County Board shall remain in Office until the First Meeting of the Board elected in the ensuing Year, and at each new Election any Member of such Board may be re-elected.

Meetings of County Boards.

XIII. Each County Board shall hold their First Meeting at such Place within the County as may be fixed by the Sheriff, and on such Day not earlier than the Day on which the Commissioners of Supply hold their Annual Meeting in *April*, and not later than the Month of *May*, as the Sheriff shall fix; and of the Day and Place of such Meeting due Notice shall be given in Two Newspapers in general Circulation in the County; and such Meeting may be adjourned; and at such Meeting each County Board shall elect One of their own Number to be their Chairman and Convener; provided that until such Chairman is elected the Sheriff of the County, or in his Absence the Sheriff Substitute, shall be Chairman,

Chairman.

man, and the Chairman shall, in case of an Equality of Votes, have a double or Casting Vote; and each County Board shall from Time to Time hold their Meetings at some Place within the County, and shall from Time to Time fix the Rules by which their Proceedings shall be governed; and each County Board may appoint Committees of their own Number for the Management of the several Prisons within the County, or for the Performance of the several Duties required to be performed by such Board, and fix the Quorum thereof, and may delegate to such Committees such Powers as they may think fit, the same being expressed in the Minute of their Appointment; and Three shall be a Quorum of such County Boards.

Committees and Quorum of County Boards

XIV. On or before the Day of the First Meeting of each County Board the Clerk thereof shall transmit to One of Her Majesty's Principal Secretaries of State, a Statement of the Name and Place of Abode of each Member of such County Board.

Lists of County Boards to be sent to Secretary of State.

XV. In every County the County Board shall have the immediate Superintendence and Management of the Local Prisons therein, in Terms of this Act and of the Rules in force for the Time being in virtue of the same; and such Superintendence and Management shall include the building, altering, and repairing the said Prisons, the transferring the Site of any Prison to be rebuilt from one Part of the County to another, providing Food and all other Articles of Consumption used therein, furnishing Instruction and Employment to the Prisoners, and the Appointment of Keepers, Chaplains, Medical Officers, Clerks, and Teachers, and all other Persons proper to be employed in the Prisons under their Administration: Provided always, that the Chaplains to be so appointed to the General Prison and Local Prisons aforesaid shall be Ministers or Licentiates of the Church of *Scotland*.

Powers and Duties of County Boards.

XVI. Each County Board shall appoint a Clerk of the Board, and may when necessary appoint Assistant Clerks, and appoint a Treasurer; and the Persons so appointed shall perform all such Duties connected with their respective Offices as they may be directed by the County Board to perform with a view to carrying this Act into effect.

Appointment of Clerks and Treasurer.

XVII. Each County Board shall from Time to Time fix the Salaries and Allowances of the several Persons in their Employment; and all Persons in their Employment shall hold their Appointments at the Pleasure of the Board, and shall be liable to be at any Time dismissed by the Board, and on such Dismissal shall be bound immediately to vacate any Premises belonging to the Board occupied by them.

Offices under County Boards to be held at pleasure.

XVIII. It shall be lawful for any County Board, if they think fit, to pay to any Officer or other Person in the Employment of the Board, who by reason of Age, Infirmity, or Disease has become unable properly to discharge his Duties, a retiring Allowance not exceeding the Scale prescribed in Section Two of an Act of the Twenty-second Year of Her present Majesty, intituled *An Act to amend the Laws concerning Superannuations and other Allowances to Persons having held Civil Offices in the Public Service;* and such Allowance, when granted, shall be a Charge on the Assessment for current Expenses: Provided always, that it shall not be lawful to grant such retiring Allowance to any Person under Sixty Years of Age, unless upon Medical Certificate, on Soul and Conscience, under the Hands of Two Medical Practitioners, that such Person is incapable from Infirmity of Mind or Body to discharge the Duties of his Office, and that such Infirmity is likely to be permanent.

Power to County Boards to grant retiring Allowances as prescribed in 22 Vict. c. 26.

XIX. Any Person in the Employment of any County Board or employed in any Prison in *Scotland* may at any Time be dismissed by an Order in Writing under the Hand of One of Her Majesty's Principal Secretaries of State, after such Inquiry as to him may seem proper, and it shall not be lawful to pay a retiring Allowance to any Person who has been so dismissed.

Secretary of State may dismiss Persons employed by County Boards.

XX. All Local Prisons, all Heritable and Moveable Property, all Monies, Goods, and Effects, and all Rights of Action possessed by County Boards at the Commencement of this Act, shall be vested in and be possessed by the County Boards respectively under this Act, until such Possession shall be altered by due Course of Law; and all Local Prisons hereafter built, and all Lands and Tenements acquired by County Boards for the Purposes of such Local Prisons, shall be the Property of the Prison Board of the County within which the same are situated.

Prisons and other Property of existing Boards vested in County Boards under this Act.

XXI. The several County Prison Boards may acquire and hold Heritable and Moveable Property, Monies, Goods, and Effects; and all Titles, Securities, and Investments and Evidences taken for the same, may be taken to the said Boards by the Name and Description of the Prison Board of the County wherein the same shall be established without further Description; and all Property, Monies, Goods, and Effects which shall have been or may be so vested, and the Titles and Securities thereof, shall be deemed to be held for the Use of such Boards for the Time being, and shall pass and be transmitted to such Boards for the Time being, without the Necessity of any Conveyance or Assignation from one Board to another; and every County Board may, for all Purposes of Civil or Criminal Action or Diligence, or Reference or Arbitration, institute, defend, or enter into Civil or Criminal Proceedings in the Name of the Board or of their Clerk for the Time being; and no such Proceeding shall discontinue or abate by reason of any Vacancy in any of the said Offices, but may be insisted in, to all Intents and Purposes, in the Name of the Board or of their Clerk for the Time being.

County Boards may acquire Property, sue and be sued, &c.

XXII. No Member of any County Board shall derive any Profit or Emolument, directly or indirectly, for himself or any Partner, from his Office, or from the Expenditure made by the Board of which he shall be a Member in the Execution of this Act, nor shall he be personally liable for anything done by him *bonâ fide* in virtue of his Office in the Execution of this Act or in the Exercise of

Members of County Boards to derive no Profit from Office.

Sheriffs, &c. not disqualified.

of the Powers hereby conferred; and no Sheriff or other Judge shall be disqualified from acting as such in any Civil or Criminal Proceedings which may be brought before him by reason of being a Member of any such Board.

Power to supply Vacancies in County Boards from Time to Time.

XXIII. The Commissioners of Supply and the Town Councils of Burghs authorized to appoint Members of County Boards shall severally have Power from Time to Time to supply any Vacancies which may occur in their Appointment of Persons to form a County Board; and it shall be lawful for each County Board from Time to Time to supply any Vacancy which may occur in the Office of their Chairman and Convener; and it shall not be held to invalidate the Acts of any County Board that any Commissioners of Supply or Town Councils of Burghs have failed duly to appoint the several Numbers of Persons authorized to be appointed by them as Members of County Boards, and each County Board may act if Three Members thereof shall assemble.

Provision for Refusal or Neglect by Commissioners of Supply, Town Councils, &c., and Failure of County Board.

XXIV. In case any Convener or Commissioners of Supply of Counties, or Persons appointed or directed by them, or any Town Councils of Burghs, or Persons appointed or directed by them, or any County Board, or Persons appointed or directed by them, shall refuse or neglect to do what is herein required of such Persons respectively, or in case in any County there shall be no County Board, or in case a County Board shall refuse or neglect to carry this Act into effect, or in case any Obstruction shall arise in the Execution of this Act, it shall be lawful for the Lord Advocate of *Scotland* to apply by Summary Petition to the Court of Session, or during the Vacation of the said Court to the Lord Ordinary on the Bills, and the said Court and Lord Ordinary are hereby authorized and directed in such Case to do therein as to such Court or Lord Ordinary shall seem just and necessary for the Execution of the Purposes of this Act.

Local Prisons.

Legal Prisons to continue for the Purposes for which they were legalized.

XXV. The several Prisons which under the Powers of the recited Acts have heretofore been administered by County Boards, and shall exist as legal Prisons at the Commencement of this Act shall, for the several Purposes and for the several Classes of Prisoners for which they were legal at the Commencement of this Act, continue to be legal Prisons until their Condition as such shall be altered under the Provisions of this Act; and every Declaration by the General Board of Directors of Prisons, or other Procedure rendering a Prison legal which shall be effectual at the Commencement of this Act, shall continue to be effectual, and shall be binding on all Persons concerned, as if the same formed Part of this Act, until such Declaration or other Procedure shall be revoked or altered under the Provisions of this Act.

Alterations not to be made without Consent of Secretary of State.

XXVI. No Transference of a Prison to a new Site shall be competent, and no Addition shall be made to the Accommodation of any Prison, and no Part of any Prison shall be taken down to the Effect of altering the Accommodation thereof, unless with the Consent in Writing of One of Her Majesty's Principal Secretaries of State.

Secretary of State may alter legal Condition of a Prison, or legalize new Prison.

XXVII. It shall be lawful for One of Her Majesty's Principal Secretaries of State, by an Order under his Hand, to render any Local Prison no longer a legal Prison, or to alter the Classes of Prisoners for which any Local Prison is a legal Prison, or to render any new Building a legal Prison for the Classes of Prisoners included in such Order; and every such Order shall be published in the *Edinburgh Gazette*, and in Two Newspapers circulating in the District to which it applies, and shall be effectual on and after a Day named therein subsequent to such Publication.

Procedure when there is no Prison for all Descriptions of Prisoners in any County.

XXVIII. When the Terms of any Order affecting the Classes of Prisoners for which a Prison is legal are such that when it comes in force there shall cease to be in the County to which it applies a legal Prison for all Descriptions of Civil and Criminal Prisoners, a Prison in some neighbouring County shall be named in such Order to which all Prisoners who would otherwise be confined in such first-mentioned Prison, but cannot be so by reason of the Change in the Classes of Prisoners for which it is legal, shall be removed, and all such Prisoners shall be removed in Terms of such Order by the Prison Board of the County from which they are removed as if the Removal were to another Prison in the same County; and the Expense of the Removal of such Prisoners, and of their Maintenance and Detention in the Prisons to which they are removed, shall be a Charge on the Assessment for current Expenses of Prisons in the County from which they are removed; and in case of Dispute the Amount of such Charge shall be fixed by the Crown Agent.

Procedure when Prisoners are committed to Prisons legalized for short Periods.

XXIX. When a Prisoner, having been convicted of an Offence, shall be committed until he pay a Penalty or perform any other Act, to a Prison which is only legal for the carrying out of Sentences of certain short fixed Periods, it shall be lawful for the County Board to remove him to another Prison, as if he had been committed under a Sentence for a Period beyond that which could be lawfully carried out in the Prison to which he is committed.

Procedure where there is no Prison, or only a Prison for limited Purposes within a

XXX. When any Judge or Magistrate having Jurisdiction within any Burgh, Town, or Place forming Part of a County shall in the legal Exercise of his Jurisdiction grant a Warrant for the Imprisonment of any Person, and within the Bounds over which his Jurisdiction extends there is either no Prison or only a Prison in which, by reason of the Classes of Prisoners for which it is legal, such a Warrant cannot be carried into effect, it shall be lawful for such Judge or Magistrate to direct that the

same

same shall be carried into effect in any other Prison within the County, and the Warrant shall thereupon be as effectual as if the Prison named therein were within the Bounds of such Judge or Magistrate's Jurisdiction. Burgh or other Jurisdiction.

XXXI. In case any Local Prison or a Part thereof shall be discontinued by ceasing to be a legal Place of Confinement under this Act, the County Board may sell the same for such Price as they may obtain therefor and convey the same to the Purchaser: Provided always, that when the Building so discontinued as a Prison forms Part of any Building used for other Purposes, the First Offer of the same shall be made to the Persons having Right to the other Parts of the Building at such Price as may be agreed on, or in case of Disagreement as may be fixed by Valuators appointed by the Sheriff of the County: Provided also, that the County Board may give up any Building so discontinued as a Prison, or any Part of the Ground or Buildings belonging to them, which may not be required for their Prisons, without receiving any Price therefor, if the same is to be used for the Purposes of Court Buildings or of a Reformatory, of a Police Office, Station House, or Lock-up. Disposal of Premises ceasing to be Prisons or not necessary for Prison Purposes.

ASSESSMENTS.

XXXII. The Salaries of the several Persons in the Employment of the County Board, the Expense of the Maintenance of Prisoners in the Local Prisons within the County, and generally the current Expenses of the Administration of such Prisons, shall be defrayed by Assessment upon the County and the Burghs situated therein; and such Assessment shall be of such Amount as the County Board shall from Year to Year fix and determine at a Meeting to be held for that Purpose, which may be either at any Meeting to be held for that Purpose in the Month of *March* or *April*, or at any other Meeting held not later than the Month of *September* in every Year; and such Assessment shall be called the Assessment for current Expenses: Provided that where a Prisoner shall be confined in the Prison of any County not being the County in which the Crime for which the Prisoner has been so confined was committed, such County shall be paid by the County within which the Crime was committed the Expense of maintaining such Prisoner during such Confinement, and in case of Dispute the Amount of such Payment shall be fixed by the Crown Agent. Assessment for current Expenses.

XXXIII. At any Meeting to be held for that Purpose, which may be either the First Meeting of the Board after their Appointment or any other Meeting held not later than the Month of *September* thereafter, the County Board may also impose an Assessment for the Year for the Purpose of defraying the Expenses of building, altering, or repairing any Local Prison within the County, or of acquiring Lands for such Purpose; and such Assessment shall be called the Building Assessment: Provided that no such Building Assessment shall exceed the Amount which, as set forth in the Twenty-first Annual Report of the General Board of Directors of Prisons, presented to both Houses of Parliament, was or might legally have been estimated for as a Building Fund before the Commencement of this Act for such County, unless the same shall in Terms of any Agreement or Minute to that Effect laid before the County Board be consented to by the Commissioners of Supply of such County on behalf of the Landward Part thereof, and by the Town Councils of Burghs situated therein entitled to choose Members of the County Prison Board on behalf of their respective Burghs, and it shall appear that the Persons on whose Behalf such Consent has been given shall have contributed or been liable to contribute not less than Three Fourths of the Assessments imposed on such County and the Burghs situated therein. Building Assessment.

XXXIV. When any Assessment has been imposed by a County Board, the Clerk of the Board shall forthwith divide and apportion the total Amount thereof between the Landward Part of the County and the Burghs situated therein, according to the total Value of Lands and Heritages on which the immediately preceding Assessment for Prison Purposes was levied or leviable in such Landward Part and in each such Burgh; and within Eight Days after such Assessment has been imposed he shall transmit to the Conveners of the Commissioners of Supply of the County, and to the Chief Magistrate of each Burgh situated therein, a Notification of the total Amount imposed, and of the Proportion of such total Amount to be paid by the Landward Part and by each Burgh respectively, to the County Board. Clerk of the Board to apportion the Assessment between the Landward Part of County and the Burghs therein.

XXXV. If a Building Assessment for any Year appear to be necessary for any County, and the County Board shall fail to impose the same previous to the First Day of *October*, it shall be lawful for the Court of Session, or either Division thereof, on a summary Petition presented at the Instance of the Lord Advocate or of any Member of the County Board, to give such Directions and Orders to the County Board in regard to the imposing or levying of a Building Assessment as to them may seem fit. When Court of Session to order Building Assessment to be raised.

XXXVI. Every Assessment under this Act shall be levied upon the Lands and Heritages within the County for which it is imposed, and the Burghs situated therein, according to the yearly Value of such Lands and Heritages as established by the Valuation Rolls in force for the Year of Assessment under an Act passed in the Seventeenth and Eighteenth Year of the Reign of Her present Majesty, intituled *An Act for the Valuation of Lands and Heritages in* Scotland, and an Act passed in the Twentieth and Twenty-first Year of the Reign of Her present Majesty, intituled *An Act to amend the Act Seventeenth and Eighteenth of* Victoria, *for the Valuation of Lands in* Scotland, or either of the said Acts. Assessment to be levied, &c. according to yearly Value, as established by 17 & 18 Vict. c. 91. and 20 & 21 Vict. c. 58.

XXXVII. Every Assessment under this Act shall be payable for the Period from *Whitsunday* of the Year in which the same is imposed to the ensuing Term of *Whitsunday*: Provided that if there shall Assessments payable for the Period from

Whitsunday to Whitsunday.

shall be any Deficiency in the Funds available during any Year for current Expenses, the same may be made good in imposing any subsequent Assessment; and if there be any Surplus of Funds for current Expenses at the Term of *Whitsunday*, the same may be applied to the current Expenses of the ensuing Year.

Assessments to be remitted to County Boards.

XXXVIII. The Persons charged with the levying and collecting of the Assessments as herein-after provided shall remit the same to the County Board free of all Expense and at the Risk of the Remitters; and any Portion of an Assessment which shall not be so remitted within Eight Months from the Date of the Notification shall bear Interest from and after such Term.

Commissioners of Supply to levy Assessments in Landward Part of County.

XXXIX. The Commissioners of Supply of each County are hereby charged with the levying and collecting of all Assessments under this Act, in so far as the same are leviable on Lands and Heritages in the Landward Part of the County; and the said Commissioners are hereby authorized and required, as soon as conveniently may be after Notice as aforesaid to the Convener of the County, to assess and levy and collect or direct the levying and collecting of the same, together with such further Sum as may be necessary to cover Expenses of Assessment, Collection, and Remittance, and any Arrears, with Interest thereon, of preceding Years, and any Deficiency on account of Exemption from Assessment; and the said Commissioners shall proceed in such Manner, and by means of such Collectors or other Persons as they shall from Time to Time appoint.

Assessments may be levied on Proprietor or Tenant, and when of small Amount may be postponed for Two or more Years.

XL. Assessments on Lands and Heritages in the Landward Parts of Counties may be levied either on the Proprietor or the Tenant; but the Tenant, in case of his paying such Assessment, shall be entitled to deduct the Amount thereof from the Rent payable by him: Provided always, that where such Assessment on Houses shall be of small Amount, it shall be competent to the said Commissioners to postpone the Collection of the same, to the Effect of collecting Two or more Years Assessment on Houses at One Time, as they may think proper: Provided also, that it shall be lawful to exempt from the annual Assessment to be levied on Lands and Heritages in the Landward Part of any County any Property the annual Value of which shall not exceed Two Pounds Sterling, on account of the Poverty of the Owner thereof.

Magistrates to levy Assessments in Burghs.

XLI. The Magistrates of each Burgh are hereby charged with the levying and collecting of all Assessments under this Act, in so far as the same are leviable on Lands and Heritages within their respective Burghs; and the Magistrates of each Burgh are hereby authorized and required, as soon as conveniently may be after Notice as aforesaid by the County Board to the Chief Magistrate, to levy and collect, or direct the levying and collecting of the same, together with such further Sum as may be necessary to cover Expenses of Assessment, Collection, and Remittance, and any Arrears, with Interest thereon, of preceding Years, and any Deficiency on account of Exemption from Assessment; and they may proceed in like Manner and with the same Powers and Right of Action and Diligence, and of using Summary Warrants and Proceedings for the Recovery of the same, as may be competent with respect to any Municipal or Police or general Assessment with which the said Magistrates may deem it most expedient that the Sum apportioned as aforesaid should be laid on and collected; and any Board or other Public Body which may be directed by the Magistrates of any Burgh to levy and collect the said Assessment are hereby empowered and required to do so: Provided that in any Burgh or Part thereof in which there may be no Municipal or Police or other general Assessment, or in any Burgh in which it may appear to the Magistrates to be inexpedient to levy the Assessment hereby authorized along with any other existing Assessment, they shall collect the same in such Manner, and by means of such Collectors or other Persons as they shall from Time to Time appoint.

Common Good and Revenues of Burghs may be applied in Payment of Assessments.

XLII. Provided always, That in any Burgh in which the free yearly Proceeds of the Common Good Property and Revenues thereof may be judged by the Magistrates thereof to be sufficient to pay the Sum, or any Part thereof, annually apportioned on such Burgh as aforesaid, after defraying the ordinary Municipal and Police Charges and Expenses and other annual Burdens chargeable on such Common Good Property or Revenues, including the Interest of Debts due by such Burgh, it shall be competent to the Magistrates thereof to pay so much of the Sum so apportioned on such Burgh as is due by that Part of the Burgh entitled to such Common Good Property and Revenues.

Assessment within Burghs to be divided between Proprietor and Tenant.

XLIII. Assessments within Burghs shall be payable by the Tenant or Occupier of the Lands and Heritages assessed; but the Tenant or Occupier by whom such Assessment shall be paid shall be entitled to deduct One Half of such Assessment from the Rent payable to the Proprietor or Person by whom such Property was let: Provided always, that One Half of such Assessment may be levied directly from the Proprietor of Lands and Heritages assessed within the Burgh: Provided also, that where the Rent is under Five Pounds the Magistrates of any Burgh may remit, on account of Poverty, the whole or any Part of the Assessment authorized by this Act to be levied from any Tenant or Occupier of Lands and Heritages within Burgh.

Warrants and Proceedings for Recovery of Land and Assessed Taxes applicable to Assessments under this Act.

XLIV. The whole Powers and Right of issuing Summary Warrant and Proceedings, and all Remedies and Provisions enacted for collecting, levying, and recovering the Land and Assessed Taxes, or any of them, and other Public Taxes, shall be applicable to the collecting, levying, and recovering the Assessments under this Act; and all Sheriffs, Magistrates, Justices of the Peace, and other Judges may grant the like Warrants for Recovery of all such Assessments in the same Form and under the same Penalties as is provided in regard to such Land and Assessed Taxes and other Public Taxes; and all

Assessments

Assessments imposed in virtue of this Act shall, in the Case of Bankruptcy or Insolvency, be paid out of the First Proceeds of the Estate, and shall be preferable to all other Debts of a private Nature due by the Persons assessed; and Interest may be charged on any Assessment, and Proceedings taken for the Recovery thereof, on any Day either before or after the said ensuing Term of *Whitsunday*, provided that if such Day be before the Term, a Notice of the Amount payable shall have been delivered to or left at the Dwelling House or Place of Business of the Person liable in Payment Two Calendar Months before such Day.

Boundaries of Burghs for Purposes of this Act shall be as fixed by 17 & 18 Vict. c. 91., 20 & 21 Vict. c. 58., and 20 & 21 Vict. c. 70.

XLV. The Boundaries of Burghs for the Purposes of this Act shall be the Boundaries thereof as the same are ascertained and fixed under the Provisions to that Effect contained in the following Acts; *viz.*, (1) an Act passed in the Seventeenth and Eighteenth Year of the Reign of Her present Majesty, intituled *An Act for the Valuation of Lands and Heritages in* Scotland; (2) an Act passed in the Twentieth and Twenty-first Year of the Reign of Her present Majesty, intituled *An Act to amend the Act Seventeenth and Eighteenth of* Victoria, *for the Valuation of Lands in* Scotland; (3) an Act passed in the Twentieth and Twenty-first Year of the Reign of Her present Majesty, intituled *An Act to provide for the Extension of the Boundaries of Burghs in* Scotland, *and to remove Doubts as to the Right of certain Persons holding Offices to be registered as Voters for Municipal Purposes.*

Disputes arising as to Assessment may be summarily settled by the Sheriff.

XLVI. Any Dispute which may arise in adjusting the Boundaries of any Burgh, and any Dispute which may arise in imposing or levying the Assessments authorized by this Act between the Commissioners of Supply of Counties or the Magistrates of Burghs, or the Assessors, Collectors, or others acting under them, on the one Part, and any Person aggrieved on the other Part, for the Settlement of which Dispute no Provision shall be made under the Authority of this Act, and in case it shall not be convenient to raise and determine the same in the Sheriff's Small Debt Court, shall be determined in a summary Manner by the Sheriff of the County in which such Dispute shall arise, who shall on a written Petition being presented to him by the Procurator Fiscal, or by any of the aforesaid Parties, appoint the Parties to appear before him, when he shall hear them, investigate the Matter in dispute in such Manner as he may think proper, and decide the same summarily; and the Decision of such Sheriff shall be final, and shall not be liable to Appeal or to Suspension, Advocation, or Reduction, or any other Form of Review.

Accounts to be published.

XLVII. The County Board of each County shall before the End of every financial Year publish detailed Accounts of their Receipts and Expenditure under and for the Purposes of this Act, which Accounts shall be printed, and a Copy thereof shall be furnished to the Commissioners of Supply of the County and to the Town Council of every Burgh situated therein.

Counties may unite for erecting and maintaining Local Prisons.

XLVIII. For the Purpose of erecting and maintaining Local Prisons, and paying the Expenses thereof, the Commissioners of Supply of Two or more Counties, and the Town Councils of the Burghs situated therein, shall have Power to form a Union of their respective Counties in manner following: The Proportion in which each County is to contribute to the Expense of such Prison, the Method of Management thereof, which may be by a Committee jointly appointed by the County Boards interested, and all other necessary Particulars, shall be set forth in a Minute or Agreement certified under the Hand of the Sheriff or Sheriffs of the respective Counties, and such Minute or Agreement on being published in the *Edinburgh Gazette* and in Two Newspapers circulated in the Counties so united, shall be binding on all Persons as if the same were Part of this Act; and when any such Union shall be formed, and when an Order under the Hand of One of Her Majesty's Principal Secretaries of State, fixing the Classes of Prisoners for which such Prison shall be legal, shall take effect as herein provided, it shall be lawful for the Sheriffs and other Magistrates of the Counties forming the Union to exercise the same Jurisdiction with respect to such common Prison, and the Removal of Prisoners to and from the same, as if it were locally situated within their respective Counties, and the Provisions of this Act shall apply to the Removal of Prisoners to and from such Prison, as if the Counties so united were One County: Provided that the Prison of *Fort William* shall continue to be, to the Purport and Intent to which the same shall at the Commencement of this Act be, a Prison for the Use of the Counties of *Argyle* and *Inverness* respectively.

As to Arrears of Assessment in Orkney.

XLIX. 'Whereas Arrears of Assessment for Prison Purposes have long been due by the Landward 'Part of the County of *Orkney*, and it is doubtful whether any considerable Portion thereof could now 'be recovered from the Parties originally liable therefor, or their Representatives:' It shall be lawful for the Commissioners of Supply of the said County, along with any Assessment to be imposed and levied by them under the Authority of this Act, to impose, levy, and collect on and from the Proprietors and Tenants of Lands and Heritages in the Landward Part of the said County, such additional Sum as they shall think fit towards Payment of such Arrears; and such additional Sum shall be apportioned on the Lands and Heritages in such Landward Part in the same Manner as the Assessments authorized by this Act; and all the Provisions of this Act applicable to Assessments and the Recovery of the Sums assessed shall be applicable to such additional Sum.

Special local Arrangements in Ross and

L. The Commissioners of Supply for the Counties of *Ross* and *Cromarty*, and also for that Portion of the County of *Nairn* which is locally situated in the County of *Ross*, shall meet together for the Purposes

Cromarty, and Nairn.

Purposes of this Act at the usual Place of Meeting of the Commissioners of Supply of the County of *Ross*, and shall exercise the Powers conferred by this Act on Commissioners of Supply with respect to the said Counties of *Ross* and *Cromarty* and the said Portion of the County of *Nairn*.

REFORMATORIES.

County Boards may contribute to Reformatories.

LI. A County Board may, with the Consent of the Commissioners of Supply of such County, resolve to contribute to any Reformatory in any Part of *Scotland* which has been certified by One of Her Majesty's Principal Secretaries of State, in Terms of an Act passed in the Seventeenth and Eighteenth Year of Her present Majesty, intituled *An Act for the better Care and Reformation of Youthful Offenders in* Great Britain, and on such Resolution, stating the Name of the Reformatory to which they propose to contribute, being transmitted to the Secretary of State for the Home Department, being One of Her Majesty's Principal Secretaries of State, he shall intimate whether he approves or disapproves of such Resolution, and if he intimate that he approves thereof, such County Board may from Time to Time pay over such Sum as they may think fit to the Directors and Managers of such Reformatory, and such Sum shall be a Charge on the Assessment for current Expenses: Provided, that if at any Time such Secretary of State shall notify his Withdrawal of such his Approval, it shall no longer be lawful for the County Board to contribute to such Reformatory.

MANAGERS OF THE GENERAL PRISON.

Appointment of Managers of the General Prison at Perth.

5 & 6 W. 4. c. 38.

LII. The following Persons shall be and are hereby appointed Managers of the General Prison at *Perth*, any Two of whom shall be a Quorum; *viz.*, the Sheriff Principal of the County of *Perth*, the Inspector of Prisons for *Scotland* appointed under an Act passed in the Fifth and Sixth Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for effecting greater Uniformity of Practice in the Government of the several Prisons in* England *and* Wales, *and for appointing Inspectors of Prisons in* Great Britain, the Crown Agent in *Scotland* for the Time being, and One Person who shall be appointed and may be removed by Her Majesty, and shall receive such Salary as shall be fixed by the Commissioners of Her Majesty's Treasury, not exceeding Seven hundred Pounds a Year; and such last-mentioned Person shall also discharge all the Duties of Secretary to the Managers; and, except as herein provided, the Managers shall not derive any Profit or Emolument for the Performance of any Duties under this Act, nor shall they be personally responsible for anything done *bonâ fide* in the Execution of this Act, or in the Exercise of the Powers herein contained.

Office Accommodation of Managers.

LIII. The Managers shall have such Office Accommodation, and such Assistance of Clerks, Office Keepers, or Messengers, as One of Her Majesty's Principal Secretaries of State may from Time to Time direct.

Expenses of Managers, how to be paid.

LIV. The Managers shall defray the Expenses incurred in the Performance of the various Duties and Functions hereby committed to them out of such Monies as may be voted by Parliament for such Purposes respectively, and shall render their Accounts for such Expenditure to the Commissioners of Audit, in such Manner and at such Periods as the Commissioners of Her Majesty's Treasury may direct.

General Prison at Perth, and Rights, &c. belonging thereto, vested in the Commissioners of Works and Public Buildings.

LV. From and after the Commencement of this Act the General Prison at *Perth* as at the said Date belonging to and vested in the General Board of Directors of Prisons, and all Rights of Property, Action, or Recovery relative thereto, and all other Lands and Heritages at the said Date belonging to and vested in the said General Board shall be and are hereby transferred to and vested in the Commissioners of Her Majesty's Works and Public Buildings, for the Purposes and subject to the Provisions of this Act: Provided that it shall be lawful for the Managers to sue for, recover, and discharge all Debts or Sums of Money due to the said General Board at the Commencement of this Act, and to receive from the said General Board all Moveable Property, Records, and Documents belonging thereto, and to hold and dispose of the same for the Purposes and subject to the Provisions of this Act and to any Directions to be given relative thereto by One of Her Majesty's Principal Secretaries of State.

Managers to complete Matters unfinished and transmit Balances of Assessments to County Boards.

LVI. It shall be the Duty of the Managers, and they are hereby authorized and empowered to bring to Completion all Matters and Proceedings left by the General Board of Directors of Prisons uncompleted at the Commencement of this Act; and they shall receive from the said General Board, and remit to the several County Boards any Balances of Monies raised within such Counties by Assessment in the Possession of, or at the Order, or under the Control of the said General Board at the Commencement of this Act.

Provision for collecting, arranging, and reporting Prison Statistics.

LVII. 'Whereas it is expedient that the Statistics regarding Prisons and Prisoners in *Scotland* should 'continue, as heretofore, to be collected and digested, and laid before Parliament in a tabular Form:' The Clerks of the several County Boards shall and they are hereby required to transmit to the Managers such Returns as One of Her Majesty's Principal Secretaries of State shall from Time to Time direct, applicable to the Amount of Prison Accommodation in the County, the Number of Prisoners, their Ages, Sentences, Educational Condition, Health, Conduct, Casualties, Prison Punishments, the Receipts and Expenditure connected with the several Prisons, the Observance of the Rules, and other similar Matters.

LVIII. The

Provision for Inquiries into Condition and Management of Prisons.

LVIII. The Managers, or any One or more of them, may, with the Authority in Writing of such Secretary of State, proceed to any Prison and inquire into the Condition and Management thereof, and may require Access to all Documents therein or in reference thereto, and may require the Attendance of any Witness, by Service by any Sheriff-Officer or Constable of a written Intimation to such Witness personally or at his usual Place of Residence, and may examine such Witness on Oath; and any Person interrupting such Inquiry, or failing, when required, to produce any Document, or to attend or give Evidence, shall, on summary Complaint and Conviction before the Sheriff, be liable to a Penalty not exceeding Ten Pounds, or to be imprisoned for any Period not exceeding Thirty Days.

Return of Sentences of Imprisonment to be made to Managers, as in Sched. (B.)

LIX. When any Criminal shall have been sentenced the Clerk of the High Court of Justiciary, if such Sentence shall have been pronounced by the said High Court, or the Clerk of the Circuit Court of Justiciary, if such Sentence shall have been pronounced by the Circuit Court of Justiciary, or the Sheriff Clerk of the County, if such Sentence shall have been pronounced by the Sheriff, shall within Eight Days after such Sentence shall have been pronounced make a Return thereof to the Managers, which Return shall be in the Form of the Schedule (B.) hereunto annexed.

Annual Report to be made to Secretary of State by Managers.

LX. The Managers shall, on or before the Fifteenth Day of *February* in every Year, make and transmit to One of Her Majesty's Principal Secretaries of State a full Report of their whole Proceedings during the Year ending on the Thirty-first Day of *December* preceding, and an Abstract of their whole Receipts and Expenditure, classifying the separate Articles thereof; and in the said Report, or in the Appendix thereto, there shall be set forth all new Rules or Alterations of Rules for Prisons which shall have been made by such Secretary of State as aforesaid, any Orders issued by such Secretary of State constituting a new Prison or altering the Classes of Prisoners for which a Prison is legal, and such Information and Statistics regarding Prisons in *Scotland* as such Secretary of State may require; and a Copy of every such Report shall be laid before both Houses of Parliament within Fourteen Days after the Fifteenth Day of *February*, if then assembled, or if Parliament shall not be then assembled within Fourteen Days after the next Meeting thereof.

GENERAL PRISON AND CUSTODY OF CONVICTS.

Managers, subject to Instructions of Secretary of State, to have the Administration of the General Prison.

LXI. The Managers, subject to the Provisions of this Act, and the Rules in force in Terms thereof, and also subject to such Instructions as they may from Time to Time receive from One of Her Majesty's Principal Secretaries of State, shall have the Administration and Government of the General Prison at *Perth*, and shall from Time to Time visit the said Prison: Provided that One or more of the Managers shall once at least in every Month see and communicate with each Prisoner, shall examine the Books, Accounts, and Documents kept in the Prison, shall inspect the Prison Premises and Stores, shall examine into the Conduct of the several Officers, shall investigate all Complaints and alleged or apparent Abuses, or Deviations from the Rules, shall inquire into the Cause and Nature of every Punishment that has been administered, shall ascertain how far the Health, Education, and Industrial Training of the Prisoners are in a satisfactory Condition, and shall make a Report in Writing, under these Heads, which shall be laid before and specially considered by the Managers and Visitors.

Rules to be made for the Staff of the General Prison.

LXII. Besides such Rules for the Government of the General Prison, and for the Custody, Discipline, and Dietaries of the several Classes of Prisoners therein, as may exist at the Commencement of this Act, or may thereafter be adopted, Provision shall be made by further Rules for the Method in which the Establishment of Officers in the said Prison shall from Time to Time be adjusted, and for the Appointment and Dismissal of such Officers, and the fixing of their Salaries; and until such Rules come into force no Appointment or Dismissal of an Officer, and no Alteration of an Officer's Salary in the said Prison, shall take effect unless the same be approved by One of Her Majesty's Principal Secretaries of State.

Classes of Prisoners to be confined in the General Prison.

LXIII. The General Prison at *Perth* shall be a Prison for the Reception and Detention of Prisoners sentenced to Imprisonment by the Courts of Law in *Scotland*, and also for the Reception and Detention of such Convicts under Sentence or Order of Transportation or of Penal Servitude, as Her Majesty may please to direct to be removed to such General Prison under the Powers contained in an Act of the Tenth and Eleventh Year of the Reign of Her present Majesty, intituled *An Act to amend the Law as to the Custody of Offenders;* and of an Act of the Sixteenth and Seventeenth Year of the Reign of Her present Majesty, intituled *An Act to substitute in certain Cases other Punishments in lieu of Transportation;* and of an Act of the Twentieth and Twenty-first Year of the Reign of Her present Majesty, intituled *An Act to amend the Act of the Sixteenth and Seventeenth Years of Her Majesty, to substitute in certain Cases other Punishments in lieu of Transportation.* 10 & 11 Vict. c. 67. 16 & 17 Vict. c. 99. 20 & 21 Vict. c. 3.

Sentences of Nine Months and upwards to be carried out in the General Prison.

LXIV. From and after the Commencement of this Act, when a Sentence is pronounced by any Court of competent Jurisdiction adjudging any Person to Imprisonment for a Period of Nine Months or upwards, such Sentence, whether the General Prison at *Perth* be mentioned therein or not, or whether the Name of any other Prison be mentioned therein or not, shall be deemed to be and is hereby declared to be a Sentence which may be carried into effect in the said General Prison, unless such Sentence contains a Clause especially declaring that the Prisoner shall not be removed to such General Prison;

Prison; and any Person undergoing a Sentence which may be so carried into effect in the General Prison may be removed thereto at any Time in Terms of the Provisions of this Act for the Removal of Prisoners; and if such Sentence adjudge the Prisoner to Hard Labour for any Period, Effect shall be given to such Adjudgment in the General Prison, so far as the same has not been carried into effect in a Local Prison.

Provisions for the Administration of Convict Establishments appointed under existing Statutes.

LXV. 'Whereas by an Act of the Fifth Year of the Reign of His Majesty King *George* the Fourth, 'intituled *An Act for the Transportation of Offenders from* Great Britain, Her Majesty is empowered 'to appoint Places of Confinement within *England* and *Wales* for Male Convicts under Sentence or 'Order of Transportation; and by the herein-before recited Act of the Twentieth and Twenty-first 'Year of the Reign of Her present Majesty, to substitute in certain Cases other Punishments in lieu 'of Transportation, it is provided that the Power to appoint such Places of Confinement, and other 'Provisions of the foresaid Act, shall extend and be applicable to and for the Appointment by Her 'Majesty of like Places of Confinement in any Part of the United Kingdom for Offenders, whether 'Male or Female, sentenced under the Provisions of such last-mentioned Act:' If at any Time Her Majesty shall be pleased to appoint such Place of Confinement in *Scotland*, the same shall be a lawful Place of Confinement for such Offenders, whether Male or Female, under Sentence or Order of Transportation or Penal Servitude, as Her Majesty, under the Powers of the herein-before recited Act to that Effect, may be pleased to direct to be removed thereto; and all the Provisions of the before-recited Acts relating to such Places of Confinement, and to the Persons confined therein, shall be in force in any Place so appointed in *Scotland*, so far as the same shall be applicable thereto and are not superseded by the Provisions of this Act; and such Place of Confinement shall be deemed a Prison for the Purposes of this Act, and all the Provisions herein contained relative to the General Prison, so far as the same are applicable to Persons under Sentence or Order of Transportation or of Penal Servitude, shall apply to such Place of Confinement.

Removals of Prisoners.

As to Removals of Prisoners by County Boards.

LXVI. When by the Order, Declaration, or other Proceeding by which a Prison is rendered legal, certain Prisoners other than the Class for which it is legal are appointed to be removed to another Prison within the same County, such Removal, as well as all Removals of Prisoners from one Local Prison to another within the same County, shall be carried out by or under the Direction of the County Board; and all Persons employed in such Removals shall obey the Instructions received by them from the County Board, so far as the same are consistent with the Provisions of this Act; and the Expense of such Removals shall be a Charge on the Assessment for current Expenses.

As to Removals of Prisoners by Managers.

LXVII. Save as herein excepted, all Removals of Prisoners from one Prison in *Scotland* to another Prison in *Scotland*, and all Removals of Convicts sentenced to Transportation or to Penal Servitude from any Prison in *Scotland* to any One of Her Majesty's Prisons or Penitentiaries in *England*, in virtue of Warrants granted by One of Her Majesty's Principal Secretaries of State under the Provisions of the Statutes to that Effect, shall be carried out by or under the Direction of the Managers, who may issue Regulations or Instructions for carrying out such Removals, and fix from Time to Time the Remuneration and Allowances to be paid to the Persons employed therein; and such Regulations and Instructions shall, so far as the same are not inconsistent with the existing Laws or Statutes, be binding on the Persons to whom any such Warrants by Order of Her Majesty's Principal Secretaries of State are addressed, and all other Persons employed in carrying into effect such Removals of Prisoners.

As to Removals under Order of Secretary of State.

LXVIII. It shall be lawful, in virtue of an Order under the Hand of One of Her Majesty's Principal Secretaries of State, to remove any Prisoner from any Prison in *Scotland* to any other Prison in *Scotland*, being a legal Prison for the Class of Prisoners to which such Prisoner belongs, and the Sentence or Warrant under which he is committed shall be as effectual in the Prison to which he is so removed as in the Prison named therein.

Prisoners removed to General Prison may be taken back to Local Prison.

LXIX. Any Prisoner sentenced to a Period of Imprisonment who has been removed from a Local Prison to the General Prison may, at any Time before the Expiry of his Sentence, be removed back to the Local Prison whence he was brought, under the Provisions of this Act relating to the Removal of Prisoners.

Not to interfere with Removal by Court of Law.

LXX. Nothing in this Act contained relating to the Removal of Prisoners shall affect the Power possessed by any Court of Law to direct the Removal of any Prisoner to be carried out by any Officer of such Court or other Officer of the Law.

Miscellaneous.

Persons who are entitled to visit Prisons.

LXXI. The following Persons shall be entitled to visit the several Prisons in *Scotland;* namely, Her Majesty's Principal Secretaries of State, or any Persons appointed by them or any of them, the Lords

Lords Lieutenant of Counties in *Scotland*, the Members of Her Majesty's Privy Council, the Judges of the Court of Session, the Lord Advocate and Solicitor General of *Scotland*, and the Managers appointed by or under the Authority of this Act: The following Persons shall also be entitled to visit the Local Prisons within their respective Counties and Burghs, namely, Sheriffs, Conveners of Commissioners of Supply, Members of County Prison Boards, Justices of the Peace, and Magistrates of Burghs; and any Person visiting a Prison which he is hereby empowered to visit shall have Access, if he desire it, to every Prisoner confined therein, or otherwise to such Prisoners as he may desire to see, and may report his Observations on the Discipline and Management of such Prison to the Administrators thereof, or to One of Her Majesty's Principal Secretaries of State: Provided that in any Rules for Prisons adopted under this Act Provision may be made for authorizing other Persons to visit any Prisons under such Restrictions as the Rules may contain; and that the Administrators of any Prison may by an Order in Writing grant special Permission to any Person to visit the same.

Removal of Prisoners diseased or in danger of Life to Hospitals, &c.

LXXII. When in reference to any Person confined in a Prison it is certified by Two Medical Practitioners who have visited and carefully examined him, that he is afflicted with any contagious or infectious Disease which renders his Removal necessary for the Health of the other Inmates of the Prison, or that he is afflicted with any Disease which threatens immediate Danger to Life and cannot be treated in Prison, or that from his Condition continued Confinement would cause his Death, it shall be lawful for the Sheriff, on summary Application at the Instance of the Administrators of the Prison, accompanied by such Certificate, to order the Prisoner to be removed to an Hospital or other fit Place, under such Precautions as to the Sheriff may seem necessary and proper.

As to Prisoners sentenced to Hard Labour.

LXXIII. When any Sentence awarded by any Court of competent Jurisdiction for any Crime or Offence is a Sentence to a Period of Imprisonment, to be accompanied, during either the whole or a Portion of such Period, with Hard Labour, such Hard Labour shall be exacted and performed in the Manner set forth in the Rules applicable to the Prison for the Time being under this Act; and in any Rules which may be hereafter made in Terms of this Act, it shall be competent to include Rules for carrying out Sentences of Hard Labour.

Power to order Male Juvenile Offenders to be punished by private Whipping.

LXXIV. In every Case where it is competent for any Judge or Magistrate to award Sentence of Imprisonment, or of Fine with the Alternative of Imprisonment, it shall be lawful for such Judge or Magistrate, in the Case of any Juvenile Offender, being a Male, whose Age in the Opinion of such Judge or Magistrate shall not exceed Fourteen Years, to adjudge such Offender, instead of Imprisonment or of Imprisonment and Hard Labour, or in addition to Imprisonment or Imprisonment and Hard Labour, to be punished by private Whipping, in such Manner and according to such Regulations as have been or shall be made by the Lord Advocate of *Scotland* in that Behalf, and approved by One of Her Majesty's Principal Secretaries of State.

Penalty for introducing prohibited Articles into Prisons.

LXXV. If any Person shall carry or bring, or attempt or endeavour, by throwing over the Walls or by any other Means, to introduce, into any Prison in *Scotland* any Letters, Tobacco, Spirits, or other Articles not allowed by the Rules of such Prison, it shall be lawful for any Person to apprehend such Offender, and to carry him before the Sheriff, or any Two Justices of the Peace of the County, or any Magistrate of a Burgh in which such Prison is situated, who are hereby empowered to hear and determine such Offence in a summary Way; and if the Person complained of shall be lawfully convicted of such Offence, the Sheriff, Justices, or Magistrate shall forthwith sentence such Offender to Imprisonment, with or without Hard Labour, for any Period not exceeding One Month, unless such Offender shall immediately pay such Penalty, not exceeding Five Pounds nor less than Forty Shillings, as such Sheriff, Justices, or Magistrate shall impose; and such Penalty shall be applied towards the Expense of such Prosecution, and the Surplus, if any, towards the Maintenance of such Prison.

Laws as to Aliment and Liberation, and Responsibility for safe Custody continued.

LXXVI. The Sheriff shall continue to exercise the Powers and Jurisdiction at present possessed by him with respect to Applications and Proceedings for Aliment and for Liberation of Civil Prisoners, and nothing herein contained shall be held to alter the Law with respect to the Aliment of Prisoners, or Responsibility for the safe Custody of Prisoners.

8 & 9 Vict. c. 19. incorporated with this Act for Acquisition of Lands.

LXXVII. For enabling the said Commissioners of Her Majesty's Works and Public Buildings, and any County Board to purchase, take, and acquire Lands for the Purposes of this Act, "The Lands Clauses Consolidation (*Scotland*) Act, 1845," shall be incorporated with and form Part of this Act: Provided that the Clauses of the said Lands Clauses Consolidation Act with respect to the Purchase and taking of Lands otherwise than by Agreement shall not be incorporated herewith, except for the Purpose of acquiring Lands adjoining to a Prison for the Purpose of enlarging such Prison; and the Expression "the Special Act" in the said Lands Clauses Consolidation Act shall mean this Act; and the Expression "the Promoters of the Undertaking" in the said Act shall mean and include the said Commissioners of Her Majesty's Works and Public Buildings, and any County Board seeking to acquire Lands under this Act.

SCHEDULES referred to in the foregoing Act.

SCHEDULE (A.)

TABLE of COUNTY PRISON BOARDS, containing the Number of Members to be appointed for the Landward Part of each County by the Commissioners of Supply thereof; for the Burghs situated in each County by the Magistrates thereof.

COUNTY.	Landward Part of County and Burghs.	No. of Members to be appointed.
1.	2.	3.
1. Aberdeen	Landward Part	15
	Aberdeen	7
	Peterhead	1
		23
2. Argyle	Landward Part	11
	Campbeltown	1
		12
3. Ayr	Landward Part	15
	Ayr	1
	Irvine	1
	Kilmarnock	2
		19
4. Banff	Landward Part	7
	Banff	1
		8
5. Berwick	Landward Part	9
6. Bute	Landward Part	4
	Rothesay	3
		7
7. Caithness	Landward Part	7
	Wick	1
		8
8. Clackmannan	Landward Part	6
9. Dumbarton	Landward Part	7
	Dumbarton	1
		8
10. Dumfries	Landward Part	14
	Dumfries	2
		16
11. Edinburgh	Landward Part	6
	Edinburgh	9
	Leith	2
	Musselburgh	1
	Portobello	1
		19
12. Elgin	Landward Part	7
	Elgin	1
		8
13. Fife	Landward Part	13
	Cupar	1
	Dunfermline	2
	Dysart	1
	Kirkcaldy	1
	St. Andrews	1
		19
14. Forfar	Landward Part	11
	Arbroath	1
	Brechin	1
	Dundee	7
	Forfar	1
	Montrose	1
		22
15. Haddington	Landward Part	8
	Dunbar	1
	Haddington	1
		10
16. Inverness	Landward Part	13
	Inverness	2
		15
17. Kincardine	Landward Part	6

Prisons (Scotland).

COUNTY.	Landward Part of County and Burghs.	No. of Members to be appointed.
1.	2.	3.
18. Kinross	Landward Part	6
19. Kirkcudbright	Landward Part	8
20. Lanark	Landward Part	10
	Airdrie	1
	Glasgow	14
	Hamilton	1
	Lanark	1
	Rutherglen	1
		28
21. Linlithgow	Landward Part	6
	Linlithgow	1
		7
22. Nairn	Landward Part	5
	Nairn	2
		7
23. Orkney	Landward Part	7
24. Peebles	Landward Part	6
	Peebles	1
		7
25. Perth	Landward Part	16
	Perth	3
		19
26. Renfrew	Landward Part	10
	Greenock	5
	Paisley	5
	Port-Glasgow	1
	Renfrew	1
		22
27. Ross and Cromarty	Landward Part	15
28. Roxburgh	Landward Part	11
	Jedburgh	1
		12
29. Selkirk	Landward Part	4
	Selkirk	2
		6
30. Stirling	Landward Part	9
	Stirling	2
	Falkirk	1
		12
31. Sutherland	Landward Part	6
32. Wigtown	Landward Part	12
	Stranraer	2
		14
33. Zetland	Landward Part	8

SCHEDULE (B.)

Name.	Sex.	Age.	Occupation.	Married or unmarried.	Offence.	County where Offence committed.	Date of Offence.	Number of previous Convictions and from what Courts.	Sentence. *	Date of Sentence.

* The Period for which the Prisoner is sentenced to be imprisoned, and the Prison in which he is sentenced to be confined, are to be inserted under this Head.

CAP. CVI.

An Act to amend the Lands Clauses Consolidation Acts (1845) in regard to Sales and Compensation for Land by way of a Rentcharge, Annual Feu Duty or Ground Annual, and to enable Her Majesty's Principal Secretary of State for the War Department to avail himself of the Powers and Provisions contained in the same Acts. [20th *August* 1860.]

8 & 9 Vict. c. 18.

'WHEREAS it is expedient to extend the Provisions of the Lands Clauses Consolidation Acts, 1845, in regard to Sales of Land, or Compensation for Damages, in consideration of an annual Rentcharge, Annual Feu Duty or Ground Annual, and to enable Her Majesty's Principal Secretary of State for the War Department to avail himself of the Powers and Provisions contained in the same Act for the Purchase of Lands wanted for the Service of the War Department or for the Defence of the Realm:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Part of Sect. 10. of recited Act repealed.

I. So much of the Tenth Section of the Lands Clauses Consolidation Act, 1845, as provides that, save in the Case of Lands of which any Person is seised in fee or entitled to dispose absolutely for their own Benefit, the Consideration to be paid for any Lands, or for any Damage done thereto, shall be in a gross Sum, is hereby repealed.

Sects. 10. and 11. of recited Act, as to Power to sell Lands, &c. extended to all Sales, &c.

II. The Power to sell and convey Lands in consideration of an annual Rentcharge provided by the Tenth Section of the said Act, and the Power to recover such Rentcharge provided by the Eleventh Section of the said Act, are hereby extended to all Cases of Sale and Purchase or Compensation under the said Act where the Parties interested in such Sale, or entitled to such Compensation, are under any Disability or Incapacity, and have no Power to sell or convey such Lands, or to receive such Compensation, except under the Provisions of the said Act.

Similar Proviso with regard to Lands sold under 8 & 9 Vict. c. 19. s. 10.

III. The Power to sell and convey Lands in consideration of an Annual Feu Duty or Ground Annual, under the Tenth Section of the Lands Clauses Consolidation (*Scotland*) Act, 1845, and the Power to recover such Annual Feu Duty or Ground Annual, are hereby extended to all Cases of Sale or Purchase or Compensation under the said Act, where the Parties interested in such Sale are under any Disability or Incapacity, and have no Power to sell or convey such Lands, or to receive such Compensation, except under the Provisions of the said Act.

Amount of Rentcharge to be settled in manner directed in the 9th Section of recited Acts.

IV. In every Case of such Sale or Compensation by any Parties other than Parties seised in fee or entitled to dispose absolutely of the Lands so sold or damaged, the Amount of such Rentcharge, Annual Feu Duty or Ground Annual, herein-before mentioned, shall be settled in the Manner directed in the Ninth Section of each of the said Acts respectively: Provided, that the Amount of such annual Rentcharge, Annual Feu Duty or Ground Annual, shall in no Case be less than One Fourth Part greater than the net annual Rent received by the Parties beneficially interested in such Lands, upon an Average of the last Seven Years; and that a Charge of Five *per Cent.* on the gross Sum estimated or fixed as aforesaid, by way of Compensation for any Damage that may be done to the said Lands, shall in all such Cases be added to and shall form a Part of the said Rentcharge, Annual Feu Duty or Ground Annual; and that no Fine, Foregift, Grassum, Premium, or other Consideration in the Nature thereof, shall be paid or taken in respect of the Lands so sold or damaged, other than the annual Rentcharge, Annual Feu Duty or Ground Annual, made payable for such Lands: Provided also, that such Rentcharge shall be and remain upon and for the same Uses, Trusts, and Purposes as those upon which the Rents and Profits of the Land so conveyed stood settled or assured at or immediately before the Conveyance thereof, and shall be a First Charge on the Tolls and Rates, if any, payable under the Special Act.

If Lands purchased by way of Rentcharge, borrowing Powers to be reduced proportionally.

V. In case the Promoters of the Undertaking shall be empowered, by any Act or Acts relating thereto, to be passed after the passing of this Act, to borrow Money to an Amount not exceeding a prescribed Sum, then in the event of the Promoters of the Undertaking agreeing at any Time after the passing of this Act with any Person, under the Powers of this Act and of either of the Acts herein-before mentioned, or of either of the said Acts, only, for the Purchase of any Lands in consideration of the Payment of a Rentcharge, Annual Feu Duty or Ground Annual, the Powers of the Promoters of the Undertaking for borrowing Money shall be reduced by an Amount equal to Twenty Years Purchase of any Rentcharge, Annual Feu Duty or Ground Annual, so for the Time being payable.

Certain Clauses in 8 & 9 Vict. c. 18. extended to Purchases of Land, &c. for public Purposes.

VI. The Clauses contained in "The Lands Clauses Consolidation Act (1845)," relating to the Purchase of Lands by Agreement, and to Agreements for Sale and Conveyances, Sales, and Releases of any Lands or Hereditaments, or any Estate or Interest therein, by Parties under Disability, shall extend and be applicable to all Purchases of Land and Hereditaments for public Purposes which shall be hereafter made by the Council of any City or Borough, with the Sanction of the Commissioners of Her Majesty's Treasury, under the Powers for that Purpose contained in "The Municipal Corporation Mortgages, &c. Act (1860)."

Power to Secretary for War to use

VII For the Purchase or Acquisition of any Messuages, Lands, Tenements, and Hereditaments wanted for the Service of the Admiralty or of the War Department or for the Defence of the Realm, it shall

shall be lawful for Her Majesty's Principal Secretary of State for the War Department for the Time being to use all or any of the Powers and Provisions by the Lands Clauses Consolidation Act, 1845, and by the Lands Clauses Consolidation (*Scotland*) Act, 1845, given to Promoters of the Undertaking, as therein mentioned, and for such Purposes the said Principal Secretary shall be deemed and taken to be the Promoters of an Undertaking within the Meaning of the said Act, and all the Powers and Provisions thereof shall, if used by Her Majesty's Principal Secretary of State for the War Department, be treated as if they were contained in the Fifth and Sixth *Victoria*, Chapter Ninety-four, for the Purpose of being used and made available by the Principal Officers of Her Majesty's Ordnance, and had been transferred to the said Principal Secretary for the Time being by the Eighteenth and Nineteenth *Victoria*, Chapter One hundred and seventeen, for the Purposes aforesaid: Provided always, that nothing herein contained shall authorize any Purchase otherwise than by Agreement of any Land, except according to the Provisions of the Twenty-third Section of the said Act of the Fifth and Sixth *Victoria*, or prejudice or affect the Powers and Authorities of the said Principal Secretary for the Time being under the said last-mentioned Statutes, or either of them.

the Powers given to Promoters of Undertakings by 8 & 9 Vict. c. 18.

VIII. This Act shall be read and construed as Part of the said Lands Clauses Consolidation Act, 1845, or of the Lands Clauses Consolidation (*Scotland*) Act, 1845, in all Matters in which it relates to the said Acts respectively; and in citing this Act in other Acts of Parliament, and in legal Instruments, it shall be sufficient to use the Expression of "The Lands Clauses Consolidation Acts Amendment Act, 1860."

This Act and 8 & 9 Vict. cc. 18. and 19. to be construed together.

CAP. CVII.

An Act for granting to Her Majesty certain Duties on Wine Licences and Refreshment Houses, and for regulating the licensing of Refreshment Houses and the granting of Wine Licences in *Ireland*. [28th *August* 1860.]

Most Gracious Sovereign:

WE, Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of *Great Britain* and *Ireland* in Parliament assembled, towards raising the necessary Supplies to defray Your Majesty's public Expenses, and making an Addition to the Public Revenue, have freely and voluntarily resolved to give and grant unto Your Majesty the several Rates and Duties herein-after mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. From and after the First Day of *July* One thousand eight hundred and sixty there shall be charged, levied, and paid, unto and for the Use of Her Majesty, Her Heirs and Successors, for and upon the several Licences herein-after mentioned, the respective Rates and Duties following; that is to say,

From and after 1st July 1860 certain Duties to be charged for Licences herein mentioned.

	£	s.	d.
For every Licence to keep a Refreshment House—			
If the House and Premises in respect of which such Licence shall be granted shall be under the Value of 20*l.* a Year	0	10	6
And if the same shall be of the Value of 20*l.* a Year or upwards	1	1	0
And for every Licence to be granted as herein-after mentioned to any licensed Keeper of a Refreshment House to sell therein by Retail Foreign Wine to be consumed in such House or on the Premises belonging thereto—			
If such House and Premises shall be under the Value of 50*l.* a Year	3	3	0
And if the same shall be of the Value of 50*l.* a Year or upwards	5	5	0
And for every Licence to be taken out by any Person for the selling by Retail in any Shop of Foreign and *British* Wine not to be consumed in the House or Shop or on the Premises where sold—			
If the House and Premises shall be under the Value of 50*l.* a Year	2	2	0
And if the same shall be of the Value of 50*l.* a Year or upwards	3	3	0

II. The Duties by this Act granted shall be deemed to be Excise Duties, and shall be under the Care and Management of the Commissioners of Inland Revenue for the Time being; and all Powers, Provisions, and Regulations, Penalties, and Forfeitures contained in or enacted by any Act in force in relation to Excise Duties, shall, in all Cases not herein expressly provided for, and so far as the same are not superseded by and are consistent with the express Provisions of this Act, be duly observed, applied, and put in execution for ascertaining the Value of any House or Premises in respect of which any Licence shall be applied for under this Act, and for charging, collecting, and securing the said Duties hereby granted, and otherwise relating thereto, as fully and effectually as if the same Powers, Provisions, and Regulations, Penalties and Forfeitures, were repeated and re-enacted in the Body of this Act with reference to such Value and to the said Duties hereby granted: Provided always, that the Valuation of any such House or Premises on which the last preceding Rate for the Relief of the Poor had been made shall be deemed and taken to be the Value of such House or Premises for any of the Purposes of this Act.

Powers and Provisions of Excise Acts to apply to the Duties granted by this Act.

III. Every

Every Person keeping a Shop may take out a Licence to retail Wine not to be consumed on the Premises.

III. Every Person who shall keep a Shop for the Sale of any Goods or Commodities other than Foreign Wine, or who shall have taken out a Licence as a Dealer in Wine (except Persons expressly disqualified by this Act), shall, without producing or having any other Licence or Authority, be entitled to take out a Licence under this Act to sell by Retail, and in reputed Quart or Pint Bottles only, in such Shop Foreign Wine not to be consumed on the Premises where sold, anything in any former Act to the contrary notwithstanding.

What shall be deemed selling by Retail.

IV. Every Sale of Foreign Wine in any less Quantity than Two Gallons, or in less than One Dozen reputed Quart Bottles, at One Time, shall be deemed to be a selling by Retail.

Permitting drinking Wine in a neighbouring House, Shed, &c., with Intent to evade the Act, to be deemed drinking on Premises.

Penalty.

V. If any Person licensed to sell Wine not to be consumed on the Premises shall, with Intent to evade the Provisions of this Act, take or carry, or authorize or employ or permit or suffer any Person to take or carry, any Wine out of or from the House, Shop, or Premises of such licensed Person, for the Purpose of being sold on his Account, or for his Benefit or Profit drunk or consumed, in any other House or in any Tent, Shed, or other Premises of any Kind whatever belonging to such licensed Person, or hired, used, or occupied by him, such Wine shall be deemed and taken to have been drunk or consumed upon the Premises; and the Person selling the same shall be subject to the like Penalties as if such Wine had been actually consumed in any House or upon any Premises licensed only for the Sale thereof as aforesaid.

Persons keeping Houses, &c. herein named required to take out Licences.

VI. All Houses, Rooms, Shops, or Buildings kept open for Public Refreshment, Resort, and Entertainment at any Time between the Hours of Nine of the Clock at Night and Seven of the Clock of the following Morning, not being licensed for the Sale of Beer, Cider, Wine, or Spirits respectively, shall be deemed Refreshment Houses within this Act, and the Resident, Owner, Tenant, or Occupier thereof shall be required to take out a Licence under this Act to keep a Refreshment House; and every Person who shall keep any House, Room, Shop, or Building for the Purpose of selling therein any Victual or Refreshment to be consumed on the Premises where the same shall be sold (except Beer, Cider, Wine, and Spirits sold respectively under a proper Licence in that Behalf), and every Person who shall keep any House, Room, Shop, or Building for the Consumption therein by the Public of any Refreshment (except as aforesaid), although the same shall not be sold therein, may, if he shall think fit, take out a Licence under this Act to keep a Refreshment House; and in all Proceedings and upon all Occasions whatever it shall be sufficient to describe by the Term Refreshment House any House, Room, Shop, or Building in which any such Article as aforesaid (except as aforesaid) is sold to be consumed, or is consumed as aforesaid, without further or otherwise designating or describing the same; provided also, that no Licence shall be required under this Act to authorize any Person to keep a Refreshment House if the same shall not be situate within any Town or Place containing a Population exceeding Ten thousand according to the last Parliamentary Census.

Licences not required for Refreshment Houses in small Towns and Places.

Confectioners and Eating-house Keepers entitled to take out Licences to sell Wine to be drunk on the Premises.

VII. Every Person who shall be licensed to keep a Refreshment House, and shall pursue therein the Trade or Business of a Confectioner, or shall keep open such House as an Eating-house, for the Purpose of selling, to be consumed therein, Animal Food or other Victuals wherewith Wine or other fermented Liquors are usually drunk, shall be entitled (subject to the Terms and Conditions of this Act, and not being expressly disqualified thereby,) to take out a Licence to sell Foreign Wine by Retail in such Refreshment House, to be consumed on the Premises where the same shall have been sold, without producing or having any other Licence or Authority than as aforesaid; and every Confectioner and Eating-house Keeper respectively who shall have taken out such Licence to retail Wine under this Act, shall not be subject or liable to any Penalty or Forfeiture under any other Act or Acts by reason or on account of his selling Wine by Retail, or having the same in his Possession in his entered Premises, anything in any other Act or Acts to the contrary notwithstanding.

Wine Licences not to be granted for Refreshment Houses under a certain annual Value.

Persons disqualified to hold Wine Licences.

VIII. Provided always, That no Licence to sell Foreign Wine by Retail to be consumed on the Premises shall be granted for any Refreshment House which, with the Premises belonging thereto and occupied therewith, shall be under the Value of Eight Pounds a Year, nor for any Refreshment House situated in any City, Borough, Town, or Place containing a Population exceeding Ten thousand according to the then last Parliamentary Census, if such Refreshment House, with the Premises belonging thereto and occupied therewith, shall be under the Value of Fifteen Pounds a Year; and no Sheriff's Officer, Clerk of Petty Sessions, or Officer executing the legal Process of any Court of Justice, shall be capable of receiving or using any Licence under this Act to sell Wine by Retail to be consumed on the Premises; and every Licence which shall be granted contrary hereto shall be void to all Intents and Purposes.

Penalty for keeping a Refreshment House without Licence, 20*l.*

IX. Every Person who shall keep a Refreshment House for which a Licence is required by this Act, without taking out and having in force a proper Licence in that Behalf granted to him under the Authority of this Act, shall forfeit a Sum not exceeding Twenty Pounds, which Penalty shall be denominated an Excise Penalty, and be recovered as herein-after directed.

By whom Licences under this Act shall be granted.

X. All Licences authorized to be granted under this Act shall be granted by and under the Hands of the Collector or other Person having Charge of the Excise Collection, and the Supervisor of Excise of the District within which respectively the Refreshment House or other House or Shop for or relating to which any such Licence shall be required, or by such other Person or Persons as the Commissioners of Inland Revenue shall appoint or authorize in that Behalf, on Payment of the Duty chargeable for such

such Licences respectively; and every such Licence shall be in One of the Forms No. 1., No. 2., or No. 3. contained in the Schedule annexed to this Act: Provided always, that it shall be lawful for the Commissioners of Inland Revenue from Time to Time to make such Alterations therein as they may deem to be necessary, in consequence of any Alteration or Amendment of the Law, in order to make such Form of Licence conformable to the Law for the Time being.

Forms of Licences as in Schedules to this Act.

XI. All Licences which shall be granted under the Authority of this Act between the Thirty-first Day of *March* and the First Day of *May* in any Year shall be dated on the First Day of *April*, and all Licences which shall be granted at any other Time shall be dated on the Day on which the same shall be granted; and all such Licences, whensoever granted, shall have Effect on and after the Day of the Date thereof until the First of *April* then next following, and shall be renewed annually on Payment of the Duty by this Act charged thereon respectively.

Licences: Date, Expiration, and Renewal thereof.

XII. Upon the Death of any Person licensed under this Act before the Expiration of the Licence, it shall be lawful for the Persons authorized to grant Licences to authorize and empower, by Endorsement or otherwise, as the Commissioners of Inland Revenue shall direct, the Executors or Administrators or the Widow or Child of such deceased Person who shall be possessed of and occupy the Dwelling House and Premises before used for such Person, if not disqualified by Law, to continue the Business for which such Licence was granted; and to sell in the same House and Premises such Articles as by the said Licence are authorized to be sold therein, during the Residue of the Term for which such Licence was originally granted, without taking out any fresh Licence or Payment of any additional Duty thereon, and the Person so authorized and empowered shall then be deemed to be a Person licensed under this Act, and accordingly subject to the Provisions, Conditions, Regulations, and Penalties contained therein.

On Death of a licensed Person, his Representative, or Widow or Child, may be authorized to continue the Business for which the Licence was granted.

XIII. If any Person licensed to keep a Refreshment House shall be desirous of selling Foreign Wine by Retail to be consumed therein, he shall, previously to the granting to him for the First Time of a Licence for that Purpose, fill up and sign a Requisition for such Licence in such Form as the Commissioners of Inland Revenue shall provide in that Behalf, specifying therein the true Christian and Surname and Place of Abode of the Applicant, the Description and Situation of the House for which the Licence is required, and the net annual Value of such House, according to the Valuation thereof last made for Poor Law Purposes under the Laws then in force, and such Requisition, together with Two Copies thereof, shall be delivered to the Supervisor of Excise for the District in which such Refreshment House is situate, who shall forthwith deliver or transmit by Post One of such Copies, together with a Notice to the Effect herein-after mentioned, to the Sub-Inspector of Constabulary of the District, or in his Absence to the Head Constable, and the other of such Copies to the Clerk of Petty Sessions for the District within which such Refreshment House is situate; or, if such Refreshment House is situated within the Police District of *Dublin* Metropolis, the Supervisor of Excise shall deliver or transmit by Post in like Manner One of such Copies, together with a Notice to the Effect herein-after mentioned, to the Superintendent of Police for the Division in which such Refreshment House is situate, and the other of such Copies to the Clerk of the Divisional Justices in the Police District of *Dublin* Metropolis; and each such Copy shall be accompanied by a Notice to such Sub-Inspector and Justices respectively, signed by the said Supervisor, to the Effect that a Licence to retail Wine will be granted pursuant to such Requisition on or immediately after a Day to be specified in such Notice, not less distant than Thirty Days from the Day of the Delivery or Transmission of the same, unless in the meantime Notice in Writing, signed by a Justice or Justices in Petty Sessions, or by a Divisional Justice or Justices, as the Case may be, shall be received by the said Supervisor to the Effect that the Justice or Justices, as the Case may be, doth or do object to the granting of the said Wine Licence on One or more of the Grounds herein-after mentioned, specifying the same, that is to say, that the House for which such Licence is required is not a Confectioner's Shop, or an Eating House within the Meaning of this Act, or not of the annual Value required by this Act, or that it is a disorderly House, or a House frequented by Prostitutes or other disorderly Persons, or that it is adjudged disqualified for the Sale of Wine therein, or that the Applicant is a Member of an unlawful Society, or is disqualified from selling Wine under the Provisions of this Act, specifying the Grounds of such Disqualification respectively, or that the Applicant has within Three Years been convicted of any Offence punishable by Imprisonment, or that the Applicant having within Three Years held a Licence to keep a Common Inn, Alehouse, or Victualling House, or being licensed as a Grocer to sell Spirits, has forfeited or been refused a Renewal of such Licence; and if such Notice of Objection shall be received by the said Supervisor within the Time limited as aforesaid the said Licence shall not be granted; but if otherwise, and no such Caveat as herein-after mentioned be received by the said Supervisor, then such Licence shall be granted on Payment of the Duty by this Act charged thereon, provided the Applicant shall be entitled to such Licence under the Provisions of this Act in other respects.

Notice of First Application for a Wine Licence for a Refreshment House to be given to Justices, who may object to the granting thereof on Grounds to be stated.

XIV. The Sub-Inspector of the District, or in his Absence the Head Constable, or, if in the Police District of *Dublin* Metropolis, the Superintendent of Police of the Division, shall be and is hereby authorized to object to the granting of such Wine Licence before any Justice or Justices at Petty Sessions, or any Divisional Justice or Justices, on One or more of the Grounds of Objection herein-before mentioned, and such Justice or Justices respectively shall then, or at some other convenient Time to be appointed,

Sub-Constabulary Officer or Superintendent of Police may object to the granting of

such Wine Licence.

appointed, proceed to consider, examine on Oath into, and adjudicate upon the Truth, Sufficiency, and Validity of any such Objection; and if such Justice or Justices respectively shall be thereupon satisfied of the Validity of any such Objection, he or they shall by Order in Writing, to be duly entered by the Clerk, refuse to allow such Licence to be issued, and therein declare the Grounds of such Refusal: Provided always, that no such Notice of Objection shall be signed by such Justice or Justices until after they respectively shall have summoned the Applicant for such Licence to show Cause, and shall have heard him against the Objection to the granting thereof, or he shall have refused or neglected to attend before him or them respectively pursuant to such Summons; and every such Summons shall specify the Grounds of such Objection; and it shall be lawful for such Justice or Justices respectively, pending their Decision upon any such Objection as aforesaid, and before the Expiration of the said Period of Thirty Days, to transmit to the said Supervisor a Notice by way of Caveat against the granting such Licence, and in that Case the Licence shall not be granted, if within the further Period of Thirty Days from the Receipt of such Caveat the Objection to the granting of the Licence shall be affirmed by the said Justice or Justices, and Notice thereof shall be given to the said Supervisor.

Persons aggrieved may appeal to Quarter Sessions.

XV. In case any Person shall feel aggrieved by such Order of Refusal, it shall be lawful for such Person to appeal against the same to the Quarter Sessions of the Division within which such Person shall reside, or, if in the Police District of *Dublin* Metropolis, to the Recorder of the City of *Dublin* at the Quarter Sessions held next after such Order shall have been made; but in case there shall not be Fifteen clear Days between the making of the Order and such next Quarter Sessions, then to the Quarter Sessions next following in such Division or City, as the Case may be; and in such Appeal the Party opposing such Application shall be Respondent, and no other Ground for refusing such Licence shall be entered upon except such as shall be stated in such Order of Refusal; and such Appeal shall be subject to the like Incidents and be heard and dealt with by the Court of Quarter Sessions or Recorder in the like Manner as an Appeal from an Order of the Justices at Petty Sessions under the "Petty Sessions, *Ireland*, Act, 1851," save that the Recognizance to be entered into shall be in the Form in Schedule No. 4. to this Act annexed: Provided always, that such Appeal shall not be dismissed upon any Point of Form.

If Order of Refusal reversed, Supervisor to grant such Licence.

XVI. If upon the Hearing of any Appeal from the Order of the Justices at Petty Sessions or the Divisional Justices, as the Case may be, the Justices at Quarter Sessions or the Recorder, as the Case may be, shall reverse the said Order, then and in such Case the Justices at Quarter Sessions, or the Recorder, shall declare the Appellant entitled to obtain such Licence, and thereupon the said Supervisor of Excise shall grant such Licence to the Appellant on the Production to such Supervisor of a Certificate from the Clerk of the Peace, in the Form No. 5. in the Schedule to this Act annexed (for which Certificate the Clerk of the Peace may charge a Sum of Two Shillings and Sixpence), certifying that the Order of Refusal had been reversed, and that the Court had declared the Appellant entitled to such Licence.

Justices may object to the Renewal or Transfer of a Wine Licence if they shall see just Cause of Objection.

XVII. Provided always, That it shall be lawful for any Justice or Justices at Petty Sessions, or for any Divisional Justice or Justices, as the Case may be, after any such Wine Licence shall have been granted for any Refreshment House within their respective Jurisdictions, but Three Months at least before the Expiration of such Licence, to give Notice to the Holder thereof to appear before him or them respectively, and show Cause why an Objection (stating the Grounds thereof) should not be lodged against a Renewal or Transfer of his Licence; and if upon the Hearing the said Justice or Justices respectively shall see just Cause of Objection on One or more of the Grounds herein-before mentioned (in respect of granting for the First Time such Wine Licence), such Justice or Justices respectively shall give to the said Supervisor of the District within which the said Refreshment House shall be situated Notice of Objection against the Renewal or Transfer of such Licence, and shall specify the Grounds of Objection in such Notice, and make an Order accordingly; and on the Expiration of such Wine Licence, after such Notice as aforesaid given to the Supervisor, no Renewal or Transfer thereof shall be granted unless the Decision of the said Justice or Justices respectively shall be reversed upon an Appeal against the same, as herein-after allowed: Provided always, that it shall be lawful for the Holder of the said Licence to appeal against the said Order of Refusal to the Quarter Sessions of the Division within which such Person shall reside, or, if in the Police District of *Dublin* Metropolis, to the Recorder of the City of *Dublin*, at the Quarter Sessions which shall be held in such Division or City (as the Case may be) after the Expiration of Ten Days from the making of such Order of Refusal, upon giving Seven Days previous Notice in Writing to such Justice or Justices respectively of his Intention so to appeal; and such Court of Quarter Sessions for such Division or City respectively shall hear and finally determine the said Appeal; and upon Notice of such Determination given to the said Supervisor the said Licence shall be refused or granted in conformity therewith; provided always, that such Appeal shall be subject to the like Incidents and Provisions (so far as the same are applicable), and shall be heard and dealt with by the Court of Quarter Sessions, or Recorder, in the like Manner as an Appeal from an Order of Refusal of such Justice or Justices respectively to grant for the First Time a Wine Licence under the Provisions of this Act; and if the Appellant shall be declared entitled to the Renewal or Transfer of such Licence, the Supervisor of Excise shall grant such Licence on the Production of a Certificate from the Clerk of the Peace as herein-before provided.

A List of Licences to be kept by Collectors and Supervisors for Inspection of the Justices, and Copies of the List to be transmitted to the Justices Clerk.

XVIII. A List or Register of every Licence granted under the Authority of this Act, specifying the Name and Place of Abode of every Person licensed, and the Name and Description of the House for which such Licence shall be granted, and whether the Licence shall be to keep a Refreshment House or for the Sale of Wine therein, shall be kept at the Office or Dwelling House of every Collector and Supervisor of Excise in their respective Collections and Districts; and such List or Register shall at all Times be produced to and shall be open to the Inspection and Perusal of any Justice of the County or Place where such Licence shall be granted and where such House shall be situate, and a Copy of such List and Register shall, once in every Six Months, be transmitted by every Collector and Supervisor of Excise to the Clerk of Petty Sessions for the District within which such Refreshment House is situated for which such Licence shall be granted, or if such Refreshment House is situated within the Police District of *Dublin* Metropolis, to the Clerk of the Divisional Justices in such District, and any Copy or Extract of or from such List or Register which shall be at any Time required by such Clerk respectively shall be given to him by such Collector or Supervisor whenever thereto required.

In case of Complaint Retailers of Wine to produce their Licences on Requisition of Justice.

XIX. In case any Complaint shall be laid before any Justice or Justices against any Person licensed to sell Wine by Retail under the Authority of this Act, for any Offence against the Tenor of his Licence or against this Act, it shall be lawful for such Justice or Justices (if he or they shall think fit) to require such Person to produce his Licence before them, for their Examination; and if such Person shall wilfully neglect or refuse so to do he shall forfeit and pay any Sum not exceeding Five Pounds, as the said Justice or Justices shall think proper.

Constables and Police Officers empowered to visit licensed Refreshment Houses. Penalty for refusing them Admittance.

XX. It shall be lawful for any Inspector or Superintendent or Serjeant of Police, or for any County Inspector, Sub-Inspector, Head or other Constable, when and so often as he or they shall respectively think proper, to enter at any Time between the Hours of Nine at Night and Seven in the Morning into all Houses licensed as Refreshment Houses under the Authority of this Act, and into and upon the Premises belonging thereto; and if any Person licensed to keep a Refreshment House, or any Servant or other Person in his Employ or by his Direction, shall refuse to admit or shall not admit any such Officer of Police or Constable demanding Admittance into such Refreshment House or upon such Premises, the Person so licensed shall for the First Offence forfeit and pay any Sum not exceeding Five Pounds, together with the Costs of Conviction, to be recovered before One or more Justices, on Information or Complaint made within Seven Days next after the Day on which such Offence was committed; and it shall be lawful for any such Justice or Justices before whom any such Person shall be convicted for the Second Time of any such Offence to adjudge (if he or they shall so think fit) the Licence or Licences of such Offender in respect of such Refreshment House to be forfeited, and that he shall be disqualified from having any Licence granted to him under this Act in respect of such House for the Space of Two Years, or for such shorter Space of Time as he or they may think proper to adjudge.

Licence to be forfeited on Second Conviction if Justices think fit.

Penalty for selling Wine by Retail without Licence.

XXI. Every Person who shall sell any Wine by Retail, whether to be consumed on the Premises or not, without having a proper Licence in force duly authorizing him in that Behalf, shall, over and above any other Penalty to which he may be liable, forfeit the Sum of Twenty Pounds, which shall be denominated an Excise Penalty.

Additional Penalty on unlicensed Persons selling Wine.

XXII. If any Person, not being duly licensed to sell Wines, shall retail any Wine, either to be consumed in or upon the House or Premises or off the Premises where sold, or if any Person shall sell any Wine to be consumed in or upon the House or Premises where sold without being licensed so to do, such Person shall, in addition to any Excise Penalty to which he may thereby become subject, forfeit the Sum of Five Pounds.

What shall be deemed Foreign Wine, and what be deemed Spirits.

XXIII. All Liquor which shall be sold or offered for Sale by any Person, whether licensed under this Act or not, as being Foreign Wine, or under the Name by which any Foreign Wine is usually designated or known, shall, as against the Person who shall so sell or offer the same for Sale, be deemed and taken to be Foreign Wine; and any Fermented Liquor containing a greater Proportion than Forty *per Centum* of Proof Spirit shall be deemed and taken to be Spirits.

Licences to be void on Conviction of Felony or selling Spirits without Licence.

XXIV. Every Person who shall be convicted of Felony or of selling Spirits without Licence shall for ever thereafter be disqualified from selling Wine by Retail, and no Licence to sell Wine by Retail under this Act shall be granted to any Person who shall have been so convicted as aforesaid; and if any Person shall, after having been so convicted as aforesaid, take out or have any Licence to sell Wine by Retail under this Act, the same shall be void to all Intents and Purposes; and every Person who shall, after being convicted as aforesaid, sell any Wine by Retail in any Manner whatsoever, shall incur the Penalty for so doing without Licence; and in all such Cases, in the Prosecution for the Recovery of such Penalty a Certificate from the Clerk of Assize or the Clerk of the Peace or Person acting as such of any such Conviction as aforesaid shall on the Trial in such Prosecution be legal Evidence thereof.

Licensed Retailers of Wine to make Entry

XXV. Every Person licensed to retail Wine under this Act shall, in manner directed by the Laws of Excise in that Behalf, make Entry with the proper Officer of Excise of every House, Cellar, Room, and Place for storing, keeping, or retailing of Wine, on pain of forfeiting the Penalties imposed by the

of Houses, &c. with the Excise.

Statutes in that Behalf for making use of any unentered Room or Place; and all Wine found in any such unentered House, Cellar, Room, or Place shall be forfeited.

Excise Officers, &c. empowered to enter the Premises of licensed Retailers of Wine.

XXVI. It shall be lawful for any Officer of Excise, or for any Inspector of Constabulary, Superintendent of Police, Head or other Constable, during the Hours in which any House licensed for the Retail of Wine to be consumed on the Premises may be kept open, to enter into every House, Cellar, Room, or Place used for the storing, keeping, or retailing of Wine to be consumed as aforesaid, and to make search for and seize all Spirits which may be found in any such House, Cellar, Room, and Place, and to examine all Wine kept therein; and all Powers granted to such Officer of Excise, Inspector, Superintendent of Police, Head or other Constable, by an Act of the Seventeenth and Eighteenth Years of the Reign of Her Majesty, Chapter Eighty-nine, Section Twelve, shall and may be exercised with respect to Houses licensed for the Retail of Wine under this Act.

Penalty on Persons licensed to retail Wine having Spirits in their used Premises.

XXVII. If any Person licensed to retail Wine under this Act shall receive into or keep or have in his Possession, in any Cellar, Room, or Place used for storing, keeping, or retailing Wine, any Spirits, he shall, in addition to all other Penalties, forfeit the Sum of Fifty Pounds, which shall be denominated an Excise Penalty; and all Spirits found in any such Cellar, Room, or Place shall be forfeited; and on Conviction of any such licensed Person in any Penalty for having Spirits in his Possession, or for selling or retailing Spirits, the Licence of such Person for retailing Wine shall become null and void, and shall be so adjudged.

Standard Measures to be used in the Sale of Wine.

XXVIII. Every Person licensed under this Act to sell Wine by Retail shall, if required, sell or otherwise dispose of all such Wine (except Wine in Bottle and Quantities less than Half a Pint) by the Gallon, Quart, Pint, or Half Pint Measure, sized or marked according to the Standard, and shall also, if required by any Guest or Customer purchasing such Wine, retail the same in a Vessel sized or marked according to such Standard; and in default thereof he shall for every such Offence forfeit the illegal Measure, and pay a Sum not exceeding Forty Shillings, together with the Costs of the Conviction, to be recovered by Information or Complaint made within Seven Days next after that on which the Offence was committed, before any Justice or Justices at Petty Sessions or Divisional Justice or Justices, as the Case may be; and such Penalty shall be over and above all Penalties to which the Offender may be liable under any other Act.

Limitation of Hours for opening and closing Houses licensed for the Sale of Wine by Retail.

XXIX. No Person licensed under this Act to sell Wine by Retail shall have or keep his House open for the Sale of Wine, nor shall sell any Wine, nor shall suffer any Wine to be drunk or consumed in or at such House at any Time before the Hour of Seven of the Clock in the Morning, nor after Eleven of the Clock at Night, of any Day in the Week within the Police District of *Dublin* Metropolis; nor after Eleven of the Clock at Night within any City, Town Corporate, or Place, the Population of which, according to the last Parliamentary Census, shall exceed Two thousand five hundred, or within One Mile, to be measured as aforesaid, from any Polling Place used at the last Election for any Town having a like Population, and returning a Member or Members to Parliament; nor after Ten of the Clock at Night elsewhere; nor shall any such House be open for the Sale or Consumption therein of any Article whatever at any Time during which Houses licensed for the Sale of Spirits, Wine, Beer, Ale, Cider, or Perry, are or hereafter shall be closed on any *Sunday*, *Good Friday*, or *Christmas Day*, or any Day appointed for a Public Fast or Thanksgiving; nor at any Time between the Hours of One and Four of the Clock in the Morning on any Day whatever; and if any Person licensed as aforesaid shall keep his House open for selling or shall sell any Wine, or suffer any Wine to be drunk or consumed in or at such House, at any other Time than as herein-before prescribed and directed, or shall keep his House open as aforesaid, contrary to any Prohibition in this Clause contained, he shall forfeit the Sum of Forty Shillings for every Offence; and every separate Sale shall be deemed a separate Offence: Provided always, that nothing in this Clause contained shall extend to prevent the Keeper of a Refreshment House, being duly licensed to retail Wine, from selling to any Lodger therein any Wine at any Hour of the Day or Night, either on *Sunday* or any other Day.

Exception in favour of Lodgers.

Houses licensed for the Sale of Wine to be closed by Order of Justices in Cases of Riot, &c.

XXX. It shall be lawful for any Two Justices acting for any County or Place where any Riot or Tumult shall happen or be expected to take place to order or direct that every Person licensed under the Authority of this Act to sell Wine by Retail in any House within their respective Jurisdiction, in or near the Place where such Riot or Tumult shall happen or be expected to take place, shall close his House at any Time which the said Justices shall order or direct; and every such Person who shall keep open his House at or after any Hour at which such Justices shall have so ordered or directed such House to be closed shall be taken and deemed to have not maintained good Order and Rule therein, and to be guilty of an Offence against the Tenor of the Licence granted to him.

Penalty on Retailers of Wine permitting Drunkenness, &c. in their Houses.

XXXI. Every Person licensed under this Act to sell Wine by Retail who shall permit any Person to be guilty of Drunkenness or other disorderly Conduct in the House or Premises mentioned in such Licence, or who shall himself be guilty of any such disorderly Conduct, shall for every such Offence forfeit the respective Sums following; and every Person who shall transgress or neglect or shall be a Party in transgressing or neglecting the Conditions and Provisions specified in such Licence, or shall allow such Conditions or Provisions to be in any way transgressed or neglected in the said House or Premises, shall be deemed guilty of disorderly Conduct; and every Person so licensed who shall permit

or be guilty of any such disorderly Conduct shall for the First Offence forfeit any such Sum not less than Forty Shillings nor more than Five Pounds, as the Justice or Justices before whom he shall be convicted of such Offence shall adjudge, and for the Second Offence any Sum not less than Five Pounds nor more than Ten Pounds, and for the Third such Offence any Sum not less than Twenty Pounds nor more than Fifty Pounds; and it shall be lawful for the Justice or Justices before whom any such Conviction for any such Second or Third Offence shall take place to adjudge, if he or they shall so think fit, that such Offender shall be disqualified from selling Wine by Retail for any Term not exceeding Five Years next ensuing such Conviction, and to cause a Certificate of such Conviction to be transmitted to the Collector of Inland Revenue within whose District the Person so convicted shall reside; and if any Person so licensed as aforesaid shall mix or cause to be mixed any Spirits or any Drugs or other pernicious Ingredients with any Wine sold in his House or Premises, or shall fraudulently dilute or in anyways adulterate any such Wine, or shall sell or offer for Sale any Wine which, to the Knowledge of such Person, has been so mixed, diluted, or adulterated, he shall for the First Offence forfeit any Sum not less than Ten Pounds nor more than Twenty Pounds, as the Justice or Justices before whom he shall be convicted of such Offence shall adjudge, and for the Second such Offence he shall be disqualified from selling Wine by Retail for the Term of Five Years, or forfeit any Sum of Money not less than Twenty Pounds nor more than Fifty Pounds, at the Discretion of the Justice or Justices before whom he shall be adjudged guilty of such Offence; and if any Offender convicted of such Second Offence as last aforesaid shall during such Term of Five Years sell any Wine by Retail, either in the House and Premises mentioned in his Licence or in any other Place, he shall forfeit any Sum not less than Twenty-five Pounds nor more than Fifty Pounds, and shall be subject to a like Penalty at any and every House or Place where he shall commit such Offence.

First Offence.

Second Offence.

Third Offence.

Penalty for mixing Spirits or Drugs in Wine or adulterating Wine.

First Offence.

Second Offence.

Penalty on selling Wine after Conviction of Second Offence.

XXXII. All Penalties under this Act, except those denominated Excise Penalties, shall be recovered upon the Information or Complaint of any Inspector or Superintendent or Serjeant of Police, or any County Inspector, Sub-Inspector, Head or other Constable, before any Justice or Justices at Petty Sessions or before any Divisional Justice or Justices in the Police District of *Dublin* Metropolis, and shall be prosecuted and proceeded for within Three Calendar Months next after the Commission of the Offence in respect of which such Penalty shall be incurred, or within such shorter Time as may be herein limited with regard to any particular Penalty; and every Person licensed under this Act to retail Wine, to be consumed on the Premises, who shall be convicted before any such Justice or Justices respectively of any Offence against the Tenor of the Licence to him granted under this Act, or of any Offence for which any Penalty is imposed by this Act, shall, unless Proof be adduced to the Satisfaction of such Justice or Justices respectively that such Person had been theretofore convicted within the Space of Twelve Calendar Months next preceding of some Offence against the Tenor of his Licence or against this Act, be adjudged to be guilty of a First Offence against the Provisions of this Act, and to forfeit and pay any Penalty by this Act imposed for such Offence, or if no specific Penalty be so imposed then any Sum not exceeding Five Pounds, together with the Costs of the Conviction; and if such Proof as aforesaid shall be adduced that such Person had been previously convicted within the Space of Twelve Calendar Months next preceding of One such Offence only, such Person shall be adjudged to be guilty of a Second Offence against the Provisions of this Act, and to forfeit and pay any Penalty by this Act imposed for such Offence, or if no specific Penalty be so imposed then any Sum not exceeding Ten Pounds, together with the Costs of the Conviction; and if such Proof as aforesaid shall be adduced that such Person had been previously convicted within the Space of Eighteen Calendar Months next preceding of Two such separate Offences, and if Proof shall be adduced to the Satisfaction of such Justice or Justices respectively that such Person so charged is guilty of the Offence charged against him, such Person shall be adjudged to be guilty of a Third Offence against the Provisions of this Act, and to forfeit any Penalty imposed by this Act in respect of such Offence, or if no such specific Penalty shall be so imposed then to forfeit and pay the Sum of Fifty Pounds, together with the Costs of the Conviction.

Penalties other than Excise Penalties recoverable before a Justice or Justices in Petty Sessions, &c. within Three Months after Offence committed.

Second Offence.

Third Offence.

XXXIII. It shall be lawful for any such Justice or Justices before whom any Person holding a Licence under this Act for the Sale of Wine by Retail shall be convicted of any Offence against the Tenor of the said Licence, or for which any Penalty is imposed by this Act, if Proof shall be adduced to their Satisfaction that within Two Years last preceding such Conviction Two Convictions for any such Offence of the same Person, or of any other Person licensed in respect of the same House or Premises, have taken place, to declare the Licence granted in respect of the said House or Premises forfeited and void, and to adjudge that no Licence for the Sale of Wine shall be granted to any Person whatever in respect of the said House or Premises for the Term of Three Years from the Date of such Adjudication, of which Adjudication the Justice or Justices shall give Notice to the Supervisor of Excise; and any Licence for the Sale of Wine that may be granted in respect of the said House or Premises during the said Term of Three Years shall be null and void.

Justices may adjudge Premises disqualified for Sale of Wine on Proof that within Two Years last preceding such Third Conviction Two Convictions have taken place.

XXXIV. Every Person licensed to keep a Refreshment House under this Act who shall (without a Licence for that Purpose) sell or permit or suffer to be sold within such Refreshment House any intoxicating Liquor, or shall knowingly suffer any unlawful Games or Gaming therein, or knowingly suffer Prostitutes, Thieves, or drunken and disorderly Persons, or Members of an unlawful Society to assemble

Penalties for Offences in Refreshment Houses.

assemble at or continue in or upon his Premises, or do, suffer, or permit any Act in contravention of his Licence, shall, upon Conviction thereof before any such Justice or Justices as herein-before mentioned, pay for the First Offence a Fine not exceeding Forty Shillings, for the Second Offence a Fine not exceeding Five Pounds, and for every subsequent Offence a Fine not exceeding Twenty Pounds, or be subject to a Forfeiture of his Licence, at the Discretion of such Justice or Justices before whom he shall be convicted; and in case of such Forfeiture of his Licence, such Person shall be disqualified for the Space of One Year then next ensuing from obtaining a fresh Licence; and such fresh Licence, if obtained within the said Year, shall be absolutely null and void to all Intents and Purposes.

Power to Justices to mitigate Penalties.

XXXV. It shall be lawful for the Justice or Justices before whom any Person shall be convicted of any Offence against this Act to mitigate, if he or they shall see Cause, any Penalty incurred for such Offence; provided that where any Conviction shall take place on any Information exhibited under the Laws of Excise such Penalty shall not be mitigated to any less Sum than One Fourth Part thereof.

Appeal to the Sessions against a Second or Third Conviction.

XXXVI. Provided always, That it shall be lawful for the Party convicted of any such Second or Third Offence to appeal to the Quarter Sessions of the Division within which such Person shall reside, or if in the Police District of *Dublin* Metropolis, to the Recorder of the City of *Dublin* at the Quarter Sessions then next ensuing, unless such Sessions shall be held within Twelve Days next after such Conviction, and in that Case to the then next subsequent Sessions; and in such Case the Party so convicted shall, before the convicting Justice or Justices, forthwith enter into a Recognizance, with Two sufficient Sureties, personally to appear at such Quarter Sessions, and to abide the Judgment of the Court thereupon, and to pay such Costs as shall be by the Court awarded, which Recognizances such Justices are hereby authorized to require and take, or in failure of the Party convicted entering into such Recognizance the Conviction shall remain good and valid to all Intents and Purposes; and the said Justices who shall take such Recognizance from the Party convicted are also hereby required to bind the Person who shall make such Charge in a Recognizance to appear at such Quarter Sessions as aforesaid, then and there to give Evidence against the Person so charged, and in like Manner to bind any other Person who shall have any Knowledge of the Circumstances of such Offence; and it shall be lawful for such Court of Quarter Sessions to adjudge such Person to be guilty of any such Second or Third Offence against the Provisions of this Act, as the Case may be, and such Adjudication shall be final to all Intents and Purposes; and it shall be lawful for such Court of Quarter Sessions to punish such Offender by Fine not exceeding the Sum of One hundred Pounds, together with the Costs of such Appeal, or to adjudge the Licence granted to and held by or on behalf of such Offender to be forfeited and void, or to adjudge that no Wine shall be sold by Retail in the House or Premises mentioned in the Licence of such Offender for the Term of Two Years from the Date of such Adjudication, or to punish such Offender by such Fine as aforesaid, and to adjudge such Premises to be disqualified for the Sale of Wine as aforesaid, and such Licence to be forfeited and void, and if such Licence shall be adjudged to be forfeited and void, it shall thenceforth be void accordingly; and whenever in such Case or in any other Case the Licence of such Offender shall be adjudged to be void, such Offender shall from and after such Adjudication be deemed and taken to be incapable of selling Wine by Retail in any House kept by him for the Space of Two Years, to be computed from the Time of such Adjudication, and any Licence granted to such Person during such Term shall be void to all Intents and Purposes.

Court to adjudge Costs of Appeal in certain Cases.

XXXVII. Whenever it shall happen that any Appeal in pursuance of this Act shall be dismissed, or that the Judgment appealed against shall be affirmed, or that such Appeal shall be abandoned, it shall be lawful for the Court to which such Appeal shall have been made or intended to have been made, and such Court is hereby required, to adjudge and order that the Party so having appealed, or having entered into such Recognizance, shall pay to the Respondent or Person prosecuting such Charge such Sum by way of Costs as shall in the Opinion of such Court be sufficient to indemnify such Respondent or Person from all Costs and Charges whatsoever to which such Respondent or Person may have been put in consequence of the Intention or declared Intention of such Party to appeal; and if such Party shall refuse or neglect to pay forthwith such Sum, it shall be lawful for the said Court to adjudge and order that the Party so refusing or neglecting shall be committed to the Common Gaol or House of Correction, there to remain until such Sum be paid, or for any Time not exceeding Six Calendar Months, unless such Sum be sooner paid; and in every Case in which the Judgment so appealed against shall be reversed it shall be lawful for such Court (if it shall think fit) to adjudge and order that the Treasurer of the County in and for which such Justice or Justices whose Judgment shall have been so reversed shall have acted on the Occasion when they shall have given such Judgment shall pay to such Respondent or Person, or to whomsoever they shall appoint, such Sum as shall in the Opinion of such Court be sufficient to indemnify such Respondent or Person from all Costs and Charges whatsoever to which he or they may have been so put; and the said Treasurer is hereby authorized to pay the same, which shall be allowed to him in his Accounts.

Proceedings on Appeal to be carried on by the Constable, and the Expenses of Pro-

XXXVIII. In every Case in which any Appeal shall be made by any Person convicted of any Offence under the Provisions of this Act to the Quarter Sessions it shall be lawful for the convicting Justice or Justices, if no other fit and proper Person shall appear to prosecute such Charge, and to carry on such Proceedings as may be necessary to obtain at such Session an Adjudication thereon, to order that an Inspector, or Superintendent, or Serjeant of Police within the Police District of *Dublin* Metropolis,

Metropolis, or, if elsewhere, a County Inspector, Sub-Inspector, Head or other Constable of the District in which the House kept by the Person charged shall be situate, as to the said Justice or Justices respectively shall seem fit, shall carry on all Proceedings necessary to obtain such Adjudication as aforesaid, and to bind any such Inspector, Superintendent, or Serjeant of Police, or County Inspector, Sub-Inspector, Head or other Constable, in a sufficient Recognizance so to do; and it shall be lawful for the Justice or Justices before whom such Offender shall have been convicted to order the Treasurer of the County in and for which such Justice or Justices shall then act to pay to such Inspector, Superintendent, Serjeant of Police, or County Inspector, Sub-Inspector, Head or other Constable, and to the Witnesses on his Behalf, such Sum or Sums of Money as to the Court shall appear to be sufficient to reimburse them respectively the Expenses which they shall have been severally put to in and about such Prosecution, which Order the Clerk of the Peace is hereby directed and required forthwith to make out, and to deliver to such Constable, Superintendent, Inspector, or other Peace Officer and Witnesses respectively; and the said Treasurer is hereby authorized and required, upon Sight of such Order, forthwith to pay to the Person authorized to receive the same such Money as aforesaid, and the said Treasurer shall be allowed the same in his Accounts.

Secution to be charged on the County.

XXXIX. It shall be lawful for the said Justice or Justices before whom respectively any Question shall be depending touching any Objection against the granting or renewing of a Licence under the Provisions of this Act, to summon Witnesses on behalf of either Party to such Question, and to examine all such Witnesses on Oath, and to do and perform all Things necessary for the due and proper Hearing and Determination of such Question, and also to order Payment of Fees, Allowances, and reasonable Expenses to all Witnesses, Constables, and other Persons by whom any Duties shall have been performed or Expenses or Loss of Time incurred respectively under this Act; and the Amount of such Fees, Allowances, and Expenses shall be ascertained according to the Tables of Fees and Allowances for the Time being in force in the District within which the Refreshment House in question shall be situate; and the Order for Payment may be made at the Discretion of the said Justice or Justices, either wholly or partially, on the Applicant or on the Objector; and the Provisions of "The Petty Sessions (*Ireland*) Act, 1851," for the Recovery of Costs ordered by a Justice or Justices in Petty Sessions to be paid, shall apply to all Costs, Allowances, and Expenses ordered to be paid under this Act.

Justice or Justices empowered to summon Witnesses and examine them on Oath.

XL. Any Person summoned as a Witness to give Evidence before any Justice or Justices or Sessions touching any Matters arising under this Act, either on the Part of the Complainant or of the Person accused, or of any Person interested in any such Matter, who shall neglect or refuse to appear at the Time and Place for that Purpose appointed, and who shall not make such reasonable Excuse for such Neglect or Refusal as shall be admitted and allowed by such Justice or Justices or Sessions, or who appearing shall refuse to be examined on Oath or Affirmation and give Evidence, shall, on Conviction, forfeit and pay any Sum not exceeding Ten Pounds for every such Offence.

Penalty on Witnesses refusing to attend or to give Evidence.

XLI. Every Person licensed to sell Wine, Spirits, Beer, Cider, or any other fermented or distilled Liquors by Retail, to be drunk or consumed on the Premises, who knowingly harbours or entertains, or suffers to remain in the Place wherein he carries on his Business, any Constable during any Part of the Time appointed for his being on Duty, unless for the Purpose of quelling any Disturbance or restoring Order, shall for every such Offence be liable to a Penalty not exceeding Twenty Shillings.

Penalty for harbouring Constables while on Duty.

XLII. Any Person who shall be drunk, riotous, quarrelsome, or disorderly in any Shop, House, Premises, or Place licensed for the Sale of Beer, Wine, or Spirituous Liquors by Retail to be consumed on the Premises, or for Refreshment, Resort, and Entertainment under the Provisions of this Act, and shall refuse or neglect to quit such Shop, House, Premises, or Place upon being requested so to do by the Manager or Occupier, or his Agent or Servant, or by any Constable, shall, on Conviction thereof before any Justice or Justices, be liable to pay a Fine not exceeding Forty Shillings; and all Constables are hereby authorized, empowered, and required, on the Demand of such Manager, Occupier, Agent, or Servant, to assist in expelling such drunken, riotous, quarrelsome, and disorderly Persons from such Shops, Houses, Premises, and Places.

Penalty on disorderly Persons refusing to quit licensed Houses on Request.

Constables to assist in expelling them.

XLIII. From and after the passing of this Act it shall be lawful for any Person selling or licensed to sell Beer, Cider, Spirits, or Wine by Retail, to be drunk or consumed on the Premises, in *Ireland*, to keep his House open, and to sell and retail Spirits, Wine, and Beer as aforesaid, at any Time between the Hour of Seven of the Clock in the Morning and the Hour of Eleven o'Clock at Night on every Day except *Sunday*, *Good Friday*, *Christmas Day*, or any Day appointed for a Public Fast or Thanksgiving, and on all such last-mentioned Days at any Time between the Hour of Two of the Clock in the Afternoon and the Hour of Eleven o'Clock at Night, being the Times limited by the Fourteenth Section of an Act passed in the Fourth Year of His late Majesty King *William* the Fourth, intituled *An Act to amend the Laws relating to the Sale of Wine, Spirits, Beer, and Cider by Retail in* Ireland; but any licensed Person selling at any other Times than those so limited shall be liable to the Penalties imposed by the said last-mentioned Act.

Hours for keeping open Premises occupied by Persons licensed to sell Beer, &c. to be consumed on Premises.

XLIV. All Proceedings under this Act for the Recovery of Penalties ordered by any Justice or Justices to be paid, or for the Recovery of Penalties incurred under this Act (except the Penalties herein denominated "Excise Penalties"), and the Appearance of any Witness, and the Hearing and Determination

Proceedings under this Act for the Re-

covery of Penalties, &c.

Determination of any Complaints, or any other Matter relating thereto, shall be subject in all respects to the Petty Sessions (*Ireland*) Act, 1851, as the same is amended by "The Petty Sessions Clerks (*Ireland*) Act, 1858," when the Case shall be heard in any Petty Sessions District, and to the Provisions of the Acts relating to the Divisional Police Offices when the same shall be heard in the Police District of *Dublin* Metropolis, so far as the said Provisions shall be consistent with any special Provisions of this Act; and when any Fine or Penalty is imposed under the Provisions of this Act, such Fines and Penalties shall be paid over to such Purposes and applied in such Manner as is provided by "The Fines Act (*Ireland*), 1851."

How Excise Penalties to be recovered, &c.

XLV. The Penalties imposed by this Act denominated Excise Penalties shall be recovered, levied, mitigated, and applied by the same Ways, Means, and Methods, and in like Manner, as Penalties may be recovered, levied, mitigated, and applied under the Laws of Excise in that Behalf.

Covenants against Houses, &c. being used as Public Houses to extend, &c.

XLVI. Provided always, That any Covenant or Clause of Restriction contained in any Lease or Contract between a Landlord and Tenant, whereby any House, Building, or Place is prohibited from being used as a Public House, shall be construed to apply and extend to every Person who shall be licensed to sell Wine to be consumed on the Premises under the Provisions of this Act, and to any House specified in the Licence granted to such Person.

Interpretation.

XLVII. In the Construction of this Act the Word "Treasurer" shall include "Finance Committee."

Extent of Act

XLVIII. This Act shall extend to *Ireland* only.

SCHEDULE.

No. 1.

Form of Licence to the Keeper of a Refreshment House.

We, the undersigned, being the Collector and Supervisor of Excise for the Collection of and District of , do hereby authorize and empower , now being a Householder, and dwelling in a House in , in the Parish of , within the Limits of the said Collection and District, to keep open the said House as a Refreshment House, and to sell any Victual or Refreshment to be consumed therein, and in the Premises thereunto belonging (provided that for the Sale of any exciseable Liquor he shall have in force a proper Licence granted to him in that Behalf), and for this Licence he hath paid the Sum of , the said House and Premises being of [*or* under, *as the Case may be*] the Value of ( ) Pounds a Year, according to the Valuation thereof made for Poor Law Purposes under the Laws now in force; and this Licence is granted upon Condition that the said do not wilfully or knowingly permit any Drunkenness, or any violent or quarrelsome or other disorderly Conduct, in his House or Premises, nor knowingly suffer any unlawful Games or any Gaming whatsoever therein, nor knowingly suffer or permit Persons of known bad Character to assemble and meet together therein, but do maintain good Order and Rule therein: And this Licence shall continue in force from the Day of until the First Day of April next ensuing, and no longer; and this Licence shall cease and determine, and shall become void, in case any of the Conditions or Regulations contained therein shall be transgressed or shall not be observed by the said

Given under our Hands, this Day of 186 .

, Collector.

, Supervisor.

No. 2.

Form of Licence to the Keeper of a Refreshment House to sell therein Wine by Retail to be consumed on the Premises.

We, the undersigned, being the Collector and Supervisor of Excise for the Collection of and District of , do hereby authorize and empower , now being a Householder, and dwelling in a House in , in the Parish of , within the Limits of the said Collection and District, for which he has taken out a Licence as a Refreshment House, to sell therein Foreign Wine by Retail, in order that it may be consumed in the said Refreshment House and in the Premises thereunto belonging, and for this Licence he hath paid the Sum of , the said House and Premises being of [*or* under, *as the Case may be*] the Value of ( ) Pounds a Year, according to the Valuation thereof made for Poor Law Purposes under the Laws now in force, and this Licence is granted upon Condition that the said do not mix or cause to be mixed any Spirits, or any Drugs or other pernicious Ingredients, in any Wine sold in his said House and Premises, nor fraudulently dilute, or in anyways adulterate any such Wine, nor sell or offer for Sale any Wine which to his Knowledge has been so mixed, diluted, or adulterated; nor use in selling any Wine any Measures which are not of the legal Standard; nor wilfully or knowingly permit any Drunkenness, or any violent or quarrelsome or other disorderly Conduct in his House or Premises; nor knowingly suffer any unlawful Games or any Gaming whatsoever therein, nor knowingly suffer or permit Persons of known bad Character to assemble and meet together therein,

therein, but do maintain good Order and Rule therein ; nor have or keep his House or Premises open for the Sale of any Victual, Refreshment, or Wine, nor sell any Victual, Refreshment, or Wine, nor suffer the same to be consumed or drunk in or at such House or Premises, at any Time before the Hour of ( ) o'Clock in the Morning nor after any Hour of the Clock at Night prohibited by the Act 23d Victoria, Cap. [*this Act*], nor have or keep his House or Premises open for the Sale or Consumption therein of any Article whatever at any Time during which the Houses for the Sale of Spirits, Wine, Beer, Ale, Cider, or Perry are required by Law to be closed on any Sunday, Christmas Day, or Good Friday, or any Day appointed for a Public Fast or Thanksgiving, except to a Lodger therein ; and this Licence shall continue in force from the Day of until the First Day of April next ensuing, and no longer : Provided and upon Condition that the said shall not in the meantime become a Sheriff's Officer, or Officer for executing the legal Process of any Court of Justice ; and this Licence shall cease and determine and shall become void in case any of the Conditions or Regulations contained therein shall be transgressed or shall not be observed by the said

Given under our Hands, this Day of 186 .

, Collector.
, Supervisor.

No. 3.

Form of Licence to sell Wine by Retail, not to be consumed on the Premises.

We, the undersigned, being the Collector and Supervisor of Excise for the Collection of and District of do hereby authorize and empower , now keeping a Shop for the Sale of Goods and Commodities at in the Parish of , within the Limits of the said Collection and District, to sell therein Foreign and British Wine by Retail, and in reputed Quart or Pint Bottles only, and not to be consumed in the House or Shop or on the said Premises where sold, and for this Licence he hath paid the Sum of , the House and Premises being of [*or* under, *as the Case may be*] the Value of ( ) Pounds a Year according to the Valuation thereof made for Poor Law Purposes under the Laws now in force ; and this Licence is granted upon Condition that the said do not mix or cause to be mixed any Spirits or any Drugs or other pernicious Ingredients in any Wine sold in his Shop or Premises, nor fraudulently dilute or in anyways adulterate any such Wine, nor sell or offer for Sale any Wine which to his Knowledge has been so mixed, diluted, or adulterated ; and this Licence shall continue in force from the Day of until the First Day of April next ensuing, and no longer.

Given under our Hands, this Day of 186 .

, Collector.
, Supervisor.

No. 4.

Form of Recognizance.

A.B., Appellant. } Petty Session District of , County of , *or* Dublin
C.D., Respondent. } Metropolitan Police District of

Whereas the Justice or Justices [*or if in the City of Dublin, A.B.*, Divisional Justice], on the Day of 18 , made an Order refusing to grant to the Appellant, being licensed to keep a Refreshment House, a Licence [*or* a Renewal of a Licence, *as the Case may be*], to entitle him [*or* her] to sell Foreign Wine by Retail to be consumed therein, upon the Grounds that [*state Grounds mentioned in the Order*] : The undersigned, principal Party to this Recognizance, hereby binds himself [*or* herself] to perform the following Obligation ; that is to say, to prosecute his [*or* her] Appeal at the Quarter Sessions to be held at ; and to pay such Costs as the [Chairman *or* Recorder] shall order or direct ; and the said principal Party, together with the undersigned Sureties, hereby severally acknowledge themselves bound to forfeit to the Crown the Sums following ; that is to say, the said principal Party the Sum of ( ), and the undersigned Sureties the Sum of ( ) each, in case the principal Party fails to perform his [*or* her] Obligation.

(Signed) *A.B.* (Principal Party.)
E.F. } (Sureties.)
G.H. }

Taken before me this Day of , 18 , at

(Signed) *Y.Z.* (Justice or Divisional Justice.)

No. 5.

Form of Certificate.

Quarter Sessions District of , County of

A.B., Appellant. } I certify, That on the Hearing of the Appeal in this Case from an Order made
C.D., Respondent. } by the Justices of the Petty Sessions District of [*or A.B.*, Divisional Justice,] on the Day of last, refusing to grant to the Appellant, being licensed to keep a

Refreshment House, a Licence [*or* a Renewal of a Licence] to entitle him to sell Foreign Wine by Retail to be consumed therein, it was ordered by the Court that the said Order of Refusal be reversed, and the said Appellant was declared entitled to obtain such Wine Licence [*or* such Renewal of such Wine Licence].

Dated this Day of .

Clerk of the Peace.

C A P. CVIII.

An Act to amend the Industrial Schools Act, 1857. [28th *August* 1860.]

20 & 21 Vict. c. 48.

'WHEREAS an Act was passed in the Session holden in the Twentieth and Twenty-first Years of 'Her Majesty, Chapter Forty-eight, "to make better Provision for the Care and Education of '"vagrant, destitute, and disorderly Children, and for the Extension of Industrial Schools," and by the 'said Act Powers are vested in the Committee of Her Majesty's Privy Council on Education of causing 'Examination and Reports to be made as to Industrial Schools, and of granting and withdrawing 'Certificates for the Purposes of the said Act: And whereas it is expedient that the Powers vested in 'the said Committee under the said Act should be transferred to the Secretary of State:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; (that is to say,)

Powers of Committee of Council on Education under 20 & 21 Vict. c. 48. transferred to Sec. of State.

I. All the Powers now vested in the Committee of the Privy Council on Education under the said Act shall be vested in and shall be exercised by One of Her Majesty's Principal Secretaries of State, and the said Act shall be construed as if, where such Committee is therein mentioned or referred to, such Secretary of State had been mentioned or referred to; and any Certificate which by the said Act was to be granted under the Hand of the President of Her Majesty's Privy Council or of the Vice-President of the said Committee thereof may be granted under the Hand of the Secretary of State.

Application directed to be made by the School Manager, may be made by any Person authorized by Secretary of State.

II. 'And whereas by the Fifteenth and Sixteenth Sections of the said Act it is provided that any 'Justices of the County in which the certified Industrial School to which any Child has been sent is 'situate, or in which the Parent is residing, may, upon the Complaint of the Managers of such School, 'summon the Parent, and may order him to pay to such Managers a weekly Sum according to his Ability:' Be it enacted, That it shall be lawful for any such Justices to take any of the Steps prescribed by the said Fifteenth and Sixteenth Sections, upon the Complaint of any Person authorized by the Secretary of State, although no Complaint may have been made on the Part of the Managers of the School.

C A P. CIX.

An Act for defraying the Expenses of constructing Fortifications for the Protection of the Royal Arsenals and Dockyards and the Ports of *Dover* and *Portland*, and of creating a Central Arsenal. [28th *August* 1860.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of *Great Britain* and *Ireland* in Parliament assembled, having considered the State, Condition, and Sufficiency of the Fortifications existing for the Defence of the United Kingdom, and being desirous to provide forthwith for the Construction of certain Works for the Defence of Your Royal Arsenals and Dockyards and the Ports of *Dover* and *Portland*, and for the Creation of a Central Arsenal, have cheerfully granted to Your Majesty the Sum of Two Millions, to be paid out of the Consolidated Fund, towards defraying the Expenses incurred or to be incurred for those Purposes, and we have resolved that a Sum not exceeding the said Sum of Two Millions be raised by such Terminable Annuities as herein-after mentioned, and we do therefore most humbly beseech Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

The Sum of 2,000,000*l.* to be issued out of the Consolidated Fund.

I. Towards defraying the Expenses herein-after mentioned any Sum or Sums, not exceeding in the whole the Sum of Two Millions, shall be issued and applied out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, or the growing Produce thereof, and it shall be lawful for the Commissioners of Her Majesty's Treasury from Time to Time to issue and apply the same accordingly.

Appropriation of the Money so issued to the Expenses of constructing Fortifications, and providing a Central Arsenal.

II. Such Sum or Sums as may be issued out of the Consolidated Fund, or the growing Produce thereof, as aforesaid shall be applied as mentioned in the Schedule to this Act towards defraying the Expenses incurred or to be incurred in constructing the aforesaid Fortifications and Works for the Defence of the Royal Arsenals and Dockyards of the United Kingdom, (including the Naval Establishment at *Haulbowline*,) and the Fortifications at *Dover* and *Portland*, and in providing a Central Arsenal, and in purchasing the Land and Rights in Land that may be required for the Purposes of such Fortifications, Works, and Arsenal; and the Commissioners of Her Majesty's Treasury shall from Time to Time apply such Sum or Sums accordingly.

Treasury to raise 2,000,000*l.* by creating

III. To provide for the Issues to be made out of the Consolidated Fund, or the growing Produce thereof, and to repay to the Consolidated Fund the Amount which may have been previously so issued under

under this Act, or for either of those Purposes, it shall be lawful for the Commissioners of Her Majesty's Treasury at any Time or from Time to Time, after the passing of this Act, to raise any Sum or Sums, not exceeding in the whole the Sum of Two Millions, as herein-after mentioned; and for raising all or any Portions which may be so raised from Time to Time of the said Sum of Two Millions, it shall be lawful for the Commissioners of the Treasury to cause to be created, and vested in the Contributors to the said Sum or to the respective Portions thereof, Annuities for such Term not exceeding the Term of Thirty Years, as the Commissioners of the Treasury may think fit to fix in the Contract with such Contributors, and to be payable half-yearly by equal Payments on the Fifth Day of *April* and the Tenth Day of *October*.

Annuities for a Term not exceeding Thirty Years.

IV. It shall be lawful for the Commissioners of Her Majesty's Treasury from Time to Time to contract, in such Manner and under such Regulations as they may deem advisable, with any Person or Persons, Body or Bodies Politic or Corporate, who may be willing to advance the whole or any Part of the said Sum of Two Millions, or of the Portion thereof which the said Commissioners may at any Time think it requisite to raise, and to appoint and fix the Amount and Times of Payment of Deposits and Instalments of or in respect of the Sums contracted to be advanced, and to declare and fix the Term and the Amount of Annuity to be created under this Act, to which the several Persons and Corporations advancing such Sums (who are herein referred to as the Contributors), their respective Executors or Administrators, Successors, or Assigns, shall be entitled in respect of each One hundred Pounds contributed and paid, and to appoint on which of the half-yearly Days herein-before mentioned the First Half Year's Payment of Annuity shall become due, and the Time or Times at which the said Annuities or proportional Amounts thereof shall be placed in the Books of the Bank of *England* to the Credit of the respective Contributors, their Executors, Administrators, Successors, and Assigns, and to fix the Time during which Receipts for such Deposits or Instalments as aforesaid shall be assignable; and the several Contributors, their Executors, Administrators, Successors, or Assigns, shall be entitled for every One hundred Pounds by them respectively advanced and paid to an Annuity for such Term and of such Amount as shall be so fixed by the Commissioners of the Treasury, to be payable during the Term so fixed by half-yearly Payments as aforesaid, the First half-yearly Payment to be due as the said Commissioners may have appointed as aforesaid.

Treasury to fix the Term and Amount of Annuity to be granted to Contributors for every 100*l.*, and Terms of Payment of Subscriptions.

V. It shall and may be lawful for any Guardian or Trustee having the Disposition of the Money of any Infant to contribute and pay for or towards advancing any Part of any Sum to be raised by Annuities in manner aforesaid; and such Infant, upon the Payment of such Sum or Sums subscribed by such Guardian or Trustee, shall become a Contributor within the Meaning of this Act, and be entitled to have and receive the Annuities, Advantages, and Payments in respect thereof, in such and the like Manner as any other Contributor; and such Guardian or Trustee, as to the said Sum or Sums so advanced, is hereby discharged, so as the Name of such Infant be expressed in the Receipt or Receipts for such Money.

Power to Guardians, &c. to subscribe for Infants.

VI. All Deposits, Instalments, and Sums to be paid by the Contributors, their Executors or Administrators, Successors, or Assigns, in respect of any Portion of the said Sum of Two Millions, shall be paid to the Cashier or Cashiers of the Governor and Company of the Bank of *England;* and as soon as any Contributors, their Executors, Administrators, Successors, or Assigns, shall, after Payment of the required Deposit, have made due Payment of any subsequent Instalment payable by them respectively on the Days appointed by the said Commissioners of the Treasury, towards a Sum raised under this Act, such Contributors may have a proportional Amount of the Annuities to which they may be entitled in respect of such Instalment forthwith placed in the Books of the Bank of *England* to the Credit of such respective Contributors, their Executors, Administrators, Successors, or Assigns, and on Payment of the last Instalment such Contributors, their Executors, Administrators, Successors, or Assigns, shall have a proportional Amount of like Annuities placed to their respective Credits corresponding, at the Rate aforesaid, to the aggregate Amount of the Deposit and of such last Instalment; and the Persons to whose Credit such Annuities, or such proportional Parts thereof, shall be so placed, their respective Executors, Administrators, Successors, and Assigns, shall have Power to assign and transfer the same, or any Part, Share, or Proportion thereof, to any other Person or Persons, Body or Bodies Politic or Corporate, whatsoever, in the Books of the Bank of *England* (in such Manner as is herein-after directed); and the said Governor and Company of the Bank of *England* are hereby required, as soon as conveniently may be after Notice from the Commissioners of the Treasury for the Purpose, to prepare proper Books for the Purpose of entering the Names of all such Contributors, and of placing to their Credit the Annuities to which they will be entitled under this Act.

Time at which Annuities may be transferred.

VII. All such Contributors, their Executors, Administrators, Successors, or Assigns, who shall pay into the Hands of the said Cashier or Cashiers the whole of their respective Contribution Money, or any Part thereof in anticipation of the Instalments appointed by the Commissioners of the Treasury, or any of them, shall be entitled to have forthwith inscribed into their respective Names the whole or such proportional Amount of the said Annuities; but Discount shall not be allowed on any such Payment in anticipation of any of the said Instalments.

Contributors may anticipate Payments.

VIII. All the Annuities created under this Act shall be payable and paid and be transferable at the Bank of *England*.

Annuities payable and transferable at the Bank.

Money to be issued out of the Consolidated Fund for Payment of Annuities and Charges, &c.

IX. So much Money shall from Time to Time be set apart and issued at the Receipt of the Exchequer, out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, to the said Cashier or Cashiers of the Governor and Company of the Bank of England, as shall be sufficient to satisfy and pay the said Annuities to be created under the Act, together with the Charges attending the same, and all the said Annuities shall be charged and chargeable upon, and are hereby charged upon and made payable out of the said Consolidated Fund.

Bank of England to appoint a Cashier and an Accountant General, and the Treasury to order Money to be issued to the Cashier for Payment of Annuities.

X. For the more easy and sure Payment of the Annuities established by this Act, the said Governor and Company of the Bank of *England* and their Successors shall from Time to Time, until all the said Annuities shall have expired, appoint and employ One or more sufficient Person or Persons within their Office in the City of *London* to be their Chief or First Cashier or Cashiers, and One or other sufficient Person within the same Office to be their Accountant General; and so much of the Money by this Act to be set apart for the Purpose as shall be sufficient from Time to Time to answer the said Annuities and the Charges attending the same shall, by Order of the Commissioners of Her Majesty's Treasury, without any further Warrant to be sued for, had, or obtained in that Behalf, from Time to Time, at the respective Days of Payment in this Act appointed for Payment thereof, be issued and paid at the Receipt of the Exchequer to the said Chief or First Cashier or Cashiers of the said Governor and Company of the Bank of *England*, and their Successors for the Time being, by way of Imprest and upon Account for the Payment of the Dividends payable by virtue of this Act; and such Cashier or Cashiers to whom the said Money shall from Time to Time be issued shall from Time to Time, without Delay, pay the same accordingly, and render his or their Accounts thereof to the Commissioners for auditing the Public Accounts; and the said Accountant General for the Time being shall from Time to Time inspect and examine all Receipts and Payments of the said Cashier or Cashiers, and the Vouchers relating thereto, in order to prevent any Fraud, Negligence, or Delay.

Cashier to give Receipts for Subscriptions, and pay the Money he receives into the Exchequer.

XI. The Cashier or Cashiers of the Governor and Company of the Bank of *England* who shall receive any Deposits or Instalments from Contributors in respect of any Portion of the said Sum of Two Millions shall give a Receipt or Receipts in Writing to every such Contributor for all such Sums, and also Warrants for the proportional Amounts of Annuity to be created in respect of the Instalments intermediate between the Deposit and the last Instalment on the Payment of those Instalments respectively; and the Receipts and Warrants so to be given shall be assignable and transferable by Delivery thereof during such Time as shall have been fixed by the Commissioners of Her Majesty's Treasury, and no longer; and such Cashier or Cashiers shall give Security to the Satisfaction of the Commissioners of Her Majesty's Treasury for duly answering and paying into the Receipt of the Exchequer as after mentioned all the Monies which he or they shall hereafter receive from Time to Time of and for any Portion of the said Sum of Two Millions, and for accounting duly for the same, and for Performance of the Trust hereby in him or them reposed, and shall from Time to Time pay all such Monies as soon as he or they shall receive the same or any Part thereof, or within Five Days afterwards at the farthest, into and shall account for the same in the Exchequer, according to the due Course thereof.

Money so paid in to form Part of Consolidated Fund.

XII. All such Sums of Money as shall be from Time to Time paid into the Receipt of Her Majesty's Exchequer in respect of the said Sum of Two Millions, or any Portion thereof, raised by Annuities as aforesaid, shall be carried to and form Part of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*.

A Book to be kept in the Accountant General's Office for entering Contributors Names, and a Duplicate to be transmitted to the Exchequer.

XIII. In the Office of the Accountant General of the Governor and Company of the Bank of *England* for the Time being, a Book or Books shall be provided and kept, in which the Names of the Contributors to any Portion of the said Sum of Two Millions which may be raised under this Act shall be fairly entered; which Book or Books the said respective Contributors, their respective Executors, Administrators, Successors, and Assigns, shall and may from Time to Time and at all seasonable Times resort to and inspect without any Fee or Charge; and the said Accountant General shall, at such Time or Times as may be directed by the Commissioners of the Treasury, transmit an attested Duplicate, fairly written on Paper, of the said Book or Books, into the Office of the Receipt of the Exchequer, there to remain for ever.

Subscriptions paid in part, and not completed, forfeited.

XIV. In case any such Contributors to any Portion of the Sum of Two Millions which may be raised under this Act, after having paid to the said Cashier or Cashiers any Sum or Sums of Money as a Deposit, at the Time and in the Manner appointed by the Commissioners of the Treasury, in part of the Sum or Sums so by them respectively subscribed, or their respective Executors, Administrators, Successors, or Assigns, shall not advance and pay to the said Cashier or Cashiers the Residue of the Sum or Sums so subscribed at the Times and in the Manner which shall have been appointed by the Commissioners of the Treasury, then and in every such Case such Deposit shall be forfeited for the Benefit of the Public, and all Right and Title to the said Deposit, and to the Annuity in respect thereof, shall be extinguished.

Annuities to be deemed Personal Estate.

XV. All Persons and Corporations who shall be entitled to any of the Annuities which may be created under this Act, and all Persons and Corporations lawfully claiming under them, shall be possessed thereof as of a Personal Estate, which shall not be descendible to Heirs, nor liable to any Foreign Attachment by the Custom of *London* or otherwise.

XVI. Books

Accountant General to keep Books for entering Transfers.

XVI. Books shall be constantly kept by the said Accountant General for the Time being, wherein all Assignments or Transfers of all Annuities created under this Act shall be entered and registered, which Entry shall be conceived in proper Words for that Purpose, and shall be signed by the Parties making such Assignments or Transfers, or if such Parties be absent by their respective Attorney or Attorneys thereunto lawfully authorized in Writing under his or their Hand and Seal or Hands and Seals, to be attested by Two or more Witnesses; and the several Persons to whom such Transfers shall be made may respectively underwrite their Acceptance thereof; and no other Method of assigning and transferring the said Annuities, or any Part thereof, or any Interest therein, shall be good or available in Law; and no Stamp Duties whatsoever shall be charged on any of the said Transfers, any Law or Statute to the contrary notwithstanding.

Transfers not liable to Stamp Duties.

Power to the Treasury to add the Annuities created under this Act to the Stock of existing terminable Annuities of like Duration.

XVII. Provided, That it shall be lawful for the Commissioners of Her Majesty's Treasury, if they think it expedient so to do, for raising all or any Portion of the said Sum of Two Millions, to contract and provide that all or any of the terminable Annuities to be created under the Provisions of this Act in respect of such Sum or Portion as aforesaid shall be consolidated with and deemed Part of the Joint Stock of the terminable Annuities created by the Act of the Session holden in the Eighteenth and Nineteenth Years of Her Majesty, Chapter Eighteen, or of the Joint Stock of any terminable Annuities transferable at the Bank of *England* and charged on the Consolidated Fund by the Authority of Parliament, for the same Term for the Time being unexpired, and payable on the same half-yearly Days as the Annuities which they may contract to create, and in every such Case the Annuities to be created under this Act shall be added to and form Part of the Joint Stock of the previously existing Annuities accordingly.

Allowance to Bank of England for the Expense of Management.

XVIII. It shall be lawful for the Commissioners of Her Majesty's Treasury to direct the Payment out of the Consolidated Fund to the Governor and Company of the Bank of *England* of the Sum of Five hundred Pounds for every Million of the said Contributions as an Allowance for the Service, Pains, and Labour of the said Cashier or Cashiers employed in receiving, paying, and accounting for the same, and also for the Service, Pains, and Labour of the said Accountant General for performing the Trust reposed in him by this Act, which Allowance in respect of the Service, Pains, and Labour of the said Cashier or Cashiers and Accountant General of the said Governor and Company shall be for the Use of the said Governor and Company, and at their Disposal only.

Fortifications, &c. to be executed under the Direction of the Secretary for War.

XIX. The Fortifications, Works, and Central Arsenal, the Expenses of constructing and providing which are to be defrayed under this Act, shall be constructed and provided respectively under the Direction of Her Majesty's Principal Secretary of State for the War Department, and the Land to be purchased and acquired for the Purposes of such Fortifications, Works, and Central Arsenal shall be vested in the said Secretary of State on behalf of Her Majesty.

Accounts to be laid before Parliament.

XX. The Commissioners of Her Majesty's Treasury shall in the Month of *July* in the Year One thousand eight hundred and sixty-one, and in every subsequent Year in which any Part of the said Sum of Two Millions shall be issued from the Consolidated Fund or raised by Annuities under this Act, cause to be prepared an Account of the Monies raised under this Act up to the First Day of that Month, and of the Amount of Annuities created in respect of the Money so raised, and of the Monies which shall have been issued out of the Consolidated Fund in respect of the Sum of Two Millions charged on that Fund under this Act up to the said First Day of *July*, specially showing the Works or Purposes for or in respect of which the Monies may have been applied; and showing the Amount, if any, which may remain to be raised of the said Sum of Two Millions authorized to be raised under this Act, and the Amount, if any, remaining to be issued or applied of the said Sum of Two Millions charged on the said Consolidated Fund; every such Account shall be laid before both Houses of Parliament forthwith after the Preparation thereof, or if Parliament be not sitting then within Fourteen Days after the next Meeting of Parliament.

Persons counterfeiting Receipts for Contributions, &c. guilty of Felony.

XXI. If any Person shall forge or counterfeit, or cause or procure to be forged or counterfeited, or shall willingly act or assist in the forging or counterfeiting, any Receipt or Receipts for the whole or any Part or Parts of the said Contributions towards any Sum raised under this Act, either with or without the Name or Names of any Person or Persons being inserted therein as the Contributor or Contributors thereto, or Payer or Payers thereof or of any Part or Parts thereof, or shall alter any Number, Figure, or Word therein, or utter or publish as true any such false, forged, counterfeited, or altered Receipt or Receipts, with Intent to defraud the Governor and Company of the Bank of *England*, or any Body Politic or Corporate, or any Person or Persons whatsoever, every such Person so forging or counterfeiting or altering, or causing or procuring to be forged or counterfeited or altered, or willingly acting or assisting in the forging or counterfeiting, or altering, uttering, or publishing as aforesaid, shall be guilty of Felony, and being convicted thereof shall, at the Discretion of the Court, be liable to be kept in Penal Servitude for any Term not less than Three Years, or to be imprisoned, with or without Hard Labour, or with or without Solitary Confinement, for any Term not exceeding Two Years.

Bank to continue a Corporation till Annuities hereby granted cease.

XXII. The said Governor and Company of the Bank of *England*, and their Successors, notwithstanding the Redemption of all or any of their own Funds, in pursuance of the Acts for establishing the same or any of them, shall continue a Corporation for the Purposes of this Act until the Annuities created under this Act shall cease.

SCHE-

SCHEDULE.

SCHEDULE of SUMS proposed to be expended on Fortifications and Works at the under-mentioned Places between the 1st August 1860 and 1st August 1861, under this Act.

District.	Amount.
	£
Portsmouth	580,000
Plymouth	450,000
Pembroke	60,000
Thames	60,000
Medway	100,000
Chatham	170,000
Dover	50,000
Cork	30,000
Central Arsenal	150,000
Total	£1,650,000
For Works in Progress already sanctioned by Parliament	350,000
Grand Total	£2,000,000

The several Sums include the Expense of Purchase of Land and other incidental Expenses.

CAP. CX.

An Act to consolidate the Duties of Customs. [28th *August* 1860.]

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

In lieu of the Duties, &c. now payable, the Duties, Rates, &c. to be charged as herein mentioned.

I. In lieu of the Duties and Drawbacks of Customs, Rates, and Charges now payable on the Importation or Exportation of Goods into or from *Great Britain* and *Ireland*, there shall be charged and allowed on the Importation into and Exportation from *Great Britain* and *Ireland* of the following Articles the several Duties and Drawbacks of Customs, Rates, and Charges herein-after mentioned.

DUTIES of CUSTOMS, &c.

		£	s.	d.
1. Beer and Ale; viz.,				
—— Mum	the Barrel	1	0	0
—— Spruce	the Barrel	1	0	0
—— of other Sorts	the Barrel	1	0	0
2. Cards; viz.,				
—— Playing Cards	the Dozen Packs	0	15	0
3. Chicory, or any other Vegetable Matter applicable to the Uses of Chicory or Coffee; viz.,				
—— raw or kiln-dried	the Cwt.	0	6	0
—— roasted or ground	the lb.	0	0	4
4. Chloroform	the lb.	0	3	0
5. Cocoa	the lb.	0	0	1
—— Husks and Shells	the Cwt.	0	2	0
—— Paste or Chocolate	the lb.	0	0	2
6. Coffee	the lb.	0	0	3
—— kiln-dried, roasted, or ground	the lb.	0	0	4
A Drawback shall be allowed on all roasted Coffee exported as Ship's Stores, or removed to the Isle of Man for Consumption there, equal in Amount to the Import Duty on raw Coffee.				
7. Corks, ready made, until 31st March 1862 inclusive	the lb.	0	0	3
8. Corn, Grain, Meal, and Flour, and Articles of the like Character; viz.:—				
—— Wheat, Barley, Oats, Rye, Pease, Beans (not Kidney or French), Maize or Indian Corn, Buck Wheat, Bear or Bigg	each the Quarter	0	1	0

Customs (No. 2.)

		£	s.	d.
Corn, Grain, Meal, and Flour, and Articles of the like Character—*continued.*				
—— Wheat Meal and Flour —— Barley Meal —— Oat Meal and Groats —— Rye Meal and Flour —— Pea Meal —— Bean Meal —— Maize or Indian Corn Meal —— Buck Wheat Meal —— Meal, not otherwise enumerated or described —— Arrow Root —— Barley, pearled —— Biscuit and Bread —— Cassava Powder —— Macaroni —— Mandioca Flour —— Manna Croup —— Potatoe Flour —— Powder, viz., Hair —— —— Perfumed —— —— Not otherwise enumerated or described that will serve the same Purpose as Starch —— Rice Dust and Meal —— Sago —— Semolina —— Starch —— —— Gum of, torrified or calcined —— Tapioca —— Vermicelli	each the Cwt.	0	0	4½
9. Dice	the Pair	1	1	0
10. Essence of Spruce	for every £100 Value	10	0	0
11. Fruit, not Raw nor preserved in Sugar; viz., —— Currants —— Figs —— Fig Cake —— Plums, commonly called French Plums, and Prunelloes —— —— Dried or preserved (except in Sugar), not otherwise described —— Prunes —— Raisins	each the Cwt.	0	7	0
12. Hats or Bonnets, until 31st March 1861 inclusive; viz., —— —— —— of Chip	the lb.	0	1	3
—— —— —— of Bast, Cane, or Horsehair	the lb.	0	1	3
—— —— —— of Straw	the lb.	0	1	3
13. Hops, until 31st December 1860 inclusive	the Cwt.	2	5	0
—— from 1st January 1861 to 31st December 1861 inclusive	the Cwt.	1	0	0
—— from and after that Date	the Cwt.	0	15	0
14. Malt	the Quarter	1	5	0
15. Paper, on and after the 16th August 1860; viz., —— Brown Paper, made of old Rope or Cordage only without separating or extracting the Pitch or Tar therefrom, and without any Mixture of other Materials therewith	the Cwt.	0	16	0
—— Printed, painted, or stained Paper Hangings, or Flock Paper	the Cwt.	0	14	0
—— Gilt, stained, coloured, embossed, and all Fancy Kinds, not being Paper Hangings	the Cwt.	0	16	0
—— Waste Paper, or Paper of any Sort, not particularly enumerated or described, not otherwise charged with Duty	the Cwt.	0	16	0
—— Millboards	the Cwt.	0	16	0
—— Pasteboard	the Cwt.	0	15	0
—— Books; viz., —— —— being of Editions printed in or since the Year 1801, bound or unbound	the Cwt.	0	16	0
—— —— admitted under Treaties of International Copyright, or if of and from any British Possession	the Cwt.	0	15	0

	£	s.	d.
Paper, &c.—*continued.*			
—— Prints and Drawings; viz.,			
—— —— Plain or coloured - - - - - - the Cwt.	0	16	0
—— Prints, &c. admitted under Treaties of International Copyright - the Cwt.	0	15	0
—— —— or and at the Option of the Importer,			
—— —— —— Single - - - - - - - each	0	0	0½
—— —— —— Bound - - - - - the Dozen	0	0	1½
16. Pepper of all Sorts - - - - - - - - the lb. and 5*l.* per Cent. thereon.	0	0	6
17. Plate; viz.,			
—— of Gold - - - - - - - the Ounce Troy	0	17	0
—— of Silver, gilt or ungilt - - - - - the Ounce Troy	0	1	6
18. Ships, with their Tackle, Apparel, and Furniture; viz., Foreign built of Wood, and Ships built of Wood in any of Her Majesty's Possessions abroad, on the Registration thereof as British Ships at any Port or Place for the Registry of British Ships in Great Britain and Ireland, for every Ton of the gross registered Tonnage without any Deduction in respect of Engine Room or otherwise - - - - - - - -	0	1	0
19. Spirits or Strong Waters, not being sweetened or mixed with any Article so that the Degree of Strength thereof cannot be ascertained by Sykes's Hydrometer, for every Gallon of the Strength of Proof by such Hydrometer, and so in proportion for any greater or less Strength than the Strength of Proof, and for any greater or less Quantity than a Gallon, on and after the 17th July 1860; viz.,			
—— Brandy - - - - - - - - the Gallon	0	10	5
—— Geneva - - - - - - - the Gallon	0	10	5
—— Rum of and from any Foreign Country, being the Country of its Production - - - - - - - - the Gallon	0	10	2
—— Rum from any Country not being the Country of its Production, the Gallon	0	10	5
—— Tafia of and from any Colony of France - - - - the Gallon	0	10	2
—— Rum and Spirits of and from a British Possession in America or the Island of Mauritius, and Rum of and from any British Possession within the Limits of the East India Company's Charter, in regard to which the Conditions of the Act 4 Vict. c. 8. have or shall have been fulfilled, the Gallon	0	10	2
—— Unenumerated - - - - - - - the Gallon	0	10	5
Other Spirits, being sweetened or mixed so that the Degree of Strength cannot be ascertained as aforesaid, on and after the 17th July 1860; viz.,			
—— —— Rum Shrub, Liqueurs and Cordials, of and from a British Possession in America or the Island of Mauritius, or a British Possession within the Limits of the East India Company's Charter, in regard to which the Conditions of the Act 4 Vict. c. 8. have or shall have been fulfilled, the Gallon	0	10	2
—— —— —— Perfumed Spirits, to be used as Perfumery only - - the Gallon	0	14	0
—— —— —— —— Water, Cologne, the Flask (Thirty of such Flasks containing not more than One Gallon) - - - - - - - each	0	0	6
Water, Cologne, when not in Flasks to be charged as "perfumed Spirits," viz. - - - - - - - the Gallon	0	14	0
—— —— —— —— Unenumerated - - - - - the Gallon	0	14	0
Spirits or Strong Waters, imported into the United Kingdom, mixed with any Ingredient, and although thereby coming under some other Designation, except Varnish, shall nevertheless be deemed to be Spirits or Strong Waters, and be subject to Duty as such.			
20. Sugar, and Articles composed thereof or sweetened therewith, until the 30th June 1861 inclusive; viz.,			
—— Candy, Brown or White, Refined Sugar, or Sugar rendered by any Process equal in Quality thereto - - - - - - - the Cwt.	0	18	4
—— White Clayed Sugar, or Sugar rendered by any Process equal in Quality to White Clayed, not being Refined or equal in Quality to Refined - the Cwt.	0	16	0
—— Yellow Muscovado and Brown Clayed Sugar, or Sugar rendered by any Process equal in Quality to Yellow Muscovado or Brown Clayed, and not equal to White Clayed - - - - - - - - the Cwt.	0	13	10

		£	s.	d.
Sugar, &c.—*continued.*				
—— Brown Muscovado or any other Sugar, not being equal in Quality to Yellow Muscovado or Brown Clayed Sugar	the Cwt.	0	12	8
—— Cane Juice	the Cwt.	0	10	4
—— Molasses	the Cwt.	0	5	0
—— Almonds, Paste of —— Cherries, dried —— Comfits, dry —— Confectionery —— Ginger, preserved —— Marmalade —— Plums, preserved —— Succades, including all Fruits and Vegetables preserved in Sugar, not otherwise enumerated	each the lb.	0	0	2

The following Drawbacks on the several Descriptions of Refined Sugar herein-after mentioned, shall, until the Thirtieth Day of *June* One thousand eight hundred and sixty-one inclusive, be allowed on Exportation thereof to Foreign Parts, or on Removal to the *Isle of Man* for Consumption there, or on deposit thereof in any approved Warehouse, upon such Terms and subject to such Regulations as the Commissioners of Customs may direct, for Delivery therefrom as Ships Stores only, or for the Purpose of sweetening *British* Spirits in Bond; that is to say,

—— Upon Refined Sugar, in Loaf, complete or whole, or Lumps duly refined, having been perfectly clarified and thoroughly dried in the Stove, and being of an uniform Whiteness throughout, or Sugar Candy, or Sugar refined by the Centrifugal Machine, or by any other Process, and not in any way inferior to the Export Standard No. 3. approved by the Lords of the Treasury	for every Cwt.	0	17	2
—— Upon such Refined Sugar already described, if pounded, crushed, or broken in a Warehouse approved by the Commissioners of Customs, such Sugar having been there first inspected by the Officers of Customs in Lumps or Loaves, as if for immediate Shipment, and then packed for Exportation in the Presence of such Officers, and at the Expense of the Exporters	for every Cwt.	0	17	2
—— Upon Refined Sugar unstoved, pounded, crushed, or broken, and not in any way inferior to the Export Standard Sample No. 1, approved by the Lords of the Treasury, and which shall not contain more than 5 per Centum Moisture over and above what the same would contain if thoroughly dried in the Stove,	for every Cwt.	0	16	4
—— Upon Bastard or Refined Sugar unstoved, broken in Pieces, or being ground, powdered, or crushed, not in any way inferior to the Export Standard Sample No. 2. approved by the Lords of the Treasury	for every Cwt.	0	15	1
—— Upon Bastard or Refined Sugar being inferior in Quality to the said Export Standard Sample No. 2	for every Cwt.	0	12	8
21. Tea, until the 30th June 1861 inclusive	the lb.	0	1	5
22. Tobacco, the following Duties, with £5 per Cent. thereon; viz.,				
——— Unmanufactured, stemmed, or stripped	the lb.	0	3	0
——— ——— Unstemmed	the lb.	0	3	0
——— Manufactured, or Segars	the lb.	0	9	0
——— Snuff	the lb.	0	6	0
——— Stalks, and Flour of, and Snuff Work		prohibited.		
——— Manufactured in Great Britain or Ireland, made into Cut, Shag, Roll, or Carrot Tobacco, or Cigars, such Cigars, when exported as Merchandise, being packed in Cases containing not less than Eighty Pounds Net Weight, a Drawback shall be allowed on Exportation or Shipment as Stores with £5 per Cent. thereon.	the lb.	0	2	7½
23. Varnish, containing any Quantity of Alcohol or Spirit	the Gallon	0	12	0
24. Vinegar	the Gallon	0	0	3
——— Pickles, preserved in Water, Cologne. *See* Spirits.	the Gallon	0	0	1
25. Wine, until the 31st December 1860 inclusive; viz.,				
—— Red	the Gallon	0	3	0
—— White	the Gallon	0	3	0
—— Lees of such Wine	the Gallon	0	3	0
—— The Growth and Produce of any British Possession, and imported direct from thence, the following Duties and £5 per Cent. thereon, viz.				
—— Red	the Gallon	0	2	9
—— White	the Gallon	0	2	9

Customs (*No.* 2.)

	£	s.	d.
Wine—*continued.*			
—— Lees of such Wine - - - - - - - - the Gallon	0	2	9

The full Duties on Wine may be drawn back upon Exportation or Shipment as Stores on or before the 31st December 1860 inclusive, but not on Lees of Wine.

On and after the 1st Day of January 1861—

And without any Allowance for Drawback.

Containing less than the following Rates of Proof Spirits, verified by Sykes's Hydrometer, viz.:—	18 Degrees.			26 Degrees.			40 Degrees.			45 Degrees.			If imported in Bottles and containing less than 40 Degrees.		
	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
—— Red - - - the Gallon	0	1	0	0	1	9	0	2	5	0	2	11	0	2	5
—— White - - - the Gallon	0	1	0	0	1	9	0	2	5	0	2	11	0	2	5
—— Lees of such Wine - the Gallon	0	1	0	0	1	9	0	2	5	0	2	11	0	2	5

All Wine containing 45 per Cent. and upwards of Proof Spirit, as verified by Sykes's Hydrometer, imported into Great Britain and Ireland shall be deemed to be mixed Spirits and charged with Duty as such. And no more than 10 per Cent. of such Proof Spirit shall be used in the fortifying of any Wine in Bond; nor shall any Wine be fortified in Bond to a greater Degree of Strength than 40 per Cent. of such Proof Spirit.

26. Wood and Timber, Foreign and Colonial; viz.,			
—— Hewn - - - - - - - - - the Load	0	1	0
—— Sawn or split, planed or dressed - - - - - the Load	0	2	0
—— Firewood - - - - - - - - - the Load	0	1	0
—— Hoops - - - - - - - - - the Load	0	2	0
—— Lathwood - - - - - - - - - the Load	0	1	0
—— Shovel Hilts - - - - - - - - - the Load	0	2	0
—— Staves, exceeding 72 Inches in Length, 7 Inches in Breath, or 3¼ Inches in Thickness - - - - - - - the Load	0	2	0
—— Staves not exceeding 72 Inches in Length, nor 7 Inches in Breadth, nor 3¼ Inches in Thickness (except Staves for Herring Barrels) - the Load	0	1	0
—— Teak and Wood for Shipbuilding Purposes, formerly admitted free, and Treenails of all Sorts - - - - - - - the Load	0	1	0
—— Furniture or Hard Woods; viz.,			
—— —— Amboyna Wood - - - - - -			
—— —— Beefwood - - - - - - -			
—— —— Blackwood - - - - - - -			
—— —— Boxwood - - - - - - - -			
—— —— Cedar - - - - - - - -			
—— —— Cherry Wood - - - - - - -			
—— —— Cochinella - - - - - - -			
—— —— Ebony - - - - - - - -			
—— —— Kingwood - - - - - - -			
—— —— Lignum Vitæ - - - - - - -			
—— —— Mahogany - - - - - - -			
—— —— Maple - - - - - - - -			
—— —— New Zealand - - - - - - -			
—— —— Olive Wood - - - - - - -	each the Ton	0	1	0
—— —— Partridge Wood - - - - - -			
—— —— Purple Wood - - - - - - -			
—— —— Rosewood - - - - - - -			
—— —— Santa Maria Wood - - - - - -			
—— —— Satin Wood - - - - - - -			
—— —— Saunders or Sandal, White or Yellow - - - -			
—— —— Speckled Wood - - - - - -			
—— —— Sweetwood - - - - - - -			
—— —— Tulip Wood - - - - - - -			
—— —— Walnut Wood (except Gun Stocks) - - - -			
—— —— Zebra Wood - - - - - - -			
—— Furniture and Hard Woods unenumerated (except Veneers,) not being Ash, Beech, Birch, Elm, Oak, and Wainscot - - -			

Customs (*No.* 2.)

A Drawback on the Exportation of Wood and Timber, proportionate to the Duties of Customs paid thereon, shall be allowed: Provided, that the Person entitled thereto and claiming the same shall make and subscribe a Declaration that the Goods in respect of which he claims such Drawbacks are of Foreign or Colonial Produce, as the Case may be, and show to the Satisfaction of the Commissioners of Customs that Customs Duties to the like Amount have been paid thereon upon the Importation thereof.

Goods not prohibited to be imported into or used in *Great Britain* or *Ireland*, composed of any Article liable to Duty as a Part or Ingredient thereof, shall be chargeable with the full Duty payable on such Article, or if composed of more than One Article liable to Duty, then with the full Duty payable on the Article charged with the highest Rate of Duty.

RATES AND CHARGES ON IMPORTATION.

There shall be charged (irrespective of any Duties of Customs or other Rates or Charges payable by Law) upon the Importation of all Goods into *Great Britain* and *Ireland*, except Corn, Grain, and Flour, and Timber and Wood Goods, and Goods in Transit exported under Bond, and Goods imported for Exportation in the same Ship, provided they be so reported, the respective Rates and Charges following as defined and required by the Provisions of "The Customs Tariff Amendment Act, 1860," and under and subject thereto; that is to say,

	s.	*d.*
Goods in Packages or Parcels, per Package or Parcel or other Unit of Entry -	0	1
Goods in Bulk by Weight, Measure, or Number, for each Unit of Entry - -	0	1
Animals, per Head or other Unit of Entry - - - - -	0	1

CHARGES ON GOODS ON DELIVERY FROM WAREHOUSE FOR HOME CONSUMPTION.

There shall be charged upon Goods deposited in any Warehouse for Security of Duties of Customs, in addition to such Duties and any other Charges thereon, for every One hundred Pounds of such Duties of Customs payable thereon, the Rates following; *viz.*

	£	*s.*	*d.*
On Delivery for Home Consumption from any Warehouse approved under the "Customs Consolidation Act, 1853,"			
In respect of Tobacco - - - - - - -	0	2	6
In respect of other Goods - - - - -	0	5	0
Whether such Tobacco or other Goods shall have been removed to such Warehouse under Bond or not.			
On Delivery for Home Consumption from any Warehouse at any Port or Place not possessing the Privileges of Bonding at the Time of the passing of this Act, or from any Warehouse approved under any Act other than the "Customs Consolidation Act, 1853," viz.,			
In respect of Tobacco - - - - - - -	0	5	0
In respect of other Goods - - - - -	0	10	0

CHARGES ON GOODS EXPORTED.

There shall be charged, (irrespective of any Duties of Customs or other Rates or Charges payable by Law,) upon every Customs Bill of Lading, on the Exportation of any Goods from *Great Britain* and *Ireland*, as required by the Provisions of "The Customs Tariff Amendment Act, 1860," and under and subject thereto - - - - - - - -	*s.*	*d.*
	1	6

II. So much of the "Customs Consolidation Act, 1853," as prohibits the Importation of Malt into the United Kingdom is hereby repealed. Repeal of Prohibition of Malt.

III. Extracts and Essences of Malt and of Hops and other Concentrations thereof respectively, which are or may be applicable to the same Purposes, are hereby prohibited to be imported into *Great Britain* and *Ireland*. Prohibition of Extracts of Malt, &c.

IV. Upon the Entry of any Goods liable to Duties of Customs, the same shall be described in the Entry thereof according to the Denominations, Weight, Measure, Number, Quantity, or Value, as the Case may be, set forth in this Act, or in such other Manner as the Lords of the Treasury or the Commissioners of Customs may at any Time or from Time to Time direct. Description of Goods in Entry.

V. If the Rates of One Penny *per* Unit of Entry made payable under Section Nineteen of "The Customs Tariff Amendment Act, 1860," by Stamps, shall amount to more than Ten Shillings upon any Entry or Entries or other Document or Documents to which the Commissioners of Customs are authorized to direct the same to be affixed, the same may, at the Option of the Person liable thereto, with the Sanction of the said Commissioners, and under such Regulations as they may see fit, be paid in Cash. Rates, if exceeding Ten Shillings, may be paid in Cash.

VI. When any Act required by the said last-mentioned Act to be done by the Master of any Ship, or his Agent, at or after the final Clearance of the Ship, shall not have been so done before the Departure of the Ship, his Agent shall do and perform the same under and subject to the Penalties imposed by the Agent to act for Captain, &c.

said Act for Nonperformance thereof; and in order to the Identity of such Agent for that Purpose, such Agent shall countersign the Content of the Ship at or before the Clearance thereof by himself or the Clerk acting for him in the Clearance of such Ship; and any Agent either of the Master of any Ship or of the Exporter of any Goods who shall withhold any Customs Bill of Lading, Specification, or other Instrument required by the said Act to be delivered to the proper Officer of Customs, by the Master of any Ship or his Agent, or by the Exporter of any Goods or his Agent, shall be subject and liable to the Penalties thereby imposed by the said Act on the Master of any Ship, or the Exporter of any Goods for default in the Delivery of such Customs Bill of Lading, Specifications or other Instrument within the Time prescribed for Delivery thereof respectively.

Commencement of Act. Short Title.

VII. This Act shall come into operation on the Day of the passing thereof, except as otherwise provided herein; and in citing it in other Acts of Parliament and in legal Instruments, it shall be sufficient to use the Expression "The Customs Duties Consolidation Act, 1860."

CAP. CXI.

An Act for granting to Her Majesty certain Duties of Stamps, and to amend the Laws relating to the Stamp Duties. [28th *August* 1860.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal Subjects the Commons of the United Kingdom of *Great Britain* and *Ireland* in Parliament assembled, towards raising the necessary Supplies for defraying Your Majesty's public Expenses, and making a permanent Addition to the Public Revenue, have freely and voluntarily resolved to grant unto Your Majesty the Duties herein-after mentioned; and do humbly beseech Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

After passing of this Act the Duties described in Schedule to be charged.

I. From and after the Day of the passing of this Act there shall be granted, raised, levied, and paid in and throughout the United Kingdom of *Great Britain* and *Ireland*, for the Use of Her Majesty, Her Heirs and Successors, for and in respect of the several Instruments, Matters, and Things described or mentioned in the said Schedule, or for or in respect of the Vellum, Parchment, or Paper upon which any of them respectively shall be written, the several Stamp Duties or Sums of Money set down in Figures against the same respectively, or otherwise specified and set forth in the said Schedule, which said Schedule, and the several Provisions, Regulations, and Directions therein contained with respect to the said Duties, and the Instruments, Matters, and Things charged therewith, shall be deemed and taken to be Part of this Act, and shall be applied and put in execution accordingly: Provided that nothing herein contained shall in any way alter or affect the Act passed in the Twelfth and Thirteenth Years of the Reign of Her present Majesty, entitled *An Act to confer certain Powers on the Railway Passengers Assurance Company*, or the Duties thereby imposed.

Stamp Duties now payable on Instruments, &c. mentioned in Schedule repealed.

II. The Stamp Duties now payable for and in respect of the several Instruments, Matters, and Things mentioned or described in the Schedule to this Act annexed, whereon other Duties are by this Act granted, shall respectively from and after the Day of the passing of this Act cease and determine, and the same are hereby repealed: Provided that the Stamp Duties now chargeable on any of the said Instruments, Matters, and Things, and not the said other new Duties, shall be payable in respect of such of them as shall be made, signed, or dated at any Time before or upon the Day of the passing of this Act.

Allowances on Bill and Receipt Stamps granted by Acts 13 & 14 Vict. c. 97. and 17 & 18 Vict. c. 83. to cease, and an Allowance granted in lieu thereof.

III. From and after the Thirty-first Day of *December* One thousand eight hundred and sixty, the Allowances granted respectively by the Eighteenth Section of the Act passed in the Thirteenth and Fourteenth Years of Her Majesty, Chapter Ninety-seven, in respect of Stamps for Receipts, and by the Twenty-fourth Section of the Act passed in the Seventeenth and Eighteenth Years of Her Majesty, Chapter Eighty-three, in respect of Stamps for Drafts, Bills, and Notes, and any Allowance granted by or payable under any other Act in respect of any of the Stamps herein-after mentioned, shall cease; and in lieu thereof there shall be granted and allowed to every Person who at one and the same Time shall produce at the Office of the Commissioners of Inland Revenue in *London* or *Dublin* Paper to be stamped with Stamps for denoting any Rate of Duty not exceeding One Shilling on Bills of Exchange, Drafts, or Orders, or Promissory Notes, or Stamps for denoting the Duty of One Penny on any Instrument or Document whatever, (except Postage Stamps and Customs Stamps,) to the Amount of Two Pounds or upwards in the whole of all or any of such Stamps as aforesaid, and to every Person who at one and the same Time shall purchase any such Stamps as aforesaid at the Office of the said Commissioners in *London*, *Edinburgh*, or *Dublin*, to the Amount aforesaid, or of any Distributor or Sub-Distributor of Stamps at any Place not within the Distance of Ten Miles from the said Offices respectively, to the Amount of One Pound or upwards, an Allowance of Tenpence for every Twenty Shillings of the Amount of the Duties denoted by such Stamps.

Provisions of former Acts to apply to this Act.

IV. All the Powers, Provisions, Clauses, Regulations, Directions, Allowances, and Exemptions, Fines, Forfeitures, Pains, and Penalties, contained in or imposed by any Act or Acts, or any Schedule thereto, relating to any Duties of the same Kind or Description heretofore payable in the United Kingdom and in force at the Time of the passing of this Act, shall respectively be of full Force and Effect with respect

respect to the Duties by this Act granted, and to the Vellum, Parchment, Paper, Instruments, Matters, and Things charged and chargeable therewith, and to the Persons liable to the Payment of the said Duties, so far as the same are or shall be applicable in all Cases not hereby expressly provided for; and shall be observed, applied, allowed, enforced, and put in execution, for and in the raising, levying, collecting, and securing of the said Duties hereby granted, and otherwise in relation thereto, so far as the same shall not be superseded by and shall be consistent with the express Provisions of this Act, as fully and effectually to all Intents and Purposes as if the same had been herein repeated and specially enacted, *mutatis mutandis*, with reference to the Duties by this Act granted.

The Duties on Foreign Promissory Notes to be denoted by adhesive Stamps.

V. The Duties by this Act granted on Promissory Notes made or purporting to be made out of the United Kingdom shall be denoted by adhesive Stamps, to be provided by the Commissioners of Inland Revenue for the Purpose, or by any Stamps of sufficient Amount which shall have been provided for denoting the Duties on Bills of Exchange made out of the United Kingdom; and the proper adhesive Stamp for denoting the Duty on any such Note shall be affixed thereon, and be cancelled at the same Time and Times, and in like Manner as is provided by the Fifth Section of an Act passed in the Seventeenth and Eighteenth Years of Her present Majesty, Chapter Eighty-three, and the Twelfth Section of an Act passed in the present Session, Chapter Fifteen, in the Case of Bills of Exchange therein respectively mentioned, and under the like Penalties respectively for any Neglect thereof; and the said respective Sections shall be read as if the same were inserted in this Act expressly in reference to the Promissory Notes aforesaid, and the Duties by this Act granted thereon, as well as to the Bills of Exchange therein respectively mentioned.

Construction of Terms.

VI. The Term "Contract Note," wherever the same is used in this Act, shall mean any Note or Memorandum mentioned or referred to under the Head Contract Note in the Schedule to this Act; and the Term "Insurance" shall mean also and shall include the Term "Assurance."

Stamps on Contract Notes may be impressed or adhesive; if adhesive, to be cancelled.

VII. The Stamp Duty on Contract Notes may be denoted either by impressed or adhesive Stamps, and the said Commissioners shall provide Stamps of both Descriptions; and in any Case where a Contract Note is made, and the same is not written on an impressed Stamp, there shall be affixed thereon a proper adhesive Stamp; and every Person who shall make or sign a Contract Note to which an adhesive Stamp shall be affixed shall effectually cancel and obliterate the Stamp by writing upon or across it his Name or the Name of his Firm, or the Initials thereof respectively, and by adding thereto the Date of such cancelling, and so and in such Manner that the said Stamp cannot be used upon or for any other Document or Writing; and if any Person shall make or sign any Contract Note by this Act chargeable with Stamp Duty without the same being duly stamped to denote the said Duty, or shall refuse or neglect to cancel and obliterate as aforesaid any adhesive Stamp affixed thereon, he shall forfeit the Sum of Twenty Pounds; and no Charge for Brokerage, Commission, Agency, or otherwise, made or to be made by any Broker, Agent, or other Person in or about the Sale or Purchase mentioned or referred to in any Contract Note made or signed by him, shall be lawful unless such Contract Note shall be duly stamped, and the Stamp thereon, if adhesive, properly cancelled.

On Renewal of Insurance the Receipt to be chargeable with the Duty.

VIII. Where any Insurance in respect of which a Policy or Agreement is chargeable with Stamp Duty under this Act shall be renewed or continued on the Payment of further Premium or Consideration, whether in pursuance of any Stipulation in the Policy or Agreement or otherwise, a Receipt for such further Premium or Consideration shall be given by the Person who shall receive the same, and such Receipt shall for the Purposes of this Act be and be deemed the Policy or Agreement for such renewed or continued Insurance and be chargeable with the Duty by this Act granted; and if any Person shall receive any Money for Premium or Consideration for any such Insurance, and shall not within a Month make out and, if required, deliver a duly stamped Policy or Agreement in respect thereof; or in the Case of a Renewal or Continuance of such Insurance, shall not thereupon give such Receipt as aforesaid duly stamped; or if any such Person shall deliver or cause to be delivered any Policy or Agreement, or give or cause to be given any Receipt not duly stamped, he shall forfeit the Sum of Twenty Pounds; and where the Insurance shall be made, renewed, or continued by or for any Society or Company, the Person who shall be a managing Director, or the Secretary or other principal Officer thereof, at the Time of the Payment of any such Premium or Consideration, and of any such Default or unlawful Act being done or suffered as aforesaid, shall be held and deemed to be a Person doing or suffering the Default or unlawful Act, and shall, as well as the Society or Company, and the Members thereof who may by Law be chargeable therewith, be subject and liable to the said Penalty in respect thereof.

Adhesive or impressed Stamps, or both, may be used for Insurances.

IX. The Duties hereby granted on Instruments of Insurance may be denoted by any adhesive Stamps that the Commissioners of Inland Revenue may provide for the Purpose, and in the meanwhile by any adhesive Stamps provided by them not appropriated by Name to any other Instrument, as well as by impressed Stamps, or by a Combination of both impressed and adhesive Stamps; and in any Case where an adhesive Stamp is issued it shall be cancelled by Writing upon the Stamp the Name of the Person or the Society or Company making the Insurance, or the Initials thereof, and the Date of writing the same, and also any Particulars relating to the Insurance for which the Stamp may be adapted; and in default thereof such Person or Society or Company, and also the managing Director, Secretary, or other principal Officer as aforesaid of any such Society or Company, shall forfeit the Sum of Ten Pounds.

X. 'Whereas

The Stamp Duty on Policies of Insurance on Lives for Sums not exceeding 25*l.* reduced.

X. 'Whereas it is expedient to reduce the Stamp Duty now chargeable on Policies of Insurance upon 'Lives for small Sums:' Be it enacted, In lieu of the Stamp Duty of Sixpence now payable upon or for or in respect of any Policy of Insurance or other Instrument by whatever Name the same shall be called, whereby any Insurance shall be made upon any Life or Lives, or upon any Event or Contingency relating to or depending upon a Life or Lives, where the Sum insured shall not exceed Twenty-five Pounds, there shall be charged and payable the Stamp Duty of Threepence.

No Duty on Insurance of Workmen's Tools not exceeding 20*l.*

XI. No Insurance from Loss or Damage by Fire in any Sum not exceeding Twenty Pounds, made, renewed, or continued at the Instance or for the Benefit of any Working Mechanic, Artificer, Handicraftsman, or Labourer on the Tools or Implements of Work or Labour used by any such Person in his Work or Employment, shall be chargeable with any Stamp Duty; provided that such Insurance be effected by a separate Policy, or that a distinct Sum be assured on such Tools or Instruments.

The Stamp on an Agreement may be adhesive.

XII. The Stamp Duty of Sixpence by the Act of the present Session of Parliament, Chapter Fifteen, charged on an Agreement under Hand only may be denoted by an adhesive Stamp in any Case where the same is capable of being used under the Terms and Restrictions herein-after mentioned; and the Commissioners of Inland Revenue shall provide Stamps for the Purpose; and whenever any such adhesive Stamp shall be used, every Party to the Agreement who shall sign the same, shall also at the Time of so signing write upon or across the Stamp his Name and the Date of the Day and Year of writing the same, so that the Stamp may be appropriated to the Instrument, and effectually cancelled and rendered incapable of being used for any other; and in default thereof the Stamp shall be of no avail; and Proof of the said Writing upon or across the Stamp, as hereby required, shall be a necessary Part of the Evidence of the Agreement in any Case where such Agreement is not stamped with an impressed Stamp.

Every Delivery Order to be deemed to be upon a Sale or Transfer unless otherwise stated.

Penalty for false Statement.

XIII. Every Writing or Document entitling or intended to entitle any Person to the Delivery of any Goods, Wares, or Merchandise lying in any Dock, Port, or Warehouse, or upon any Wharf, as in the said Act of the present Session is mentioned, shall be deemed to be made and given upon a Sale or Transfer of the Property in such Goods, Wares, or Merchandise, unless the contrary shall be expressly stated therein by the Person making or giving the same; and if any Person shall untruly state or by any Word or Words signify or cause or permit to be untruly stated or signified in any such Writing or Document that the same is not made or given upon a Sale or Transfer; or if any Person shall himself or by his Servant or other Person procure or require the Delivery of any of the Goods, Wares, or Merchandise therein mentioned, knowing that the same contains any such untrue Statement, every such Person shall forfeit, over and above any other Penalty to which he may be liable, the Sum of Twenty Pounds; but any such Writing or Document shall not, by reason of the same not being stamped, be invalid in the Hands of the Person having the Custody of the Goods, Wares, and Merchandise, and delivering out the same, unless such Person shall be Party or privy to the Fraud thereby committed.

Order not to be invalid.

The Stamp Duty on a Delivery Order to be paid by Person requiring the Order.

XIV. The Stamp Duty of One Penny payable on any such Writing or Document as in the last preceding Clause is mentioned shall, in the Absence of any special Agreement between the Parties relating to it, be paid by the Person requiring the Writing or Document; and it shall be lawful, in any such Case, for the Person of whom the Writing or Document is required to refuse to give the same until the Amount of the Stamp Duty thereon be paid to him.

Weight-Notes not to be liable as Dock Warrants.

XV. 'Whereas a Practice prevails in relation to certain Descriptions of Goods, Wares, and Merchandise 'lying in Docks and Warehouses, and upon Wharfs, for the Company or Person in whose Custody the 'same may be to deliver to the Owner thereof, in addition to a Warrant evidencing the Title to the Pro- 'perty, a certain other Document termed a Weight-Note, such Document being intended to be delivered 'by or on behalf of the Owner to the Purchaser of the Goods mentioned in the Warrant upon any Sale 'thereof before the Completion of the Contract for Sale, but which other Document as well as the Warrant 'is chargeable with the Duty of Threepence under the Head Dock Warrant in the Schedule to the said 'Act of the present Session, and it is expedient that the same should be exempted from the said Duty:' Be it therefore enacted, In any Case where a Document designated a Warrant, chargeable with and duly stamped for denoting the Payment of the said Duty of Threepence, and also a Document termed a Weight-Note, or any other Document of the like Character or Description relating only to the same Goods, Wares, or Merchandise as are specified in the Warrant, shall be issued by the Company or Person in whose Custody the said Goods, Wares, or Merchandise shall be, to the Owner thereof or his Broker or Agent, the Weight-Note or other Document aforesaid shall be exempt from the said Duty of Threepence.

Certain Copies or Extracts from Registers not to be chargeable with Stamp Duty.

XVI. The Stamp Duty of One Penny by the said Act of the present Session charged upon a certified Copy or Extract of or from any Register of Births, Baptisms, Marriages, Deaths, or Burials shall not be deemed to have been or to be payable upon any such Copy or Extract which is or shall be furnished by any Clergyman, Registrar, or other official Person, pursuant to and for the Purposes of any Act of Parliament, or to any General or Superintending Registrar under any General Regulation, nor in any Case where the Person giving the Copy or Extract is not entitled to any Fee or Reward for the same.

Certain Orders on Bankers not to be subject to more

XVII. No Draft, or Order, Writing, or Document for the Payment or for entitling any Person to the Payment by or through any Banker or Person acting as a Banker of any Sum of Money, such Draft, Order, Writing, or Document being sent or delivered by the Person making or giving the same to the Banker or Person acting as a Banker by or through whom the Payment is to be made, and not to the

Person

Person to whom such Payment is to be made or to any Person on his Behalf, shall be chargeable or be deemed to have been chargeable with any higher Stamp Duty than One Penny, notwithstanding the said Payment shall be or have been thereby directed to be made at any Time after the Date thereof, which Duty of One Penny may be denoted by an adhesive Stamp to be cancelled as in the Case of a Draft or Order on Demand. than a Penny Stamp.

XVIII. Where any Draft or Order for the Payment of Money by any Banker or Person acting as a Banker, chargeable with the Stamp Duty of One Penny, shall come to the Hands of such Person unstamped, it shall be lawful for him to affix thereto the necessary adhesive Stamp, and to cancel the same in manner by Law required, and upon so doing to make the Payment thereby directed, and to charge the Duty in account against the Person who ought to have paid the same, or to deduct such Duty from the Sum so directed to be paid; and such Draft or Order shall, so far as relates to the Stamp Duty chargeable thereon, be good and valid; but this shall not relieve any Person from the Liability to the Penalty he may have incurred by issuing the said Draft or Order unstamped. Bankers may affix Stamps to Drafts or Orders drawn on them.

XIX. 'Whereas by the Eighteenth Section of the Act passed in the Fifty-fifth Year of the Reign of 'King *George* the Third, Chapter One hundred and eighty-four, the issuing of Promissory Notes payable 'to Bearer on Demand with printed Dates therein is prohibited, and such Prohibition is an unnecessary 'Restriction:' Be it enacted, That the said Section of the said last-mentioned Act shall be and is hereby repealed: Provided always, that, notwithstanding anything in any Act of Parliament contained to the contrary, it shall be lawful for any Person to draw upon his Banker, who shall *bonâ fide* hold Money to or for his Use, any Draft or Order for the Payment, to the Bearer or to Order on Demand, of any Sum of Money less than Twenty Shillings. 55 G. 3. c. 184. s. 18. prohibiting the issuing of Notes with printed Dates, repealed. Drafts on Bankers may be for less than 20*s*.

XX. 'Whereas by an Act passed in the Fiftieth Year of the Reign of King *George* the Third, Chapter 'Forty-one, every Hawker, Pedlar, and Petty Chapman, and other trading Person going from Town to 'Town or to other Men's Houses, in *England*, *Wales*, or *Berwick-upon-Tweed*, is required to take out 'a Licence as therein mentioned, and by an Act passed in the Fifty-fifth Year of the Reign of the said 'King, Chapter Seventy-one, such trading Persons in *Scotland* are also required to take out a Licence:' Be it enacted, That a Licence taken out under either of the said Acts shall be sufficient to authorize the trading, according to the Tenor of it, in any Part of *Great Britain*, and shall be read as a Licence granted under both of the said Acts. Licences to Hawkers and Pedlars granted in England or Scotland to be good for any Part of Great Britain.

XXI. If any Person be convicted of an Offence under either of the said Two last-mentioned Acts, it shall be lawful for the Commissioners of Inland Revenue, and they are hereby authorized, in case they shall see fit so to do, to remit the whole or any Part of the Penalty imposed by Law for such Offence, notwithstanding the same or some Portion thereof may be payable to some Party other than the Crown. Commissioners of Inland Revenue may remit Penalties under the said Acts.

XXII. It shall be lawful for any Person in the Service or Employment of the Post Office, without any Licence or any Authority other than this Act, to carry about for Sale and to sell at any Place or Places within the United Kingdom, Postage Stamps and printed Forms of any Kind issued from or used at the General Post Office, and any other Matters and Things relating to the Business of the Post Office which are or may be authorized or permitted to be sold at any Post Office; and such Person shall not be subject or liable to any Penalty or Forfeiture for so doing, anything in any Act or Acts to the contrary notwithstanding. Persons in the Service of the Post Office may sell Postage Stamps, &c. without Licence.

XXIII. 'Whereas by the Act passed in the Twentieth and Twenty-first Years of Her Majesty's 'Reign, Chapter Seventy-seven, for amending the Law relating to Probates and Letters of Administration in *England*, it is enacted that none of the Fees payable to the Officers of the Court of Probate, 'or of any County Court, in respect of Business under the Act, except the Fees of District Registrars, '(which were to be taken as their Remuneration, and for their own Use,) should be received in Money, 'but that every such Fee should be collected and received by a Stamp denoting the Amount of the 'Fee which otherwise would be payable, and Provisions were therein made for the proper Collection of 'such Fees; and it was also enacted, that it should be lawful for the Commissioners of Her Majesty's 'Treasury at any Time to order that the District Registrars or any of them should be paid by Salaries 'instead of Fees, and that thereupon all Fees payable to them should be accounted for and paid into the 'Exchequer as the said last-mentioned Commissioners should direct; and by an Act passed in the same 'Year, Chapter Seventy-nine, for amending the Law relating to Probates and Letters of Administration 'in *Ireland*, similar Enactments are contained; and it may be considered expedient in Cases where the 'said last-mentioned Commissioners shall have directed or shall at any Time direct the District Regis-'trars in *England* or *Ireland* to be paid by Salaries instead of Fees, that such Fees should also be col-'lected and received by means of Stamps:' Be it therefore enacted as follows, In any Case where the Commissioners of Her Majesty's Treasury have ordered or shall at any Time hereafter order that any District Registrar, under either of the said Acts, shall be paid by Salary, it shall be lawful for them at any Time to order also that the Fees or any of the Fees authorized to be taken by such District Registrar shall be collected and received by means of Stamps; and thereupon, from and after the Time to be fixed for that Purpose by any such last-mentioned Order, every such Fee shall be collected and received by a Stamp denoting the Amount of the Fee which otherwise would be payable, in the same Manner and under and subject to the same Provisions, Clauses, Regulations, and Directions in that Behalf 20 & 21 Vict. c. 77. Probates and Administrations, England. 20 & 21 Vict. c. 79. Ireland. If Treasury direct District Registrars to be paid by Salary, they may also direct the Fees to be collected, &c. by means of Stamps.

Behalf as are contained in the said Acts respectively, in relation to the Fees thereby directed to be collected and received by means of Stamps, and to the Documents which ought to be stamped to denote such Fees, as if such Fees had not been excepted as aforesaid, but had been expressly directed by the said respective Acts to be collected and received by means of Stamps, as other Fees are thereby respectively directed to be collected and received.

SCHEDULE referred to, containing the Duties by this Act imposed.

	£	s.	d.
AWARD in England or Ireland, and Award or Decreet Arbitral in Scotland:			
Where the Amount or Value of the Matter in dispute shall not exceed 50*l.* -	0	2	6
And where it shall exceed 50*l.* and not exceed 100*l.* - - - -	0	5	0
And where it shall exceed 100*l.* and not exceed 200*l.* - - - -	0	10	0
And where it shall exceed 200*l.* and not exceed 500*l.* - - - -	0	15	0
And where it shall exceed 500*l.* and not exceed 750*l.* - - - -	1	0	0
And where it shall exceed 750*l.* and not exceed 1,000*l.* - - - -	1	5	0
And where it shall exceed 1,000*l.*, and also in all other Cases not above provided for - - - - - - - - - -	1	15	0
CONTRACT NOTE. Any Note, Memorandum, or Writing, commonly called a Contract Note, or by whatever Name the same may be designated, for or relating to the Sale or Purchase of any Government or other Public Stocks, Funds, or Securities, or any Stocks, Funds, or Securities, or Share or Shares of or in any Joint Stock or other public Company, to the Amount or Value of 5*l.* or upwards - -	0	0	1
LEASE. Any Assignment or Surrender of a Lease or Tack for a Term of Years exceeding Thirty-five, upon any other Occasion than a Sale or Mortgage -	A Duty equal to the ad valorem Duty with which a similar Lease or Tack would be chargeable, but no higher Duty than 1*l.* 15*s.* shall be charged.		
POLICY OF ASSURANCE or Insurance, by whatever Name the same shall be called, whereby any Sum of Money shall be assured, or agreed to be paid only upon the Death of any Person, from or by reason of any Cause incident to or consequent upon travelling, whether by Land or Water, or any Accident or external Violence, or any Cause whatever other than a natural Cause; or whereby any Compensation shall be assured or agreed to be made or paid for personal Injury received from any Cause whatever; or whereby both a Sum of Money upon Death and a Compensation for personal Injury as aforesaid shall be assured and agreed to be paid, or whereby any Assurance or Insurance shall be made upon Glass from Loss or Damage of any Kind except by Fire,			
Where the Premium or Consideration for such Assurance, Insurance, or Agreement shall not exceed Two Shillings and Sixpence - - -	0	0	1
And where the same shall exceed Two Shillings and Sixpence and shall not exceed Five Shillings - - - - - - - -	0	0	3
And where the same shall exceed Five Shillings, then for every Five Shillings and also for every fractional Part of Five Shillings - - - -	0	0	3
PROMISSORY NOTE made in the United Kingdom for the Payment of any Sum of Money exceeding 4,000*l.*,			
For every 1,000*l.* or Part of 1,000*l.* of the Money thereby made payable -	0	10	0
Foreign PROMISSORY NOTE made or purporting to be made out of the United Kingdom for the Payment within the United Kingdom of any Sum of Money -	The same Duty as on an Inland Bill of Exchange for the Payment otherwise than on Demand of Money of the same Amount.		

CAP. CXII.

An Act to make better Provision for acquiring Lands for the Defence of the Realm.

[28th *August* 1860.]

'WHEREAS the Commissioners appointed by Her Majesty to inquire into the State, Condition, and 'Sufficiency of the Fortifications existing for the Defence of the United Kingdom have recom- 'mended the Construction of certain Works of Defence for the Protection of the Royal Arsenals and 'Dockyards and the Ports of *Dover* and *Portland*, and of certain other Works; and it will be necessary 'to acquire considerable Portions of Land for the Construction of such of the Works so recommended 'as Parliament has provided or shall provide Money for constructing, and also for the Erection and

'Establishment

'Establishment of a Central Depôt or Arsenal; and it may be necessary that certain Lands in the 'Vicinity of the said Fortifications and Works which may not be required for the Construction of any 'of the said Works should be kept free from Buildings and other Obstructions: And whereas it is 'expedient that the Powers herein-after contained should be given for effecting the Purposes aforesaid:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Ascertaining the Lands to be taken or to be kept free from Buildings.

Lands to be taken and Lands to be kept free from Buildings to be ascertained, &c.

I. On or before the Thirty-first Day of *August* One thousand eight hundred and sixty-one, the Lands required to be taken absolutely for the Construction of the said Works and Depôt or Arsenal, and the Lands in the Vicinity of the Fortifications and Works aforesaid, which are required to be kept free from Buildings and other Obstructions shall be ascertained by a Declaration or Declarations to be at any Time, or from Time to Time, made and signed by Her Majesty's Principal Secretary of State for the War Department.

Declaration of Secretary for War, what to show.

II. Every such Declaration shall specify and show, with the Aid of a Map or Plan thereto annexed, constructed on a Scale of not less than Six Inches to a Mile, the Lands to which the same relates, and shall distinguish what Lands are required to be taken absolutely and what Lands are required to be kept free from Buildings and other Obstructions.

Restriction on taking certain Descriptions of Property.

III. Part only of any Garden, Orchard, Nursery Ground, Yard, Paddock, Plantation, planted Walk, or Avenue appurtenant to and used and enjoyed as such with any House before the affixing as herein-after provided of Notice of any Declaration in relation thereto under this Act, shall not be taken from any Party if such Party be willing and able to sell the whole.

Copy of Declaration, &c. to be deposited with Clerks of the Peace, &c.

IV. The said Secretary of State shall, within Three Months after the making of any such Declaration, cause Copies thereof, and of the Map or Plan thereto annexed, to be deposited as herein-after mentioned; (that is to say,)

There shall be deposited at the Office of the Clerk of the Peace for every County in which any Lands to which any such Declaration relates are situate, a Copy of such Declaration, and of the Map or Plan thereto annexed:

There shall also be deposited with the Parish Clerk of every Parish in *England*, or in the Case of an Extra-parochial Place, with the Parish Clerk of some Parish immediately adjoining thereto, and with the Clerk of the Union within which any Parish is included in *Ireland*, a Copy of so much of every such Declaration, and of the Map or Plan thereto annexed, as relates to any Lands situate in such Parish or Extra-parochial Place.

Clerks of the Peace, &c. to receive and hold Copies so deposited as under 7 W. 4. & 1 Vict. c. 83.

V. All Clerks of the Peace, Parish Clerks, and Clerks of Unions shall receive and retain the Copies deposited with them as aforesaid, and permit all Persons interested to inspect the same, and make Extracts or Copies therefrom, in the like Manner, and upon the like Terms, and under the like Penalty for Default, as provided by an Act passed in the Session holden in the Seventh Year of King *William* the Fourth and First Year of Her Majesty, intituled *An Act to compel Clerks of the Peace for Counties and other Persons to take the Custody of such Documents as shall be directed to be deposited with them under the Standing Orders of either House of Parliament*, with respect to Plans directed to be so deposited by the Standing Orders of either House of Parliament.

Notices to be affixed on Church Doors.

VI. The said Secretary of State shall, within Three Months after the making of any such Declaration as aforesaid, cause Notice thereof to be affixed in some public and conspicuous Situation, on the Outside of the outer Door or outer Wall near the Door of every Church and Public Chapel (including Places of Public Worship not belonging to the Established Church) in the Parishes or Places in *England*, or in the usual Places for posting Public Notices in the Baronies, Cities, Towns, or Boroughs in *Ireland*, wherein the Lands comprised in such Declaration respectively lie:

Such Notice shall state the Fact of such Declaration having been made as aforesaid under this Act, and the Places where Copies of the said Declaration and of the Map or Plan thereto annexed, so far as the same affect Lands in such respective Parishes or Places, Baronies, Cities, Towns, or Boroughs, have been deposited as herein-before required.

Notices of Lands required to be taken or to be kept free from Buildings.

Notices to Owners, &c. of Land.

VII. The said Secretary of State shall, within Six Months after the making of any such Declaration, cause such Notice or Notices in Writing as herein-after mentioned to be served in manner herein-after provided on the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers of the Lands to which such Declaration relates.

Contents of such Notice.

VIII. Every such Notice shall specify the Lands required to be taken or to be kept free from Buildings and other Obstructions (as the Case may be), and the Places where Copies of the Declaration relating thereto have been deposited as herein-before required:

Every such Notice shall also state that the said Secretary of State is willing to treat as to the Compensation to be paid for such Lands or (in the Case of Lands required to be kept free from Buildings) as to the Compensation to be paid for the Damage to be sustained by reason of the Restraints under this

Act on the Exercise of the Right of Building and other Rights incident to the Ownership of such Lands, and by reason of the Execution under the Powers of this Act of any intended Works specified in such Notice:

And every such Notice shall demand from the Party to whom the same is given the Particulars of the Estate and Interest of such Party in the Lands, and of the Claims made by such Party in respect thereof, stating therein the Amount which such Party may be willing to receive as Compensation for his Estate and Interest, or for any Damage in respect thereof referred to in such Notice.

How Notices to be given.

IX. Every such Notice shall be served personally on the said Parties, or left at their last usual Places of Abode, if any such can after diligent Inquiry be found, and in case any of such Parties be absent from the United Kingdom, or cannot be found after diligent Inquiry, shall be addressed to such Party and left with the Occupier of the Lands, or, if there be no such Occupier, affixed upon some conspicuous Part of such Lands:

If any of such Parties be a Corporation Aggregate such Notice shall be left at the principal Office of such Corporation, or, if no such Office can after diligent Inquiry be found, such Notice shall be served on some principal Member, if any, of such Corporation, and a Duplicate of the Notice shall be addressed to such Corporation and left with the Occupier of the Lands, or, if there be no such Occupier, affixed upon some conspicuous Part of such Lands.

Determination of the Amount of Compensation by Agreement.

Amount of Compensation may be determined by Agreement.

X. The Amount of Compensation to be paid for any Lands required to be taken, and the Amount of Compensation to be paid in respect of any Damage sustained by reason of such Restraints as aforesaid, or by reason of the Execution of any Works in or over any Lands required to be kept free from Buildings, may be determined by Agreement between the said Secretary of State and all Parties having any Estate or Interest in such Lands respectively.

Corporations, Tenants for Life, Trustees, Committees, &c. empowered to agree.

XI. All Corporations and all Feoffees or Trustees for Charitable or other Purposes of any Lands required to be taken or to be kept free from Buildings, and all Tenants for Life and Tenants in Tail of any such Lands, and the Husbands, Guardians, Trustees, Committees, and Attorneys of such of the Owners of or other Persons interested in any such Lands as may be Femes Covert, Infants, Lunatics, Idiots, or beyond the Seas, or otherwise incapable of acting for themselves, may agree with the said Secretary of State as to the Amount of such Compensation to be paid for any such Lands, or any Damage sustained in respect thereof:

All Agreements made and Acts done by such Corporations and Persons respectively in relation to such Compensation shall be valid and effectual in Law to all Intents and Purposes whatsoever.

Determination of Amount of Compensation otherwise than by Agreement.

How Compensation to be settled in case of Neglect to treat.

XII. If for Fourteen Days after the Service of any such Notice as aforesaid any Party on whom the same is served fail to state the Particulars of his Claim in respect of any Lands to which such Notice relates, or to treat with the said Secretary of State as to the Amount of Compensation to be paid to such Party or which he is empowered to agree upon,

Or if the said Secretary of State and such Party do not within such Fourteen Days agree as to the Amount of such Compensation,

Such Amount shall be settled by a Jury in like Manner as if the same were Compensation for Lands surveyed and marked out under the Act of the Session holden in the Fifth and Sixth Years of Her Majesty, Chapter Ninety-four, herein-after referred to as "The Defence Act, 1842," as amended by the Act of the Session holden in the Eighteenth and Nineteenth Years of Her Majesty, Chapter One hundred and seventeen.

Provision where Compensation claimed is under 200*l*.

XIII. Provided always, That if the Compensation claimed do not exceed Two hundred Pounds, the same shall be settled by Two Justices, in manner following; that is to say, it shall be lawful for any Justice, upon the Application of either Party, to summon the other Party to appear before Two Justices at a Time and Place to be named in the Summons, and upon the Appearance of the Parties, or, in the Absence of either of them, upon Proof of due Service of the Summons, it shall be lawful for such Justices to determine such Amount, and for that Purpose to examine the Claimant and the Witnesses of the Parties upon Oath.

Compensation to absent Parties to be settled by a Surveyor to be appointed by Two Justices.

XIV. Where by reason of Absence from the United Kingdom any Party is prevented from treating, or cannot after diligent Inquiry be found, the Amount of such Compensation shall be determined by Valuation in manner following; that is to say, the said Secretary of State shall make Application to Two Justices, and upon Proof satisfactory to them that any such Party is by reason of Absence from the Kingdom prevented from treating, or cannot after diligent Inquiry be found, such Justices shall, by Writing under their Hands, nominate a competent Surveyor for determining the Amount of such Compensation as aforesaid, and such Surveyor shall determine the same accordingly, and shall annex to his Valuation a Declaration in Writing subscribed by him of the Correctness thereof.

Surveyor acting corruptly to be guilty of a Misdemeanor.

XV. If any Surveyor wilfully and corruptly make any incorrect or false Valuation, or wilfully and corruptly act in the Matter hereof, he shall be guilty of a Misdemeanor.

XVI. The

Defence of the Realm.

XVI. The said Nomination shall be annexed to the Valuation to be made by such Surveyor, and shall be preserved together therewith by the said Secretary of State, who shall at all Times produce the said Valuation and other Documents, on Demand, to all Parties interested in the Lands comprised therein. Valuation to be preserved and produced on Demand.

XVII. Where any Damage has been sustained by reason of any Works authorized by this Act in or upon Lands required to be kept free from Buildings and other Obstructions, in respect of which Works Compensation has not been agreed upon, awarded, or otherwise ascertained prospectively, Compensation shall be paid in respect thereof when the Works have been done, such Compensation to be determined in like Manner as other Compensation under this Act, or as near thereto as Circumstances admit. Damage may be ascertained when Works done.

XVIII. In determining the Amount of Compensation in respect of Damage sustained by reason of any such Works, regard shall be had to any Increase in the Extent of Land capable of being brought under Cultivation by Removal of Banks, Fences, Hedges, and Ditches, and to any improved Drainage and other Advantages derived from any such Works. In estimating Damage regard to be had to Advantages derived.

XIX. Where any Covenant or Agreement has been entered into with the principal Officers of Her Majesty's Ordnance or with the said Secretary of State in restraint of the Right to build on any Lands, and such Covenant or Agreement is legally or equitably binding on the Owner of the Lands, regard shall be had in ascertaining the Amount of Compensation to be paid under this Act for or in respect of such Lands (whether the same are required to be taken absolutely or are required to be kept free from Buildings) to the existing Restriction arising out of such Covenant or Agreement. Where any Agreement in restraint of Building exists, regard to be had thereto in estimating Compensation.

Payment and Application of Compensation in certain Cases.

XX. Any Compensation payable under this Act, for or in respect of any Lands, or any Interest therein, taken from or holden by any Owner who by reason of Absence is prevented from treating as aforesaid, or who cannot after diligent Inquiry be found, or who refuses to accept such Compensation, or neglects or fails to make out a Title to such Lands or the Interest therein claimed by such Owner to the Satisfaction of the said Secretary of State; Provision for Payment and Application of Compensation Money in certain Cases.

And any Compensation payable for or in respect of any Lands or any Interest therein taken from or holden by any Corporation or Person not having, independently of this Act and The Defence Act, 1842, as amended as aforesaid, Power to agree as to the Amount of such Compensation, or to sell and convey such Lands or such Interest,

Shall be paid and applied in manner directed by the Sections numbered Twenty-five to Thirty of The Defence Act, 1842 (and with regard to *England*), as amended by Section Eight of the Act of the Session holden in the Twenty-second and Twenty-third Years of Her Majesty, Chapter Twenty-one, as if the said Sections expressly extended to the said Compensation.

XXI. Where any Compensation is required to be paid into the Bank of *England* or *Ireland* under this Act, there shall be added thereto a Sum of Thirty Pounds as an Equivalent for the Expenses consequent upon such Payment, and upon such Compensation, with such additional Sum (which shall be deemed Part of such Compensation), being so paid, the said Secretary of State shall be discharged from all Liability in respect thereof, and the Court of Chancery may allot to any Tenant for Life, or for any other partial or qualified Estate in respect of any Expenses of Investment incurred by him, any Portion of any such Compensation which the Court may deem just. On Payment into Court of Compensation an Addition to be made to meet future Expenses.

XXII. The said Secretary of State may in any Case at or after the Expiration of Three Months from the Time at which the Compensation for any Lands has been agreed upon or otherwise ascertained, if the Owner thereof have not in the meantime made out a Title thereto to the Satisfaction of the said Secretary of State, pay such Compensation, without such Addition as aforesaid, into the Bank of *England* or *Ireland* in manner herein-before referred to, and such Payment shall discharge the said Secretary of State from all Liability in respect of the Money so paid: Provision for Payment into Court on failure for Three Months after Compensation ascertained to deduce a Title.

Provided always, that the Court of Chancery may, upon Application for Payment of such Money to the Party entitled, in case the Court be of Opinion that there was no unreasonable Delay in deducing the Title, or that a good Title was shown, order all or any Costs occasioned by such Payment into Court to be paid by the said Secretary of State.

XXIII. All Orders and Directions in relation to any Money paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Chancery under this Act, or the Securities in or upon which the same may be invested, or the Dividends or Interest on such Money and Securities, which under the said Acts the Court of Chancery is empowered to make or give, on Motion or Petition, may be made or given by the Master of the Rolls or any of the Vice-Chancellors while sitting at Chambers, upon Summons, in like Manner as in other Cases in which Proceedings may be so had before the Master of the Rolls and Vice-Chancellor, subject, nevertheless, to any General Rules and Orders which may hereafter be made concerning the Practice, Proceedings, or Business of the said Court. Orders concerning Money paid into Court may be made at Chambers.

Provisions as to Costs.

XXIV. The Costs of and incident to any Agreement with the said Secretary of State under this Act concerning the Compensation to be paid for or in respect of any Lands taken or affected under the Costs of and incident to Agreements,

&c. under this Act to be borne by Secretary of State.

Provisions of this Act and the Costs of the Deduction and Verification of Title shall be paid by the said Secretary of State; all which Costs shall be taxed by One of the Taxing Masters of the Court of Chancery in *England* or *Ireland* (according to the Situation of the Lands) upon the Request and at the Expense of the said Secretary of State.

Provision for Costs when Amount of Compensation is determined by a Jury or Justices.

XXV. In case any Jury give a Verdict or Assessment for more Compensation for any Lands or any Interest therein or any Damage than was offered for the same by the said Secretary of State, or for any Amount of Compensation where no Offer of any Compensation was made, then all the reasonable Costs and Expenses of and incident to the Settlement of the Amount of such Compensation by a Jury shall be paid by the said Secretary of State, such Costs to be settled upon the Request of the said Secretary of State by One of the Masters of the Court of Queen's Bench in *England* or *Ireland*, according to the Situation of the Lands:

But in every Case in which the Jury shall be of Opinion that the Statement delivered by the Claimant of the Manner in which any Amount demanded as Compensation has been computed and made up did not give sufficient Particulars to enable the said Secretary of State to make a proper Offer, and in every other Case in which the Jury give a Verdict or Assessment for the same or a less Sum than was offered by the said Secretary of State, or in case no Damage be found by the Jury where the Question is as to Damage only, or where the summoning a Jury arose from a Refusal to state or demand any Amount of Compensation, then and in every such Case all such Costs and Expenses to be settled in manner aforesaid shall be paid to the said Secretary of State by the Body or Person claiming the Compensation or refusing to state or demand any Amount of Compensation; and all Costs and Expenses payable hereunder to the said Secretary of State shall be retained out of the Compensation (if any) given by the Verdict or Assessment of the Jury:

The foregoing Provisions as to Costs in the Case of the Determination of any Question as to Compensation by a Jury shall be applicable also where such Question is determined by Justices.

Apportionment and Release of Rents and Incumbrances.

Provision for Apportionment of Rents and Incumbrances.

XXVI. If Part only of any Lands comprised in any Lease or Mortgage, or otherwise subject to any Rent Service or other Rent, or any annual or other Payment or Incumbrance, be taken under this Act, such Rent, Payment, or Incumbrance may be apportioned by Agreement between the Parties entitled thereto and to the Lands subject thereto and the said Secretary of State, or in case no such Agreement be made, the same may be apportioned by the Jury or Justices by whom the Compensation payable in respect of the Part of the said Lands taken by the said Secretary of State is determined, or if not so determined, may be determined by Two Justices, as herein provided in certain Cases of Compensation:

After such Apportionment such apportioned Part only of such Rent, Payment, or Incumbrance shall be payable out of the Residue of the said Lands, and all Covenants, Provisoes, Conditions, Agreements, Powers, and Remedies in respect of the said Rent, Payment, or Incumbrance shall remain in force in respect of the apportioned Part which is to remain payable, as against the Residue of such Lands, and where any Rent originally reserved was an ancient and accustomed Rent the Part so continuing payable shall be deemed to be the ancient and accustomed Rent for such Residue of the said Lands.

Power to release Land from Rentcharge, &c.

XXVII. With the Consent of the Party entitled to the Lands, the Party entitled to any Rentcharge, Payment, or Incumbrance may release therefrom the Portion of the said Lands taken as aforesaid on condition or in consideration of the remaining Part remaining exclusively subject to the whole Rentcharge, Payment, or Incumbrance, and in such Case all Covenants, Provisoes, Conditions, Agreements, Powers, and Remedies in respect of such Rentcharge, Payment, or Incumbrance shall remain in force against the said Residue of the said Lands.

Who competent to make Apportionment, &c.

XXVIII. All Bodies and Persons who are enabled to agree for the Sale of Lands to the said Secretary of State shall be competent to agree for and make an Apportionment or Release under either of the Two last preceding Enactments.

Power to use "The Lands Clauses Consolidation Act, 1845."

Secretary of State may avail himself of Powers of 8 & 9 Vict. c. 18.

XXIX. The said Secretary of State may, if he think fit, as well in respect of Lands required to be kept free from Buildings as in respect of Lands taken under this Act, use and avail himself of all or any of the Powers and Authorities by "The Lands Clauses Consolidation Act, 1845," given to "the Promoters of the Undertaking;" and every Party enabled by the last-mentioned Act to sell and convey or release Lands or any Estate or Interest therein to "the Promoters of the Undertaking" shall have the same or the like Powers to contract, and agree with the said Secretary of State as to the Compensation to be paid in respect of any Lands, Estates, or Interests taken or affected under the Provisions of this Act: Provided always, that nothing in this Enactment shall prejudice or affect the Right to exercise the other Powers or Authorities hereby given.

Vesting of Lands to be taken absolutely in the Secretary of State and Power of immediate Entry.

Lands taken to be vested in Secretary of State on behalf of Her Majesty.

XXX. The Lands required to be taken under this Act by the said Secretary of State shall, from and after Payment of the Compensation for the same, be vested in the said Secretary of State, on behalf of Her Majesty, discharged of all Estates, Rights, and Interests whatsoever.

XXXI. Pro-

Defence of the Realm.

XXXI. Provided always, That it shall be lawful for the said Secretary of State, at any Time after the Expiration of Fourteen Days from the Service of such Notice as aforesaid in relation to any Lands mentioned in any such Declaration as aforesaid as required to be taken by him, to enter upon and take possession of and hold such Lands, or any of them, and to cause to be executed thereon all such Works as such Secretary of State may think fit. Power to Secretary of State to enter immediately.

XXXII. Provided also, That in case Possession be taken of any Lands before Payment of the Compensation for the same, Interest shall be payable upon the Amount of such Compensation until Payment thereof, after the Rate of Five Pounds *per Centum per Annum* from the Time of taking possession as aforesaid; and such Interest shall go and be applied as the Income of the Lands would have gone and been applied if Possession had not been so taken. Interest to be payable until Payment of Compensation Money.

Continuance of Liability to Tithe Rentcharge, Taxes, and Rates.

XXXIII. The Lands vested in the said Secretary of State in pursuance of this Act which were before the Time of such vesting liable to and charged with Tithes or Tithe Rentcharge, Land Tax, Poor or other Rates, shall continue chargeable therewith, but shall not be assessed to any Tax or Rate at a higher Value or Rent than that at which such Lands were assessed at the Time of such vesting. Lands to continue subject to Tithe Rentcharges, Taxes, and Rates.

Restraints and Powers to attach on Lands required to be kept free from Buildings.

XXXIV. From and after the Service of such Notices as aforesaid in relation to any Lands required to be kept free from Buildings and other Obstructions, the following Restrictions, Powers, and Consequences shall attach with reference to such Lands: Restrictions and Powers with respect to Lands required to be kept free from Buildings.

No Building or other Structure (other than Barns, Hovels, or other like Structures of Wood,) shall be made or erected thereon:

It shall be lawful for the said Secretary of State, at any Time after the Expiration of Fourteen Days from the Service of such Notice, and from Time to Time, to enter and pull down any present or future Buildings or Structures (other than as aforesaid) thereon, and to cut down or grub up all or any of the Trees thereon, and to remove or alter all or any of the Banks, Fences, Hedges, and Ditches thereon, and to make underground or other Drains therein, and generally to level and clear the said Lands, and do all such Acts for levelling and clearing the same as may be deemed necessary or proper by the said Secretary of State, but in such Manner, nevertheless, that Evidence of the Boundaries of the Lands held by different Owners may be preserved:

And it shall not be lawful for any Person to alter the Level of the Lands, or do any Act which may prejudicially affect any Work done on the Lands under the Authority of the said Secretary of State.

XXXV. The Powers conferred by the Enactment lastly herein-before contained in relation to any Lands shall be exercised only within Three Years after the making of any Declaration that the said Lands are required to be kept free from Buildings and other Obstructions, except with respect to pulling down Buildings or Structures wrongfully made or erected after the Expiration of that Time, or keeping or reinstating such Lands in the Condition in which the same were left after the Execution of any such Work thereon as aforesaid, or maintaining or restoring the Level of such Lands. Limitation of Time for Works under last preceding Enactment.

Subsequent Compensation for Interests omitted to be purchased.

XXXVI. If at any Time after the said Secretary of State has entered upon any Lands vested in him under this Act, any Party appear to be entitled to any Estate, Right, or Interest in or Charge affecting such Lands which through Mistake and Inadvertence has been omitted to be purchased or compensated for, the said Secretary of State shall nevertheless remain in the undisturbed Possession of such Lands, and shall be deemed to have an indefeasible Title thereto, but shall pay Compensation for any such Estate, Right, Interest, or Charge, which but for this Enactment might be recovered or enforced, and also pay to such Party, or to any other Party who may establish a Right thereto, full Compensation for the Mesne Profits or Interest which would have accrued to such Parties respectively in respect thereof during the Interval between the Entry of the said Secretary of State thereon and the Time of the Payment of such Compensation by the said Secretary of State so far as such Mesne Profits or Interest may be recoverable at Law or in Equity: Provision as to Interest omitted to be purchased.

Such Compensation shall be agreed on or awarded and paid in like Manner as the same would have been agreed on or awarded and paid in case the said Secretary of State had purchased or compensated for such Estate, Right, Interest, or Charge before his entering upon such Lands, or as near thereto as Circumstances will admit.

XXXVII. In estimating the Compensation to be given for any such Estate, Right, Interest, or Charge affecting any Lands, or for any Mesne Profits or Interest, the Jury or Justices, as the Case may be, shall assess the same according to the Value of the Lands at the Time the same were entered upon by the said Secretary of State and without regard to any Improvements or Works made by him. How Value of such Lands to be estimated.

XXXVIII. In addition to the said Compensation, the said Secretary of State shall, when the Right to any such Estate, Right, Interest, or Charge has been disputed by him and determined in favour of the Party claiming the same, pay the full Costs and Expenses of any Proceedings at Law or in Equity for the Determination or Recovery of the same to the Parties with whom any such Litigation in respect thereof Secretary of State to pay the Costs of Litigation as to such Lands.

thereof has taken place, and such Costs and Expenses shall, in case the same be disputed, be settled by the proper Officer of the Court in which such Litigation took place.

Power to Secretary of State to withdraw Notices.

Power to Secretary of State to withdraw Notices.

XXXIX. If in any Case after Service of Notice by the said Secretary of State with respect to any Lands required to be taken or to be kept free from Buildings under this Act, it appear to him from a Change of Circumstances or other Reasons unnecessary or inexpedient to complete the taking of such Lands or any Part thereof, or to require such Lands or any Part thereof to be kept free from Buildings, it shall be lawful for him to give a further Notice to the Effect that he thereby withdraws the Notice given in relation to the Lands comprised in the First Notice, or such Part thereof as he may think fit, and thereupon the Lands comprised in the Notice of Withdrawal shall be wholly discharged from the Effect of the First Notice; and may be dealt with as if the First Notice had not been given, and the said Secretary of State shall be wholly discharged from any Obligation to take the Lands comprised in the Notice of Withdrawal, or to make Compensation in respect thereof under this Act, without Prejudice nevertheless to any Claim of any Owner, Lessee, or Occupier of such Lands for Compensation for such Damage (if any) as he may have sustained in consequence of the giving of the First Notice, the Amount of such Damage to be determined in like Manner as other Compensation under this Act, or as near thereto as Circumstances admit:

Provided that every such Notice of Withdrawal be given within Two Months after the Service of the First Notice; provided also, that nothing in this Enactment shall be construed to give to any Party any further or other Right as against the said Secretary of State than he would have had independently of this Enactment, save as herein is expressed.

Power to divert Highways, &c.

Power to divert Highways, &c.

XL. It shall be lawful for the said Secretary of State, without any Writ being issued or other legal Proceeding being adopted, to stop up or divert or alter the Level of any Highway, Way, Sewer, Drain, or Pipe over, through, under, or adjoining any Lands comprised in any such Declaration as aforesaid, he, if necessary, previously making, opening, or laying down another good and sufficient Way, Sewer, Drain, or Pipe in lieu of that stopped up or diverted.

Power to alter the Course of Brooks, &c.

XLI. It shall be lawful for the said Secretary of State to alter the Course and Level of any River not navigable, Brook, Stream, or Watercourse, and any Branch of any navigable River (such Branch not itself being navigable) within or adjoining such Lands, making Compensation for any Damage sustained by reason of the Exercise of such Powers, such Compensation to be determined and paid in like Manner as other Compensation under this Act, or as near thereto as Circumstances admit.

Miscellaneous Provisions.

Payment of Compensations.

XLII. All Monies to become payable by the said Secretary of State under this Act shall be paid out of such Monies as have been or may be provided by Parliament for this Purpose.

Protection to Secretary of State.

XLIII. The said Secretary of State shall not, by reason of anything done or omitted to be done under this Act, be liable to any Fine, Penalty, or Forfeiture, or to Execution of any Process against his Person or Property.

Provision for enforcing Delivery of Possession.

XLIV. If in any Case in which the said Secretary of State is by this Act authorized to take possession of or to enter upon any Lands any Person refuse to give up Possession thereof, or hinder the said Secretary of State or the Persons authorized by him from taking possession of or entering upon the same, the said Secretary of State may issue his Warrant to the Sheriff of the County in which the Lands are situate to deliver Possession of the same to the Person in this Behalf named in such Warrant, and upon Receipt of such Warrant the said Sheriff shall deliver Possession thereof accordingly.

Notices, &c. may be served on or given by the Solicitor.

XLV. Any Notice, Summons, Writ, or other Document required to be served on the said Secretary of State may be served by being delivered to the Solicitor for the War Department for the Time being, or by being left for him thereat; and any Notice, Summons, Writ, or other Document required to be given by or on behalf of the said Secretary of State shall be given under the Hand of such Solicitor.

Amendment of The Defence Act, 1842.

5 & 6 Vict. c. 94. amended as herein stated.

XLVI. 'And whereas The Defence Act, 1842, has been amended by divers Acts, and it is expedient 'further to amend the same:'

The following Provisions of this Act in relation to Lands to be taken under this Act shall be applicable where Lands are surveyed and marked out under The Defence Act, 1842, as amended as aforesaid; (that is to say,)

The Provisions concerning the Mode of serving Notices on Owners, Lessees, and Occupiers, and of Notices, Writs, or other Documents on the said Secretary of State:

The Provisions concerning the Determination of the Amount of Compensation for Lands otherwise than by Agreement:

The

The Provisions concerning the Payment and Application of Compensation, and the Disposition of Securities on which the same may be invested, and of the Interest and Dividends of such Compensation and Securities:

And the Provision concerning Interests omitted to be purchased, which last-mentioned Provision shall apply as well with respect to Lands already taken by the said Secretary of State, as with respect to Lands to be hereafter taken by him under the said Defence Act as amended as aforesaid.

Interpretation.

Interpretation of Terms.

XLVII. In the Construction of this Act the Style or Title "Her Majesty's Principal Secretary of State for the War Department" shall mean Her Majesty's Principal Secretary of State for the Time being to whom Her Majesty shall think fit to intrust the Seals of the War Department; and the following Words and Expressions shall in this Act and The Defence Act, 1842, have the several Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Construction; (that is to say,)

The Word "Lands" shall extend to Messuages, Lands, Tenements, and Hereditaments of any Tenure:

The Word "Lease" shall include an Agreement for a Lease:

The Word "County" shall include any Riding or other like Division of a County, and shall also include County of a City or County of a Town:

The Word "Sheriff" shall include Under Sheriff, or other legally competent Deputy; and where any Matter in relation to any Lands is required to be done by any Sheriff, and the Lands being the Property of One and the same Party, are situate not wholly in One County, the same Expression shall be construed to mean the Sheriff of any County, where any Part of such Lands is situate:

The Word "Justices" and "Justice" shall mean respectively Justices or a Justice of the Peace acting for the County, City, Borough, Liberty, Cinque Port, or Place where the Matter requiring the Cognizance of such Justices or Justice arises, and not interested in the Matter, and where such Matter arises in respect of Lands being the Property of One and the same Party, situate not wholly in One County, City, Borough, Liberty, Cinque Port, or Place, shall mean Justices or a Justice acting for the County, City, Borough, Liberty, Cinque Port, or Place where any Part of such Lands is situate, and not interested in such Matter; and the Expression "Two Justices" shall mean Two Justices assembled and acting together:

The Word "Owner" shall include any Corporation or Person having Authority under this Act or otherwise to agree with the said Secretary of State as to the Purchase Money or Compensation to be paid for any Lands.

Short Titles of, 5 & 6 Vict. c. 94., 18 & 19 Vict. c. 117., and this Act.

XLVIII. The said Act of the Fifth and Sixth Years of Her Majesty may be cited as "The Defence Act, 1842," the said Act of the Eighteenth and Nineteenth Years of Her Majesty may be cited as "The Ordnance Board Transfer Act, 1855," and this Act may be cited as "The Defence Act, 1860."

C A P. CXIII.

An Act to grant Duties of Excise on Chicory, and on Licences to Dealers in Sweets or Made Wines; also to reduce the Excise Duty on Hops and the Period of Credit allowed for Payment of the Duty on Malt and Hops respectively; to repeal the Exemption from Licence Duty of Persons dealing in Foreign Wine and Spirits in Bond; and to amend the Laws relating to the Excise. [28th *August* 1860.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal Subjects the Commons of the United Kingdom of *Great Britain* and *Ireland* in Parliament assembled, towards raising the necessary Supplies for defraying Your Majesty's public Expenses, and making an Addition to the Public Revenue, have freely and voluntarily resolved to give and grant unto Your Majesty the Duties herein-after mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Duties hereafter named to be levied.

I. From and after the Commencement of this Act there shall be granted, raised, levied, and paid unto and for the Use of Her Majesty, Her Heirs and Successors, the several Duties herein-after mentioned; (that is to say,)

On Chicory and Vegetable Matter applicable to the Uses of Chicory or Coffee.

For and upon all Chicory or any other Vegetable Matter applicable to the Uses of Chicory or Coffee grown in the United Kingdom:

For every Hundredweight thereof, raw or kiln-dried, the Duty of Three Shillings until the First Day of *April* One thousand eight hundred and sixty-one, and on and after that Day the Duty of Five Shillings and Sixpence, and so in proportion for any greater or less Quantity than a Hundredweight:

And

On Licences to Dealers in Sweets or Made Wines.

And for and upon a Licence to be taken out yearly by every Person who shall sell any Kind of Sweets or Made Wines, or Mead or Metheglin, in any Quantity amounting to Two Gallons or upwards, or in One Dozen or more reputed Quart Bottles at One Time, the Duty of Five Pounds and Five Shillings.

Period of Credit for Payment of Excise Duty on Malt reduced.

II. The Time limited by the Act passed in the last Session of Parliament, Chapter Eighteen, for Payment of the Duty of Excise on Malt by every Maker of Malt who shall have given Security by Bond as by Law required in that Behalf, shall in respect of all Malt begun to be made on or after the First Day of *October* One thousand eight hundred and sixty be further limited to Six Weeks in lieu of Twelve Weeks after the making of such Account or Return as in the said Act is mentioned or referred to; and every Bond which shall have been given or entered into for securing the Payment of such Duty according to the Direction of the said Act shall remain and continue in force against the Principal and Sureties who shall have made or entered into the same, as a Security for Payment of the said Duty at or within the Period limited by this Act, unless the said Parties, or some One of them, shall before the said First Day of *October* give Notice to the Commissioners of Inland Revenue of his Desire to withdraw from such Bond, in which Case the Maltster shall not be entitled to any Credit for Payment of the Duty of Excise on any Malt made or begun to be made by him on or after the said last-mentioned Day until he shall have given fresh Security in that Behalf to the Satisfaction of the said Commissioners.

Excise Duty on Hops reduced.

III. 'And whereas it is expedient to reduce the Duties of Excise now chargeable on Hops:' Be it enacted, That in lieu of the Duties of Excise now chargeable on Hops growing or to grow in *Great Britain* there shall be charged on all such Hops the reduced Duty of Fourteen Shillings *per* Hundredweight, and after that Rate for any greater or less Quantity than a Hundredweight.

Duty on Hops when to be payable.

IV. The Duty of Excise which for the Time being is or shall be chargeable on Hops growing or to grow in *Great Britain* shall be payable on the First Day of *March* One thousand eight hundred and sixty-one, and afterwards on the First Day of *January* next after the curing thereof.

Exemption from Licence Duty of Persons dealing in Wine and Spirits in Bond repealed.

V. The Twelfth Section of the Act passed in the Sixth Year of the Reign of King *George* the Fourth, Chapter Eighty-one, which enacts that it shall not be necessary for any Person or Persons to take out an Excise Licence for the Sale of any Foreign Goods or Commodities for the Sale of which in any Manner an Excise Licence is required, whilst such Goods or Commodities shall be and remain in the Warehouse or Warehouses in which the same shall have been deposited, lodged, or secured, according to Law, before Payment of Duty upon the Importation thereof, shall not extend to exempt from Liability to take out an Excise Licence for the Sale of Foreign Wine or Spirits any Person who shall sell at One Time any Quantity less than One hundred Gallons thereof respectively.

Powers and Provisions of Excise Acts to apply to the Duties granted by this Act.

VI. The said Duties by this Act granted shall be deemed to be Excise Duties, and shall be under the Care and Management of the Commissioners of Inland Revenue for the Time being, and all Powers, Provisions, and Regulations, Penalties, and Forfeitures contained in or enacted by any Act in force in relation to Excise Duties shall in all Cases not herein expressly provided for, and so far as the same are not superseded by and are consistent with the express Provisions of this Act, be duly observed, applied, and put in execution for charging, collecting, and securing the said Duties hereby granted and otherwise relating thereto, and to the said Licences, as fully and effectually as if the same had been repeated and re-enacted in the Body of this Act with reference to the said Duties hereby granted and the said Licences respectively.

Dealers in Sweets or Made Wines to take out Licence annually.

VII. Every Person who shall sell any Kind of Sweets or Made Wines, or Mead or Metheglin, in any Quantity amounting to Two Gallons or upwards, or in One Dozen or more reputed Quart Bottles at One Time, shall annually take out a Licence in that Behalf under this Act on pain of forfeiting the Sum of Fifty Pounds for any Neglect or Omission to take out such Licence.

Dryers and Roasters of Chicory, &c. and Dealers therein to make Entry of their Premises.

VIII. Every Dryer of Chicory or other such Vegetable Matter as aforesaid, and every Roaster thereof, and every Dealer in the same, shall respectively, before he shall begin to dry or roast any Chicory or other such Vegetable Matter as aforesaid, or to trade or deal in the same, make Entry with the proper Officer of Excise in the Manner directed by the Laws of Excise in that Behalf of his Name and Place of Abode, and of every Building, Warehouse, Storehouse, Shop, Room, or Place, and of every Kiln, Furnace, Cylinder, Machine, or Utensil intended to be made use of by such Dryer, Roaster, and Dealer respectively for the drying, roasting, keeping, or storing of Chicory or other such Vegetable Matter as aforesaid, or the preparing of the same for drying or roasting; and no Person other than a Dryer of Chicory or other such Vegetable Matter as aforesaid, or a Roaster thereof, or a Dealer therein, who shall respectively have made due Entry of his Premises in manner aforesaid, shall have in his Possession any dried Chicory or other such Vegetable Matter as aforesaid, exceeding Fourteen Pounds in Weight; and if any such Article shall be found in the Possession of any Person not being such Dryer or Roaster or Dealer as aforesaid, the same shall be forfeited, and the Person so having the same in his Possession shall forfeit the Sum of One hundred Pounds.

No Person other than a Dryer or Roaster who has made Entry shall have dried Chicory, &c. in his Possession.

Dryer to provide Warehouse for storing dried Chicory, &c.

IX. Every Dryer of Chicory or other such Vegetable Matter as aforesaid shall, before he shall begin to dry any such Article, provide a proper and secure Warehouse with proper Fastenings at the Premises where his drying Kiln shall be situate, to be approved of by the Commissioners of Inland Revenue, for the Purpose of depositing and securing therein the Chicory or other Vegetable Matter which shall be dried by him, and such Warehouse shall be locked by the proper Officer of Excise.

X. No

X. No Person shall begin to dry any Chicory or other such Vegetable Matter as aforesaid in or upon any Kiln or other Utensil or Place used by him for drying any such Article without having previously given Six Hours Notice to the Officer of Excise under whose Survey he shall be of the particular Day and Hour when he shall intend to begin such drying, upon pain of forfeiting the Sum of Fifty Pounds for every Omission to give such Notice; and all Chicory or other Vegetable Matter which shall be found drying upon the Premises of any such Dryer without such Notice as aforesaid shall also be forfeited. Dryer to give Notice of his Intention to dry Chicory, &c.

XI. Every Dryer of Chicory or other such Vegetable Matter as aforesaid shall give Six Hours Notice in Writing to the Officer of Excise under whose Survey he shall be of the Day and particular Hour of the Day when he shall intend to remove any such Article as aforesaid off the Kiln, or from or out of any Utensil in or upon which the same shall have been placed to dry; and such Officer shall attend according to such Notice, and thereupon all such Chicory or other Vegetable Matter shall be weighed by the said Dryer, or his Servant or Workman, in the Presence of such Officer, who shall take an Account thereof, and the same shall then forthwith be removed, also in the Presence of the Officer, into the Warehouse to be provided by the said Dryer in pursuance of this Act for that Purpose, and shall be there deposited and locked up and secured under such Regulations as the Commissioners of Inland Revenue may make in that Behalf; and if any such Dryer shall neglect or omit to begin to weigh such Chicory or other Vegetable Matter for the Space of One Hour after the Officer shall have attended in pursuance of such Notice as aforesaid, the Chicory or other Vegetable Matter shall not be removed from such Kiln or Utensil without a fresh Notice of Six Hours, to be given as aforesaid, and if the Dryer shall not cause the whole of such Chicory or other Vegetable Matter to be duly weighed and removed and deposited in such Warehouse as aforesaid within the Space of Two Hours after the Commencement of the weighing thereof, he shall forfeit the Sum of Fifty Pounds. Dryer to give Six Hours Notice of his Intention to remove Chicory, &c. from Kiln. Officer to attend, and Chicory, &c. to be weighed and removed into Warehouse in his Presence. Penalty on Dryer not removing Chicory, &c. pursuant to his Notice.

XII. No Dryer of Chicory or other such Vegetable Matter as aforesaid shall keep or have any such Article as aforesaid in a dried State in any Part or Place of or in his Premises other than the Warehouse to be provided and approved as aforesaid for the Deposit and Security thereof, except such Chicory or other Vegetable Matter as shall be on or in the Kiln or Utensil where the same shall have been dried or roasted, and except also such Chicory or other Vegetable Matter as shall be in the Act of Removal from such Kiln or Utensil, or to or from such Warehouse, under the Superintendence of such Officer as herein provided in that Behalf; and any dried Chicory or other such Vegetable Matter as aforesaid which shall be found in any Part or Place of or in the Premises of any such Dryer other than such Warehouse as aforesaid, except as aforesaid, shall be forfeited, and such Dryer shall forfeit the Sum of Two hundred Pounds. Dryer not to have any dried Chicory, &c. on his Premises elsewhere than in the Warehouse or in the Kiln, on pain of Forfeiture.

XIII. No Chicory or other such Vegetable Matter as aforesaid which shall be deposited in the Warehouse of any Dryer thereof shall be removed from such Warehouse except in the Presence and under the Authority of the proper Officer of Excise, to whom such Dryer shall give Four Hours previous Notice in Writing, specifying the particular Day and Hour when he shall intend to send out from the Warehouse any such Article as aforesaid, and upon the Receipt of such Notice the Officer shall attend at the Time appointed therein, and shall allow the Quantity of the Article specified in such Notice to be in his Presence weighed and delivered out of the Warehouse, according to the Tenor and Effect of such Notice, and the Officer shall enter in his Survey Book an Account thereof as a Charge against the said Dryer: Provided always, that no Quantity less than One Hundredweight of Chicory or other Vegetable Matter shall at any Time be delivered out of any such Warehouse; and provided also, that no such Warehouse as aforesaid shall be opened for delivering out any such Article as aforesaid at any Time between the Hours of Six o'Clock in the Evening and Six o'Clock in the Morning. Chicory, &c. not to be sent out of Warehouse unless in Presence of an Officer. Not less than One Cwt. to be delivered out. Warehouse not to be opened for Delivery between 6 p.m. and 6 a.m.

XIV. The proper Officer of Excise shall enter and keep in a Book a Stock Account of all Chicory or other such Vegetable Matter as aforesaid which shall be received into the Warehouse of any Dryer thereof, and of the Quantity thereof which shall from Time to Time be delivered out of such Warehouse, and it shall be lawful for any Officer of Excise at any Time, and from Time to Time whenever he shall think fit, to weigh and take an Account of all Chicory or other such Vegetable Matter as aforesaid which shall then remain in such Warehouse, and the said Dryer is hereby required, with his Servants and Workmen, to give all necessary Aid and Assistance to the Officer of Excise in the weighing and taking such Account thereof; and if upon any such weighing and taking of Account it shall be found that the Quantity of Chicory or other such Vegetable Matter as aforesaid which shall then be in such Warehouse is less than the Quantity which ought to remain therein, according to the Balance of the Entries contained in the Stock Account kept by the Officer as before directed, such Dryer shall be deemed to have removed the Quantity which shall be so found to be the Deficiency in the Stock, without the Duty having been charged thereon, and thereupon the Officer shall enter in his Book the Amount of the Duty upon such Deficiency as a Charge against the Dryer, and such Dryer shall forfeit the Sum of Two hundred Pounds: Provided always, that the said Penalty shall not be deemed to be incurred if the Amount of such Deficiency of Stock shall not exceed Two *per Centum* on the whole Quantity of Chicory or other Vegetable Matter which shall have been received into such Warehouse since the last preceding taking and balancing of the Stock, in addition to the Quantity then remaining therein, or if there shall have been no former taking and balancing of Stock, then on the whole Quantity which shall have been at any Time and from Time to Time received into such Warehouse. Officer to keep a Stock Account of Chicory, &c. received into and delivered out of the Warehouse, and if there be any Deficiency, Dryer to be charged with the Duty thereon and liable to Penalty. No Penalty incurred unless the Deficiency of Stock exceed 2 per Cent.

Officer of Excise shall make periodical Returns of the Duty charged on Dryers of Chicory, &c.

When and to whom Duty to be paid.

XV. Every Officer of Excise under whose Survey any Dryer of Chicory or other such Vegetable Matter as aforesaid shall be, or any other Officer who shall be appointed so to do, shall at the Expiration of every Six Weeks, or at such other Times as the Commissioners of Inland Revenue shall direct, make out and deliver to the said Commissioners an Account or Return in Writing of the Quantity of Chicory or other such Vegetable Matter as aforesaid dried by such Dryer, and sent out or delivered from his Premises, and for which he shall have become chargeable with Duty in the preceding Six Weeks or other Period, and of the Duty payable thereon, and shall also leave a Copy of such Account or Return with such Dryer; and the Account or Return of such Officer shall be a Charge on such Dryer, and he shall pay to the proper Collector and clear off the Duty appearing by such Account or Return to have become due at such Time as the said Commissioners shall appoint, or on Demand thereof at any Time made by or under the Authority of such Collector, or in default thereof such Dryer shall forfeit double the Amount of such Duty.

Dryer of Chicory, &c. to provide Scales and Weights, and assist the Officers of Excise in using the same.

XVI. Every Dryer of Chicory or other Vegetable Matter shall provide and keep on his entered Premises, and in such proper and convenient Place therein as the Supervisor of Excise shall approve, just and sufficient Scales and Weights, properly adapted for the weighing of Chicory and other such Vegetable Matter as aforesaid; and every such Dryer shall permit and suffer any Officer of Excise to use the said Scales and Weights for the Purpose of weighing or re-weighing and taking an Account of Chicory or other Vegetable Matter which shall at any Time be in the Possession of such Dryer, and such Dryer, with his Servants and Workmen, shall, whenever thereto required, aid and assist the Officer in such weighing and re-weighing and taking Account of any such Article as aforesaid; and every such Dryer who shall neglect to provide and keep such Scales and Weights in such Place as aforesaid, or who or whose Servant shall refuse to permit and suffer any Officer of Excise to use the same, or who or whose Servant shall refuse or neglect, whenever thereto required, to aid and assist any such Officer in weighing or re-weighing and taking an Account of any such Article as aforesaid, shall forfeit the Sum of One hundred Pounds.

No Dryer to have in possession dried Chicory, &c. other than such as has been dried on his own Kiln.

XVII. No Dryer of Chicory or other such Vegetable Matter as aforesaid shall have in his Possession any dried Chicory or other such Vegetable Matter as aforesaid, other than such as shall have been dried on his own Kiln, or lawfully received into his Warehouse under the Provisions of this Act; and if any such Article as aforesaid which shall not have been dried on his own Kiln, or lawfully received as aforesaid, shall be found on the Premises of any such Dryer or otherwise in his Possession, such Article shall be forfeited, and he shall forfeit also the Sum of One hundred Pounds.

Businesses of a Dryer of Chicory, &c. and a Roaster thereof, or of Coffee, not to be carried on the same or on adjoining and communicating Premises.

XVIII. No Dryer of Chicory or other such Vegetable Matter as aforesaid shall carry on the Business of a Roaster of Chicory or other Vegetable Matter or of Coffee, or shall roast any Chicory or other Vegetable Matter or Coffee, or have any Quantity exceeding Six Pounds in Weight of roasted Chicory or other Vegetable Matter or Coffee in or upon the same Premises whereon he shall carry on the Business of such Dryer, or in or upon any Premises having any Communication, Opening, or Way internally, or through any inclosed or private Yard, with or into the Premises whereon he shall carry on the Business of a Dryer of Chicory or other Vegetable Matter, nor shall any Person carry on the Business of a Dryer of Chicory or other Vegetable Matter in or upon any Premises having any such Communication as aforesaid with or into any Premises whereon any Person shall carry on the Business of a Roaster of Chicory or other Vegetable Matter, or a Roaster of Coffee, on pain of forfeiting for every such Offence, in the several Cases aforesaid, the Sum of One hundred Pounds: Provided always, that where before the First Day of *June* One thousand eight hundred and sixty the respective Businesses of a Dryer and Roaster of Chicory or other Vegetable Matter shall have been carried on by the same or different Persons on the same Premises, or on Premises adjoining and communicating, and such Persons shall be desirous of continuing to carry on such Businesses respectively on such Premises, it shall be lawful for the Commissioners of Inland Revenue, if they shall think fit, to grant by Order in Writing their special Licence to such Person or Persons to continue such Use of such Premises for such Time and upon such Terms and Conditions as the said Commissioners may think fit.

Certain Acts may be lawfully done by Dryers and Roasters of Chicory under the Regulations of the Commissioners.

XIX. Provided always, That, under and subject to such Rules and Regulations, Restrictions and Conditions, as the Commissioners of Inland Revenue shall think proper, and shall make in that Behalf, the following Acts and Proceedings may be lawfully done, and shall have the Effect herein-after mentioned; (that is to say,)

1. Any Dryer of Chicory or other such Vegetable Matter as aforesaid may remove and send out from his Warehouse any dried Chicory or other such Vegetable Matter to the entered Warehouse and Stock of any other such Dryer without Payment or Charge of the Duty thereon, and the Person to whose Warehouse the same shall be removed shall, upon receiving the same, be answerable and accountable for the Duty chargeable thereon, and shall be charged with such Duty when and as the said Chicory or other Vegetable Matter shall be sent out or removed from his Warehouse, in like Manner as if he had been the Dryer thereof:
2. Any Dryer or Roaster of Chicory or other such Vegetable Matter as aforesaid may receive into and have in his Possession Foreign dried Chicory or other such Vegetable Matter as aforesaid which shall have been duly imported into the United Kingdom, and on which the Duties of Customs shall have been duly paid on the Importation thereof; but if any Question shall arise whether

whether any Chicory or other Vegetable Matter is Foreign, or whether the said Duties of Customs have been so paid thereon as aforesaid, Proof of the Affirmative of such Question shall lie upon the Person in whose Possession such Chicory or other Vegetable Matter shall be found:

3. Any Dryer of Chicory or other such Vegetable Matter as aforesaid may remove from the Kiln or Utensil on or in which the same may be drying any Chicory or other such Vegetable Matter, before the drying thereof is completed, into a Warehouse to be provided by such Dryer, and approved by the said Commissioners, specially for the Purpose of depositing and securing therein such partially dried Chicory or other such Vegetable Matter as aforesaid, and afterwards to return the same to such Kiln or Utensil to complete the drying thereof.

Dryers of Chicory to provide Accommodation for Excise Officers.

XX. Every Dryer of Chicory or other such Vegetable Matter as aforesaid shall provide and maintain sufficient and proper Accommodation on the entered Premises of such Dryer, to the Satisfaction of the said Commissioners, for the Officers of Excise attending the drying of such Chicory or other Vegetable Matter.

Construction of Terms used in this Act in relation to Sweets or Made Wines and Chicory.

XXI. Wherever the following Terms and Expressions, or any of them, occur in this Act, they shall be construed respectively in the Manner herein-after directed; (that is to say,) "Sweets or Made Wines" shall be construed to mean any Liquor made by Fermentation from Fruit and Sugar, or from Fruit or Sugar mixed with any other Material, and commonly called Sweets or Made Wines; "Dried Chicory" shall be construed to mean Chicory which shall have been kiln-dried, or dried by any other Means whatever, and not completely roasted to a State fit for grinding to Powder; "Roasted Chicory" shall be construed to mean Chicory which shall have been completely roasted to such State as last mentioned, whether the same shall have been ground or reduced to Powder or not; "Dryer of Chicory" shall be construed to mean and include any Person who shall kiln-dry, or dry by any other Means, any Chicory or other such Vegetable Matter as aforesaid; "Roaster of Chicory" shall be construed to mean and include any Person who shall carry on or continue the Process of drying Chicory or other Vegetable Matter to a State in which it shall be fit for grinding to Powder.

Maltster to begin to steep only between 7 a.m. and 5 p.m.

XXII. No Maltster shall begin to wet or steep any Corn or Grain to be made into Malt at any other Time than between the Hours of Seven o'Clock in the Morning and Five o'Clock in the Afternoon, and if the Time specified in the Notice of Intention to wet or steep be later than Three o'Clock in the Afternoon, the Corn or Grain shall be covered with Water within One Hour from the Time so specified.

Removal of Grain from Cistern to Couch Frame, and Time of remaining therein.

XXIII. All Corn and Grain which shall be wetted to be made into Malt shall be removed directly from the Cistern into the Couch Frame, and shall be laid flat and level therein by the Maltster, and of no greater Depth in any such Couch Frame than Thirty Inches in any Part thereof except where by any Act now in force a greater Depth is expressly allowed, and such Corn or Grain shall be kept and continued so laid in the Couch Frame for the Space of Twenty Hours at the least from the Time of being removed from the Cistern: Provided always, that all such Corn or Grain shall for the Purpose of being gauged and charged with Duty be deemed to be in Couch for the Space of Twenty-four Hours from the Time of its Removal from the Cistern, and shall be gauged and taken Account of by the Officer as in Couch during the said Space of Twenty-four Hours although such Corn or Grain may have been removed from the Couch Frame, unless the same shall have been previously gauged by the Officer.

All Cisterns in Malthouses having any internal Communication to be emptied on the same Day.

XXIV. And if in any Building, or in any Two or more Buildings having any internal Communication between them, there shall be more than One Cistern used at the same Time for wetting or steeping Corn or Grain, all such Cisterns shall be emptied of the Corn or Grain therein during the Hours prescribed and limited in that Behalf in One and the same Day; provided that where the Corn or Grain in Two or more of such Cisterns is emptied into One Couch Frame, it shall be taken Account of by the Officer therein, and thenceforth as One and the same wetting or steeping, and the emptying of the last of such Cisterns shall be finished within the Space of Three Hours from the Time of beginning to empty the first of such Cisterns.

When Grain making into Malt may be sprinkled.

XXV. It shall not be lawful for any Maltster to water or sprinkle any Corn or Grain making into Malt before the Expiration of Two hundred and eighty-eight Hours after the same shall have been taken out of the Cistern, unless the same shall have been kept covered with Water in the Cistern for the full Space of Fifty Hours from the Time of such Corn or Grain being first wetted or steeped, in which Case it shall be lawful to water or sprinkle such Corn or Grain at the Expiration of Ninety-six Hours after the same shall have been taken out of the Cistern, upon the Maltster giving to the Officer Twenty-four Hours previous Notice in Writing of his Intention to do so.

Commissioners to make Regulations with respect to Corn or Grain making into Malt for the Distillation of Spirits.

XXVI. In respect of all Corn and Grain which shall be making into Malt in any Malthouse used for the Purpose of making Duty-free Malt for the Distillation of Spirits, it shall be lawful for the Commissioners of Inland Revenue to make Rules and Regulations as to the Period of Time during which any particular Denomination of Corn or Grain shall be kept covered with Water in the Cistern, and also the Time that it shall remain in the Couch Frame; and also to fix and determine the Rate of Allowance to be made upon the Gauges of such Corn and Grain during the Time that it shall be in the Cistern and Couch Frame respectively, or whilst the same is by Law to be deemed and gauged as in Couch; and in default of Compliance with any such Rule or Regulation the full Duty of Excise on Malt shall be charged on the Corn or Grain with respect to which such Default shall be made, as in the Case of Barley Malt, and the Malt made from such Corn or Grain shall be used in the Distillation of Spirits only.

Drawback allowed on Exportation of Duty-charged Malt.

XXVII. Upon the Exportation by any licensed Maltster of Malt upon which the full Duties of Excise have been charged, and which shall be exported to Foreign Parts as Merchandise, under the Provisions of this Act, the Maltster shall be entitled to be paid the Drawback or Allowance of the Duty of Excise in respect of such Malt in the Manner herein-after mentioned.

Exportation to be made under such Rules and Regulations as the Commissioners of Inland Revenue may make, and under the Conditions specified in this Clause.

XXVIII. The Exportation of Malt, and the Payment of the Drawback or Allowance of Duty thereon, shall be made under and subject to such Rules, Regulations, and Securities (by Bond or otherwise) as the Commissioners of Inland Revenue may from Time to Time make and require respectively in that Behalf, and under and subject also to the following Conditions; (that is to say,)

1. The Malt shall be made from Barley, and shall not be blown, roasted, ground, or crushed; and it shall be in the entered Malthouse in which it shall have been made, and the full Duties of Excise shall have been charged thereon:
2. The Malt shall be thoroughly screened and cleansed from all Commings and Dust, and from all extraneous Matter whatever, to the Satisfaction of the Officer of Excise who shall attend the packing of the same:
3. The Malt, after having been so screened and cleansed, shall not be of less Weight than Thirty-nine Pounds, nor of greater Weight than Forty-two Pounds Avoirdupois *per* Bushel:
4. The Maltster shall give Twenty-four Hours Notice of his Intention to export Malt to the Officer of Excise in whose Survey the Malthouse shall be situated, stating the Quantity of Malt intended to be exported, the particular Day and Hour at which the same is to be packed, and the Name of the Port from which it is to be exported:
5. The Malt shall be packed only between the Hours of Six o'Clock in the Morning and Six o'Clock in the Afternoon, and in the Presence of the proper Officer of Excise, and shall be measured with a Bushel Measure into secure Barrels, Boxes, or Bags, each containing not less than Four Bushels, and such Barrels, Boxes, and Bags shall be fastened and secured to the Satisfaction of such Officer.

Maltster to provide Measures, Scales, Weights, and Assistance in measuring and weighing.

XXIX. Every Maltster who shall export any Malt under the Provisions of this Act shall provide for Use at the Malthouse from which such Malt shall be exported, and also on board the Vessel in which such Malt is shipped, a Bushel Measure of the legal Standard, with just and sufficient Scales and Weights properly adapted for the weighing of Malt, and shall allow any Officer of Excise or Customs to use the same in the measuring and weighing of Malt respectively; and such Maltster shall provide such Officers with proper and sufficient Assistance to enable them to measure and weigh such Malt.

Debenture to be given to Exporter One Month after Exportation.

In calculating Quantity of Malt, 7½ per Cent. to be deducted.

XXX. The proper Officer of Excise at the Port at which such Malt shall be shipped for Exportation shall, at the Expiration of One Month after the Exportation thereof, give to the Exporter, or to his authorized Clerk or Agent, a Certificate or Debenture expressing the Quantity of Malt so shipped, and the Amount of the Drawback payable thereon; provided that in calculating the Quantity of Malt upon which such Drawback is to be paid a Deduction shall first be made therefrom at the Rate of Seven and a Half *per Centum* upon the Quantity which shall have been ascertained by Measure in the Manner herein directed; and provided also, that where the Malt shall have been exported to the Islands of *Guernsey*, *Jersey*, *Alderney*, or *Sark*, or to the *Isle of Man*, the Drawback shall not be paid without the Production of a Certificate from the proper Officer of Customs that such Malt has been landed in the Island to which it has been exported.

Malt exported not to contain unmalted Grain.

XXXI. If any Malt packed or produced for Exportation shall have mixed therewith any raw or unmalted Corn or Grain, the Maltster shall, over and above any other Penalty to which he may be subject, forfeit the Sum of Two hundred Pounds, and all such Malt and Corn, or Grain mixed therewith, and also the Package in which the same may be contained, shall be forfeited.

Provisions of former Acts relating to the Exportation of Exciseable Commodities to apply to this Act.

XXXII. The Drawback or Allowance upon Malt exported under the Provisions of this Act shall be paid by the Commissioners of Inland Revenue; and the Provisions of all Acts in force regulating or relating to the Exportation of any Exciseable Commodities on Drawback, and all Fines, Forfeitures, Pains, and Penalties imposed by the said Acts, shall and are hereby directed and declared (except as altered by this Act) to extend to, and shall be respectively applied, practised, and put in execution for and in respect of the Drawback or Allowance upon Malt hereby granted, upon the Exportation thereof, in as full and ample a Manner to all Intents and Purposes as if the said several Provisions, Fines, Forfeitures, Pains, and Penalties were particularly repeated and re-enacted in the Body of this Act with reference to the said Drawback or Allowance hereby granted.

Penalty for Breach of the Provisions of this Act.

XXXIII. For any Act, Neglect, or Omission contrary in any respect to any Prohibition, Regulation, or Direction contained in or authorized by any of the Clauses of this Act in relation to the making or Exportation of Malt, or to the drying or roasting of Chicory or other Vegetable Matter, and for which no Penalty is expressly provided by this Act, the Maltster or the Dryer or Roaster of Chicory, as the Case may be, shall forfeit the Sum of One hundred Pounds; and all Malt which shall be packed, produced, or shipped for Exportation contrary to the Provisions, Regulations, or Directions contained in or authorized by this Act shall be forfeited, with the Packages containing the same.

Provisions of Acts herein named relating to Duties of

XXXIV. From and after the Commencement of this Act, the several enumerated Clauses of the respective Acts herein-after specified relating to the Duties of Excise on Malt shall be and the same are hereby repealed; (that is to say,) the Twenty-first, Twenty-ninth, Thirty-second, and Thirty-fifth Sections

Sections of the Act passed in the Seventh and Eighth Years of King *George* the Fourth, Chapter Fifty-two; the Sixteenth Section of the Act passed in the Eleventh Year of the same King, Chapter Seventeen; and the Seventh Section of the Act passed in the First Year of Her Majesty's Reign, Chapter Forty-nine, except as to any Proceedings now pending to which the same or any of them are applicable. Excise on Malt repealed.

XXXV. 'And whereas by an Act passed in the Nineteenth and Twentieth Years of Her Majesty's 'Reign, Chapter Thirty-four, a Duty of Excise was imposed on Sugar used in the brewing or making 'of Beer, and by an Act passed in the Twenty-first Year of Her Majesty's Reign, Chapter Fifteen, the 'charging of the said Duty was deferred until the First Day of *April* One thousand eight hundred and 'sixty, and it is expedient to further defer the same:' Be it enacted, That the charging of the said Duty of Excise on Sugar used as aforesaid shall be further deferred until the First Day of *July* One thousand eight hundred and sixty-one. Charging of Excise Duty on Sugar used in brewing deferred until 1st April 1861.

XXXVI. 'And whereas by the Act passed in the Sixth Year of King *George* the Fourth, Chapter 'Eighty-one, a Licence is required to be taken out by every Person, not being a Brewer of Beer, who 'shall sell strong Beer only in Casks containing not less than Four Gallons and a Half, or in not less 'than Two Dozen reputed Quart Bottles at One Time, to be drank or consumed elsewhere than on his 'Premises, and by the Twenty-sixth Section of the same Act a Penalty of One hundred Pounds is 'imposed upon every such Person who shall sell Beer in manner aforesaid without taking out such 'Licence as aforesaid:' Be it enacted, That every Person not having taken out such Licence as aforesaid who shall sell Beer in any such Quantity as aforesaid, such Beer not having been brewed by himself, shall be subject and liable to the said Penalty, and in any Information or other Proceeding for the Recovery of the same it shall not be necessary to negative that the Defendant was a Brewer of Beer, and on the Trial or Hearing of any such Information or Proceeding Proof that the Beer was brewed by the Defendant shall lie upon himself by way of Defence: Provided always, that nothing herein contained shall extend to the Sale of Beer by any Person licensed by the Justices of the Peace to keep an Alehouse or Victualling House, and having also taken out the proper Excise Licence in that Behalf. Penalty on Persons selling Beer not brewed by them in wholesale Quantities without a Licence as Dealers, as specified in 6 G. 4. c. 81.

XXXVII. 'And whereas Doubts have arisen whether Persons licensed to sell Beer by Retail are 'liable to any Penalty for or on account of selling Beer at any other Place than the House or Premises 'specified in the Licence granted to them in that Behalf:' Be it enacted, That if any Person whatever shall sell Beer by Retail, that is to say, in any Quantity less than Four and a Half Gallons, or in less than Two Dozen reputed Quart Bottles, at One Time, at any other House or Place than the House or Premises specified in a Licence duly granted to him in that Behalf, he shall be deemed to sell Beer by Retail without having an Excise Retail Licence in force authorizing him so to do, and shall accordingly be subject and liable to the Penalty of Twenty Pounds for every such Offence, anything in any former Act or Acts to the contrary notwithstanding; and in any Information or other Proceeding for the Recovery of such Penalty it shall be sufficient to charge that he sold Beer by Retail without having an Excise Licence in force authorizing him so to do, and it shall not be necessary further or otherwise to describe such Offence. Persons retailing Beer at Places not specified in a Licence to be deemed to retail Beer without a Licence, and to be liable to Penalty accordingly.

XXXVIII. Whenever any Person to whom a Licence to keep and let to Hire a Hackney Carriage under the Act passed in the Sixteenth and Seventeenth Years of the Reign of Her present Majesty, Chapter One hundred and twenty-seven, shall have been granted shall die during the Existence of such Licence, and shall leave a Widow or a Child of full Age, and also whenever any Woman to whom any such Licence shall have been granted shall marry during the Existence of such Licence, and such surviving Widow, or the said Child, or the Husband of such Woman, shall continue and carry on the Business of such deceased Person or of such Woman respectively, it shall be lawful for the Officers empowered to grant Licences, upon the Application of any such Widow, or Child, or Husband, as the Case may be, (and in the Case of such deceased Person with the Consent of his or her Executor or Administrator,) to transfer by Indorsement, or otherwise as the Commissioners of Inland Revenue shall direct, the said Licence to such Widow, Child, or Husband respectively for the Remainder of the Term for which the same shall have been originally granted, and thereupon such Widow, Child, or Husband respectively shall become chargeable with the Duty payable by Law upon or in respect of the Hackney Carriage mentioned in the said Licence, and shall also be liable to all the Provisions, Regulations, and Penalties contained in any Act in force relating to Hackney Carriages, in the same Manner as if such Widow, Child, or Husband were the Person to whom such Licence had been originally granted. On the Death of a Person licensed to keep a Hackney Carriage the Licence may be transferred to the Widow or Child, and also to the Husband of a Woman licensed before Marriage.

XXXIX. When any Person shall be arrested and detained under any Act relating to the Inland Revenue charged with any Offence for which he may be liable to Conviction on immediate Arrest, it shall be lawful for the Justice before whom such Person shall be taken, in his Discretion, from Time to Time to remand the Person accused for further Examination for such Time as the said Justice shall deem reasonable (not exceeding Eight clear Days) to the Common Gaol or House of Correction or other Place of Security in the County, Riding, Division, Liberty, City, Borough, or Place for which such Justice shall then be acting, or such Justice may in his Discretion, instead of detaining the accused Person in Custody during the Period for which he shall be remanded, discharge him upon his entering into a Recognizance, with or without a Surety or Sureties, at the Discretion of such Justice, conditioned for his Appearance at the Time and Place appointed for the Continuance of such Examination; and if such Persons taken before a Justice charged with an Offence against Laws of Inland Revenue may be remanded or admitted to Bail.

such accused Person shall not afterwards appear at the Time and Place mentioned in such Recognizance, the said Justice, or any other Justice who may then and there be present, shall certify on the Back of the Recognizance the Non-appearance of such accused Person, and shall transmit such Recognizance to the Clerk of the Peace of the County, Riding, Division, Liberty, City, Borough, or Place within which such Recognizance shall have been taken, to be proceeded upon in like Manner as other Recognizances forfeited at Quarter Sessions may now by Law be enforced, and such Certificate shall be deemed sufficient *primâ facie* Evidence of such Non-appearance of the said accused Person.

Chief Accountants of Inland Revenue may be appointed in lieu of an Accountant and Comptroller General.

XL. 'And whereas by an Act passed in the Twelfth Year of Her Majesty's Reign, Chapter One, the 'Two several Offices of Accountant General of Excise and Accountant and Comptroller General of 'Stamps and Taxes were consolidated into One Office of Accountant and Comptroller General of the 'said respective Duties; and it was enacted, that the Person holding or appointed to such Office should 'be termed "The Accountant and Comptroller General of Inland Revenue:" And whereas it is expedient 'that in lieu of the said last-mentioned Officer the Commissioners of Inland Revenue should be authorized 'to appoint Two or more Persons to be Chief Accountants of the Revenue under their Care and 'Management:' Be it enacted, That in the Place and Stead of the said Accountant and Comptroller General of Inland Revenue it shall be lawful for the said Commissioners of Inland Revenue, with the Consent and Approbation of the Commissioners of Her Majesty's Treasury, if they shall think fit, from Time to Time, to appoint Two or more Persons to be Chief Accountants of the Inland Revenue, and such Chief Accountants, or any Two of them with respect to the several Branches of the Inland Revenue, and any One of the said Chief Accountants with respect to any Branch thereof with which he may be specially charged, shall have, use, and exercise all such Powers and Authorities, and perform all such Functions, as are now given to or vested in or to be performed by the Accountant and Comptroller General of Inland Revenue under or by virtue of any Act or Acts of Parliament, or otherwise howsoever.

The Word "Finsbury" deemed to be inserted in Sect. 27. of c. 27. of this Session.

XLI. 'And whereas an Act was passed in the present Session of Parliament, Chapter Twenty-seven, 'intituled *An Act for granting to Her Majesty certain Duties on Wine Licences and Refreshment 'Houses, and for regulating the licensing of Refreshment Houses, and the granting of Wine Licences,* 'and through Inadvertence the Borough of *Finsbury* was omitted to be mentioned in the Twenty-'seventh Section of the same Act:' For Remedy whereof be it enacted, That the Word "*Finsbury*" shall be deemed to be inserted immediately after the Word "*Marylebone*" in the said Twenty-seventh Section, and the said Act shall be read and construed and shall operate and have effect in all respects as if the said Word "*Finsbury*" had been originally so inserted as aforesaid.

Penalty imposed in Sect. 9. of c. 27. of this Session to be deemed an Excise Penalty.

XLII. 'And whereas by Section IX. of the last-mentioned Act a Penalty of Twenty Pounds is 'imposed upon every Person who shall keep a Refreshment House for which a Licence is required, 'without taking out and having in force a proper Licence in that Behalf:' Be it enacted, That the said Penalty shall be denominated an Excise Penalty, and shall be recovered, levied, mitigated, and applied in the Manner directed by the Forty-third Section of the same Act with regard to Penalties so denominated.

A Game Certificate not required for killing Rabbits in Ireland.

XLIII. And for the Amendment of an Act of the present Session of Parliament to repeal the Duties on Game Certificates and Certificates to deal in Game, and to impose in lieu thereof Duties on Excise Licences and Certificates for the like Purposes: Be it enacted, That, notwithstanding anything in the said Act contained, no Person shall be required to take out any Licence or Certificate to authorize the taking or killing of Rabbits in *Ireland*.

CAP. CXIV.

An Act to reduce into One Act and to amend the Excise Regulations relating to the distilling, rectifying, and dealing in Spirits. [28th *August* 1860.]

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Interpretation and Definition of Terms.

Construction of Terms used in this Act.

I. For the Purposes of this Act the following Terms and Expressions wherever used therein shall be construed as herein-after mentioned, unless it be otherwise specially provided, or there be something in the Subject or Context repugnant to or inconsistent with such Construction; (that is to say,)

"The Commissioners" shall mean the Commissioners of Inland Revenue:

"Distiller" shall mean a Distiller or Maker of Low Wines or Spirits:

The Term "Still" shall mean also the Head or Worm, or any other Part of a Still, and shall mean and include also any distilling Apparatus whatever for the distilling or making of Spirits:

"Rectifier or Compounder" shall mean a Rectifier or Compounder of Spirits:

"Dealer" shall mean a Dealer in Spirits:

"Retailer" shall mean a Retailer of Spirits:

"Excise Trader" shall mean and include a Distiller, Rectifier, Compounder, Dealer, and Retailer, and also a Maltster, and any Proprietor of a general Warehouse under the Provisions of this Act, and every other Person carrying on a Trade or Business subject to the Regulations of this Act:

The several Terms "Collector," "Supervisor," and "Officer" shall mean respectively Collector of Excise, Supervisor of Excise, and Officer of Excise; and the Terms "proper Collector," "proper Supervisor," and "proper Officer" shall mean respectively the Collector, Supervisor, and Officer of Excise respectively of the Collection, District, Division, and Ride respectively in which any Excise Trader shall carry on a Trade or Business subject to the Laws of Excise, or in which any Premises wherein such Trade or Business is carried on, or intended so to be, are situate, or in which anything is by this Act required to be done, or any Notice to be given to such Collector, Supervisor, and Officer respectively; provided always, that the Term "any Officer" shall mean an Officer of Excise of any Rank or Grade whatever:

"Justice of the Peace" shall mean a Justice of the Peace having Jurisdiction for the County or Place where any Offence shall be committed or suspected to be committed, or any Offender shall be apprehended or found, or any Goods or Commodities shall be seized or be liable to Seizure, or be suspected to be so liable, as the Case may be:

"County or Place" shall include a City, County of a City, County of a Town, Borough, Liberty, Division, Franchise, or other Place of magisterial Jurisdiction:

"Ship" shall mean Ship or Vessel.

Persons having Wash fit for distilling and a Still deemed to be Distillers.

II. Every Person making or keeping Wash prepared or fit for distilling, or Low Wines or Feints, and having in his Possession or Use a Still, shall be deemed to be a Distiller liable to the several Duties, Penalties, and Forfeitures imposed by Law on Distillers.

Licences to Distillers, Rectifiers, and Compounders.

No Person to keep or use a Still for distilling Spirits, or make Wort or Wash without a Licence for that Purpose.

III. No Person without having first duly obtained and having in force a Licence for the Purpose from the Commissioners, or the proper Officers authorized to grant such Licence, according to the Law of Excise, shall have or use a Still for making, distilling, rectifying, or compounding Spirits, or brew or make Wort or Wash, or distil Low Wines, Spirits, or Feints, or rectify or compound Spirits, on pain of forfeiting the Sum of Five hundred Pounds; and for any such Offence all Wort, Wash, Low Wines, Feints, and Spirits, and all Materials for making or preparing the same respectively, and all Stills in the Possession or Use of the Offender, and all Vessels and Utensils therewith used, or containing such Wort, Wash, Low Wines, Feints, Spirits, and Materials respectively, shall be forfeited.

The Licences, Entries, Notices, Declarations, &c. may be in such Form as Commissioners shall direct.

Notices, &c. not invalid for Want of Form.

IV. The several Licences, Entries, Notices, Declarations, Books, Accounts, and Returns required or directed by this Act may be in such Form respectively as the Commissioners may from Time to Time direct, but it shall not be necessary to prove, in any Proceeding for an Offence against this Act, the particular Order or Direction of the Commissioners in that Behalf; and any Notice or Declaration given or made by or on behalf of an Excise Trader shall, according to the Intent and Meaning thereof, be taken to be good and effectual as against such Excise Trader, although it may not be in the Form, or contain the several Particulars, or be given to or served upon all the Persons, or within the Time by this Act prescribed or limited for giving or serving the same; and it shall not be competent for such Excise Trader to allege any Imperfection or Defect in such Notice or Declaration, or in the giving, making, or serving of the same.

Licence for Premises mentioned therein only.

V. No One Licence shall authorize a Person to keep or use a Still, or make Wort or Wash, or distil Wash, Low Wines, or Spirits, or rectify or compound Spirits in any other Place than the House or Premises mentioned in such Licence.

Distillery to be within a Quarter of a Mile of a Market Town, or Distiller to provide Lodgings for Officers.

VI. No Person shall be entitled to have a Licence granted to him for a Distillery, or be permitted to make Entry of a Distillery, unless the same shall be situated within a Market Town, or within the Distance of a Quarter of a Mile from such Town; but the Commissioners may, if they shall think fit, grant such Licence and permit such Entry to be made in respect of a Distillery situated otherwise than as aforesaid, on the Distiller providing, on such Terms as they shall approve, fit and proper Lodgings or Rooms for the Residence of the Officers to be placed in charge of such Distillery, conveniently situated and approved by the Collector, but not forming any Part of the Distillery, or of the Dwelling House in which the Distiller shall reside, and at a reasonable Cost not exceeding Ten Pounds a Year; and if after the granting of a Licence on the Terms aforesaid the Distiller shall neglect or refuse to provide such Lodgings or Rooms, or shall not maintain them in proper Repair, or shall interrupt or annoy the Officer in the proper Use and Enjoyment thereof, the Commissioners may suspend or revoke such Licence; and during the Period of such Suspension, as well as after such Revocation, the Licence shall be deemed to be no longer in force.

No Distiller to keep a Still of less than 400 Gallons, or use more than 2 Wash Stills and 2 Low Wines

VII. No Distiller in *England* shall keep or use a Still for making or distilling Low Wines or Spirits the Body of which, without the Head thereof, shall be of less Content than Four hundred Gallons; and no Distiller keeping or using a Still of smaller Content, without the Head, than Three thousand Gallons, shall keep or use in his Distillery at the same Time more than Two Wash Stills and Two Low Wines Stills, upon pain of forfeiting for every Still of less Capacity or Content than as aforesaid, and for every Still

Stills with any Still of less than 3,000 Gallons.

Still above the Number aforesaid respectively, the Sum of One hundred Pounds; and for every Time that any such Still as aforesaid shall be used by him a further Sum of One hundred Pounds; and every such improper or further Still shall also be forfeited.

No Person to keep a Still of less than certain Content.

VIII. No Licence shall authorize a Person to keep or use a Still or other Utensil for making or distilling Spirits of less Content than Forty Gallons, or any distilling Apparatus not capable of distilling Two hundred Gallons of Wash *per* Hour.

No Licence to be granted for any Still of less than 400 Gallons without a Certificate of Three Justices.

IX. Before a Licence shall be granted to any Person to keep or use a Still for making or distilling Spirits of less Content than Four hundred Gallons, he shall produce to the Commissioners a Certificate in Writing, under the Hands of Three Justices of the Peace of the County or Place, that he is a Person of good Character, and fit and proper to be licensed to keep such Still; and that the Premises in which he purposes to erect such Still, and of which he is in actual Possession, are of the yearly Value of Ten Pounds at the least; but if a Still shall be intended to be kept by Two or more Persons in Partnership, such Certificate with relation to One of them shall be sufficient to authorize the granting of a Licence to all such Persons.

Persons licensed to keep a Still of 400 Gallons may keep a smaller Still without Certificate.

X. Provided always, That a Person who shall be licensed to keep and who shall actually keep and use a Still of the Content of Four hundred Gallons or upwards, may be licensed to keep a Still of less Content without the Production of such Certificate; and provided also, that the Commissioners may, if they shall deem it expedient, refuse to grant a Licence to a Person to keep a Still of less Content than Four hundred Gallons, notwithstanding the Production of the Certificate of the Justices; and in every Case when a Licence shall be refused, the Commissioners shall state in Writing under their Hands, to the Justices who shall have signed such Certificate, the Grounds of Refusal.

Commissioners may refuse Licences for Stills under 400 Gallons; or refuse to license Stills in certain Situations;

XI. The Commissioners may lawfully refuse to grant a Licence to keep a Still, for the making or distilling of Spirits in any Building in which, from the local Situation thereof in respect to any Premises used for rectifying or compounding Spirits, or in respect to any Brewery or Vinegar Manufactory, it may appear to them not to be expedient to allow the making or distilling of Spirits; and they may also lawfully refuse to grant a Licence to keep a Still for rectifying or compounding Spirits, or a Licence to brew Beer, Porter, or Ale, or to make Vinegar, on any Premises in which, from their local Situation in respect to a Distillery, it shall appear to the Commissioners inexpedient to allow such Trades or Businesses respectively to be carried on.

and may revoke Licence of any Distiller convicted of obstructing Officers.

XII. The Commissioners may lawfully suspend or revoke the Licence of a Distiller who shall be convicted of obstructing or preventing any Officer or his Assistant in or from entering into a Distillery, or any House, Outhouse, Store, or other Place whatsoever of such Distiller, or in or from otherwise performing his Duty in the Execution of any Act relating to the Excise.

Description and Construction of Spirit Stores, Vessels, and Utensils to be provided.

A proper Spirit Store to be provided in every Distillery.

XIII. There shall be a proper Spirit Store in every Distillery for keeping and securing the Spirits distilled thereat; and such Spirit Store shall be a secure Room or Place, approved by the Commissioners, and provided with proper Fastenings for the Purpose of locking up and securing the same to the Satisfaction of the Supervisor or other Superior Officer, and shall be kept locked up by the proper Officer in charge, at all Times, except when he shall be in Attendance; and the Commissioners may refuse to grant a Licence to keep a Still for the distilling of Spirits to any Person until he shall have provided in his Distillery a proper Store approved as aforesaid; and they may also suspend or revoke any Licence which may have been granted to a Distiller, unless and until he shall have provided such Store and fixed proper Fastenings for securing the same in manner aforesaid.

After obtaining Licence, and before making Entry of Utensils, Distiller to erect certain Chargers and Receivers.

XIV. Every Person who shall take out a Licence as a Distiller shall, after obtaining such Licence and before making Entry of a Still or other Vessel or Utensil to be used by him, erect and shall thereafter keep the several Vessels herein-after enumerated, and in the Manner and for the Purposes herein-after described; that is to say, if the Still be of such Kind that the Produce of the Wash on the First Distillation is Spirits and Feints, One Vessel to be called a Wash Charger, One other Vessel to be called a Feints Receiver, and One other Vessel to be called a Spirit Receiver; and if the Still be of such Kind that the Produce of the Wash on the First Distillation is Low Wines, then in addition to the Vessels before enumerated there shall be erected One Vessel to be called a Low Wines Receiver, One other Vessel to be called a Low Wines and Feints Charger, and (except as herein-after mentioned) One other Vessel to be called a Spent Lees Receiver; but there shall not be kept in a Distillery more than One Wash Charger, nor, in connexion with the first-mentioned Kind of Still, more than One Spirit Receiver, (except on the Terms and Conditions specified in Clause Eighty-five of this Act), nor more than Two Feints Receivers; nor, in connexion with the Kind of Still secondly herein mentioned, more than One Spirit Receiver (except as aforesaid), nor more than Two Low Wines Receivers, nor more than Two Feints Receivers, nor more than Two Low Wines and Feints Chargers; and if any greater Number of such Vessels respectively shall be found in a Distillery the Distiller shall forfeit Two hundred Pounds, and all such Vessels exceeding the Number aforesaid respectively, together with the Contents thereof, shall also be forfeited: Provided always, that it shall be lawful for a Distiller to have One intermediate Still Charger in connexion with each Charger.

Number of Chargers and Receivers allowed.

XV. Every

Spirits.

XV. Every Wash Charger shall be a close covered Vessel, and the Content thereof shall not be less than Half that of the largest Wash Back; and every Wash Charger shall be connected with the Wash Stills by One close Metal Pipe with a Branch to each Still, having a Cock thereon, One End of which Pipe shall be fixed into the Bottom of the Wash Charger, and the End of each Branch shall be fixed into the Still; and to the Wash Charger there shall be One other close Metal Pipe having a Cock thereon, One End of which Pipe shall be fixed into the Pump placed in the Jack Back, if any such Vessel shall be used, or otherwise to the Pipe or Trough communicating with the Fermenting Wash Backs, and the other End of such Pipe shall be fixed into such Wash Charger; and such Charger shall not have Communication with any other Vessel or Utensil whatever, except with the Feints Receiver, by means of a close Pump or Metal Pipe with a Cock thereon; and every Low Wines Receiver shall be a close covered Vessel, with a Pump or discharging Cock fixed therein for the Conveyance of Low Wines from such Receiver into the Low Wines and Feints Charger, and there shall be One close Metal Pipe, externally visible for its whole Length, attached to and leading directly from the Safe at the End of the Worm of the Wash Still, and fixed into the Low Wines Receiver, so that all Low Wines running into such Pipe from the Safe shall immediately be discharged therefrom into such Receiver, which Receiver shall not have Communication with any Vessel or Utensil whatever, except as aforesaid; and every Feints Receiver shall be a close covered Vessel, with a Pump or discharging Cock fixed therein for the Conveyance of Feints from such Receiver into the Low Wines and Feints Charger or Wash Charger or intermediate Still Charger, and there shall be One close Metal Pipe, externally visible for the whole Length, attached to and leading directly from the Safe at the End of the Worm of the Still, and fixed into the Feints Receiver, so that all Feints running into such Pipe from the Safe shall immediately be discharged therefrom into such Receiver, which Receiver shall not have Communication with any Vessel or Utensil whatever, except as aforesaid; and every Low Wines and Feints Charger shall be a close covered Vessel, connected with the Still by a close Metal Pipe having a Cock thereon, one End of which Pipe shall be fixed into the Bottom of such Charger, and the other End shall be fixed into the Still, and each such Charger shall have Communication with the Low Wines and Feints Receivers respectively by means of close Metal Pipes, one End whereof respectively shall be fixed to each such Charger, and the other End shall be attached to the Pump or discharging Cock to be so fixed as aforesaid in the Low Wines Receiver and Feints Receiver respectively, and such Charger shall not have Communication with any other Vessel or Utensil whatever, except as aforesaid; and every Spirit Receiver shall be a close covered Vessel, and shall not have Communication with any Vessel or Utensil whatever, except with the Safe of the Still by means of One close Metal Pipe, externally visible for its whole Length, attached to and leading directly from the Safe at the End of the Worm, and fixed into the Spirit Receiver in such Manner as that all Spirits running therein from the Safe shall run directly and be discharged therefrom into the Spirit Receiver without resting in the Pipe; and in every Spirit Receiver there shall be placed and fixed either a Pump for emptying the same, or a proper discharging Cock for drawing off the Spirits therefrom; and every such Charger and Receiver respectively shall be erected and kept in a convenient and public Situation in the Still House, or to the Approbation of the Commissioners, and exposed to open View, and easy of Access and Inspection to the surveying Officer on all Parts thereof, and shall have a sufficient Cover thereon, with a Dipping Hole cut in the Cover, of such Form and Size as the Commissioners shall direct, and in the Dipping Hole there shall be placed such Dipping Rod as shall be provided by the proper Officer, who may secure the same in such Manner as to him shall seem expedient to prevent the Removal thereof; and every Spent Lees Receiver shall be a close covered Vessel, and shall not have Communication with any Vessel or Utensil whatever, except with the Low Wines Still by means of One close Metal Pipe, externally visible for its whole Length, attached to and leading directly from the Still, and fixed into the Spent Lees Receiver, and which Pipe shall be the only Discharge Pipe of such Still, having a Cock thereon secured as the Supervisor or other superior Officer shall direct and approve, and in the Bottom of which Receiver shall be an internal safe and secure Plug in a Discharge Hole; and every such Spent Lees Receiver shall have One other Opening not more than One Third of the Depth of the Receiver from the Top thereof, covered and secured by an internal Metal Plate perforated with circular Holes of not more than Four Tenths of an Inch in Diameter, and such Receiver shall have no other Opening whatsoever; and every intermediate Still Charger (if such Vessel be used) shall be a close covered Vessel, and shall have One fixed Pipe with a Cock thereon leading from the Wash Charger or Low Wines and Feints Charger, and One fixed Discharge Pipe with a Cock thereon leading from the Still Charger to the Still, and shall have no other Hole or Opening therein, nor any other Communication with any Vessel or Utensil whatever, except One other Pipe with a Cock thereon leading from the Feints Receiver, and One other Pipe from the Water Cistern; and if there shall be found in a Distillery any Charger or Receiver or Pump or Pipe therefrom or Cock therein which shall not be made, kept, and constructed in manner herein directed, or which shall have any Hole therein, except the Trap Door in the Cover thereof and Dipping Hole, properly secured by the Officer, or any Communication with any other Vessel or Utensil whatever other than as by this Act is required or allowed, the Distiller shall forfeit the Sum of Two hundred Pounds, and also the Sum of Twenty Pounds for every Day during which such Charger, Receiver, Pump, Pipe, or Cock shall remain in his Distillery.

Description of Vessels and Utensils.

Wash Charger.

Low Wines Receiver.

Feints Receiver.

Low Wines and Feints Charger.

Spirit Receiver.

Chargers and Receivers how to be erected.

Dipping Rods to be fixed therein.

Description of Spent Lees Receiver.

Intermediate Still Charger.

Penalty for constructing Chargers or Receivers contrary hereto.

General Directions as to the Mode and Course in which Wash, Low Wines, Feints, and Spirits shall be conveyed through the several Utensils.

XVI. All Wash made in a Distillery shall be fermented in the Fermenting Wash Backs, and shall be conveyed directly from thence into the Wash Charger, and from such Charger into the Still, there to be distilled; all Low Wines shall be conveyed directly from the Safe at the Worm End of the Wash Still into the Low Wines Receiver, and be pumped up or conveyed from thence into the Low Wines and Feints Charger, and shall be conveyed directly from such Charger into the Low Wines Still, there to be re-distilled; and all Spirits shall be conveyed directly from the Safe at the Worm End of the Still into the Spirits Receiver, or Feints Receiver, and so much of such Spirits as shall be conveyed into the Feints Receiver shall be pumped or conveyed directly from thence into the Low Wines and Feints Charger, or Wash Charger, or intermediate Still Charger, and directly from such Charger into the Still to be re-distilled; and the Produce of the last-mentioned Re-distillation, and of every other Re-distillation, shall in like Manner be conveyed directly from the Safe at the Worm End of the Still into the Spirit Receiver, or into the Feints Receiver; and no Feints conveyed into the Feints Receiver shall in any Case be removed from thence, except by pumping, or by a Discharge Cock conveying the same directly into the Low Wines and Feints Charger, or Wash Charger, or intermediate Still Charger, from whence such Feints shall be conveyed directly into the Still for Re-distillation, until the whole of such Feints shall be made into Spirits, and be conveyed and run into the Spirit Receiver; and no Spirits conveyed into the Spirit Receiver shall be re-distilled or removed from such Receiver, except into the Store Room of the Distiller, in the Manner herein-after directed; and if in a Distillery any Wash shall be fermented or any Wash, Low Wines, Feints, or Spirits shall be removed or distilled, contrary or otherwise than according to the Directions aforesaid, or if the whole of the Spirits made or distilled shall not be conveyed and run into the Spirit Receiver, such Wash, Low Wines, Feints, and Spirits respectively, together with all Vessels and Utensils wherein the same may be contained, shall be forfeited, and the Distiller shall forfeit the Sum of Two hundred Pounds, or Twenty Shillings for every Gallon of such Wash, Low Wines, Feints, or Spirits, at the Election of the Commissioners or Person who shall inform or sue for the same.

Spirits to be removed from the Receiver into an entered Store Cask or Vat.

XVII. All Spirits distilled in a Distillery shall, after the proper Officer shall have taken an Account of the Quantity and Strength thereof, be forthwith removed and conveyed through a close Metal Pipe, visible throughout its whole Length, from the Spirit Receiver into an entered Store Cask or Vat in the entered Spirit Store of the Distillery; and every such Store Cask and Vat respectively shall be a close covered Vessel, with proper and sufficient Fastenings for securing the Spirits therein to the Satisfaction of the proper Supervisor or other superior Officer; and if all such Spirits shall not be removed and conveyed in manner aforesaid into such entered Store Cask or Vat as aforesaid, the Distiller shall forfeit the Sum of Two hundred Pounds.

Spirit Receivers, how to be placed. Must admit of the Gauge of Spirits of the Depth of 15 Inches, and be filled to that Depth.

XVIII. No Spirit Receiver shall be used which shall not be made, placed, and fixed to the Satisfaction of the Commissioners, and be of a Depth sufficient to admit of the Gauge of Spirits being taken of the Depth of Fifteen Inches at the least in the Centre of the Receiver; and every Receiver shall be so filled with Spirits that at the Time of gauging the same, for the Purpose of charging the Duty thereon, the Depth of Spirits therein shall not be less than Fifteen Inches; and if in any Distillery a Spirit Receiver shall be used which shall not be so made, placed, and fixed as aforesaid, or which shall not be of a Depth sufficient to admit of the Gauge of the Spirits therein being taken of the Depth aforesaid, or if a Distiller shall neglect or refuse to cause any Spirit Receiver used in his Distillery to be so filled with Spirits that at the Time of gauging the same the Depth of Spirits therein shall not be less than as aforesaid, unless from any unavoidable Cause or Circumstance he shall be unable so to do, the Distiller shall forfeit the Sum of Fifty Pounds.

Commissioners may allow Spirit Receivers, erected before 10th Oct. 1853 of a less Depth than 15 Inches to be used.

Mode of gauging and charging Spirits in such Case.

XIX. Provided always, That it shall be lawful for the Commissioners to allow the Use of any Spirit Receiver which before the Tenth Day of *October* One thousand eight hundred and fifty-three was erected and in use in a Distillery, although the same may be of so large an Area that the Spirits distilled from the Wash contained in the respective Wash Backs of the Distillery may be insufficient to fill such Receiver to the Depth aforesaid; and in such Case, as well as in any other Case in which the Depth of Spirits in any Spirit Receiver shall be less than Fifteen Inches, the Charge of Spirits therein shall be made on the next Tenth Part of an Inch marked on the graduated Scale on the Dipping Rod, above the Point which the Dip of such Spirits in the Receiver shall indicate thereon; and the said next Tenth on the said graduated Scale shall be deemed to be the actual Dip of the Spirits, and the Officer shall enter the same in his Survey Book, and charge the Duty accordingly, making an Allowance to the Distiller of One Half of a Gallon in every One hundred Gallons of the Quantity so charged, computed at the Strength of Hydrometer Proof.

Commissioners may require Apparatus to be applied to Spirit Receiver to prevent Fraud.

XX. The Commissioners may require any Distiller to erect and apply at his own Expense in his Distillery any Apparatus or Machine which they may think proper for the Purpose of preventing the Supply Cock and the Discharge Cock of the Spirits Receiver being both open at the same Time, and for registering the Number of Times each Cock has been opened; and if the Distiller shall neglect or refuse to provide and apply any such Apparatus or Machine, on being required so to do, he shall forfeit the Sum of Two hundred Pounds.

Penalty for any Pipe or Opening in any Still

XXI. If in a Distillery, or any House for distilling, rectifying, or compounding Spirits, or any Place adjoining thereto, there shall be any Pipe or Conveyance whatsoever leading directly or indirectly to or from

from a Still, or if there shall be any Opening whatever into or out of a Still, other than such Pipes' Conveyances, and Openings as are prescribed by this Act, or if there shall be any Opening whatever into or out of the Worm of a Still, except the Communication which such Worm shall have with the Still, and the Opening into the Safe at the End of such Worm, and except such Air Valve or Conductor as shall be approved of by the Commissioners, the Distiller, Rectifier, or Compounder shall forfeit the Sum of Two hundred Pounds.

of a Distiller, Rectifier, or Compounder except as herein described.

XXII. In every Still used by a Distiller, Rectifier, or Compounder there shall be a Hole or Opening, whereby the Officers may be enabled to take Gauges and Samples; and such Hole or Opening shall be not less than Two Inches in Diameter, and so contrived that the Officers may take Samples from the Still with a Phial, to be drawn perpendicularly through the same, and that the Still may be thereby cleansed, subject to such Directions as the Commissioners may give in that Behalf; and proper Fastenings shall be provided for locking and securing the said Hole or Opening, and for securing the Head of the Still and the Furnace Door thereof, and all such Fastenings shall be locked and secured by the proper Officer; and if a Still shall be set up or used by a Distiller, Rectifier, or Compounder in which there shall not be such Hole or Opening as aforesaid, or if a Distiller, Rectifier, or Compounder shall not observe any Directions which may be given by the Commissioners as aforesaid in that Behalf, he shall forfeit the Sum of Two hundred Pounds.

Distillers, &c. to make an Opening in their Stills through which Officers may take Samples, and the Stills be cleansed. Fastenings for securing such Opening.

XXIII. The End of the Worm of every Still in a Distillery shall be enclosed and secured in such Manner and by such Mechanism and Means as the Commissioners shall direct; and all Low Wines, Feints, and Spirits running from the End of the Worm shall run from thence directly into a Safe enclosed and secured as aforesaid, and shall be conveyed directly, and by such a Pipe as aforesaid open externally to the Inspection and Examination of the Officers for the whole Length thereof, from the Safe into the Receivers respectively; and if upon Demand by the proper Supervisor or Officer the End of every Worm shall not be enclosed and secured, and maintained and kept enclosed and secured in manner aforesaid, or if the whole of the Low Wines, Feints, or Spirits coming from the Worm shall not be run directly into a Safe so enclosed and secured as aforesaid, or if the Low Wines, Feints, and Spirits respectively, and every Part thereof, shall not be successively conveyed from the Safe into the Low Wines Receiver, Feints Receiver, and Spirit Receiver respectively, directly and by such a Pipe or Pipes as aforesaid, or if such Mechanism and Means of enclosing the End of the Worm and the Safe as aforesaid shall not be affixed and kept and preserved affixed as aforesaid, or if, after the End of any Worm and any Safe respectively are enclosed and secured, the Mechanism or Means by which the same shall be enclosed and secured shall be destroyed or injured, or if by any Contrivance Access shall be gained or had (except by the Sample Cock of such Safe), without Notice to or not in the Presence of the Officer, to the enclosed End of the Worm, or to any Low Wines, Feints, or Spirits, from the Time of the Extraction or Distillation thereof in the Still, until the same have been taken account of by the Officer in the proper Receiver, or if the Officer shall be in any Manner prevented from, or hindered, baffled, or defeated in ascertaining the Strength and Quality of any Low Wines, Feints, or Spirits whilst running, or in taking a true Account thereof in the Receiver, the Distiller shall forfeit the Sum of Two hundred Pounds.

The End of the Worm of every Still in a Distillery to be enclosed and secured, and the Spirits run into a close Safe, &c.

XXIV. There shall be a Discharge Cock fixed to every Still in a Distillery, and where there shall not be a Spent Lees Receiver such Discharge Cock on every Low Wines Still shall be kept safely and securely locked by the proper Officer, except when opened by him on reasonable Notice given by the Distiller, not oftener than once in Six Hours; and such Discharge Cock shall not be more than Three Feet distant from the Body of the Still, or Eighteen Inches from the Brickwork, and shall be firmly attached to the Still by a straight Metal Pipe; and such Discharge Cock and Pipe respectively shall be so fixed and placed as that the Officers may at all Times have free and convenient Access to the same.

Discharge Cock to be fixed to each Still and kept locked.

XXV. Every Distiller shall provide and fix to the Satisfaction of the Supervisor a proper Discharge Cock or Plug and Plughole in every Fermenting Wash Back, through which Cock or Plughole the Wash in such Wash Back shall from Time to Time be conveyed by a Main Pipe or open Trough into the Jack Back, if any, or into the Wash Charger; and such Main Pipe or Trough shall be placed and fixed in such Manner that all Wash or Liquor put therein shall forthwith run and be discharged from thence into the Jack Back or Wash Charger, as the Case may be, and not elsewhere; and there shall not be any other Pipe or Conveyance entering into or passing out of any Wash Fermenting Back, except the Pipe for conveying Wort into the Fermenting Back from the Coolers and a Sewer Cock or Plug for carrying off the Water wherewith the Back may have been cleansed; but a Distiller may lawfully place any close Metal Pipe in but not opening into any Wash Back, for the Purpose of conveying through the same hot or cold Air or Water for the Purpose of promoting or retarding the Fermentation of the Worts or Wash contained therein.

A Discharge Cock or Plug to be fixed in each Fermenting Wash Back.

XXVI. Every Cock kept or used by a Distiller, Rectifier, or Compounder shall be constructed in such Manner as shall be from Time to Time directed or approved by the Commissioners, on pain of his forfeiting the Sum of Fifty Pounds for every such Cock which shall be otherwise constructed.

Construction of Cocks used.

XXVII. Every Distiller, Rectifier, and Compounder respectively shall, at his own Expense, provide, maintain, and keep the several Utensils, Cocks, Pumps, Pipes, and Troughs which are required by this Act, and shall also at his own Expense provide, maintain, and keep proper and sufficient Fastenings for securing

Distiller, Rectifier, and Compounder to provide proper

Cocks, Pumps, Fastenings, &c. at his own Expense.

securing the several Cocks and Plugs by this Act directed to be secured, and for securing the Covers of or belonging to the Chargers and Receivers herein-before mentioned respectively, and also for securing the Pumps, Vessels, and Utensils allowed or required for the Purposes mentioned in this Act; and the Officer surveying any Distillery shall lock, secure, and fasten the several Cocks, Plugs, Covers, Pumps, Pipes, Vessels, and Utensils for which Fastenings are required to be provided in such Manner as the Commissioners may direct, and shall keep the same so locked, secured, and fastened at all Times, except when he shall be required under the Provisions of this Act to attend, and shall attend to unlock and open the same.

All Cocks, Plugs, Pumps, &c. to be kept and affixed to the Satisfaction of the Officer, and repaired at the Expense of the Distiller, Rectifier, and Compounder.

Penalty for Neglect.

Penalty for Fraud.

XXVIII. All Cocks, Plugs, Pumps, Pipes, Troughs, and other Utensils required by this Act shall be provided, placed, and affixed as by this Act directed, and kept in proper Repair and Condition by and at the Expense of the Distiller, Rectifier, or Compounder to the Satisfaction of the Supervisor or other superior Officer; and if a Distiller, Rectifier, or Compounder shall not, before he shall proceed to brew or make Wort or Wash, or to distil, rectify, or compound Spirits, provide, place, and affix, or shall not afterwards maintain all such Cocks, Plugs, Pumps, Pipes, Troughs, and Utensils to the Satisfaction of the proper Supervisor or other superior Officer, or shall not cause the same to be altered, amended, repaired, or renewed when and as often as he shall be required by such Supervisor or superior Officer, such Distiller, Rectifier, or Compounder so offending shall forfeit the Sum of Two hundred Pounds; and if a Distiller, Rectifier, or Compounder shall place, affix, or make any Cock, Plug, Pipe, Conveyance, or Opening to or in or into or from any Vessel or Utensil contrary to any Prohibition contained in this Act, or if he shall, in the Construction of any Cover, Fastening, Cock, Plug, Pump, or Pipe, cause or procure the same to be so made, or shall use the same when so made, as that any Vessel or Utensil may be employed, opened, removed, filled, or emptied in the Absence of the proper Officer, or so as in any Manner to avoid or defeat the Security intended to be given or provided by any of the Regulations of this Act, such Distiller, Rectifier, or Compounder shall forfeit the Sum of Five hundred Pounds.

Backs and fixed Vessels for keeping Spirits of Distillers, Rectifiers, and Compounders, Dealers and Retailers to have a Dipping Place therein, and be gauged and tabled by the Officers.

XXIX. At or near the Top of every Fermenting Wash Back, and of every fixed and entered Vessel for storing or keeping Spirits in the Premises of a Distiller, Rectifier, or Compounder, Dealer or Retailer, there shall be an Opening or Dipping Place, at which the Officer may conveniently take his Dip or Gauge of the Contents of such Vessel; and a Plate of Brass or other Metal shall be fixed at such Dipping Place to secure the same from being worn or altered; and all such Backs and Vessels respectively shall be gauged and tabled by the Officers in such Manner as shall be directed by the Commissioners, and shall be placed and kept in convenient Situations, and be at all Times easy of Access to the Officer for his more readily and effectually examining the same in every Part, and taking the Dip or Gauge thereof; and if in any Back or Vessel there shall not be such Opening or Dipping Place so constructed and secured as aforesaid, or if any Back or Vessel shall not be placed and kept in a convenient Situation and easy of Access to the Officer, or if the Officer shall by any Means or in any Manner whatever be prevented from ascertaining the Quantity and Gravity, or either of them, of the Wort or Wash contained in any Fermenting Wash Back, or the Quantity or Strength of any Low Wines, Feints, or Spirits in any Vessel, the Distiller, Rectifier, or Compounder, Dealer or Retailer, shall forfeit the Sum of Two hundred Pounds.

Commissioners may order more than One Dipping Place to be made in Spirit Receivers or in the Covers of Store Casks or Vats of Distillers.

XXX. The Commissioners, where they shall see fit, may order that there shall be Two or more such Dipping Holes as aforesaid in the Cover of any Spirit Receiver and in the Cover of any Store Cask or Vat used in a Distillery; and such Dipping Holes shall be made in such Places in the Cover of the Receiver, Store Cask, and Vat respectively as the Commissioners shall direct; and in One of such Dipping Holes in the Spirit Receiver there shall be placed a Dipping Rod, provided by the Officer, who shall secure the same in such Manner as to him shall seem expedient to prevent the Removal thereof; and each of the other Dipping Holes in the Spirit Receiver, and also the Dipping Holes in the Store Cask or Vat, shall be secured in such Manner as the Supervisor shall think proper; and if a Distiller shall refuse or neglect to cause such Dipping Holes or any additional Dipping Hole to be made, pursuant to the Order or Direction of the Commissioners, in any Spirit Receiver, or in any Spirit Store Cask or Vat used in his Distillery, or if he shall remove the Dipping Rod out of a Receiver, or remove the Fastening from any Dipping Hole, or otherwise gain Access to the Spirits in any such Vessel as aforesaid by means of any Dipping Hole, he shall forfeit the Sum of Two hundred Pounds.

Penalty if Dipping Place of any Still or Vessel be altered, or any Device used to deceive the Officer.

XXXI. If the Opening or Dipping Place or the Level of any Still, Back, Receiver, Store Cask, Vat, or other Vessel or Utensil in the Distillery or Premises of a Distiller, Rectifier, or Compounder, Dealer or Retailer, shall be in any Manner altered, or if any Device or Contrivance whatever shall be used to deceive any Officer in taking the Dip or Gauge of any Still, Back, Receiver, Store Cask, Vat, or other Vessel or Utensil, or to prevent any Officer from taking a true Account of the Quantity of Wort, Wash, Low Wines, Feints, or Spirits which may be contained therein respectively, the Distiller, Rectifier, or Compounder, Dealer or Retailer, shall forfeit the Sum of Two hundred Pounds.

Penalty on Distiller, Rectifier, or Compounder if the Position or Size of any

XXXII. If the Situation, Position, Size, or Capacity of any entered Still, Back, Receiver, or other Vessel, Utensil, or Pipe in the Distillery or Premises of a Distiller, Rectifier, or Compounder shall be in any Manner altered after Entry made thereof, or after the proper Officer shall have ascertained the Capacity or Content thereof, unless on such Notice as is herein provided, the Distiller, Rectifier, or Compounder shall forfeit the Sum of Two hundred Pounds; but it shall be lawful to

alter

alter the Size, Situation, or Position of any entered Still, Back, Receiver, or other Vessel or Utensil or Pipe, or to erect and set up any new one, on giving Two Days Notice in Writing of such intended Alteration to the proper Officer, specifying the particular Still, Back, Receiver, or other Vessel, Utensil, or Pipe, the Size, Situation, or Position whereof is intended to be altered, and on making due Entry of such new one, and conforming in all respects to the Regulations in this Act contained in that Behalf.

Still or Vessel be altered without Notice.

XXXIII. Provided always, That it shall be lawful for the Commissioners to permit a licensed Distiller, Rectifier, or Compounder working under the Regulations of any Act in force prior to the passing of this Act to keep or use such of the Vessels or Cocks already fixed or used in his Distillery or Premises as shall in the Judgment of the Commissioners be secure and adapted to the Purposes for which the same are respectively prescribed or required by this Act; and no Person to whom such Permission shall be granted shall be liable to any Penalty under this Act in respect of his keeping or using any such Vessels or Cocks so permitted, although the same may not be conformable to the Provisions hereof.

Commissioners may authorize Distillers and others to use their present Utensils, although not conformable to this Act.

XXXIV. Whenever any Officer shall require that the Water contained in any Worm Tub in a Distillery, at any Time when the Still shall not be at Work, shall be drawn off, and the Tub and Worm cleansed, the Water shall forthwith be drawn off, and the Tub and Worm cleansed by the Distiller or his Servants or Workmen accordingly; and the Water shall be kept and continued out of such Worm Tub for the Space of Two Hours, or until the Officer has finished his Examination thereof; and for any Refusal or Neglect to comply with the Requisition of the Officer in this Behalf, or the Provision in this Clause contained, the Distiller shall forfeit the Sum of Two hundred Pounds, and it shall be lawful for the Officer to draw off such Water, or any Portion of it, and to keep the same drawn off for so long a Time as he shall think necessary.

Officer may require the Water to be drawn off from the Worm Tub for Examination of the Worm and Tub.

XXXV. Every Distiller, Rectifier, and Compounder respectively shall cause to be legibly cut, branded, or painted with Oil Colour, on the Outside of both of the Heads or Ends of every rolling or moveable Cask used in his Distillery or Premises for keeping or delivering out Spirits, and shall at all Times keep so cut, branded, or painted thereon, his Name or Firm, and the Name of the Place where his Stock is kept, and also the full and true Number of Gallons, and when the Number is less than Eighty Gallons any Quarter or Quarters of a Gallon over and above any Number of entire Gallons which any such Cask shall be capable of containing; and if any Cask which shall be used for any Purpose aforesaid shall not have so cut, branded, or painted thereon the several Particulars aforesaid according to the Directions of this Act, such Cask, together with any Spirits contained therein, shall be forfeited.

The true Content to be marked on moveable Casks, and also the Name or Firm of the Distiller, &c. and the Place where his Stock is kept.

Making Entry of Premises and Utensils, and Regulations having reference to licensed and entered Premises.

XXXVI. Every Distiller, Rectifier, and Compounder respectively shall cause to be legibly painted with Oil Colour, and shall keep so painted, upon some conspicuous Part of every Vessel and Utensil intended to be used by him in his Trade or Business, and on the Outside of the Door of every Room and Place wherein any Part of his Trade or Business is to be carried on, or any Spirits are to be kept, the Name of such Vessel or Utensil, Room or Place, according to the Purpose for which it is intended to be used, and shall also paint thereon, in like Manner, separate Numbers relating to the same respectively, in arithmetical Progression, beginning with Number One for each Denomination or Description of Vessel or Utensil, Room or Place, upon pain of forfeiting the Sum of Fifty Pounds for every Neglect or Omission in this respect.

Utensils and Rooms to be marked.

XXXVII. Before a Distiller shall give notice of brewing or making and before he shall begin to brew or make Wort or Wash, and before a Rectifier or Compounder shall receive, rectify, or compound Spirits, such Distiller, Rectifier, and Compounder respectively shall make Entry by delivering or causing to be delivered to the proper Officer, to be by him entered and registered, an Account in Writing signed by the Distiller, Rectifier, or Compounder, setting forth his Name and Place of Abode, and the Place where the Premises intended to be entered are situated, and also setting forth a true and particular Description of every Vessel and Utensil intended to be therein used for the Purposes of such Trade or Business, and the Number of Gallons which every Still, together with the Head thereof, is capable of containing, or the Number of Gallons of Wash *per* Hour which every Distilling Apparatus is capable of distilling; and specifying fully and distinctly the Purpose for which each Vessel and Utensil is intended to be used; and also an Account of the several Houses, Rooms, and Places to be used for distilling, rectifying, or compounding Spirits therein, or in which any Part of such Business is to be carried on, or any Spirits are to be kept or deposited, and specifying also the particular Purpose for which every such House, Room, and Place is to be used; and in such written Account every Utensil, and every House, Room, and Place respectively, shall be distinguished by the separate and distinct Number and Name relating thereto respectively, which shall have been painted thereon pursuant to the Provision herein contained in that Behalf; and every such Account shall be in such Form and shall contain such Particulars as shall be from Time to Time required or directed by the Commissioners; but no Still or other Vessel or Utensil, nor any House, Room, or Place, shall be described in such Account as intended to

Entry to be made of the several Places and Utensils of Trade.

No Still or Utensil to be entered as

used for more than One Purpose.

to be used for more than One Purpose respectively; and every Entry in which any Still or other Vessel, House, Room, or Place shall be described as intended to be used for Two or more Purposes shall, as regards such Distiller, Rectifier, or Compounder, be deemed to be void, and he shall forfeit the Sum of Two hundred Pounds.

Drawing or Model to be given showing the Course of every fixed Pipe to be used in a Distillery, or by a Rectifier or Compounder.

XXXVIII. And with every such Account as aforesaid there shall be delivered a Drawing, Model, or Description distinctly showing the Course, Construction, and Use of all fixed Pipes to be used by the Distiller, Rectifier, or Compounder, and of every Branch thereof, and of every Cock thereon, together with every Place, Vessel, or Utensil from or to or with which any such Pipe shall lead or communicate; and every Pipe to be used by the Distiller, Rectifier, or Compounder, except for the Conveyance of Water and spent Wash only, shall be so fixed and placed as to be capable of being examined by the Officer for the whole of its Length or Course, and shall be painted and kept painted as herein-after mentioned; that is to say, every Pipe for the Conveyance of Wort or Wash shall be painted of a Red Colour, every Pipe for the Conveyance of Low Wines or Feints shall be painted Blue, every Pipe for the Conveyance of Spirits shall be painted Black, and every Pipe for the Conveyance of Water shall be painted White; and if any Pipe shall be used by a Distiller, Rectifier, or Compounder not set forth as aforesaid, or for any other Purpose than shall be so set forth, or which, except as aforesaid, shall not be fixed or placed, or painted and kept painted as herein directed, or which shall be painted otherwise than as herein directed, he shall forfeit the Sum of Fifty Pounds.

Penalty for using any Still, Utensil, &c., or Place not duly entered or contrary to the Entry.

XXXIX. If a Distiller, Rectifier, or Compounder shall use a Still, Vessel, or Pipe, or any Utensil whatever for any Purpose connected with the distilling, rectifying, or compounding of Spirits, or a fixed Cask for holding Spirits, or a House, Room, or Place for carrying on any Part of the Process of Distillation, Rectification, or compounding of Spirits, or for the keeping of Spirits, which Still, Vessel, Pipe, Utensil, Cask, House, Room, or Place shall not be set forth in the Account required to be signed and delivered by him as aforesaid, or which shall not be numbered as set forth in such Account, or which shall be in any other Place, or be used or applied for or to any other Purpose than shall be set forth in such Account, or shall not in all respects correspond with the Representation thereof as set forth therein, he shall forfeit the Sum of Five hundred Pounds; and every such Still, Vessel, Pipe, or other Utensil or Cask, and all Spirits or Materials for distilling or making Spirits which shall be contained therein, or which shall be found in any such House, Room, or Place, shall be forfeited.

No Entry of any Distillery or Utensils to be withdrawn whilst Wash or other Materials for Distillation remain therein.

XL. No Entry of any Distillery, Place, or Utensil for the Purpose of distilling Spirits shall be withdrawn whilst any Still, or any Wash, Low Wines, or other Materials preparing or fit for Distillation are remaining in any of the Places or in any of the Utensils mentioned in such Entry; and the Officers shall continue to survey the Distillery, Places, and Utensils mentioned in the Entry until all Stills shall be removed and the Wash, Low Wines, and other Materials shall be worked off, and the Duties charged on the Produce thereof paid, or until the Spirits made therefrom shall be legally removed from the entered Places.

Rectifying House not to be within a Quarter of a Mile of a Distillery, nor a Distillery within a Quarter of a Mile of a Rectifying House or of another Distillery.

XLI. No Person shall make Entry of or use any House or Premises for rectifying or compounding Spirits, or for receiving or keeping Spirits by any Rectifier or Compounder, within the Distance of One Quarter of a Mile in a direct Line from any House or Premises which shall be entered or used for preparing Wort or Wash, or for making or distilling Spirits, or for receiving or keeping Spirits by a Distiller; nor shall any Person make Entry of or use any House or Premises for preparing Wort or Wash, or for making or distilling Spirits, or for receiving or keeping Spirits by a Distiller within the Distance of One Quarter of a Mile in a direct Line from any House or Premises which shall be entered or used for rectifying or compounding Spirits, or for receiving or keeping Spirits by a Rectifier or Compounder, on pain of forfeiting in every such Case the Sum of Five hundred Pounds for every Week that any such House or Premises shall be entered or used respectively, contrary to any such Prohibition as aforesaid; and the Entry of any such House or Place so made use of contrary to the Intent and Meaning hereof shall, as regards the Person making the same, be null and void; but the Prohibition and Penalty aforesaid shall not extend to any House or Premises entered and used in the Manner herein prohibited on the Fifth Day of *April* One thousand eight hundred and twenty-five, provided such House or Premises have ever since continued, and so long only as the same shall continue, to be so entered and used, and there shall be no Way, Opening, or Communication whatsoever by which Wort, Wash, or Spirits can be removed or conveyed otherwise than through an open public Street or Carriageroad from or to such House or Premises entered or used by a Distiller to or from any such House or Premises entered or used by any other Distiller, or a Rectifier or Compounder.

Distiller or Rectifier or Compounder not to be a Brewer or a Maker of Sweets, Vinegar, Cider, or Perry, or a Refiner of Sugar, nor carry on

XLII. No Person shall, upon the same Premises, carry on the Trade or Business of a Distiller, or of a Rectifier or Compounder keeping or using a Still, and of a Brewer of Beer, or of a Maker of Sweets, Vinegar, Cyder, or Perry, or of a Refiner of Sugar, or of a Dealer in or Retailer of Wine, nor shall any Person enter or use for the carrying on of either of the said Trades or Businesses of a Distiller or Rectifier or Compounder keeping or using a Still any House or Premises having any Communication, Opening, or Way internally or through any enclosed or private Yard, Garden, Field, Passage, private Road or Place, or otherwise than through an open public Street or Carriageroad with any other House or Premises used or employed by any Brewer of Beer, or Maker of Sweets, Vinegar, Cyder, or Perry, or Refiner of Sugar, or by any Dealer in or Retailer of Spirits, or by any Dealer in or Retailer of Wine,

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on pain of forfeiting the Sum of Two hundred Pounds; but where any House or Premises shall have been so entered and made use of as aforesaid by any Person on the Fifth Day of *April* One thousand eight hundred and twenty-five, and shall have continued to be so entered and used up to the Time of the Commencement of this Act, under the special Licence of the Commissioners of the Treasury in that Behalf, it shall be lawful for the Person to whom such Licence was granted to continue the Use of such Premises upon the Terms and Conditions on which such Licence was granted until the Expiration or Revocation thereof.

his Business on Premises having any private Communication with the Premises of any such Trader.

XLIII. Every licensed Distiller, Rectifier, or Compounder shall cause to be painted in Oil Colour, in Letters publicly visible and legible, at least Three Inches in Height, and of a proper and proportionate Breadth, and in White on a Black Ground, the Name or Firm of such Distiller, Rectifier, or Compounder at full Length, followed by the Words "Licensed Distiller," or "Licensed Rectifier," or "Licensed Compounder," as the Case may be; and the Distiller, Rectifier, or Compounder shall cause such Painting to be done or affixed in some conspicuous Place on the Outside of the Front of his Distillery or entered Premises, over the Gate or Entrance Door thereto, not more than Three Feet from the Top of such Gate or Entrance Door, and shall preserve and keep up such Painting during the Continuance of his Licence, and for any Neglect or Default herein he shall forfeit the Sum of Fifty Pounds; and if any Person on or before whose House or other Place any Painting, Board, or Sign shall be affixed or placed importing that such Person is a Distiller, Rectifier, or Compounder, or exercises or carries on the Trade of a Distiller, Rectifier, or Compounder, or purporting that such Person is licensed so to do, shall not at the Time be duly licensed for such Purpose, he shall forfeit the Sum of Fifty Pounds.

Distillers, Rectifiers, and Compounders to affix a Board on the Front of their Premises importing that they are licensed.

Penalty on unlicensed Persons affixing such Board.

Admission of Officers into Entered Premises, and Power to search.

XLIV. It shall be lawful for any Officer, at all Times, as well by Night as by Day, to enter into every House, Distillery, Still House, Outhouse, and Place whatsoever of or belonging to or made use of by any Distiller, Rectifier, or Compounder, and to gauge, measure, and take an Account of every Still or other Vessel or Utensil of any Kind kept or used therein, and to gauge and take an Account of the Quantity and Strength of all Spirits and Compounds therein, and of all Low Wines and Feints which shall be made or distilled, and of the Quantity and Gravity of all Wort and Wash which shall be made use of in any Distillery, and of all Bub and other Compositions for exciting or producing Fermentation in any Wort or Wash, and of all Spirits, and Materials for making or distilling Spirits, which shall be in any Distillery or Premises, or in the Possession of any Distiller, Rectifier, or Compounder; and if any Officer, or any Person acting in his Aid, shall be hindered, obstructed, or prevented by any Distiller, Rectifier, or Compounder, or by any Servant, Workman, or other Person acting for him or in his Employ, from entering into any Distillery, or any House, Outhouse, or other Place whatsoever of or belonging to or made use of by such Distiller, Rectifier, or Compounder, or if any such Officer or Person shall be, by the Distiller, Rectifier, or Compounder, or his Servant or Workman, or any Person in his Employ, prevented or hindered from, or opposed, obstructed, or molested in the Performance of his Duty under this Act in any respect, the Distiller, Rectifier, or Compounder shall forfeit the Sum of Two hundred Pounds.

Officers empowered to enter Distilleries and Premises of Rectifiers and Compounders to gauge, &c.

Penalty for obstructing Officers.

XLV. If any Officer, after having demanded Admittance into the Distillery or entered Premises of a Distiller, Rectifier, or Compounder, and having declared his Name and Business at the Gate or Entrance Door, or at any Window of the Distillery or Premises, shall not be immediately admitted into such Distillery or Premises, it shall be lawful for such Officer and any Person acting in his Aid, at all Times, as well by Night as by Day (but if by Night then in the Presence of a Constable or other Peace Officer), to break open by Force any of the Doors or Windows, or to break through any of the Walls of such Distillery or Premises necessary to be broken open or through to enable him and them to enter the said Distillery or Premises; and moreover the Distiller, Rectifier, or Compounder shall forfeit the Sum of Two hundred Pounds.

Penalty for not admitting Officer after declaring his Name and Business.

Officer may break open Premises if refused Admittance.

XLVI. If, on Demand of any Officer, made in the Distillery or entered Premises of a Distiller, Rectifier, or Compounder, strong, safe, and convenient Ladders of sufficient Length to enable the Officer to ascend to and examine and gauge and descend from any Vessel or Utensil in such Distillery or Premises, shall not be provided and conveniently and firmly placed, or if any such Ladder shall not be fixed at or in the Part of such Vessel or Utensil where such Officer shall require, or if on a Visit made by any Officer, by Day or by Night, sufficient Lights and Aid shall not, on his Demand, be supplied for the Purpose of enabling him to gauge or ascertain the Content or Capacity of any Vessel or Utensil, or to search for and gauge and take an Account of any Wort, Wash, Bub, Low Wines, Feints, and Spirits, or of any Materials which may be used for Distillation in such Distillery or Premises, or in the Possession of the Distiller, Rectifier, or Compounder, the Distiller, Rectifier, or Compounder shall forfeit the Sum of One hundred Pounds.

Distillers, Rectifiers, and Compounders to furnish Officers with Ladder and Lights.

XLVII. It shall be lawful for any Officer and any Person acting in his Aid, by Night or by Day, to break up the Ground in any Part of the Distillery or entered Premises of a Distiller, Rectifier, or Compounder, or any Ground adjoining or near to such Distillery or Premises, or any Wall or Partition thereof or belonging thereto, or other Place, to search for any Pipe or Cock, or private Conveyance or Utensil, and upon finding any such Pipe or Conveyance leading therefrom or thereto to break up any Ground, House, Wall, or other Place through or into which such Pipe or other Conveyance shall lead, and

Officers may break up Ground in Distillery or rectifying Premises to search for private Pipes, &c.

and to break up or cut away such Pipe, Cock, or other Conveyance, and to turn any Cock, and to examine whether such Pipe or other Conveyance may convey or conceal any Wort, Wash, or other Liquor which may be used for Distillation, or Low Wines, Feints, or Spirits, from the Sight or View of the Officer, so as to prevent or hinder him from taking a true Account thereof.

Upon Oath made of Grounds to suspect any private concealed Still or private Distillation, a special Warrant to break open the suspected House, and to seize such Stills, Spirits, &c. may be granted.

XLVIII. If any Officer of Excise or Customs shall know or have Cause to suspect that a private or concealed Still, Back, or other Vessel or Utensil for making Worts or Wash, or for making or distilling Low Wines or Spirits, or any privately made Spirits or Low Wines, or any Wash or other Materials preparing for Distillation, are kept or deposited in any House or Place, then, if such House or Place shall be within the Limits of the Chief Office, upon Oath made by such Officer before Two of the Commissioners, or before any Metropolitan Police Magistrate sitting at a Metropolitan Police Court, or if the same shall be at any Place out of the said Limits, then upon Oath made by such Officer before a Justice of the Peace of the County or Place, setting forth the Ground of Suspicion, it shall be lawful for the said Commissioners or Magistrate or Justice before whom such Oath shall be made, if they or he shall judge it reasonable, by Warrant under their Hands respectively, to authorize and empower such Officer, and any Person whom he may call to his Assistance, by Day or by Night (but if in the Night-time then in the Presence of a Constable or other lawful Officer of the Peace, who is hereby required to be aiding therein), to break open the Door or any Part of such House or Place where he shall so know or suspect such private or concealed Still, Back, or other Vessel, Utensil, Spirits, Low Wines, Wash, or Materials for Distillation are so kept or deposited, and to enter into such House or Place, and to seize all Stills, Backs, or other Vessels and Utensils, and all Spirits, Low Wines, Wash, and other Materials preparing for Distillation, which he shall find and discover, and either to detain and keep the same in the House or Place where found, or to remove the same to the Office of Excise or other Place of safe Custody near to the Place where the same shall be so discovered and found; and in case the same shall not within Ten Days next after the Seizure be claimed by the true and lawful Owner thereof, then they shall be absolutely forfeited; and the Proprietor of any private or concealed Still, Back, or other Vessel or Utensil, or the Person in whose Custody the same shall be found, whether the same be claimed or not, shall forfeit for every Place in which the same shall be found, and also for every such Still, Back, Vessel, and Utensil found therein, the Sum of Two hundred Pounds; and if any Person shall obstruct, oppose, molest, or hinder any Officer of Excise or Customs, or other Person acting in his Aid, in the seizing of any such private or concealed Still, Back, or other Vessel or Utensil, Spirits, Low Wines, Wash, or other Materials for Distillation, or in detaining or keeping or removing the same or any of them after Seizure, the Person so offending shall forfeit the Sum of Two hundred Pounds: Provided always, that any Officer of Excise or Customs may lawfully seize any such private or concealed Still, Back, or other Vessel or Utensil, Spirits, Low Wines, Wash, or other Materials for Distillation, without such Warrant as aforesaid.

Penalty for obstructing Officer.

Materials for the Distillation of Spirits.

Distiller to use only Wort or Wash made in his Distillery.

XLIX. No Distiller shall distil or make Spirits otherwise than from Wort or Wash brewed or made in his Distillery; and it shall not be lawful for a Distiller to have in his Possession any Wort, Wash, Low Wines, Feints, or fermented Liquor which shall not have been brewed or made in his Distillery under the Provisions of this Act, on pain of forfeiting the same, and also the Penalty of Two hundred Pounds.

Materials to be used in making Wort.

L. In the brewing or making of Wort or Wash for the Distillation of Spirits, a licensed Distiller may use any Material whatever, provided the Wort or Wash produced therefrom be capable of having the Gravity thereof ascertained by any Saccharometer approved of by the Commissioners for that Purpose.

During Recess Her Majesty may, by Proclamation, prohibit Distillation of Spirits from Corn.

LI. Provided always, That if, during the Recess of Parliament, it shall, from the excessive Price of Corn, appear to Her Majesty to be expedient, it shall be lawful, by Her Majesty's Royal Proclamation, to be issued by and with the Advice of Her Privy Council, or by Her Order in Council to be published in the *London Gazette*, to prohibit the distilling or making of Spirits from Barley, Malt, or any Sort of Grain, and from Meal or Flour, during such Recess, and until Twenty Days after the Commencement of the then next Session of Parliament.

Distiller may grind Malt with Mill Stones.

LII. Malt to be used by any Distiller in the Distillation of Spirits may be ground by Mill Stones or by such other Means as he may think fit in the secured Mill Room at his Distillery.

As to the using of Sugar, Molasses, and Treacle in the Distillation of Spirits.

Distillers, on giving Security, to have Duty-free Sugar and Molasses delivered to them, for distilling.

LIII. Every Distiller who shall have given Security as herein-after mentioned shall be entitled to remove, on such Terms and Conditions and in such Manner as the Commissioners of Inland Revenue shall think fit, Sugar and Molasses, without previously paying the Duties of Customs or Excise thereon, from any Customs or Excise Warehouse in which the same may be deposited to the proper Store-room at his Distillery provided for Sugar and Molasses, for the sole Purpose of being consumed in the distilling of Spirits; and all such Sugar and Molasses which shall be so consumed shall be free from the Duties of Customs or Excise.

Distiller to give Bond,

LIV. Every Distiller intending to use Sugar or Molasses Duty-free in the distilling of Spirits shall enter into a Bond to Her Majesty, with sufficient Sureties, to the Satisfaction of the Commissioners of

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Inland Revenue or the Commissioners of Customs, and in such Sum as the said respective Commissioners shall think proper, conditioned that all Sugar and Molasses which shall be from Time to Time delivered to him from any Warehouse without Payment of the Duties of Customs or Excise thereon shall be forthwith duly conveyed to and deposited in the proper Store-room for Sugar and Molasses provided at his Distillery, and shall from Time to Time within the Space of One Calendar Month next after the Delivery thereof from any such Warehouse be used and consumed by him solely in the distilling of Spirits in his Distillery; and the Condition of such Bond shall also contain all such further Terms and Stipulations as the said Commissioners respectively shall deem to be necessary or proper for preventing Frauds in relation to the Use or Disposal of Sugar or Molasses delivered Duty-free for the Purpose aforesaid; and the Distiller shall give a fresh Bond, with Sureties, as aforesaid, when and as often as he shall be required so to do by the said Commissioners respectively, and in default thereof he shall not be entitled to have Sugar or Molasses Duty-free.

with Sureties conditioned to secure the due Consumption of Duty-free Sugar and Molasses in the distilling of Spirits.

LV. No Distiller shall receive into his Possession any Sugar or Molasses, to be used for the Distillation of Spirits, except from the Warehouse in which the same was warehoused under the Laws and Regulations of the Customs or Excise, and in the same State, and in the same Hogsheads, Puncheons, Casks, Bags, or Packages, with the same Marks and Numbers thereon, in which it was cleared and delivered from the Warehouse; and all such Sugar or Molasses shall be accompanied with a Certificate from the proper Officer of Customs or Excise, setting forth the Name of the Warehouse or Place from which the Sugar or Molasses is removed, and the Name of the Distillery and Distiller where and to whom the same is to be carried, and the Kind or Quality of such Sugar or Molasses, and the Number of Hogsheads, Puncheons, Casks, Bags, and Packages in which the same is contained, together with the Marks and Numbers thereon respectively, and the Tare and Net Weight of each; and every Distiller who shall receive into his Possession any Sugar or Molasses except as aforesaid, or without the same being accompanied with such Certificate as aforesaid, shall forfeit the Sum of Two hundred Pounds, and all such Sugar or Molasses shall also be forfeited.

No Sugar or Molasses to be received by Distillers except from the Customs or Excise Warehouse, and in same State as when cleared, and accompanied with a Certificate from the Officer.

LVI. No Distiller shall receive into his Possession any Treacle for the Distillation of Spirits, except from the Warehouse of the Sugar Refiner or Manufacturer of such Treacle from Sugar or Molasses, and in the same State, and in the same Hogsheads, Puncheons, or Casks (none of them being of less Content than Fifty Gallons), with the same Marks and Numbers thereon, in which the same was first prepared and packed in Warehouse; and all such Treacle shall be accompanied with a Certificate from the Sugar Refiner or Manufacturer by whom the same was made or prepared, setting forth the Name of the Warehouse or Place where such Treacle was made, and from which the same was removed, and the Name of the Distillery and Distiller whither and to whom the same is to be carried, and the Number of Hogsheads, Puncheons, and Casks in which the same is contained, together with the Marks and Numbers thereon respectively, and the Tare and Net Weight of each; and every Distiller who shall receive into his Possession any Treacle otherwise than as aforesaid, or without the same being accompanied with such Certificate as aforesaid, shall forfeit the Sum of Two hundred Pounds, and all such Treacle shall also be forfeited.

No Treacle to be received by Distillers, except from the Refiner or Manufacturer, and in same State and Packages as when first packed, nor unless accompanied with a Certificate from the Refiner or Manufacturer.

LVII. Every Distiller intending to use Sugar, Molasses, or Treacle in the Distillation of Spirits shall provide and keep a separate and convenient and secure Storehouse or Room for each (if so required by the Commissioners) at his Distillery, which Storehouse or Room shall be sufficiently lighted, and shall be subject to the Approval of the Commissioners, for the Purpose of depositing and securing therein the Sugar, Molasses, or Treacle received by him for the Distillation of Spirits; and every such Storehouse or Room, when so approved of, shall be specially entered by the Distiller for the Purpose aforesaid, and the Collector or Supervisor shall provide and affix proper Locks thereto, and the Distiller may, if he please, at his own Expense, provide and affix other Locks thereto, the Keys of which last-mentioned Locks he may keep; and in such separate Storehouse or Room the Distiller shall keep all Sugar, Molasses, or Treacle received by him, and which shall be deposited therein in the Presence of the proper Officer, and on such Notice as after mentioned; and no Sugar, Molasses, or Treacle shall be delivered or removed out of such Storehouse or Room except in the Presence of the Officer, and on such Notice as after mentioned, and for the Purpose of being conveyed immediately to the Mash Tun or to such other Vessel as, with the Approbation of the Commissioners, shall be entered for that Purpose, to be there immediately dissolved and used in the Manufacture of Spirits; and if any Distiller shall refuse or neglect to provide and keep such Storehouse or Room, or to make Entry thereof as aforesaid, or shall deposit therein or remove therefrom any Sugar, Molasses, or Treacle, except in the Presence of and upon due Notice to the proper Officer, and except for such Purpose as aforesaid, or shall not deposit in a separate and secure Storehouse or Room as aforesaid all Sugar, Molasses, or Treacle received by him, he shall forfeit the Sum of Two hundred Pounds; and all Sugar, Molasses, and Treacle deposited or removed contrary hereto shall also be forfeited.

Distiller using Sugar, Molasses, or Treacle to provide a Storehouse at his Distillery in which the same shall be deposited and secured.

No Sugar, &c. to be removed out of such Storehouse, except in the Presence of the Officer.

LVIII. Every Distiller shall, before receiving any Sugar, Molasses, or Treacle to be used for the Distillation of Spirits, give Twelve Hours previous Notice in Writing to the Officer surveying his Distillery of the Time when the same is to arrive; and the Distiller shall, on the Attendance of the Officer on such Notice, produce to him all the Sugar, Molasses, or Treacle respectively received by him, in the same State, and in the same Hogsheads, Puncheons, Casks, Bags, or Packages, with the same Marks and

Distiller to give 12 Hours Notice to the Officer of receiving Sugar, &c., and pro-

duce the same to him in the same State as received to be deposited in the Storehouse.

and Numbers thereon, as when cleared and delivered from the Customs or Excise Warehouse if Sugar or Molasses, or as when prepared and packed in the Warehouse of the Sugar Refiner or Manufacturer thereof if the same be Treacle; and the Distiller shall at the same Time deliver up to the Officer the Certificate which accompanied such Sugar, Molasses, or Treacle, and on being required by the Officer the Distiller shall weigh or cause to be weighed, and shall give the Officer all necessary Assistance in taking account of all such Sugar, Molasses, and Treacle, in such Manner as the Commissioners may direct; and the Officer after due Examination, and on being satisfied therewith, shall permit the Distiller to deposit the same in the Storehouse or Room provided as before mentioned; and if a Distiller shall receive any Sugar, Molasses, or Treacle without having given such Notice, or shall fail to produce such Sugar, Molasses, or Treacle, or to deliver up such Certificate as aforesaid, or if, before such Officer has seen such Sugar, Molasses, or Treacle weighed and taken account of and deposited, the Distiller shall make any Alteration in the Quantity or Quality thereof, or in the Hogsheads, Puncheons, Casks, Bags, or Packages containing the same, or in the Marks or Numbers thereon respectively, when such Sugar or Molasses was cleared and delivered from the Customs or Excise Warehouse, or when such Treacle was prepared and packed in the Warehouse of the Sugar Refiner or Manufacturer thereof, such Distiller shall forfeit the Sum of Two hundred Pounds, and all such Sugar, Molasses, and Treacle shall also be forfeited.

Four Hours Notice to be given before removing Sugar, &c. from the Storehouse to the Mash Tun.

LIX. When a Distiller shall be desirous of taking Sugar, Molasses, or Treacle out of the Storehouse or Room, for the Purpose of using the same for the Distillation of Spirits, he shall give Four Hours previous Notice in Writing to the proper Officer of the Time when he desires to take out the same, and specify the Quantity thereof; and the Officer receiving such Notice shall attend at the Time therein mentioned, and shall unlock the Storehouse or Room from which the Sugar, Molasses, or Treacle is to be removed, and shall see weighed out therefrom the Quantity expressed in such Notice, and the same shall be delivered from the Storehouse or Room in the original Package only, and shall then be conveyed directly from the Storehouse or Room to the Mash Tun, or to such other Vessel as, with the Approbation of the Commissioners, shall be entered for that Purpose, to be there dissolved and used in the Manufacture of Spirits, or shall forthwith be again deposited in the Storehouse or Room as aforesaid, under the Lock of the Officer, to be again removed only on the like Notice; and if a Distiller removing Sugar, Molasses, or Treacle shall not convey the same directly from the Storehouse or Room to the Mash Tun or to such other Vessel as aforesaid, and there dissolve and use the same in the Manufacture of Spirits, or otherwise forthwith deposit the same again as aforesaid, or shall remove or dispose of the same otherwise than as aforesaid, he shall forfeit the Sum of Two hundred Pounds; and all Sugar, Molasses, and Treacle so removed, and not conveyed, dissolved, and used, or again deposited as aforesaid, and all Sugar, Molasses, and Treacle found deposited in any Place in the Distillery, or in any Premises adjoining thereto, other than the separate Storehouse or Room or Mash Tun or such Vessel as aforesaid, shall also be forfeited.

Sugar, &c. to be conveyed direct from the Storehouse to the Mash Tun, or re-deposited.

Officer to keep an Account of the Stock of Sugar, &c. in the Storehouse.

LX. The proper Officer shall, in such Manner as the Commissioners may direct, keep an Account by way of Debtor and Creditor of the Sugar, Molasses, and Treacle respectively in Stock in each separate Storehouse or Room provided by the Distiller; and shall in such Account debit the Stock with the Quantity of Sugar, Molasses, and Treacle respectively from Time to Time deposited in the Storehouse or Room, and shall credit the Stock with the Quantity from Time to Time weighed and delivered out in his Presence; and if at any Time, upon striking a Balance on such Account, the Quantity in the Storehouse or Room be found to exceed the Quantity which by the said Stock Account ought to be therein, the Distiller shall be deemed to have deposited Sugar, Molasses, or Treacle therein without Notice to and not in the Presence of the proper Officer, and all such Excess of Sugar, Molasses, or Treacle shall be forfeited; and if the Quantity in such Storehouse or Room be found to be less than the Quantity which by the said Stock Account ought to be therein, the Distiller shall be deemed to have removed Sugar, Molasses, or Treacle therefrom without Notice to and not in the Presence of the proper Officer, and he shall over and above all other Penalties forfeit the Sum of Twenty Pounds; but such last-mentioned Penalty shall not be incurred if the Deficiency be proved to the Satisfaction of the Commissioners to have arisen from unavoidable Accident or Loss.

As to the fraudulent Disposal of Malt, Sugar, Molasses, or Treacle from a Distillery.

Distillers prohibited from selling Malt, Sugar, Molasses, &c.

LXI. It shall not be lawful for a Distiller to sell any Malt, Sugar, Molasses, or Treacle, or to send out or deliver any such Article from any Malthouse, Distillery, or other Premises belonging to him; and every Person who shall knowingly buy any Malt, Sugar, Molasses, or Treacle from a Distiller, or who shall take or receive any such Article from a Distillery, shall forfeit the Sum of One hundred Pounds; and if a Distiller shall sell any Malt, Sugar, Molasses, or Treacle, or take or send out or remove any Malt from his Malthouse (except Malt duly removed therefrom to his Distillery or for Exportation under a Permit granted in that Behalf), or take or send out or remove any Malt, Sugar, Molasses, or Treacle from his Distillery, or if a Distiller shall not use all Corn or Grain received at his Malthouse by making the same into Malt, and consume all such Malt in his Distillery, or shall convey away or conceal any Malt or Corn or Grain, or any Sugar, Molasses, and Treacle, he shall forfeit the Sum of Two hundred Pounds; and all Malt, Sugar, Molasses, and Treacle which shall be found in any Distillery or

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the Premises belonging thereto, otherwise than in the proper Store-room or Mill-room or in the Mash Tun, or, being duly removed to or from any such Places in the Manner directed or allowed by this Act, shall be deemed to be conveyed away and concealed by the Distiller, and shall subject him to the said Penalty in that Behalf; and all Malt, Corn, and Grain, and all Sugar, Molasses, and Treacle, which shall be respectively sold, sent out, delivered or received, or conveyed away, hidden, or concealed contrary to any of the Provisions of this Act, shall be forfeited.

Commissioners may revoke the Licence of a Distiller on a Second Conviction of certain specified Offences.

LXII. And if a Distiller shall be convicted of any of the several Offences specified in the last preceding Clause, and shall afterwards be again convicted either of the like Offence or of any other of the said several Offences specified as aforesaid, it shall be lawful for the Commissioners to revoke and annul the Licence granted to such Distiller, and to refuse to grant to him any further Licence as a Distiller at any Time thereafter, and also to refuse to grant during the Space of One Year any such Licence to any other Person to exercise the like Trade or Business at the same Premises where the Act or Offence which shall be the Ground of such Second Conviction or Judgment as aforesaid was done or committed.

Persons found unlawfully removing Malt, Sugar, &c. from a Distillery, may be arrested, and taken before a Justice, and summarily dealt with.

LXIII. And if any Person shall be found taking or removing Malt, Sugar, Molasses, or Treacle, or Wort or Wash, from any Distillery or the Premises thereto belonging, it shall be lawful for any Officer to arrest and detain such Person, and to convey him before a Justice of the Peace residing near the Place where the Arrest shall be made, who shall hear and determine, as soon after as practicable, the Charge against the Person so arrested, and on his Confession, or on due Proof upon Oath of such Offence, convict the Offender in the Penalty of One hundred Pounds; and the Person so convicted shall forthwith pay the said Penalty into the Hands of the said Officer, for the Order and Direction of the Commissioners, and in default thereof the Justice shall commit the Offender to any Gaol or Prison of the County or Place, there to be kept to Hard Labour for any Period not exceeding Six Calendar Months nor less than Two Calendar Months, unless the Penalty shall be sooner paid.

As to the brewing and fermenting of Wort, and the distilling of Wash, Low Wines, and Feints.

Distiller not to brew Wort or use a Still on Sundays.

LXIV. No Malt, Corn, Grain, or other Material shall be mashed, nor any Wort brewed or made, nor any Still used, by a Distiller, Rectifier, or Compounder, at any Time between the Hour of Eleven of the Clock in the Afternoon of any *Saturday* and the Hour of One of the Clock in the Forenoon of the next succeeding *Monday*, on pain of his forfeiting the Sum of Fifty Pounds.

Distiller to brew and distil in alternate Periods only.

LXV. In every Distillery the Periods of brewing or making Wort or Wash and distilling Spirits shall be always alternate and distinct Periods, and be called respectively the Brewing Period and the Distilling Period; and the Brewing Period shall be deemed to extend from the Commencement of any Process of wetting, brewing, or mashing any Malt, Corn, or Grain, or other Materials, until after every such Process shall have ceased, and all the Wort or Wash in the Distillery shall have been collected into the Fermenting Backs and Wash Charger, and the Declaration of such Collection delivered to the Officer as herein-after mentioned; and the Distilling Period shall be deemed to extend from the Commencement of the Distillation of any Wort or Wash until after all the Wort or Wash and all the Low Wines or Feints in the Distillery or in the Possession of the Distiller shall have been distilled into Spirits, and conveyed into the Spirits Receiver (except such Feints as shall have been produced by the last Re-distillation of the last Charge of the Still), and until the several Furnace Doors on the Steam Pipe of every Still in the Distillery shall have been locked and secured by the proper Officer; and (save and except as herein-after provided, and on the Condition herein-after expressed,) no Wort or Wash, or Low Wines or Feints, shall be distilled, nor any Still be made use of, in a Distillery, until the Expiration of Four Hours after the Termination of the Brewing Period; and (save and except and on Condition as aforesaid) no Malt, Corn, Grain, or other Material shall be wetted, brewed, or mashed, nor any Wort or Wash be made or produced, in a Distillery, during the Distilling Period: Provided always, that immediately after the last Portion of all the Wash in the Possession of the Distiller has been removed into the Wash Charger, he shall be allowed to begin to brew Wort, but on this express Condition only, that all such Wash shall be forthwith distilled and every Still shall be worked off and secured as aforesaid within the respective Times herein limited in that Behalf, that is to say, every Low Wines Still within Thirty-two Hours and every other Still within Sixteen Hours after the said last Portion of Wash was removed into the Wash Charger as aforesaid; and if, in any Distillery, Wort or Wash, or Low Wines or Feints, shall be distilled, or any Still be made use of, or Malt, Corn, or Grain, or other Material, shall be wetted, brewed, or mashed, or Wort or Wash shall be made or produced, during any Period hereby prohibited in that Behalf respectively, or contrary to any Condition or Provision herein contained, the Distiller shall forfeit the Sum of Five hundred Pounds.

Distiller to give Six Days Notice of beginning to brew, and of recommencing brewing.

LXVI. Every Distiller shall, before beginning to brew or make Wort, and every Distiller who shall have discontinued making Wort for a longer Period than One Calendar Month shall, before recommencing to brew or make Wort, give Six Days Notice in Writing to the proper Supervisor or Officer, setting forth the Day on which the Distiller intends to begin or to recommence (as the Case may be) brewing or making Wort, and if any Distiller shall begin or, after Discontinuance, shall recommence the brewing or making of Wort, or if any Wort or Wash shall be found in the Distillery or Possession of a

Distiller who shall not have given such Notice in manner and in the respective Cases aforesaid, or at any Time before the Day set forth in such Notice, or if there shall be found anywhere in his Possession Wort or Wash which he may not lawfully have in his Possession, in every such Case all such Wort or Wash shall be forfeited, and the Distiller shall forfeit the Sum of Two hundred Pounds.

Distiller to give Four Hours Notice of each Brewing of Wort.

LXVII. Every Distiller shall from Time to Time, at least Four Hours before he shall mash or brew for making Wort, deliver to the proper Officer a Notice in Writing setting forth the Day and Hour when such Mashing or Brewing is to be commenced; and if any Mashing or Brewing of any Materials shall be commenced or made in a Distillery without such Notice having been given, the Distiller shall forfeit the Sum of Fifty Pounds.

Yeast to be added only in Fermenting Back.

LXVIII. No Distiller shall add Yeast or other Matter capable of causing Fermentation to any Wort or Wash in any Vessel, except the Fermenting Wash Backs, on pain of forfeiting the Sum of Two hundred Pounds for so doing.

Declaration to be given of the Quantity and Gravity of the Wort when collected in the Fermenting Back.

LXIX. All Wort shall be conveyed into and collected in the Fermenting Back within the Space of Eight Hours after the running or conveying of such Wort into such Back shall have commenced; and the Distiller shall without Delay deliver to the proper Officer a Declaration in Writing specifying the Number of the Back in which the Wort is contained, and the Gravity, or if Yeast has been added the original Gravity of such Wort, and also setting forth the Quantity thereof by stating the Number of dry Inches, that is to say, the Number of Inches between the proper Dipping Place of the Back and the Surface of the Wort therein; and for any Neglect or Omission to comply with the Directions in this Clause contained, or for any untrue Declaration or Statement in this Behalf, the Distiller shall forfeit the Sum of Two hundred Pounds.

Penalty on Increase of Gravity or Quantity of the Wort.

LXX. If after any such Declaration as aforesaid shall have been delivered the Gravity of the Wort shall be found to exceed the Gravity specified in the Declaration, or if the Quantity of the Wort or Wash shall be found to exceed by Five *per Centum* the Quantity of Wort mentioned in the Declaration as the Quantity collected as aforesaid, the Distiller shall forfeit the Sum of Two hundred Pounds.

Penalty if Wort or Wash be found to exceed in Gravity or Quantity the Gravity or Quantity previously ascertained by the Officer.

LXXI. And if, after any Officer shall have taken an Account of the Gravity or Quantity of the Wort or Wash in any Fermenting Back, any Wort shall be found in such Back, or any Wash in process of Fermentation shall be found therein exceeding in Gravity, or exceeding by Five *per Centum* or more in Quantity the Wort or Wash in such Fermenting Back of which such Account had been previously taken, all such Wort or Wash in such Back shall be considered as new, and not included in any former Charge against the Distiller in whose Possession the same shall be found, and the Distiller shall be charged with Duty in respect of the whole of the Wort or Wash in such Back, as not before charged, and the Wort or Wash of which such Account had been previously taken in such Back shall be deemed to be distilled or decreased, and the Distiller shall be charged for a Quantity of Spirits in respect thereof as for Wort or Wash actually distilled or decreased, and he shall also forfeit the Sum of Two hundred Pounds.

Saccharometer to be used for ascertaining the Gravity of Worts or Wash.

LXXII. And for ascertaining the Gravity of Wort or Wash for the Purposes of this Act such Saccharometer shall be used as shall from Time to Time be prescribed in that Behalf by any Order of the Commissioners; and every Degree of Gravity to be ascertained by any such Saccharometer shall be calculated in the following Manner; that is to say, distilled Water being assumed as Unity at the Temperature of Sixty Degrees of *Fahrenheit's* Thermometer, every Degree of Gravity shall be correspondent to a Thousandth Part of the Specific Gravity of such Water; and all Wort or Wash shall for the Purposes aforesaid be deemed to be of the Gravity which the said Saccharometer shall on the Application thereof denote or indicate.

Regulations for Distillers making Bub or other Composition for exciting Fermentation.

LXXIII. Every Distiller intending to make the Composition called Bub, or any other Composition for inducing or increasing the Fermentation of Wort or Wash, shall from Time to Time, at least Four Hours previously to the beginning to make such Composition, give Notice in Writing to the Officer surveying his Distillery, specifying the Time when and the particular Vessel in which such Composition is to be made, and the particular Wash Fermenting Back into which the same is to be put, and also specifying the Quantity of such Composition to be put into every such Back, which Quantity shall not exceed the Proportion of Five Gallons for every One hundred Gallons of the Wort or Wash to which the Composition is to be so added; and no Distiller shall have or use any such Composition of greater Gravity than the Gravity of Sixty Degrees; and if any such Composition shall be made in a Distillery contrary to the Directions herein prescribed, or if the Gravity of any such Composition shall be increased at any Time after the Officer shall have taken an Account thereof, or if the whole Quantity of such Composition shall not, as herein directed, be conveyed into the particular Fermenting Wash Back specified in such Notice within Twenty-four Hours after the Time therein specified for making such Composition, the Distiller shall forfeit the Sum of Two hundred Pounds.

Distiller may sell Yeast or use it in his Distillery.

LXXIV. It shall be lawful for a Distiller to remove the Yeast from the Wash in any Fermenting Wash Back, provided the Quantity of Yeast so removed shall not exceed the Proportion of Two and One Half *per Centum* of the Wash from which it shall be taken; and such Distiller may sell such Yeast, or any Portion thereof, and send out the same from his Distillery, or he may add the same to the Wort or Wash in any other Fermenting Wash Back in his Distillery.

Distiller may refill Wash

LXXV. Any Distiller may, on giving the Notice herein-after required, remove during a brewing Period the whole of the Wash, after Fermentation has ceased, from One or more Backs to the Wash

Charger,

Charger, to be secured therein until the Commencement of the distilling Period, and may refill the same Backs with fresh Wort under the Regulations of this Act, and such fresh Wort shall form Part of the same brewing Period.

Backs during a brewing Period.

LXXVI. When the whole of the Wort or Wash made in a Distillery during any brewing Period shall be collected into the Fermenting Wash Backs and Wash Charger, and before the Commencement of the distilling Period, and before any Still shall be made use of for distilling the same, a Declaration in Writing by or on behalf of the Distiller shall be delivered to the proper Officer, that the whole of the Wort and Wash in the Distillery is collected into the Fermenting Wash Backs and Wash Charger; and thereupon the Officer, after the Expiration of Four Hours subsequent to the Delivery of such Declaration, but not before, shall open any Still in such Distillery by removing such Fastenings as prevent the same from being used; and if any Still shall be made use of before such Declaration shall have been delivered, or before the Expiration of such Four Hours, or if all the Wort and Wash in the Distillery shall not then be collected as stated in such Declaration, the Distiller shall forfeit the Sum of Two hundred Pounds.

Before beginning to distil Distiller shall declare that all Wort and Wash are collected into the Fermenting Wash Backs.

LXXVII. Before any Wash shall be conveyed from any Fermenting Wash Back, Four Hours Notice in Writing shall be given to the proper Officer by or on behalf of the Distiller, stating the Number of the Back in which the Wash is contained, and the Day and Hour when the same is to be removed; and the Officer shall attend at the Time specified in such Notice, and after he shall have locked the Charging Cock of the Wash Still he shall remove all such Fastenings as prevent the Conveyance of the Wash from any Back mentioned in such Notice into the Wash Charger, and then, without Delay, all the Wash which shall be contained in such Fermenting Wash Back, or so much thereof as shall fill the Charger if the same shall not be capable of containing the whole of the Wash in One Back, shall be conveyed into the Wash Charger in manner prescribed in this Act; and the Officer, after having affixed and secured the Fastenings which he had so removed, shall be at liberty to take an Account of the true Quantity and Gravity of such Wash; and if any Wash shall be removed before such Notice shall have been given, or shall be removed or conveyed from any other Fermenting Back, or at any other Time or in any other Manner than shall have been mentioned in such Notice, or before the proper Officer shall have removed or secured respectively such Fastenings as before mentioned, and taken account of the true Quantity and Gravity of the Wash in such Charger, the Distiller shall forfeit the Sum of Two hundred Pounds.

Distiller to give Four Hours Notice before removing Wash from the Fermenting Back to the Wash Charger.

LXXVIII. After any Wash shall have been taken Account of in the Wash Charger, no Wash from any Fermenting Back shall be removed until the whole Contents of such Wash Charger shall have been conveyed into the Wash Still, or intermediate Charger or Wash Reservoir; and if any Wash shall be removed contrary hereto the Distiller shall forfeit the Sum of Two hundred Pounds.

Removal of Wash from Charger.

LXXIX. It shall be lawful for any Officer to take such Samples of Wash from the Wash Back or Wash Charger in a Distillery, or from both of such Vessels, as he may think proper; and in order to ascertain and determine the original Gravity of the Wort from which the Wash was made before Fermentation had taken place therein, a definite Quantity by Measure of the Wash shall be distilled, and the Distillate and the Spent Wash respectively shall be made up with distilled Water, each of them to the original Measure of the Wash before Distillation, and the Specific Gravity thereof respectively shall be then ascertained, and the Number of Degrees and Parts of a Degree of Specific Gravity by which such Distillate shall be less than the Specific Gravity of distilled Water shall be deemed to be the Spirit Indication of such Distillate, and the actual Specific Gravity of such Spent Wash added to the Degree of original Gravity set forth in the Table contained in Schedule (A.) annexed to this Act opposite to the Degree of Spirit Indication contained in the same Table shall be deemed to be the original Specific Gravity of such Wash before Fermentation; and for the Purposes aforesaid all the Weighings and Measurings that may be necessary to be made of the respective Liquids shall be made when the same are at the Temperature of Sixty Degrees of *Fahrenheit's* Thermometer, and at that Temperature distilled Water shall be considered as One thousand; and if the original Gravity of such Wort as found and determined in the Manner aforesaid shall exceed by more than Two Degrees the Gravity thereof as declared by the Distiller, he shall forfeit the Sum of Two hundred Pounds, and also the Sum of Sixpence for every Gallon of Wash contained in the Wash Back or Wash Charger from which the Wash so distilled was taken: Provided always, that the Distiller, or any Person acting on his Behalf, may, if he shall so desire, be present at the Distillation of such Wash, and at the Performance of such Process as aforesaid for ascertaining the said original Gravity.

Samples of Wash may be taken and the original Gravity before Fermentation determined as herein directed.

LXXX. It shall be lawful for any Officer to take from any Wash Back or Charger, and convey away from the Distillery, a Sample, not exceeding the Quantity of Twenty Gallons, of the Wash contained therein, and to cause such Sample of Wash to be distilled into Low Wines; and such Officer may gauge or measure or weigh the Quantity and ascertain the Strength of the Low Wines produced by the Distillation of such Wash.

Samples of Wash may also be taken and distilled by the Officer.

LXXXI. And it shall be lawful for any Supervisor or other superior Officer to require that any Low Wines, Feints, or Spirits Receiver in a Distillery shall be emptied and cleaned out, and that any Quantity of Wash shall be conveyed into any Wash Still, and from any Wash Back, as such Officer shall direct, in order that such Wash may be forthwith distilled into Low Wines, or into Feints and Spirits; and all Persons

Distiller to clean out Receivers, and assist the Officer in distilling

a Charge of Wash out of any Wash Back required by the Officer.

Persons in the Employ of the Distiller shall, on reasonable Notice, give and provide Assistance and Fuel to such Officer, at his Request, in distilling such Wash into Low Wines, or into Feints and Spirits, and in conveying the Low Wines directly into the Low Wines Receiver, and the Feints and Spirits into the Feint and Spirit Receiver respectively, which shall be so cleaned out; and such Low Wines, Feints, and Spirits respectively shall be kept in the proper Receiver, unmixed with any Matter or Thing whatsoever, until the Officer shall have taken an Account of the Quantity and Strength thereof; and for any Refusal, Neglect, or Omission, on the Part of the Distiller or of any Person in his Employ, to comply with the Directions in this Clause contained, the Distiller shall forfeit the Sum of Two hundred Pounds.

If the Produce of Wash distilled exceed the Proportion of One Gallon and a Quarter of Proof Spirits for every Five Degrees of Attenuation, Distiller subject to Penalty.

LXXXII. In every such Case as in the Two last preceding Clauses is mentioned the Officer shall compute and ascertain the Quantity of Proof Spirits in and equivalent to the Low Wines, Feints, and Spirits, according to the Strength thereof; and if the Quantity of Proof Spirits so computed shall in any of the respective Cases aforesaid exceed the Rate or Proportion of One Gallon and One Quarter of a Gallon of Proof Spirits for One hundred Gallons of Wort or Wash in respect of every Five Degrees of Gravity which the same shall have been attenuated, as taken by the Surveying Officer, that is to say, for every Five Degrees of Difference between the highest Gravity of the Wort from which such Wash was produced, as declared by the Distiller pursuant to this Act, or as appearing on any Account thereof taken by the Officer, or as ascertained and determined in the Manner herein-before directed, and the lowest decreased Gravity of such Wort or Wash as taken by the Officer previous to the Distillation thereof, the Distiller shall forfeit the Sum of Two hundred Pounds, and also the Sum of Sixpence for every Gallon of Wort or Wash contained in the Wash Back from which such Wash so distilled as aforesaid was removed or taken: Provided always, that the Officer shall, if required, pay to the Distiller the Value of every Sample of Wash which he shall take away from the Distillery, or return the Produce thereof, and mix the Low Wines, Feints, and Spirits with the Low Wines or Feints of the Wash Back to which they belong; provided also, that the Distiller, or any Person acting in his Behalf, may be present at the Distillation of any such Wash, if he shall so desire.

Four Hours Notice to be given for the Removal of Low Wines, Feints, or Spirits from Receivers, and Officer to attend and take account thereof.

LXXXIII. Four Hours at least before any Low Wines or Feints or Spirits shall be removed out of the respective Receivers in a Distillery, a Notice in Writing, specifying the Day and Hour when the same respectively are to be so removed, shall be given to the proper Officer, by or on behalf of the Distiller; and the Officer shall attend at the Time specified in such Notice, and after having taken an Account of the Quantity and Strength of such Low Wines or Feints or Spirits, he shall remove the Fastenings of the Pumps or other Conveyances used for the Removal or Conveyance of Low Wines or Feints or Spirits, as the Case may be, and of the Receivers containing the same, and all the Low Wines or Feints which shall be in such Low Wines or Feints Receiver shall be forthwith removed and conveyed into the Low Wines or Feints Charger or intermediate Still Charger, and all the Spirits which shall be contained in the Spirit Receiver shall be removed and conveyed into an entered Store Vat or Cask in the Spirit Storehouse of the Distillery; and if any Low Wines or Feints or Spirits respectively shall not be removed and conveyed as aforesaid, or shall be removed from any Receiver without such Notice, or at any other Time than shall have been specified in such Notice, or before the Officer shall have removed the several Fastenings as herein directed, or if before the whole of the Low Wines or Feints or Spirits in any Receiver shall have been removed therefrom as aforesaid, and the Fastenings thereof shall have been again secured by the Officer, any other Low Wines or Feints or Spirits shall be conveyed into such Receiver, the Distiller shall forfeit the Sum of Two hundred Pounds: Provided always, that when any Distiller shall secure his Low Wines and Feints Pumps to the Satisfaction of the Commissioners, he may run Low Wines and Feints together into the same Receiver, and at any Time, without giving such Notice as aforesaid, remove the Low Wines and Feints from the Receivers to the Low Wines and Feints Chargers, and re-distil the same.

Low Wines, Spirits, and Feints produced to be kept separate until Account thereof be taken.

LXXXIV. A Distiller may collect in the Low Wines Receiver, or in the Feints and Spirit Receivers, the Low Wines, or the Feints and Spirits respectively produced by the Distillation of the Wash of the same brewing Period contained in all or any of the Fermenting Backs of the Distillery; and such Produce shall be kept unmixed with any other Matter or Thing whatever, and shall also be kept separate and apart from the Produce of the Wash contained in any other Back throughout the whole Course of the Distillation thereof, and until the Spirits produced therefrom shall be removed into the Spirit Store, as herein-after mentioned; and when an Account of the Quantity and Strength of the Low Wines, Feints, and Spirits so collected shall have been taken by the proper Officer, all such Low Wines or Feints shall be removed from the Receiver into the Low Wines or Feints Charger, and all such Spirits into the Spirit Store, before any other Low Wines or Feints or Spirits shall be made from the Distillation of the Wash contained in any other Back, and all the Spirits and Feints produced by the Re-distillation of such Low Wines of which such Account shall have been taken shall in like Manner be collected in the Spirits and Feints Receivers respectively, and kept therein separate and apart and unmixed as aforesaid (save as is herein-after provided) until an Account of the Quantity and Strength of such Spirits and Feints respectively shall have been taken by the proper Officer; and if all such Low Wines, Feints, and Spirits respectively shall not be so collected, and kept and removed separate and apart and unmixed as aforesaid, the Distiller shall forfeit the Sum of Two hundred Pounds; but it shall be lawful to mix with any Feints collected in the Receiver, or with the Low Wines from

which such Feints are produced, any Feints (if any there be) which shall have been produced by and which may remain on hand after the Re-distillation of the last Charge of the Low Wines Still with the Feints produced from the Low Wines of any Wash of the same Period previously distilled; and the Distiller may re-distil any Feints which shall have been collected, and an Account thereof taken as aforesaid, and may repeat the Process of re-distilling the Feints produced by any such Re-distillation as often as he shall think fit so to do; and the Officer may take an Account of the Spirits and Feints respectively produced and collected on every such Re-distillation, and compute and ascertain the Quantity of Proof Spirits in and equivalent to such Spirits and Feints, according to the Strength thereof respectively; and the Distiller shall be charged with Duty for the greatest Quantity of Proof Spirits which shall appear to have been produced, or, under the Provisions of this Act, be deemed to have been produced, from the whole of the Low Wines which shall have been collected and taken an Account of, as before mentioned, whether such greatest Quantity of Proof Spirits shall appear from the first Re-distillation of such Low Wines or from any such subsequent Re-distillation.

Feints may be re-distilled.

Officer may take account of the Spirits and Feints produced on such Re-distillation.

LXXXV. It shall also be lawful for any Distiller to erect in connexion with either kind of Still described in Section Fourteen of this Act, and in the Manner therein directed, One additional Spirit Receiver, provided the Distiller shall, to the Satisfaction of the Commissioners, apply and affix to each Spirit Receiver the Apparatus described in Section Twenty of this Act, and the Distiller may collect in each Receiver alternately the Spirits produced from the Distillation of any Wash or the Re-distillation of any Low Wines or Feints; and when a Distiller shall have run so much Spirit into either Receiver as he shall think fit, he shall give Notice to the Officer, who shall thereupon lock the Charging Cock, and the Spirits shall not be removed until after the Expiration of Two Hours from such Notice, nor unless a Notice for that Purpose has been given, as required by this Act.

Two Spirit Receivers may be used on certain Conditions.

As to the charging and Payment of the Duty on Spirits.

LXXXVI. For and in respect of every One hundred Gallons of Wort or Wash which shall be brewed or made in any Distillery the Officer shall charge the Distiller with Duty for a Quantity of Spirits at the Rate of One Gallon of Proof Spirits for every Five Degrees of Gravity which the Wort or Wash shall be attenuated, that is to say, for every Five Degrees of Difference between the highest Gravity of such Wort or Wash as declared by the Distiller pursuant to this Act, or as appearing on any Account taken thereof by the Officer in the Fermenting Back, or as ascertained and determined by the Mode herein-before prescribed, from any Sample taken from a Fermenting Back or the Wash Charger, and the lowest decreased Gravity of such Wort or Wash as appearing on any Account taken by the Officer previously to the Distillation thereof; and the Officer shall also charge at the same Rate and Proportion of Spirits for any less Quantity of such Wort or Wash, and for any less Decrease of Gravity than Five Degrees.

Modes of charging Duty: 1st. By Percentage from Wash according to the Attenuation of the Gravity thereof, One Gallon for every Five Degrees attenuated:

LXXXVII. When the Officer shall take an Account of the Quantity and Strength of the Low Wines which shall have been produced from the Distillation of any Wash, he shall compute and ascertain the Quantity of Proof Spirits in and equivalent to such Low Wines, according to the Strength and Quantity thereof, and Duty shall be payable on the Quantity of Proof Spirits so ascertained, after making an Allowance of Five *per Centum* on such Quantity, and the Officer shall charge the Distiller with Duty accordingly.

2d. By the Produce as found in the Low Wines:

LXXXVIII. Whenever the Officer shall take an Account of the Quantity and Strength of Spirits and Feints respectively which shall have been produced from the Distillation of any Low Wines, together with any Feints which may have remained from any previous Distillation, he shall compute and ascertain the Quantity of Proof Spirits in and equivalent to such Spirits and Feints, according to the Strength thereof respectively, and shall deduct from the Quantity so ascertained a Quantity equivalent to that of the Feints (if any) which may have remained on hand after any previous Distillation, and which may have been included in the Account of Spirits and Feints so taken as aforesaid, and after such Deduction Duty shall be payable on the remaining Quantity of Proof Spirits so computed and ascertained, and the Officer shall charge the Distiller with Duty accordingly.

3d. By the Produce on the Re-distillation of Low Wines into Spirits and Feints.

LXXXIX. The Distiller shall in respect of all Wort, Wash, and Bub in his Distillery be charged according to the highest Gauge of Quantity at any Time taken thereof, and according to the highest Amount of Gravity thereof at any Time declared by him, or ascertained by any Officer, without any Allowance for Waste, Bub, Dregs, Yeast, or other Matter whatever; and when any Decrease shall take place in the Quantity of Wort, Wash, and Bub in a Distillery, the Amount of such Decrease shall be deemed to have been distilled, and the Distiller shall be charged accordingly with a Quantity of Spirits in proportion to the Decrease of such Wort, Wash, and Bub.

Distiller to be charged from the highest Gauge of Wash without allowing for Waste or Dregs.

XC. No Sugar or Syrup, or any glutinous or saccharine or other Matter or Thing, shall be mixed with or added to any Low Wines, Feints, or Spirits, whereby the Gravity thereof shall be increased, or so as to prevent the Strength thereof from being ascertained by the Hydrometer; and for any Offence contrary hereto the Distiller shall forfeit the Sum of Two hundred Pounds, and all such Low Wines, Feints, Spirits, and Mixtures shall also be forfeited.

Sugar, &c. not to be mixed with Spirits, &c. to prevent Strength being ascertained.

XCI. The Officer shall from Time to Time make out and deliver to the Collector, or to such Person as the Commissioners shall appoint to receive the same, a Return of the Quantity of Spirits for which the

Officer from Time to Time to make Re-

turns of the Quantity of Spirits chargeable on the Distiller, who shall pay the Duty accordingly.

the Distiller shall be chargeable, and of the Duty payable thereon; and such Officer shall make out and deliver any such Return or Account at any Time and for any Period, as the Commissioners may direct; and in every such Return the Officer shall charge the Distiller according to such of the several Modes of charging prescribed by this Act as shall produce the highest Amount of Duty; and such Officer shall, if required in Writing by the Distiller, deliver or leave with him, or at his Distillery, an Account in Writing signed with the Name of the Officer, setting forth the Quantity of Spirits specified in his Return, with the Amount of Duty thereon and the Period comprised in the Return; and the Return of the Officer shall be a Charge on the Distiller, and he shall pay the Duty thereby appearing or which shall be chargeable upon him within such Time and in such Manner as the Commissioners may in that Behalf direct, or in default thereof the Distiller shall forfeit Twenty Pounds, together with a Sum equal to double the Amount of such Duty.

Collectors may distrain for Duties in arrear from Distillers.

XCII. In all Cases where any Duties payable by a Distiller shall remain unpaid after the same shall have become payable, it shall be lawful for the Collector or other Officer in charge of the Collection in which the Distillery shall be situate, by Warrant under his Hand, to empower any Person to take and distrain all Spirits, and all Stills, Coppers, and other Vessels and Utensils, and all Malt, Corn, Grain, and other Materials for distilling belonging to such Distiller or in any Distillery, Store, or Place in the Use or Possession of the Distiller, or of any Person on his Behalf or in trust for him, and also all Spirits deposited in any Warehouse in his Name, and to cause the same to be sold by Public Auction, giving Six Days previous Notice thereof; and if after the Payment of all Duties and Arrears of Duties due from the Distiller, and also the Duties on such of the Spirits as shall have been so warehoused and distrained and sold as aforesaid, together with the Costs and Expenses of such distraining and Sale, there shall be any Surplus of the Produce arising from the Sale, such Surplus shall be forthwith paid or tendered to the Distiller or his lawful Agent or Representative; provided always, that when any Spirits or Malt shall be so distrained it shall be lawful for the Distiller, or his Agent or Representative, at any Time before the Day appointed for the Sale thereof, to remove under proper Permits all or any Part of such Spirits or Malt, upon paying to the Collector or other Officer in charge as aforesaid, towards discharging the said Duties, the real Value of such Spirits or Malt as shall be required to be removed, and proper Permits shall on due Application be given for the same, in like Manner as if no such Distress had been made.

Distiller to make Entry at the End of every distilling Period of the true Quantity of Wash distilled, &c.

XCIII. At the End of every distilling Period the Distiller, or One of the Distillers if there shall be more than One in Partnership, or the principal Manager of the Distillery, shall, under his own proper Hand, make a true and particular Entry or Return in Writing to the proper Supervisor of the whole Quantity of each Description of Material used in making the Wort or Wash, and also the whole Quantity of the Wort or Wash which shall have been decreased from the Wash Backs or distilled in the Distillery, and of the whole Quantity of Spirits, computed at the Strength of Proof Spirits, which shall have been distilled or made in the Distillery within the last preceding brewing and distilling Periods, and of the whole Quantity of Feints remaining undistilled; and in case of any Refusal, Neglect, or Omission to make such Entry or Return the Distiller shall forfeit the Sum of Two hundred Pounds.

Distiller to deliver an Account of the Malt, Sugar, and Molasses used in every distilling Period verified by Declaration.

XCIV. And every Distiller or the principal Manager of his Distillery shall also, at the End of every distilling Period, deliver to the proper Officer an Account in Writing of the Number of Bushels of Malt and the true Quantity of Sugar and Molasses (specifying the same and the Quantities thereof respectively) actually used in making the Wort or Wash distilled during that Period; and the Officer shall transmit such Account, together with a Return in Writing signed by him, to the Collector, specifying the Number of Bushels of Malt and the Quantities of Sugar and Molasses respectively so used, and the Quantity of Proof Spirits with which the Distiller shall have been charged in respect of such Wort or Wash; and the Distiller or the principal Manager of his Distillery shall make and subscribe a Declaration to the Truth of such Account in the Form or to the Effect following:

'I *A. B.*, Distiller [*or* principal Manager, *as the Case may be*] of the Distillery at do solemnly declare, That within the brewing Period commencing on the Day of and ending on the Day of , both inclusive, there were actually mashed and used in the said Distillery, and consumed in the distilling of Spirits therein, the several Quantities of Malt and of Sugar and Molasses respectively herein-after specified, and no more; (that is to say,) Bushels of Malt, Pounds of Sugar, and Pounds of Molasses [*or as the Case may be*], and all this I declare to the best of my Knowledge and Belief, and according to the best Information in my Power to obtain.'

And in default of such Declaration being made, or if any such Declaration shall be untrue, the Distiller shall forfeit the Sum of Two hundred Pounds.

Officer may take Samples of Wort, Wash, Spirits, &c. in any Distillery.

XCV. It shall be lawful for any Officer, whenever and as often as he shall think fit, to take Samples of Wort, Wash, Low Wines, Feints, and Spirits respectively, in any Back, Receiver, Charger, or other Vessel or Utensil in a Distillery, in order that he may ascertain the Gravity or Strength of the same respectively, and from such Part of any such Vessel or Utensil as he shall think proper; and the Gravity or Strength of any such Sample so taken shall be held to be the true Gravity or Strength of the whole Contents of the Vessel or Utensil from which the Sample was so taken; but before a Sample shall be taken all the Liquor contained in any such Vessel or Utensil may be stirred up and mixed together by the Distiller, or any Person in his Employ, if he shall think fit so to do.

As to the Removal of Spirits into the Distillery Store or for Consumption; and the Account to be kept of Spirits in Stock.

No Spirits shall be received into a Distiller's Stock but such as are distilled in his Distillery.

XCVI. No Spirits whatever shall be received or conveyed into the Stock or entered Spirit Store of a Distiller other than such Spirits only as shall have been distilled in his Distillery, and as shall be conveyed directly from the Spirit Receiver into such Store in the Manner herein-before prescribed; nor shall any Spirits which have been removed from such Store be again brought into the same from any Place whatever; and if any Spirits shall be received into or be found in the Stock or Store of a Distiller contrary hereto he shall forfeit the Sum of Two hundred Pounds, and the Spirits shall also be forfeited.

All Spirits distilled during a distilling Period to be removed from the Spirit Store within Ten Days after the Termination of such Period.

XCVII. All the Spirits which shall be distilled at a Distillery during One distilling Period shall be removed from the entered Spirit Store, and the Duty thereon paid for Consumption, or shall be conveyed to and deposited in a Warehouse under the Provisions in that Behalf, within Ten Days after the Termination of the distilling Period, and before any Spirits of a succeeding distilling Period are brought into the Store; and if any Spirits of One distilling Period (other than a Quantity not exceeding One hundred and fifty Gallons and in One Ullage Cask) shall remain in any such Store after Ten Days from the Termination of such distilling Period, or if within the said Term of Ten Days any Quantity of the Spirits of One distilling Period (other than such Quantity and in such Cask as aforesaid) shall remain in any such Store after any Spirits of a succeeding distilling Period are brought into the same Store, or into any other such Store at the same Distillery, the Distiller shall forfeit for every Gallon of Spirits of such former Period so remaining in the Store in either of the Cases aforesaid the Sum of Twenty Shillings.

Balance to be struck in the Stock Account, and Allowance made for Deficiency occasioned by natural Waste.

XCVIII. When all the Spirits distilled at a Distillery in any One distilling Period shall have been removed from the Spirit Store as herein-before required, or at the Expiration of Ten Days after the Termination of such distilling Period, a Balance shall be struck by the proper Officer in the Stock Account kept by him for the Distillery, and in the Return to be made by the Officer of the Quantity of Spirits for which the Distiller shall have become chargeable during the preceding distilling Period an Allowance shall be made to the Distiller of any Deficiency in Stock occasioned by natural Waste, not exceeding the Proportion of One Gallon and a Half for every One hundred Gallons at Hydrometer Proof of the Spirits removed from the Spirit Receiver to the Spirit Store; and if the Deficiency shall exceed such Proportion, then an Allowance shall be made in respect thereof to the Extent of the Rate and Proportion aforesaid; provided, that if the Deficiency shall exceed the Proportion of Three *per Centum* on the Spirits so removed as aforesaid no Allowance whatever shall be made in respect thereof.

Officer in charge of Spirit Store to attend daily.

XCIX. The Officer in charge of the entered Spirit Store at a Distillery shall when required attend thereat daily (*Sundays* excepted) between the Hours of Five o'Clock in the Morning and Eight o'Clock in the Evening; and all Spirits in the Spirit Store shall be filled into the Casks in the Presence of the Officer in such Manner and under such Regulations as the Commissioners shall in that Behalf direct; and the Officer shall take an Account of the Weight or Measure and Strength of all such Spirits.

Spirits not to be removed from Distillery of other Strength than herein specified, or in less Quantity than Nine Gallons in any Cask, or without Permit.

C. No Spirits shall be sent out of or removed from a Distillery or the Stock of a Distiller at any other Strength than that denominated Hydrometer Proof, or Twenty-five *per Centum*, or Eleven *per Centum* above or Ten *per Centum* or Fifteen *per Centum*, or Twenty *per Centum* below Hydrometer Proof, or within Six Tenths of One *per Centum* over or under the said Strengths respectively, or Forty-three *per Centum* above Hydrometer Proof, or of any higher Degree of Strength; nor shall any Spirits be sent out or removed as aforesaid in any Quantity less than Nine Gallons in any Cask, nor without a lawful Permit expressing the true Quantity and Strength of such Spirits; and if any Spirits shall be sent out of or removed from a Distillery or the Stock of a Distiller in any less Quantity than as aforesaid, or without such Permit as aforesaid, or of any other Strength than the Strength expressed in the Permit, all such Spirits, and every Cask and Vessel containing the same, shall be forfeited, and the Distiller shall forfeit the Sum of Two hundred Pounds.

Spirits may be sent out in Casks either full or on Ullage.

CI. Spirits may be sent out from a Spirit Store for Consumption or to be warehoused in Casks either full or on Ullage, but the Commissioners shall have Power to make such Orders for regulating the Ullage as may appear to them to be necessary.

Permit not to be granted for Removal of Spirits, &c. until Collector's Receipt be produced.

CII. No Permit shall be granted for the Removal of Spirits from the Stock of a Distiller, (except for such Spirits as shall be sent or delivered into Warehouse pursuant to the Provisions of this Act,) unless he shall produce to the Officer from whom the Permit is requested the Receipt of the Collector for the Duty on the Spirits to be removed, nor unless the Distiller shall suffer the Officer to endorse on such Receipt the Quantity of Spirits for which a Permit is required, and the Date of such Permit; and the Officer shall make such Endorsement accordingly.

Distiller's Stock Account of Proof Spirits to be kept by the Officer.

CIII. The proper Officer shall take and keep an Account by way of Debtor and Creditor of the Stock of Spirits in the Distillery and Store of every Distiller, and shall in such Account debit the Stock with the full Quantity of Spirits, computed at Hydrometer Proof, which shall be from Time to Time duly conveyed into the same from the Spirit Receiver in the Distillery, and shall credit the Stock with the full Quantity so computed which shall be from Time to Time sent out under legal Permit; and if at any Time the Quantity of Spirits which shall be found in the Stock or Possession of a Distiller

tiller shall be greater than the Quantity which, according to the said Stock Account, ought to be in his Stock or Possession, the Excess Quantity shall be forfeited, and the Distiller shall also forfeit the Sum of Twenty Shillings for every Gallon of such Excess; and if at any Time the Quantity of Spirits in the Stock or Possession of a Distiller shall be less than the Quantity which, according to the said Stock Account, ought to be in his Stock or Possession, the Distiller, whenever the Deficiency shall appear, shall forfeit the Sum of Twenty Shillings for every Gallon which shall be so deficient; which said respective Penalties of Twenty Shillings for every Gallon of Spirits in Excess or Deficiency in the Quantity which ought to be in the Stock or Possession of the Distiller shall not be mitigated or reduced to any less Sum by the Court before which the Complaint or Information for Recovery thereof shall be heard and determined; but the Distiller shall not be liable to such Penalty in any Case where the Excess shall not exceed One Half *per Centum* or the Deficiency shall not exceed Three *per Centum* on the Quantity of Spirits formed by the Balance left on the last Stocking and the Quantity since duly brought into Stock from the Spirit Receiver, nor in any Case where he shall prove to the Satisfaction of the Commissioners that the Decrease did not result from any Fraud practised or intended; but in any Case of Excess, where no Penalty shall be incurred and prosecuted for, the Duty on such Excess shall be charged against the Distiller.

Warehousing of Spirits Duty-free, and Regulations relating to Spirits in Warehouse.

Distillers may warehouse Spirits without Payment of Duty in Warehouses provided and entered by them and approved by the Commissioners.

CIV. A Distiller may, under such Regulations as the Commissioners shall from Time to Time make in that Behalf, deposit in a Warehouse approved of by them Spirits distilled in his Distillery, without Payment of the Duty thereon, to be delivered out for Home Consumption on Payment of such Duty, or for Exportation, or for Use as Ship's Stores, or for Methylation, such Warehouse to be provided and duly entered by the Distiller, and to be approved of by the Commissioners, if they shall be satisfied with respect to the Situation, Construction, and Security thereof; but no Distiller shall be entitled to have any such Warehouse at any other Place than his own entered Distillery Premises, and no Spirits or other Liquors other than such Spirits as aforesaid, conveyed directly from his Distillery, shall be deposited in such Warehouse.

Regulations as to the Casks and the Quantity to be contained therein, and Strength of warehoused Spirits.

CV. The Spirits deposited in such Warehouse as aforesaid shall be contained in Casks, either full or on Ullage, but not less than Nine Gallons in any Cask; and there shall be marked on each End of every Cask, in Letters or Figures legibly cut, branded, or painted with Oil Colour thereon, the Mark and Number of every such Cask, and the full Content thereof, in the Manner required by the Thirty-fifth Clause of this Act, and the Number of Gallons contained therein; and Spirits may also be warehoused in Vats under such Regulations as the Commissioners may make in that Behalf; but no Spirits shall be warehoused of any Strength other than the respective Strengths specified in Section One hundred of this Act.

Spirits in a Distiller's Warehouse may be transferred to a Purchaser.

CVI. Upon giving Security by Bond, with Sureties to the Satisfaction of the Commissioners, in like Manner and to the like Effect as the Keeper of such general Warehouse as herein-after mentioned is by Clause One hundred and eight of this Act required to give, a Distiller may transfer to a Purchaser Spirits deposited in any Warehouse of such Distiller for which such Security is given, on the Terms and Conditions and with the Effect specified in Clause One hundred and twenty-two of this Act; but no further Transfer shall be made of such Spirits whilst the same remain in such Warehouse.

Penalty for Frauds in relation to Spirits in Warehouse.

CVII. If a Distiller, or any Person by his Order or Connivance, after any Spirits shall be secured in any Warehouse, shall open any of the Locks or Doors in the Absence of the proper Supervisor or Officer, or shall make or obtain any Way or Access into such Warehouse, or shall remove any Part whatever of the Partition between any Warehouse for keeping Spirits and any other Place whatsoever thereunto adjoining, or shall after such Warehouse shall have been so approved of as aforesaid, make an Addition to or in any way alter the same, without Notice first given to the proper Supervisor of such intended Addition or Alteration, and the Consent of the Commissioners in Writing first had and obtained for the same, or shall deposit or remove Spirits in or from any such Warehouse otherwise than as provided by this Act, or shall by any Contrivance or Device whatsoever privately remove, convey away, or conceal any of the Spirits, either before the same are put into the Warehouse or afterwards, such Distiller shall forfeit the Sum of Five hundred Pounds, and all Spirits and other Liquors deposited, removed, or concealed contrary to the Provisions of this Act shall be forfeited.

Commissioners may appoint general Warehouses under Bond in which Distiller may warehouse British Spirits.

CVIII. The Commissioners may appoint general Warehouses for the Deposit therein of *British* Spirits, warehoused without Payment of Duty, under such Security by Bond from the Proprietor or Tenant of any such Warehouse, in such Penal Sum, and subject to such Condition, and with One or more sufficient Sureties, as the Commissioners may require, and under such other Rules and Regulations as they may make in that respect; and any Distiller may warehouse in such general Warehouse, without Payment of Duty, Spirits distilled by him, and removed either directly from his Distillery or from any other Warehouse, to be deposited by him and entered in his Name in a Book to be kept by the proper Officer in charge of such Warehouse, in such Manner and Form as the Commissioners may direct: Provided always, that the Proprietor of such Warehouse shall alone be answerable to the Distiller or Owner of any Spirits deposited therein for the safe Custody thereof, and no Action or Suit shall

shall be brought or maintained against the Commissioners or any of their Officers on account of any Loss or Damage which may happen to such Spirits whilst they are deposited in any such Warehouse, or on account of any wrong or improper Delivery of the same therefrom.

Distillers and Proprietors of Warehouses to provide Accommodation for Officers.

CIX. Every Distiller and every Proprietor of any such Warehouse as aforesaid shall respectively, when and as they shall be required by the Commissioners so to do, provide Accommodation at the Distillery Store and at any such Warehouse for the Officer in charge thereof respectively, to the Satisfaction of the Commissioners, on pain of forfeiting the Sum of Fifty Pounds for every Refusal or Neglect so to do.

Commissioners may revoke their Approval of Warehouses.

CX. The Commissioners may revoke the Approval at any Time heretofore given, or which may at any Time hereafter be given, of any Warehouse for the warehousing of *British* Spirits; and upon such Revocation all Spirits deposited in such Warehouse shall be removed therefrom forthwith, or as the Commissioners shall direct, and no other Spirits shall be warehoused therein under the Provisions of this Act, and no Abatement of Duty or Allowance shall be made in respect of the Spirits which may be contained in such Warehouse at the Time of the Revocation for any Deficiency of the Quantity or Strength thereof, which shall be occasioned or which shall occur after Notice of the Revocation shall have been given to the Proprietor of the Warehouse.

Spirits may be deposited in Warehouses provided by the Commissioners.

CXI. And under and subject to the Provisions of this Act, and such Regulations of the Commissioners as aforesaid, Distillers may also deposit Spirits without Payment of Duty in any general Warehouse provided by the Commissioners for that Purpose; and upon all Spirits deposited in such last-mentioned Warehouse there shall be chargeable Warehouse Rent at a Rate, to be fixed by the Commissioners, not exceeding One Penny *per* Week for every Forty Gallons of such Spirits, and so in proportion for any greater or less Quantity; and such Rent shall be paid to the Collector for the Use of Her Majesty, and shall be a Lien on all the Spirits of the Distiller deposited in such Warehouse.

As to Removal of Spirits to Warehouse.

CXII. Provided always, That the Removal of Spirits from a Distillery to any Warehouse under the Provisions of this Act shall be made under and subject to such Regulations and Security as the Commissioners shall make and require respectively in that Behalf.

No Action for Spirits destroyed in Warehouse by Fire, &c.

CXIII. If Spirits warehoused in any such Warehouse as last mentioned shall be destroyed by Fire, or the falling of such Warehouse or any Part thereof, no Claim or Demand, Action or Suit, shall be made or brought against Her Majesty, or against the Commissioners, or any Officer or Person employed by them, for any Compensation or Damages by reason of such Spirits having been so destroyed, and no Duty shall be paid for any Spirits so destroyed.

Distiller to give Notice of his Intention to warehouse Spirits.

CXIV. A Distiller intending to warehouse Spirits shall give to the Officer surveying his Distillery, and also to the proper Officer surveying the Warehouse, Twenty-four Hours Notice in Writing of such Intention, and also of the Day and Hour of the Day on which he intends to commence the Removal of such Spirits out of his Stock to the Warehouse; and he shall specify in such Notice, or in a further Notice to be given to the said Officers respectively, One Hour at the least before the Removal of the Spirits, the Mark, Number, and full Content in Gallons of each Cask which he intends to warehouse, and the Number of Gallons and Strength of Spirits contained therein; and no Removal of Spirits shall be allowed without a Permit being first granted to accompany the same, nor shall any Removal take place except upon the Day mentioned in such Notice, nor be commenced at any Time of the Day before the Hour of Eight in the Forenoon, or continued after the Hour of Three in the Afternoon.

None to be removed into Warehouse without a Permit.

Officer to attend Removal of Spirits.

CXV. The Officer to whom such Notice shall be given shall attend according thereto, and shall ascertain, in the Manner directed by the Commissioners, the Quantity and Strength of the Spirits in each Cask proposed to be removed, and shall compare the Marks and Numbers and the several Particulars on the Casks with the Marks, Numbers, and Particulars described in the Notice for the warehousing of such Spirits, and he shall continue in the Place where the Stock is kept until the whole of the Spirits, for the Removal of which Notice shall have been given, shall be removed.

Officer at the Warehouse to take account of Spirits warehoused.

Receipt to be delivered to the Officer, who is to give Credit for the same in the Charge against Distiller.

CXVI. Immediately on the Arrival of Spirits at the Warehouse, the proper Officer thereat shall take an Account of the Contents of every Cask in such Manner as may be ordered by the Commissioners, and of the Strength of the Spirits contained therein, and shall enter an Account thereof, with the Mark and Number of each Cask, in a Book to be by him kept for that Purpose; and after taking such Account as aforesaid he shall deliver to the Distiller a Certificate of the warehousing of the Spirits, in such Form and containing such Particulars as the Commissioners may direct; and such Certificate shall be forthwith delivered over by the Distiller to the Officer surveying his Distillery, who shall thereupon deduct from the Number of Gallons of Proof Spirits for which the Distiller shall then be chargeable with Duty for the next ensuing Payment the Number of Gallons computed at Proof so warehoused, and return the Charge of Duty against the Distiller to the Commissioners, or the Collector, for the remaining Number of Gallons, which Return shall be a Charge against the Distiller accordingly; and the Officer shall annex to such Return the said Certificate as his Voucher for having made the Deduction.

Warehoused Casks to be numbered progressively.

CXVII. Upon the Outside of both of the Heads or Ends of every Cask of Spirits which shall be warehoused by a Distiller under the Provisions of this Act there shall be legibly cut, branded, or painted with Oil Colour the progressive Number of such Cask, according to the Number of Casks warehoused by the Distiller, and the Year when the same was warehoused, such progressive Numbers for every Distiller to begin with Number One on the First Day of *January* in each Year, and no Two or more

Casks warehoused in the same Year by the same Distiller shall be marked with the same Number; and the Officer in charge of the Warehouse shall refuse to receive therein any Casks of Spirits not having cut, branded, or painted thereon all the several Particulars aforesaid and in the Manner required by this Act.

Stowage of Casks in Warehouse to afford easy Access.

CXVIII. All Casks of Spirits which shall be warehoused as aforesaid shall be arranged and stowed in the Warehouse in such Manner as that Access may easily be had to every Cask therein; and if any Distiller, or the Proprietor or Occupier of any Warehouse, shall refuse or omit to cause all the Casks therein to be so arranged and stowed, he shall forfeit the Sum of Five Pounds.

Spirits in Warehouse may be vatted, blended, or racked.

CXIX. Spirits deposited in a Warehouse without Payment of Duty may be vatted, blended, or racked in such Warehouse by the Distiller or Proprietor of such Spirits either upon Payment of the Duty thereon or otherwise, under such Regulations as the Commissioners may direct; but Duty shall be paid on any Deficiency exceeding the Rate allowed by this Act as ascertained at the Time of vatting, blending, or racking, and also upon any Deficiency exceeding the Rate of One Half *per Centum* which shall occur during any such Operation; but after the Duty shall have been paid on any Spirits, and a Portion thereof shall have been racked or drawn off from the Cask, no further Abatement or Allowance for Deficiency shall be made in respect of such Spirits for any further Period the same may remain in Warehouse.

Casks containing racked or blended Spirits to be marked.

CXX. In addition to all other Particulars required by this Act to be painted or marked on Casks containing Spirits there shall be legibly and distinctly painted or marked upon each Head of every Cask containing racked or blended Spirits the Words "Racked" or "Blended," or such other Mark as the Commissioners may direct, and the same shall continue to be so painted or marked while the same shall remain in Warehouse on pain of the Proprietor of such Spirits forfeiting the Sum of Fifty Pounds for any Neglect or Omission in this Behalf.

Proprietor may view and show his Spirits in Warehouse.

CXXI. The Proprietor of Spirits lodged in any Warehouse shall be allowed, in the Presence of the proper Officer, to view and examine such Spirits and show the same for Sale, and to examine the State of the Casks, and to prevent Leakage or Drainage therefrom; and the Officer shall, when requested, attend at all reasonable Times for that Purpose, but not oftener than once in Twenty-four Hours.

Spirits deposited in a general Warehouse may be transferred, and entered and kept in the Name of the Purchaser.

Spirits not to be delivered out till Duty paid.

CXXII. A Distiller or Dealer may transfer Spirits deposited in his Name in a general Warehouse to a Purchaser, upon giving Notice in Writing of his Intention so to do to the Collector in whose Collection the Warehouse is situated; and upon such Notice being given, and no Objection made by the Collector, the Transfer may be completed; and upon an Order to transfer being endorsed on such Notice by the Distiller or Dealer, and delivered to the Officer in charge of the Warehouse, he shall forthwith transfer the Spirits so sold from the Name of the Proprietor to the Name of the Purchaser in the Book kept by such Officer; and all such Spirits shall after such Transfer be discharged from all Claim in respect of any Duties, Penalties, or Forfeitures to which the Distiller or Dealer from whom such Transfer has been made may be liable; but no Spirits shall be delivered out of Warehouse for Home Consumption until Payment shall be made of the full Duties of Excise chargeable thereon.

As to the Delivery of Spirits out of Warehouse for Consumption, or Exportation, or Ship's Stores, or for Methylation, or to be re-warehoused.

No Spirits to be delivered without Payment of Duty.

On Production of Certificate of Payment, Spirits may be removed.

CXXIII. Before any Spirits shall be delivered out of Warehouse for Consumption the full Duty of Excise chargeable thereon shall be paid to the Collector previously to the Removal thereof from the Warehouse, and the Collector shall give a Certificate of the Payment of such Duty; and upon the Production to the Officer surveying the Warehouse of such Certificate, and a Permit having been obtained, the Officer shall allow the Spirits mentioned in such Certificate and Permit to be so removed; and all such Spirits shall be conveyed to the Place of Destination mentioned in the Permit, and be delivered there in the same Casks in which they were sent out of Warehouse.

Spirits may be delivered out of Warehouse for Exportation without Payment of Duty.

Notice of intended shipping to be given.

CXXIV. Spirits deposited in any such Warehouse as aforesaid may be delivered thereout for Exportation without Payment of Duty; and when the Distiller or Proprietor of such Spirits shall be desirous of shipping the same for Exportation, he shall deliver to the Officer surveying the Warehouse, Twenty-four Hours at least before the Time when he intends to ship the Spirits, a Notice in Writing specifying the Number of Casks and the Quantity of Spirits intended to be shipped, and specifying also the Time when and the Port or Place at which the Distiller or Proprietor purposes to ship the Spirits, and the Name or Description and Destination of the Ship in which the Spirits are intended to be exported; and the Officer surveying the Warehouse may mark every Cask of such Spirits before the Delivery thereof for Exportation with such Mark as the Commissioners shall direct.

Bond to be given by Distiller or Proprietor of Spirits on Exportation.

CXXV. Before any Spirits shall be delivered out of Warehouse for Exportation, the Distiller or Proprietor intending to export the same shall, with One or more Sureties to the Satisfaction of the proper Collector, give Bond to Her Majesty in such Sum as the Commissioners shall think fit; and such Bond shall be conditioned that the Spirits specified in the Notice shall be conveyed to the Quay where the Ship shall be lying, be put on board such Ship, and shall (the Danger of the Seas or Enemies excepted) be exported to and landed at the Port specified therein, without any Alteration in Quality or Quantity (except such as may be occasioned by sudden and unavoidable Accident), and shall not be landed at any other Place, nor relanded in the United Kingdom; and the Collector or other proper

Officer

Officer shall sign and give to the Distiller or Proprietor a Certificate of such Bond having been entered into; and upon Production of such Certificate to the Officer surveying the Warehouse, he shall allow the Spirits to be removed, and grant a proper Permit for the same, and the Spirits shall be sent to the Quay where the Ship shall be lying, and be delivered, together with the Permit, into the Custody of the proper Officer of Customs there, in whose Care and Custody the Spirits shall remain until the same shall be shipped, and thereupon he shall certify on the Back of the Permit the Date of the shipping, the Name of the Ship, and the Quantity of Spirits at Proof actually shipped, and shall transmit such Permit to the Collector of the Excise Collection from which the Spirits were sent for Exportation.

On Production of Collector's Certificate, Spirits to be delivered with a Permit.

CXXVI. Provided always, That the Commissioners may, if they think fit, take from any Distiller or Proprietor of Spirits willing to give the same a general Bond for the due Exportation of all Spirits delivered to him out of Warehouse for that Purpose; and such general Bond shall be taken with such Sureties, in such Amount, and under such Conditions as the Commissioners may direct or approve; and where a general Bond shall be so given the Commissioners, whilst they continue to be satisfied with the Security, may, as regards the Exportation of Spirits by such Distiller or Proprietor, dispense with the particular Bond herein-before directed to be given in that Behalf.

Commissioners may allow a Distiller to give a general Bond for the due Exportation of Spirits.

CXXVII. Spirits deposited in any such Warehouse as aforesaid may also be delivered thereout without Payment of Duty, in Casks containing not less than Nine Gallons in each Cask, for the Purpose of being shipped as Stores, and of being consumed upon any Outward and Homeward Voyage to or from Parts beyond the Seas; subject nevertheless to the Conditions, Regulations, Restrictions, and Securities required by any Act in force relating to the Shipping of Rum as Stores; and Spirits so deposited as aforesaid may be delivered for Methylation without Payment of Duty, under such Security and Regulations as the Commissioners may require and direct.

Warehoused Spirits may be shipped as Stores or used for Methylation without Payment of Duty.

CXXVIII. No Removal of Spirits from any such general Warehouse as aforesaid shall take place or commence before the Hour of Eight in the Morning, or continue after the Hour of Four in the Afternoon; and no such Removal from any Distiller's Warehouse shall commence before the Hour of Six in Morning, or continue after the Hour of Six in the Afternoon.

Days and Hours of Removal from Warehouse.

CXXIX. If the Quantity, computed at Proof, of the Spirits in any Cask lodged in a Warehouse, shall, from any Cause, fall short of the Quantity so computed which was warehoused in such Cask (after deducting the Deficiency allowed by this Act), the Distiller or Proprietor of such Spirits shall be liable to pay the full Duty for Home Consumption upon such Spirits for the Quantity found to be deficient (after such Deduction as aforesaid), and shall pay the same upon Demand, and before any Spirits belonging to him shall be permitted to be transferred to a Purchaser or taken out of the Warehouse, and all Spirits belonging to such Distiller or Proprietor then remaining in any Warehouse shall be subject to the Duty on the Quantity so deficient, and may be sold for Payment of the same and of other Charges, paying over the Surplus, if any, to the Distiller or Proprietor.

Duty to be paid on Deficiency of Spirits in Warehouse.

CXXX. Spirits deposited in any such Warehouse as aforesaid may, at the Desire and Risk of the Distiller or Proprietor thereof, be removed, under such Security and Regulations as the Commissioners may from Time to Time direct, from the Warehouse in which the same are deposited to any other such Warehouse (except a Distiller's Warehouse) in any Part of the United Kingdom, and be there warehoused in the Name of the Distiller or Proprietor.

Warehoused Spirits may be removed from one Warehouse to another.

CXXXI. If after any Spirits duly removed from any Warehouse to be deposited in another Warehouse, without Payment of Duty, on Arrival at and before the same have been actually deposited in such last-mentioned Warehouse, the Distiller or Proprietor shall make an Entry of such Spirits, or of some Portion thereof not being less than a whole Cask, for Removal for Home Consumption, or to another Warehouse than such last-mentioned Warehouse, or for Exportation, or for the Purpose of being used as Ship's Stores, the Spirits of which such further Entry is made shall be considered as virtually and constructively warehoused in such last-mentioned Warehouse, although not actually deposited therein, and may be delivered and permitted to be removed for Home Consumption, or to another Warehouse, or for Exportation, or for the Purpose of being used as Ship's Stores, as if the same had been delivered from Warehouse.

Distiller or Proprietor of Spirits removed from one Warehouse to another may make fresh Entry of the same before being actually deposited.

Allowances for Deficiencies in Spirits warehoused and on Spirits lost or destroyed.

CXXXII. Upon the Delivery from Warehouse of any *British* Spirits warehoused without Payment of Duty, and which have not been racked or blended, the proper Officer shall allow and deduct from the Quantity computed at Hydrometer Proof as originally warehoused, as an Allowance for any Deficiency which may have arisen from natural Waste, the following Rates for every One hundred Gallons of such Spirits; that is to say,

Allowances for Deficiencies of Spirits in Warehouse.

Where the same shall have been in Warehouse:

For a Period of Three Days and less than Seven Days, One Quarter of a Gallon:

Seven Days and less than Fourteen Days, One Half of a Gallon:

Fourteen Days and less than Twenty-one Days, Three Fourths of a Gallon:

Twenty-one Days and up to One Calendar Month, One Gallon:

And

And where such Spirits shall have been in Warehouse for a Period exceeding One Calendar Month, then the Officer shall allow and deduct the actual Deficiency therein to an Extent not exceeding the following Rates, and the aforesaid Rate of Allowance for One Calendar Month; that is to say,

For every Calendar Month and any fractional Part of a Month after the First Month and up to Seven Months, One Half of a Gallon:

And for every Calendar Month and any fractional Part of a Month above Seven Months and up to Three Years, One Quarter of a Gallon:

And for every Calendar Month and any fractional Part of a Month above Three Years and up to Six Years, One Eighth Part of a Gallon:

And for every Period of Two Calendar Months after Six Years and up to Ten Years, One Eighth Part of a Gallon:

And no Allowance shall be made for any Deficiency which may arise in such Spirits after the same shall have been Ten Years in Warehouse.

Deficiencies to be allowed on Delivery of racked or blended Spirits from Warehouse.

CXXXIII. When racked or blended Spirits shall be delivered from Warehouse it shall be lawful for the proper Officer to allow and deduct from the Quantity of such Spirits, as ascertained immediately after the racking or blending thereof, any actual Deficiency not greater than after the Rate of One Quarter *per Centum* for every Calendar Month the Spirits shall remain in Warehouse after being racked and blended up to Two Years, and after Two Years not exceeding the additional Rate of One Eighth Part of a Gallon *per Centum* for every Calendar Month up to Five Years; and no Allowance shall be made for any Deficiency which may arise in such last-mentioned Spirits after the same shall have been Five Years in Warehouse.

Spirits deemed in Warehouse during Removal.

CXXXIV. Any Spirits which shall be removed from one Excise Warehouse to another shall, for the Purpose of any such Allowances as aforesaid, be deemed to have been in Warehouse during the Period occupied by the Removal.

Table in Schedule (B.) annexed to be used in ascertaining the Quantity of Spirits in a Cask by weighing the same.

CXXXV. For the Purpose of ascertaining the Quantity of Spirits contained in a Cask by weighing the same, the Table in Schedule (B.) annexed to this Act shall be referred to and used in connexion with *Sykes's* Hydrometer; and Spirits which shall indicate on such Hydrometer a Number in Column (A.) of such Table shall be deemed to be of the Weight *per* Gallon, in Pounds and Decimal Parts of a Pound, denoted by the Number in Column (B.) of the same Table set opposite to the said Number in Column (A.); and the total net Weight of the Spirits contained in the Cask, divided by the said Number in Column (B.), shall be deemed to give the true Quantity of Spirits contained in such Cask, in Gallons and Decimal Parts of a Gallon.

Duty on Spirits or Wash, &c. lost or destroyed by Fire or other Accident to be remitted.

CXXXVI. If Spirits be lost or destroyed by Fire, or other unavoidable Accident, while the same are deposited in the Spirit Store of a Distillery, or in any such Warehouse as aforesaid, or whilst being received into or delivered out from such Store or Warehouse, or whilst being removed under Bond on Shipboard, or in the shipping or landing of the same, or if Spirits or Wash in any Distillery shall be lost or destroyed in manner aforesaid, the Commissioners, on Proof of such Loss or Destruction to their Satisfaction, shall remit the Duty payable or paid in respect of the Spirits or Wash so lost or destroyed.

As to warehousing Spirits in Customs Warehouses for Exportation or Ship's Stores.

Distiller may warehouse Spirits for Exportation or for Ship's Stores in Customs Warehouses.

CXXXVII. A Distiller may warehouse for Exportation, or for Ship's Stores only, Spirits distilled by him, without Payment of the Duty of Excise thereon, in any Warehouse approved of by the Commissioners of Customs for that Purpose, according to the Regulations in force for the warehousing of Goods in such Warehouse, and under and subject to the same Rules, and Abatement on account of Deficiency in the Quantity or Strength of such Spirits, as are made in the Case of any other Spirits whilst in a Customs Warehouse; and the proper Officer of Customs at such Warehouse shall give to the Distiller a Receipt for such Spirits, upon the same being duly removed by Permit from the Distillery to the Warehouse and deposited therein, specifying the Numbers of the different Casks, with their Gauge, and the Quantity and Strength of the Spirits contained in them, the Day of the Month and Year when the Spirits were so warehoused, and any Mark which may have been put on the Casks by the Distiller for distinguishing the Spirits as his Property; and such Receipt shall be delivered over, within a reasonable Time, by the Distiller to the Officer in charge of his Distillery, who shall give to the Distiller a Copy thereof signed by the Officer; and upon the Delivery of such Receipt, and not before, such Officer shall deduct from the Number of Gallons of Spirits with which the Distiller is then chargeable the Number of Gallons so warehoused, and return the Charge of Duty against the Distiller to the Collector upon the remaining Number of Gallons, which Return shall be a Charge against the Distiller accordingly; and the Officer shall annex to such Return the said Receipt as his Voucher for having made the Deduction; and if any Distiller or other Person shall produce a Receipt for Spirits deposited as aforesaid which shall be untrue in any of the Particulars therein mentioned he shall forfeit the Sum of Two hundred Pounds.

Spirits in a Distillery Store &c. may be removed to

CXXXVIII. Spirits in any Store at a Distillery or deposited in any Warehouse approved of by the Commissioners of Inland Revenue, without Payment of the Duty of Excise thereon, may be removed, for Exportation or for Ship's Stores, or to any Warehouse approved of by the Commissioners of Customs for

for that Purpose, under such Regulations and Security as the Commissioners of Inland Revenue and of Customs respectively may from Time to Time appoint, the Duty upon Deficiencies in such Spirits being first paid to the proper Collector on Removal from the Excise Warehouse. Customs Warehouses.

CXXXIX. A Distiller who has deposited Spirits in a Customs Warehouse may, on giving One Day's Notice to the proper Officer of Customs, add to such Spirits any sweetening or colouring Matter, under such Regulations as the Commissioners of Customs may direct, and no Spirits so coloured or sweetened shall be removed to any other Warehouse, but shall be exported or shipped as Stores directly from the Warehouse in which they are then deposited. Distiller may add sweetening Matter to Spirits in Customs Warehouse.

CXL. Upon the Re-importation into the United Kingdom of any Plain *British* Spirits, and the issuing of a Bill of Store for the same under the Authority and Regulations of the Commissioners of Customs, and on Repayment of the Allowances granted on the Exportation thereof, it shall be lawful for the Distiller or Proprietor of such Spirits to deposit the same in any general Warehouse, under and subject to the Provisions of this Act; and afterwards upon the Delivery from Warehouse of such Spirits it shall be lawful to deduct and allow from the Quantity warehoused any actual Deficiency which may have arisen, to an Extent not exceeding the Allowance to be made under this Act in respect of Blended Spirits. British Spirits re imported may be deposited in a general Warehouse.

CXLI. A licensed Rectifier may, under such Regulations as the Commissioners may direct, warehouse, for Exportation or for Ship's Stores, in any Warehouse approved for that Purpose by the Commissioners of Customs, Spirits by him rectified or compounded from Spirits on which the Duties of Excise have been charged and paid, although such Spirits may be sweetened, or may be Spirits to which any colouring Matter has been added; and the Strength of such sweetened or coloured Spirits as denoted by *Sykes's* Hydrometer shall be deemed to be the true Strength thereof; and such sweetened or coloured Spirits shall be subject to all the Rules and Regulations relating to the Removal and warehousing of Spirits. Rectified or compounded Spirits may be deposited in Customs Warehouses.

CXLII. All rectified or compounded Spirits to be warehoused in such Customs Warehouse as aforesaid, other than Spirits of Wine, shall be of a Strength not more than Eleven *per Centum* over Proof, and Spirits of Wine shall be of a Strength not less than Forty-three *per Centum* over Proof as denoted by *Sykes's* Hydrometer; and all rectified or compounded Spirits to be so warehoused shall be contained in Casks of not less than Twenty Gallons Content, every Cask marked on each End thereof in Letters or Figures legibly cut, branded, or painted with Oil Colour thereon, with the Mark or Number of such Cask, and with the full Content thereof in Gallons, and with the true Number of Gallons and the true Strength of the Spirits contained therein, every such Cask being full, or on Ullage of One Gallon or Two Gallons, and not otherwise, at the Time of sending the Spirits from the Rectifying House to the Warehouse; and all Spirits when so removed shall be accompanied with a lawful Certificate, otherwise the same shall be forfeited, and the Rectifier or Compounder so removing the same shall forfeit the Sum of Two hundred Pounds, over and above all other Penalties. Strength of rectified or compounded Spirits to be deposited in Customs Warehouses, and Regulations as to Casks, Permits, &c.

CXLIII. Before rectified or compounded Spirits shall be received into such Customs Warehouse, a Warehousing Entry for Exportation only shall be passed for the same, specifying the Particulars of the Spirits as set forth in and upon the Certificate accompanying the same, and the Name of the Rectifier and of the Place where the Rectifying House is situated from which the Spirits were sent; and after the Spirits have been duly examined and warehoused by the proper Officer of Customs at such Warehouse, he shall deliver to the Rectifier or Compounder a Receipt, specifying the Marks, Number, and Content in Gallons of the several Casks received into such Warehouse, the Strength of each as denoted by *Sykes's* Hydrometer, and the total Number of Gallons at Proof received with such Certificate; and such Customs Officer shall forthwith despatch to the Collector of Excise of the Collection in which the Rectifying House is situated a Certificate, setting forth the Name of the Rectifier or Compounder and of the Place where the Rectifying House is situated, the Mark, Number, and Content in Gallons of the several Casks, the Strength and Description of the Spirits in each, and the total Number of Gallons at Proof received with such Certificate; and the Collector to whom such Certificate is sent shall, on receiving Three Days Notice of the Time when Payment is required, and upon Production to him of the Receipt before mentioned, pay to the Rectifier or Compounder named in the Certificate, or to any Person authorized on his Behalf, a Drawback of the Duties of Excise chargeable upon the like Quantity of Spirits computed at Proof, together with the Allowances granted by this Act in respect of the said Spirits. Rectified or compounded Spirits to be entered for Warehouse, and Officer of Customs to give Receipt for the same, and transmit a Certificate to the Collector of Excise, who is to pay a Drawback of the Duty on the Spirits.

CXLIV. A Rectifier or Compounder warehousing Spirits may, on giving One Day's Notice to the Officer of Customs in charge of the Warehouse, add to the Spirits any sweetening or colouring Matter, or any other Ingredient that he may think proper, subject, nevertheless, to such Regulations and Restrictions as the Commissioners of Customs may make from Time to Time; and no such Spirits, after any Matter or Ingredient has been added as aforesaid, shall be removed to any other Warehouse for Exportation or for Ships Stores, but shall be removed for such Purpose directly from the Warehouse in which the same are then deposited on board the Vessel in which they are to be exported or used as Stores, under the Laws and Regulations of the Customs. Rectifiers or Compounders warehousing Spirits may, on giving Notice, add sweetening or colouring Matter to the same.

CXLV. All rectified or compounded Spirits so warehoused, to which no sweetening or colouring Matter has been added in Warehouse, may be removed from one warehousing Port to another for Exportation, Rectified or compounded Spirits so ware-

housed may be sent Coastwise, &c.

tation, or for Ships Stores only, subject to the Regulations of this Act, and to the Laws and Regulations of the Customs relating to such Removals of Goods, but no such Spirits shall be admitted to Entry for Home Consumption.

British Spirits deposited in a Customs Warehouse may be used as Foreign or Colonial.

CXLVI. Any *British* Spirits which shall have been deposited in a Customs Warehouse under the Provisions of this Act may be used in such Warehouse for fortifying Wines, or for any other Purpose to which Foreign or Colonial Spirits may be applied under the Laws or Regulations of the Customs.

As to fraudulent Access to Spirits in Warehouse.

Penalty on Distiller, &c. fraudulently opening Warehouses, or gaining Access to Spirits.

CXLVII. If a Distiller, or Proprietor of Spirits warehoused in any Warehouse without Payment of Duty, shall by any Means fraudulently open such Warehouse or gain Access to the Spirits contained therein, he shall forfeit the Sum of Five hundred Pounds; and if after Spirits have been deposited in any Warehouse, and before their actual Removal therefrom for Home Consumption or for Exportation, or for the Purpose of being shipped as Stores, such Spirits shall be altered in Quality, Quantity, or Strength, except from natural Causes, or otherwise than as provided by this Act, or by the Rules and Regulations of the Commissioners in such respect, all such Spirits, and the Casks containing the same, shall be forfeited, and the Person in whose Name the same are deposited shall forfeit, over and above all other Penalties, double the Amount of Duties chargeable on the like Quantity of Spirits computed at Proof.

Denominations of British Spirits and Compounds.

Denominations of Spirits of different Distillations, British Compounds, &c.

CXLVIII. All Spirits distilled or made in *England, Scotland,* or *Ireland* shall be deemed and called *British* Spirits; and Spirits of the First Extraction drawn or produced by One Distillation of Wash, and conveyed into any Low Wines Receiver, shall be deemed and called Low Wines; and Spirits conveyed into any Feints Receiver shall be deemed and called Feints; and all other Spirits which shall not have had any Flavour communicated thereto, and all Liquors whatsoever which shall be mixed or mingled with any such Spirits, shall be deemed and called Plain *British* Spirits; and all Spirits which shall have had any Flavour communicated thereto, and all Liquors whatsoever which shall be mixed or mingled with any such Spirits, shall be deemed a *British* Compound called *British* Brandy; and all Spirits which shall have been re-distilled or mixed with Juniper Berries, Carraway Seeds, Aniseeds, or any other Seeds, Preparations, or Ingredients whatsoever used in the compounding of Spirits, and all Liquors whatsoever which shall be mixed or mingled with any such Spirits, shall be deemed and called *British* Compounds; and all *British* Spirits of the Strength of Forty-three *per Centum* above Proof as denoted by *Sykes's* Hydrometer, and all Spirits of a greater or higher Degree of Strength, except Spirits in a Distiller's Stock or in a Duty-free Warehouse, shall be deemed and called Spirits of Wine: Provided always, that, in addition to the Denomination of Spirits of different Distillations, the Word "Spirits" shall include and mean all Mixtures, Compounds, Preparations, or Commodities into the Manufacture of which Spirits enter as the Basis or principal Ingredient, in all Cases in which the Duty of Excise shall not have been paid upon the Spirits from or with which such Mixtures, Compounds, Preparations, or Commodities have been manufactured; and if any Question shall arise whether any Spirits removed by any Permit or Certificate are *bonâ fide* such *British* Spirits, Plain *British* Spirits, or *British* Compounds of any particular Sort or Kind, or Spirits of Wine respectively, as are described and specified in the Permit or Certificate accompanying the same, or granted for the Removal thereof, although such Spirits shall appear to have been kept account of in the Officer's Books or Account of Stock from which the Spirits were removed by the same Name or Description as is specified in the Permit or Certificate, the Proof that such Spirits are really and *bonâ fide* of the Sort specified in the Permit or Certificate shall lie upon the Owner or Claimer thereof, who shall prove the same by the Oaths of Two credible Witnesses, being skilful and experienced Persons competent to decide by Examination thereof.

Mixtures manufactured from Spirits which have not paid the Duty of Excise.

Proof of Spirits being such as described in the Permit or Certificate to lie on the Owner.

As to Rectifiers and Compounders of Spirits.

Penalty on Rectifiers and Compounders having in their Possession any Wort, &c., or distilling the same into Low Wines or Spirits, or receiving Spirits without a legal Permit.

CXLIX. If any Rectifier or Compounder keeping or using a Still shall have in his Possession any Wort, Wash, or other fermented Liquor or Materials prepared or fit for the Purpose or capable of being distilled into Low Wines or Spirits, or if any Rectifier or Compounder whatever shall distil or extract any Low Wines or Spirits from Wort, Wash, Wine, or other fermented Liquor or Materials, not being Spirits lawfully received into Stock to be rectified or compounded, or shall have in his Possession any Spirits whatsoever without having received and delivered to the proper Officer a legal Permit or Certificate with and for the same, or any Foreign or Colonial Spirits, except for the Purpose of being rectified or compounded, and sold by such Rectifier or Compounder as and for Spirits of Wine or *British* compounded Spirits, such Rectifier or Compounder shall (over and beside all other Penalties and Forfeitures) forfeit the Sum of Five hundred Pounds, or the Sum of Twenty Shillings for every Gallon of such Wort, Wash, Wine, or other fermented Liquor or Materials, or of the Low Wines or Spirits so distilled as aforesaid, or of the Spirits received without being accompanied with a true and legal Permit or Certificate delivered to the proper Officer as aforesaid, or of the Foreign or Colonial Spirits, as the Case may be, at the Election of the Commissioners or of the Person who shall prosecute for such Penalty;

and

and the Licence of every Rectifier or Compounder who shall be a Second Time convicted of any such Offence as aforesaid shall thereupon be deemed void, and such Rectifier or Compounder shall not be capable of receiving any further or renewed Licence as a Rectifier or Compounder for the Period of Three Years from the Date of such Second Conviction.

Rectifiers or Compounders having fixed Pipes, &c. to their Stills not hereby permitted liable to Penalty.

CL. No Rectifier or Compounder shall have any Opening, fixed Pipe, or other Conveyance whatever leading to any Still belonging to or used by him, except One charging Pipe to each Still, or shall have any Opening, fixed Pipe, or other Conveyance whatever leading from any Still, except the Discharge Cock belonging to each Still, and the Head of such Still terminating in the Worm; and proper Locks and Fastenings shall be provided for properly and sufficiently locking and securing the Charge and Discharge Cock of every Still used by a Rectifier or Compounder, which Locks and Fastenings shall be locked and secured by the proper Officer, and shall remain always so locked and secured when the Still is at work; and any Rectifier or Compounder who shall have any Opening, fixed Pipe, or other Conveyance (not before excepted) leading to or from such Still, or shall prevent or hinder the Officer from affixing any Lock or Fastening as aforesaid, shall forfeit the Sum of Two hundred Pounds.

Regulations as to the placing of the Discharge Cock in the Body of the Still of a Rectifier or Compounder.

CLI. The Discharge Cock belonging to every Still of a Rectifier or Compounder shall be so placed in the Body of the Still as that the Officers may have free and convenient Access thereto; and for that Purpose the Discharge Cock shall be continued in a straight Line from the Body of the Still to which it is fixed, and shall not project more than Three Feet therefrom, nor more than Eighteen Inches from the Brickwork or other Materials whereon the Still is erected; and if any Rectifier or Compounder shall have a Still in which the Discharge Cock shall be placed otherwise than as herein directed, or if he shall in any other respect offend in any of the Matters or Things aforesaid, he shall forfeit the Sum of One hundred Pounds.

Notice to the Officer to unlock Furnace Door of a Still of a Rectifier or Compounder.

CLII. Whenever a Rectifier or Compounder shall be desirous to have the Furnace Door of a Still unlocked, and to have a Fire lighted under the Still, he shall give to the proper Officer a Notice in Writing, Twelve Hours at least before the particular Time when he desires to have the Fire lighted; and if the Rectifier or Compounder shall not have a Fire lighted under such Still at the Time mentioned in such Notice, or within Two Hours next after such Time, the Notice shall be deemed to be null and void, and he shall be obliged to give another like Notice before the Officer shall be bound to open the Furnace Door of such Still.

Directions relative to Officer's Attendance for opening the Furnace Door.

CLIII. The Officer shall attend agreeably to such Notice, or within One Hour after the particular Time therein mentioned, and shall open the Furnace Door of the Still mentioned in such Notice; but he shall not on any Pretence open the Furnace Door of any Still which shall not be fully charged, nor until he has examined the Contents of the Still, and seen the Head thereof actually put on, and ready to be locked down; and the Officer, when attending on Notice at the Stillhouse of a Rectifier or Compounder, shall not be obliged to continue more than One Hour at any One Time; and if the Rectifier or Compounder shall not within that Time have charged the Still mentioned in such Notice, and have put on the Head thereof ready to be locked down, he shall be obliged to give another like Notice before the Officer shall attend again to open the Furnace Door of such Still.

Officer to open Locks and Fastenings for cleaning or repairing Utensils.

CLIV. Provided always, That whenever it shall be found necessary to have any Lock or Fastening opened for the Purpose of cleaning, repairing, or amending any Vessel, Utensil, Cock, Pipe, Pump, or other Article belonging to a Rectifier or Compounder, and required by Law to be locked and secured, the Officer shall, on receiving a written Request for that Purpose, open the same for all the Time the Workmen shall be actually employed in cleaning, repairing, or amending it, but he shall lock and secure every Still Head, Discharge Cock, and Furnace Door belonging to the Still every Night, as soon as the Workmen so employed shall leave off their Work; and the Officer shall attend at Six o'Clock every Morning whilst the Repairs are being done, in order to open the Still Head, Discharge Cock, and Furnace Door.

Rectifiers or Compounders to charge their Stills as herein directed, and work them off within the Time herein limited.

CLV. Every Rectifier or Compounder shall, before beginning to draw off Spirits from any Still, charge the same with a Quantity of Liquor in the Proportion of not less than Seven Parts in Ten of the whole Quantity of Liquor which the Still, including the Head, is capable of containing, and the Still shall remain and continue so charged until the Rectifier or Compounder shall begin to draw off Spirits therefrom; and every Still shall be worked off within Sixteen Hours, to be computed from the Time of the Officer's taking the Gauge thereof; and if any Rectifier or Compounder shall begin to draw off Spirits from any Still not so charged, or shall not work off the same within the Time herein limited, he shall forfeit the Sum of One hundred Pounds.

Officers may take Still Gauges, &c.; and if Wash mixed with Low Wines Rectifier liable to Penalty.

CLVI. The Officers, whenever they deem it necessary, after any Still belonging to a Rectifier or Compounder is charged, and before the same has begun to work, shall take Still Gauges of all Liquors of any kind whatsoever which shall be in such Still, and they shall also be at liberty to take Samples of such Liquors, as well before the Still has begun to work as after it is worked off; and if any Officer shall discover in a Still belonging to a Rectifier or Compounder any Wine or Wash put into or mixed with any Low Wines, Feints, or Spirits, the Rectifier or Compounder shall, over and above all other Penalties, forfeit the Sum of Five hundred Pounds.

Rectifiers or Compounders to cause the

CLVII. Every Rectifier or Compounder shall take off the Head of any Still (unless the Head is soldered or permanently fixed to the Body of the Still), when and so soon as the Still shall have ceased

Heads of their Stills to be taken off so soon as the same shall cease to be worked.

to be worked, and the Head of the Still shall in no Case, nor on any Account, be put thereon until the Still shall be again charged and ready to work; nor shall any Still be again worked until the Officer shall have examined the Quality of the Spirits therein; and if any Rectifier or Compounder shall neglect to take off the Head from a Still as hereby required, within Twelve Hours after the Still shall have ceased to be worked, or shall put the Head on any Still before such Still shall be charged and ready to work, or shall work any Still before the Officer shall have examined the Quality of the Spirits therein, the Rectifier or Compounder shall forfeit the Sum of One hundred Pounds.

Officers to take account of the Stocks of Rectifiers and Compounders as often as they may think fit, and if any Excess or Deficiency be found, Forfeiture and Penalty shall be incurred.

CLVIII. Any Officer shall, as often and at such Times as he may think fit, take an Account of the Quantity and Strength of all Spirits in the Stock or Possession of any Rectifier or Compounder, and compute the same at the Strength of Hydrometer Proof; and if, after making Allowance for the Spirits for which Certificates shall have been granted since the last Account taken of the Stock of such Rectifier or Compounder, computing the same at the Strength aforesaid, it shall be found that the Quantity of Spirits remaining in his Stock or Possession shall exceed the Quantity for which he shall appear to be debited or charged in the Books of the proper Officer, whether such Charge or Debit shall have arisen from what was on hand at the last preceding Account taken, or from what may have been lawfully received subsequently thereto, such Excess shall be deemed to be Spirits illegally received, and a Quantity of Spirits equal to such Excess may be seized by any Officer out of any Part of the Stock of such Rectifier or Compounder; and the Rectifier or Compounder in whose Stock or Possession such Excess shall be found shall forfeit the Sum of Twenty Shillings for every Gallon of such Excess; and if there be any Decrease in such Stock not duly accounted for by Spirits sent out with Certificate, and exceeding Five *per Centum* on the Balance or Stock left on hand at the last preceding Account, together with the Quantity since lawfully received, the Rectifier or Compounder shall forfeit the Sum of Twenty Shillings for every Gallon of such Deficiency.

Spirits produced from Stills at work when Stocks are taken to be added.

CLIX. And if any Still of a Rectifier or Compounder shall happen to be charged and at work at the Time when any Officer shall take account of his Stock, then all the Spirits produced from that Charge of the Still shall be kept separate and apart from the Remainder of the Stock till the Account of the Remainder shall have been completely taken, after which the Spirits produced from that Charge shall be added to the Stock.

Rectifier or Compounder receiving Spirits not to break Bulk before the Officer to whom Notice shall be given take an Account of the Strength and Quantity.

CLX. No Rectifier or Compounder receiving Spirits into his Possession shall break Bulk or draw off any Part thereof, or add Water or anything thereto, or in any respect alter the same, or tap or open any Cask so received, or alter or change any Package containing Spirits, or the Spirits therein removed, until the proper Officer shall have taken an Account of the Strength and Quantity thereof; and every Rectifier or Compounder shall on the Receipt of any Spirits give Notice thereof to the proper Officer, and shall deliver to him the Permit received with the Spirits, and thereupon the Officer shall attend and take an Account of the Strength and Quantity of such Spirits; and if any Rectifier or Compounder who shall receive Spirits into his Possession shall fail to give such Notice, and deliver such Permit as aforesaid, or shall break Bulk, or draw off any Part of such Spirits, or add Water or anything thereto, or in any respect alter the same, or tap or open any Cask, or alter or change any Package containing Spirits, or the Spirits therein removed, before the proper Officer shall have taken an Account of the Strength and Quantity thereof, all such Spirits, or a Quantity equal thereto, shall be forfeited, and may be seized out of any Part of the Stock of such Rectifier or Compounder, and he shall forfeit the Sum of Two hundred Pounds; but if the proper Officer shall neglect to attend, for the Purpose of taking such Account as aforesaid, within One Hour after receiving such Notice, no Forfeiture or Penalty shall be incurred by the Rectifier or Compounder for any such Offence.

Rectifiers or Compounders to mark the Quantity and Strength of mixed or compounded Spirits on the Casks containing the same.

CLXI. Where the Strength of any Part of the Stock of a Rectifier or Compounder, by being mixed or compounded with Sugar, Syrup, Seeds, Fruit, or any other Ingredient or Material, cannot be ascertained by the Hydrometer, he shall immediately, or on being required by any Officer, cause the true Quantity and Degree of Strength of the Spirits so mixed to be legibly marked on the Outside of the Cask or Vessel containing the same; and if the Quantity or Degree of Strength of such Spirits shall be found to have been untruly marked on the Outside of the Cask or Vessel, or if the Rectifier or Compounder shall, upon being required by the Officer, neglect immediately to mark the Quantity and Degree of Strength of such Spirits, or shall not continue such Mark until all the Spirits in such Cask or Vessel shall be removed and taken therefrom, such Spirits, Syrup, Seeds, Fruit, and other Ingredients, together with the Casks and Vessels containing the same, shall be forfeited, and the Rectifier or Compounder shall also forfeit the Sum of Fifty Pounds.

At what Strength and in what Quantities Rectifiers and Compounders may send out compounded Spirits and Spirits of Wine.

CLXII. A Rectifier or Compounder may lawfully sell and send out, accompanied with a lawful Certificate, any Quantity, not being less than Two Gallons, of compounded Spirits, at any Strength not exceeding Twenty-five *per Centum* over Hydrometer Proof, and any Quantity not being less than Two Gallons of Spirits of Wine; and if any Plain *British* Spirits or any Foreign or Colonial Spirits not being Spirits of Wine, or if any other Spirits not being compounded Spirits, or if any compounded Spirits, except by Permit or with a Certificate, and of such Strength as aforesaid, and not being less than Two Gallons at any One Time, shall be sold or sent out by any Rectifier or Compounder contrary hereto, he shall forfeit the Sum of Fifty Pounds, and all such Spirits, with the Casks or other Packages containing

containing the same, and all Horses, Cattle, Carriages, and Boats made use of in removing such Spirits, shall also be forfeited.

Strength of Spirits of Wine to be 43 per Cent. over Proof at the least, and to be expressed in the Certificate.

CLXIII. Spirits of Wine shall be made and kept of the Strength of Forty-three *per Centum* over Hydrometer Proof at the least, and the true Strength of Spirits of Wine shall be expressed in the Certificate granted for the Removal thereof, and shall be taken account of by the Officer in the Stock of every Rectifier or Compounder according to the actual Strength thereof; and if any Spirits of Wine shall be kept or removed of less Strength than as aforesaid, or be mixed with Foreign Wine, or shall be removed without a Certificate expressing the true Strength thereof, such Spirits of Wine shall be forfeited, and the Rectifier or Compounder shall forfeit the Sum of Two hundred Pounds.

As to Dealers and Retailers.

Dealers and Retailers to make Entry of Premises and Utensils.

CLXIV. Every Dealer and Retailer respectively shall make a true and particular Entry in Writing signed by him of every Building, Room, or other Place, and of every Vessel or Utensil, and of all standing or fixed Casks intended to be used by him for the keeping of Spirits, and such Entry shall be made by delivering the same to the proper Officer; and every such Building, Room, Place, Vessel, Utensil, and Cask shall be distinguished by a particular Letter or Number, and shall be described in such Entry by a corresponding Letter or Number.

At what Strength British Spirits may be kept and sent out of Stock.

CLXV. No Dealer or Retailer shall receive or have in or send out from his Stock or Possession any *British* Spirits (except Spirits of Wine) of any Strength exceeding that at which licensed Distillers and Rectifiers can send out Spirits of the like Denomination from their Stock or Possession, or any Spirits of Wine of less Strength than Forty-three *per Centum* above Hydrometer Proof, on pain of forfeiting the Sum of Fifty Pounds, and all Spirits, and the Casks and Packages containing the same, received, had, or sent out contrary hereto.

Casks used by Dealers and Retailers in Stock or for delivering out Spirits to have the true Content marked thereon.

CLXVI. Upon some conspicuous Part of every standing or fixed Cask used by any Dealer or Retailer for holding Spirits in Stock, and on the Outside of both of the Heads or Ends of every rolling or moveable Cask used by him for keeping or delivering out Spirits, there shall be legibly painted with Oil Colour, or cut or branded, the full and true Number of Gallons which the Cask is capable of containing; and every such Cask which shall be used without having the full and true Number of Gallons which the same is capable of containing so cut, branded, or painted thereon as aforesaid shall, together with the Spirits contained therein, be forfeited, and the Dealer or Retailer shall also forfeit the Sum of Fifty Pounds for every such Cask.

Dealers and Retailers to mark the true Strength and Quantity of compounded Spirits on their Casks.

CLXVII. In all Cases where the true Strength of any Part of the Stock of Spirits of a Dealer or Retailer, by being mixed or compounded with Sugar, Syrup, Seeds, Fruit, or any other Ingredient or Material, cannot be ascertained by *Sykes's* Hydrometer, the Dealer or Retailer shall, immediately on being required so to do by any Officer, cause the true Quantity and Degree of Strength of such Spirits to be legibly marked on the Outside of every Cask or Vessel containing the same respectively; and if the Quantity and Strength of any Spirits shall be found to be untruly marked as aforesaid, or if any Dealer or Retailer, upon being required by any Officer, shall refuse or neglect immediately to mark the Quantity and Strength of such Spirits as aforesaid, all such Spirits, Syrup, Seeds, Fruit, and other Ingredients, together with the Casks and Vessels containing the same, shall be forfeited, and the Dealer or Retailer shall forfeit the Sum of Fifty Pounds; but the said Penalty and Forfeiture shall not be incurred by reason of the marking on any Cask the Strength expressed in the Permit or Certificate with which the Compounds therein contained were received into Stock, no Alteration having been since made therein.

Penalty on Retailer sending out Spirits to a Rectifier, &c., and on Dealer selling less than Two Gallons.

CLXVIII. Every Retailer, not being entered and licensed also as a Dealer, who shall sell, send out, or deliver Spirits to any Rectifier or Compounder, or Dealer or Retailer, or who shall buy or receive Spirits from any other Retailer, not being a licensed Dealer, shall forfeit the Sum of Fifty Pounds; and every Dealer, not being entered and licensed also as a Retailer, who shall sell, send out, or deliver Spirits in a less Quantity than Two Gallons of Spirits of the same Denomination at a Time to the same Person shall also forfeit the like Sum.

Licensed Dealers taking out an additional Licence may retail and send out Foreign Liqueurs without Certificate.

CLXIX. Provided always, That any Person duly licensed as a Dealer in Spirits may take out an additional Licence authorizing him to sell by Retail any Quantity (the same not being less than One reputed Quart Bottle, or in the Bottles in which the same may have been imported), of Foreign Liqueurs, not to be drunk or consumed upon the Premises; and any licensed Dealer taking out such additional Licence may send out or deliver Foreign Liqueurs without the Certificate herein-after mentioned, if the Quantity does not exceed One Gallon at a Time, and such Liqueurs are not sent to the Stock of any Dealer or Retailer.

As to Certificates and Permits for the Removal of Spirits.

Every Rectifier, Dealer, and Retailer to provide a Book for entering therein the

CLXX. Every Rectifier, Dealer, and Retailer respectively shall provide himself with a Book prepared according to a Pattern, to be given to him on his Application to the proper Officer, and shall, on the same Day on which he receives any Spirits into his Stock or Possession, and at such Time on that Day as he may be requested to do so by any Officer, and if not so requested then at latest before the Expiration of that Day, write and enter in such Book, and in the proper Columns respectively prepared for the

Particulars of Spirits received and sent out by him.

Purpose, the Date when, and the Christian and Surname of the Person, or the Name of the Firm, from whom and of what Place the Spirits were received, the Number of Gallons, and the Kind or Quality of the Spirits, and the Strength thereof; and every Rectifier, Dealer, and Retailer respectively shall also on the same Day on which he shall send out of his Stock or Possession any Spirits in a Quantity requiring a Certificate as herein-after mentioned, and at such Time on that Day as he may be requested as aforesaid, and if not so requested then at latest before the Expiration of that Day, write and enter in like Manner in the said Book the Day when and the Christian and Surname of the Person, or the Name of the Firm, and of what Place, to whom such Spirits were sent, the Quantity, and the Kind or Quality of such Spirits, and the Strength thereof, and also the Number of Gallons and the Fractions of a Gallon at Proof; and every such Book shall be at all Times kept in some public and open Place of the entered Premises of the Rectifier, Dealer, and Retailer respectively, for the Inspection of the Officers; and any Officer may examine such Book, and take any Extract therefrom; and every such Book, after it has been filled up as aforesaid, shall be preserved by the Rectifier, Dealer, or Retailer for a Period of not less than Twelve Months, and during such Time shall be produced by him to every Officer demanding the same; and if any Rectifier, Dealer, or Retailer shall refuse or neglect to provide such Book, or to make due Entries therein as aforesaid, or shall cancel, alter, obliterate, or destroy any Part of such Book, or any Entry therein, or make any false Entry therein, or hinder or obstruct any Officer from or in examining such Book, or making any Minute therein, or taking any Extract therefrom, or if such Book shall not be preserved or not produced by the Rectifier, Dealer, or Retailer as herein-before directed, such Rectifier, Dealer, or Retailer offending herein shall forfeit the Sum of One hundred Pounds.

All Spirits sold by Rectifiers or Dealers, and also (when the Quantity exceeds a Gallon) by Retailers, to be accompanied by a Certificate.

CLXXI. A Certificate Book, prepared with proper printed Forms for the Purposes herein-after mentioned, shall be delivered by the proper Officer to every Rectifier, Dealer, and Retailer respectively who shall request the same, in Writing, of such Officer; and every Rectifier, Dealer, and Retailer respectively, on Receipt of such Book, shall acknowledge the same in Writing under such Request, or as the Commissioners may direct; and no Spirits whatever shall be sold, sent out, or delivered from the Stock or Possession of a Rectifier or Dealer, nor any Spirits exceeding the Quantity of One Gallon of Spirits of the same Denomination at a Time for the same Person shall be sold, sent out, or delivered from the Stock or Possession of a Retailer, without a Certificate filled up, and cut out progressively from the printed Forms contained in such Book, and signed by the Rectifier, Dealer, or Retailer, or by some Person on his Behalf, with the Addition to his Signature of his Occupation (whether Rectifier, Dealer, or Retailer), certifying the Person from whom, the Place from whence, and the Day and Hour of the Day when the Spirits are sent out or delivered, the Number of Casks or other Packages in which the same are sent out, the Quantity, and Kind or Quality and Strength thereof, the Christian and Surname of the Person or the Name of the Firm to whom sold, and the Place to which, and the Conveyance by which, the same are to be sent; and every Rectifier, Dealer, and Retailer respectively, before such Certificate is cut from its Counterpart, shall make a corresponding Entry in such Counterpart of the same Particulars as are stated in the Certificate; and such Certificate shall accompany the Spirits on the Removal thereof, and shall be delivered to the Person to whom the Spirits are sold, sent out, or delivered; and every Rectifier, Dealer, and Retailer respectively shall keep the said Certificate Book in some public and open Part of his entered Premises, for the Inspection of the Officers; and when such Certificate Book is completely used by filling up the same as aforesaid, or when demanded by the proper Officer, the Rectifier, Dealer, or Retailer shall return the same to the proper Officer, who shall give a Receipt for the same, and, if requested as aforesaid, shall thereupon deliver to him a new Certificate Book, to be acknowledged and kept by him as aforesaid; and every Rectifier or Dealer who shall sell, send out, or deliver any Spirits without such Certificate as aforesaid, and every Retailer who shall sell or send out any Spirits exceeding the Quantity of One Gallon of Spirits of the same Denomination at a Time for the same Person, without such Certificate as aforesaid, and every Rectifier, Dealer, and Retailer respectively who shall not make a corresponding Entry in the Counterpart of such Certificate as aforesaid, or who shall not keep or return such Book as aforesaid, or who shall hinder or obstruct any Officer in examining such Book, or making any Minute therein or Extract therefrom, or who shall cancel, alter, obliterate, or destroy any Part of such Book or any Entry therein, or who shall make any false Entry therein, shall forfeit the Sum of One hundred Pounds, and all Spirits sent out or delivered as aforesaid without such Certificate shall also be forfeited; but the said Penalty or Forfeiture shall not be incurred by reason of the Strength of the Spirits not agreeing with the Certificate accompanying the same, if the Strength thereof is not more than One *per Centum* above or Two *per Centum* below that expressed in the Certificate.

Penalty on Rectifiers, Dealers, and Retailers for improper Use of Certificates.

CLXXII. And if any Rectifier, Dealer, or Retailer shall cut or separate any such Certificate or Form of Certificate from its Counterpart, except on the Occasion of his sending out Spirits from his Stock, and for the Purpose of the Certificate properly filled up accompanying such Spirits, or if any Rectifier, Dealer, or Retailer shall cut or separate any Certificate or Form of Certificate from its Counterpart without first filling up the Certificate or Form with the several Particulars and according to the Directions herein in that Behalf mentioned, he shall forfeit the Sum of One hundred Pounds; and upon the Hearing of any Information for the Recovery of the said Penalty, and upon any Appeal in relation thereto, Proof of the Non-entry by the Rectifier, Dealer, or Retailer, upon the Counterpart of any

Certificate

Certificate or Form cut or separated therefrom, of the Particulars required by Law to be entered upon such Certificate and Counterpart respectively, on the Occasion of his sending out Spirits, shall be sufficient Evidence that the Certificate or Form was cut and separated by him from its Counterpart, not upon the Occasion of his sending out Spirits from his Stock, and for the Purpose of such Certificate properly filled up accompanying such Spirits, and the Rectifier, Dealer, or Retailer shall be convicted of such Offence accordingly.

Penalty for fraudulently using a Certificate for any Purpose other than the due Removal of Spirits.

CLXXIII. If any Rectifier, Dealer, or Retailer shall fill up and cut out from any Certificate Book delivered to him any Certificate as for the Removal of Spirits from his own Stock, and use such Certificate, or cause or suffer the same to be used for any other Purpose than to accompany the actual Removal and Delivery of the Spirits therein expressed, or shall deliver or part with, to any Person whatever, any Certificate or Form of Certificate cut out from such Book as aforesaid, although not filled up, or if any Rectifier, Dealer, or Retailer or other Person shall use any Certificate or Form of Certificate, whether filled up or not, so that the Account of Spirits kept or checked by any Officer, or any Examination of Spirits by any Officer, is or may be frustrated or evaded, such Rectifier, Dealer, Retailer, or other Person so offending shall forfeit the Sum of Five hundred Pounds; and every Person having a Licence to rectify, deal in, or retail Spirits shall, upon being convicted of any such Offence as aforesaid, forfeit such Licence, and no new Excise Licence shall be granted to such Person so convicted for the Remainder of the current Year of any Licence so forfeited.

Rectifier, Dealer, or Retailer not to receive Spirits without a Permit or Certificate, and the same to be cancelled on Receipt thereof.

CLXXIV. No Rectifier, Dealer, or Retailer shall receive any Spirits not accompanied by a true and lawful Permit or Certificate as the same are respectively required by Law, and every Rectifier, Dealer, and Retailer respectively shall, immediately on receiving a Permit or Certificate, cancel the same by writing in large Letters in Ink across such Permit or Certificate, or in the Space prepared for that Purpose, the Word "Received," and the Day and Hour when received, or shall otherwise permanently cancel such Permit or Certificate by Lines drawn in Ink across the same so as to prevent it from being again used for the Removal of Spirits; and every Rectifier, Dealer, or Retailer who shall receive any Spirits without the same being accompanied by a true and lawful Permit or Certificate, as by Law required, shall forfeit the Sum of One hundred Pounds; and all such Spirits, or an equal Quantity of Spirits of a like Kind, to be taken out of any Part of his Stock, shall also be forfeited; and every Rectifier, Dealer, or Retailer receiving any Permit or Certificate who shall not cancel the same as aforesaid shall forfeit the Sum of Fifty Pounds.

Permits and Certificates to be preserved and delivered to the Officer.

CLXXV. All Permits and Certificates received with Spirits by a Rectifier, Dealer, or Retailer shall be preserved, after being cancelled as aforesaid, and shall be delivered by him to the Officer who shall first inspect his Premises after the Receipt thereof; and for any Neglect or Default in this respect the Rectifier, Dealer, or Retailer shall forfeit the Sum of Fifty Pounds for every such Permit or Certificate; but the Penalty shall not be incurred if the Permit or Certificate have been lost or destroyed after the Expiry of Three Months from the Date thereof.

Stock of Dealer or Retailer may be taken by an Officer, and any Excess found therein to be forfeited.

CLXXVI. Any Officer may, at any Time, take an Account of the Quantity of all Spirits in the Stock or Possession of a Dealer or Retailer, and if it be found that the Quantity of Spirits remaining in the Stock or Possession of such Dealer or Retailer exceeds the Quantity which ought to be therein, as appears on balancing the Book by this Act directed to be kept by him of Spirits received into and sent out of his Stock or Possession (all Spirits being for that Purpose computed at Proof), the Excess shall be deemed to be Spirits illegally received; and a Quantity of Spirits equal to such Excess shall be forfeited, and may be seized by any Officer out of any Part of the Stock of such Dealer or Retailer, who shall also forfeit the Sum of Twenty Shillings for every Gallon of such Excess; and it shall also be lawful for any Officer to enter into the Premises of a Dealer or Retailer, and to examine and take Samples of any Spirits in his Stock or Possession, paying for such Samples the usual Price thereof.

Distiller, &c. to assist Officer in taking Stock.

CLXXVII. Every Distiller, Rectifier, Dealer, and Retailer respectively shall, when required by any Officer, assist him by a sufficient Number of Servants in taking account of his Stock, on pain of forfeiting the Sum of Fifty Pounds for any Neglect or Refusal so to assist.

Distiller may not carry on the Trade of a Dealer within Two Miles from his Distillery unless Place be approved by the Commissioners.

CLXXVIII. No Distiller shall be licensed to carry on the Trade of a Dealer in Spirits at any Place within the Distance of Two Miles from his Distillery, unless such Place shall first be approved by the Commissioners; and in any Case in which a Distiller shall, with the Approbation of the Commissioners, carry on such Trade of a Dealer at any Place within the Distance aforesaid from his Distillery, no Spirits shall be sent out or removed from his Stock or Possession, either as a Dealer or a Distiller, without being accompanied by a Permit granted by the proper Officer, on pain of Forfeiture of such Spirits, and of such Penalty as by Law is imposed on a Distiller for sending out or removing Spirits without a Permit.

Retailer not to be concerned in Distillery, &c. within Two Miles of his Premises, nor to be licensed in Premises having private

CLXXIX. No Retailer shall be a Distiller, Rectifier, or Compounder keeping or using a Still, or be in any Manner interested or concerned in the Trade or Business of a Distiller, or of such Rectifier or Compounder, at any Premises within Two Miles of the Place at which he is entered or licensed to carry on the Business of a Retailer; and no Person shall be licensed as a Retailer in any House or Premises having any Communication or Way internally or through any enclosed or private Yard, Field, Passage, or private Road or Place, or otherwise than by a public Carriageroad, with any House or Premises entered or used by any Distiller or by any Rectifier or Compounder keeping or using a Still, and if any Retailer shall

Communication with a Distillery, &c.

shall be a Distiller or a Rectifier or Compounder keeping or using a Still, or in any Manner interested or concerned in any such Trade or Business, contrary hereto, or if any Person shall be licensed as a Retailer in any House or Premises contrary hereto, he shall forfeit the Sum of Two hundred Pounds.

No Spirits to be purchased except from licensed Traders, or at Customs or Excise Sales or Warehouses.

CLXXX. If any Person shall receive or buy or procure any Spirits otherwise than from a licensed Distiller, Rectifier, Compounder, Dealer, or Retailer, whose Name is painted over the outward Door of his entered Premises in the Manner required by Law, or at some public Sale of Spirits sold under the Direction of the Commissioners of Inland Revenue or the Commissioners of Customs, the Person so offending shall forfeit the Sum of Five hundred Pounds; but such Penalty shall not be incurred by reason of receiving or buying Foreign or Colonial Spirits from the proper Warehouse of Customs in which the same have been deposited on the due Importation thereof, or receiving or buying *British* Spirits from a Warehouse in which the same have been deposited before Payment of Duty, or whilst the same are lying openly on the Quays on which such *British* Spirits have been lawfully landed on due Removal thereof from one Part of the United Kingdom to another, and from a licensed Distiller or Dealer in the Case of *British* Spirits.

No Spirits to be removed from the Stock of a Distiller without a Permit.

CLXXXI. No Spirits shall be sent out of the Stock or Possession of any Distiller, nor shall any Spirits be removed from the Distillery, Stillhouse, Building, or other Place wherein the same were made or kept by any Distiller, without a Permit first granted and signed by the proper Officer, upon a Request Note subscribed by such Distiller, or by some Person on his Behalf, and delivered to the Officer, specifying therein the Quantity and Strength of the Spirits, and also specifying the Casks or other Vessels containing the same, the Person from whom and Place from which, and the Person to whom and the Place to which, such Spirits are to be sent, and by what Mode of Conveyance the same are intended to be sent, and whether by Land or by Water, which Permit shall be made by the Officer to correspond in respect to all the Particulars aforesaid with the Request Note; and a reasonable Time shall be limited and specified in the Permit during which the same is to be in force; and no Permit shall be valid or of any Effect if it shall be granted on any Request Note not made conformably to the Directions herein contained; and all Spirits which shall be sent out, removed, or carried, or found removing or carrying, without such Permit as aforesaid, together with the Casks, Vessels, and other Packages containing the same, and also the Boats and other Vessels, and the Horses and other Cattle and Carriages, made use of in the Removal or Conveyance thereof, shall be forfeited; and if any Distiller shall send out, deliver, or carry, or knowingly permit or suffer to be sent out, delivered, or carried, any Spirits from his Stock or Possession, or from any House, Building, or other Place wherein the same were made, or kept by him, without such Permit as aforesaid, or with any Permit not corresponding with the Spirits in Quantity and Strength, he shall, over and above the Forfeiture of the said Spirits, forfeit the Sum of Twenty Shillings for every Gallon of the Spirits so sent out, carried, or conveyed, of whatever Strength the same may be, and whether the same shall or shall not be seized: Provided always, that no Permit shall be granted to a Distiller for any less Quantity of Spirits than Nine Gallons contained in One Cask.

Rectifier, Compounder, Dealer, or Retailer not to receive any Spirits without Permit or Certificate, nor any Person carry the same.

CLXXXII. If any Rectifier or Compounder, or Dealer or Retailer, shall receive, or knowingly suffer to be received, into his Stock or Possession, or shall suffer any other Person, for his Use or Account, to receive any Spirits, without the same being accompanied with a true and lawful Permit or Certificate duly granted, or if any Carrier, Boatman, or other Person shall knowingly carry, remove, or transport, or by means of his Horse, Cattle, Cart, Vessel, Boat, or other Conveyance shall knowingly suffer to be carried, removed, or transported, or shall be aiding in carrying, removing, or transporting, any Spirits which by Law ought to be accompanied with a Permit or Certificate, without being accompanied with a true and lawful Permit or Certificate duly granted in that Behalf, every Person so offending shall forfeit the Sum of Two hundred Pounds, over and above every other Penalty and Forfeiture to which he may be liable by Law; and all such Spirits, and the Packages in which the same shall be contained, and every such Horse, Cart, Vessel, Boat, and other Conveyance, and all such Cattle, shall also be forfeited.

No Spirits to be sent out or received into Stock unless the Permit truly express the Strength.

Rectifiers and others to have Credit for the Quantity expressed in the Permit.

CLXXXIII. No Distiller, Rectifier, or Compounder shall send out or remove from his Stock or Possession, nor shall any Rectifier or Compounder, or Dealer or Retailer, receive into his Stock or Possession, any Spirits unless the Permit or Certificate accompanying the same shall truly express the Sort or Kind and Strength at the Time of the Removal thereof; and all Spirits so removed, sent out, or received, not being accompanied with a true and lawful Permit or Certificate, as by Law required, expressing the Sort or Kind and Strength thereof, shall be forfeited, and the Distiller, Rectifier, or Compounder so sending out, and the Rectifier or Compounder, or Dealer or Retailer, so receiving such Spirits, shall respectively forfeit the Sum of One hundred Pounds; and no Rectifier or Compounder or Dealer shall have (except as after mentioned) Credit in Stock for any greater Quantity of Spirits received or found therein than for the Quantity, computed at Proof, brought in with such Permit or Certificate as aforesaid delivered to the Officer.

All Spirits exceeding One Gallon to be removed by Permit or Certificate, otherwise Penalty and Forfeiture.

CLXXXIV. No Spirits of any Kind whatever exceeding the Quantity of One Gallon of Spirits at a Time, of the same Denomination, for the same Person, shall be removed from any One Place to any other Place without a true and lawful Certificate of the proper Officer of Customs, if the Spirits be removed from a Customs Warehouse (unless the same be under Bond on Removal from one such Warehouse to another Warehouse), or without a true and lawful Certificate from a Rectifier, or a Dealer or Retailer, if the Spirits be removed from the Stock of any such Trader, or without a true and lawful

Permit

Permit if the Spirits be removed from the Stock or Possession of any other Person or from any Excise Warehouse; and all such Spirits found removing or removed, without such Permit or Certificate accompanying or having accompanied the same on the last Removal thereof (unless the same be under Bond as aforesaid), shall be forfeited, and every Person in whose Possession the same are found shall forfeit the Sum of One hundred Pounds, or treble the Value of such Spirits, at the Election of the Commissioners of Inland Revenue, or the Commissioners of Customs, or of the Person who shall prosecute for such Penalty.

Persons removing Spirits in any Quantity exceeding One Gallon, and not producing a proper Permit or Certificate, may be arrested, and convicted, and on Non-payment of the Penalty may be imprisoned.

CLXXXV. Any Officer of Excise or Customs, and any Officer of the Peace having a Commission from the Commissioners of Inland Revenue, may stop and detain any Person found carrying or removing any Spirits, and may examine such Spirits, and require the Production of a Permit or Certificate authorizing the Removal of the same; and if any Permit or Certificate be produced agreeing with the Spirits in all respects, such Officer may endorse thereon the Time and Place of such Examination; and if any Spirits exceeding the Quantity of One Gallon of Spirits of the same Denomination at a Time, for the same Person, shall be carried or removed by any Person, without a true and lawful Permit or Certificate accompanying the same and authorizing the Removal thereof, or if any Person found carrying or removing Spirits, in such Quantity as aforesaid, shall not, on being stopped or detained by any such Officer as aforesaid, forthwith produce a true and lawful Permit or Certificate authorizing the Removal thereof, the Person so offending shall incur the Penalty of One hundred Pounds; and any such Officer as aforesaid may arrest and detain the Offender, and convey him before a Justice of the Peace, who shall hear and determine, as soon afterwards as practicable, the Charge against the Person so arrested, and on his Confession, or on due Proof upon Oath of his Offence, convict him in the said Penalty; and no such Penalty shall be mitigated by any such Justice below the Sum of Ten Pounds; and every Person so convicted shall, immediately on such Conviction, pay down into the Hands of such Officer, or (if he be an Officer of the Peace, then) into the Hands of the Clerk of such Justice, for the Order and Direction of the Commissioners, the said Penalty; and if the Person so convicted shall not forthwith pay down such Penalty, the Justice, by Warrant under his Hand, shall commit him to any Gaol or Prison of the County or Place, there to be kept to Hard Labour for any Time not exceeding Six Calendar Months nor less than One Calendar Month, unless the Penalty shall be sooner paid.

Penalty for sending out or receiving Spirits without Permit, or for the fraudulent Use of Permits.

CLXXXVI. If any Person shall deliver, remove, or receive any Spirits, for the Removal of which a Permit is by Law required, without such Permit, or any greater Quantity of Spirits, or of a different Kind or Quality or Strength, than shall be expressed in the Permit, or, having obtained a Permit, shall not send out therewith the Spirits therein described, or return the said Permit to the proper Officer within the Time by Law required, or if any Person shall request, obtain, or use any Permit, or shall cause or suffer any Permit to be requested, obtained, or used, for any other Purpose than to accompany the actual Removal and Delivery of the Spirits as therein expressed, or shall produce, or cause or suffer to be produced, to any Person, any Permit as having been received with any Spirits other than as aforesaid, or shall in any Manner use, or cause or suffer to be used, any Permit so as that any Account of Spirits kept or checked by any Officer may be frustrated or evaded, the Person so offending shall forfeit the Sum of Five hundred Pounds, over and above all other Penalties and Forfeitures whatever; and every Permit used for any other Purpose than to accompany the Removal and Delivery of the Spirits for which the same was granted, and as therein expressed, shall be deemed to be a false Permit, and such unlawful Use thereof shall (over and above all other Penalties and Forfeitures) subject the Person so using the same to all Penalties and Forfeitures imposed by Law upon any Person for using, giving, or receiving any false Permit; and every Person having a Licence to distil, rectify, or compound, deal in, retail, or sell Spirits shall, upon being convicted of any such Offence as aforesaid, forfeit such Licence, and no new Excise Licence shall be granted to him for the Remainder of the current Year of any Licence so forfeited.

If a Permit be not delivered with Spirits sold they shall be forfeited, and double the Price.

CLXXXVII. If a true and lawful Permit or Certificate shall not be sent with any Spirits to the Buyer thereof, such Spirits shall, if the same be not seized in the Transit for Want of such Permit or Certificate, be forfeited to the Buyer thereof, and the Seller shall be rendered incapable of recovering the same, or the Value or Price thereof, in any Court of Law or Equity; and the Seller in such Case shall, over and besides the Loss of the said Spirits, forfeit double the Value of or Price agreed to be paid for the same, including the Duty thereon.

Permits and Certificates for the Removal of Spirits to be granted under the Regulations of the Permit and Certificate Laws.

CLXXXVIII. Every Permit and Certificate respectively for the Removal of Spirits shall be granted and issued, obtained and used, under the Rules, Regulations, and Provisions of any Act of Parliament regulating the granting and issuing of Permits and Certificates for the Removal or Conveyance of exciseable Goods, or in any Manner relating to such Permits or Certificates (except so far as the same may be altered and otherwise directed by this Act), and all Clauses, Provisions, Fines, Penalties, and Forfeitures inflicted or imposed by any such Act shall extend to and be applied in the Execution of this Act, and to every Permit and Certificate respectively which shall be granted for the Removal of any Spirits, and to the Persons issuing, obtaining, or using the same.

As to Scales, Weights, Measures, and Fastenings to be provided by Excise Traders.

Excise Traders to keep sufficient Scales, Weights, and

CLXXXIX. Every Excise Trader under this Act shall provide sufficient and just Scales and Weights, and a Set of Standard Measures, for the Purpose of weighing, measuring, and taking an Account of the Spirits, Goods, and Commodities in his Warehouse, Stock, or Possession, and of any Casks

Measures, and aid the Officers in using the same.

Casks or Vessels used for the Purpose of containing such Spirits, Goods, or Commodities; and such Weights and Measures shall be of such Denominations respectively as the Commissioners shall require; and the Excise Trader shall maintain and keep such Scales and Weights and Measures in such proper and convenient Place in his Distillery, Warehouse, or other entered Premises as the Supervisor shall approve, and so that the same shall be at all Times ready for the Use of the Officers; and the Excise Trader shall permit and suffer any Officer to use the same for the Purpose aforesaid, and shall, with his Servants and Workmen, whenever thereto required by any Officer, weigh or measure, and assist him in weighing or measuring, as he may require, and in taking an Account of, any such Spirits, Goods, and Commodities as aforesaid; and for any Refusal or Neglect on the Part of any Excise Trader to comply with any Direction or Provision in this Clause contained he shall forfeit the Sum of One hundred Pounds; and if any Scales or any Weight or Measure which shall be so provided shall be false or unjust or incorrect, or if any Excise Trader shall use, or permit or suffer to be used, any false, unjust, or insufficient Scales or Weight or Measure in the weighing or measuring of any Spirits or other Goods or Commodities, or shall practise any Device or Contrivance by which any Officer may be prevented from or deceived in taking the just and true Quantity, Weight, or Measure of any Spirits, Goods, or Commodities, or of any Casks or Vessels, the Excise Trader so offending shall forfeit the Sum of Two hundred Pounds, and all false, unjust, or insufficient Scales, Weights, and Measures respectively shall be forfeited.

Penalty for providing false Scales, Weights, or Measures, and for practising Fraud to prevent a true Account being taken.

All Fastenings (except Locks) for the Security of Warehouses, Storerooms, and Utensils to be provided at the Expense of the Excise Trader.

Locks and Keys to be provided at the Expense of the Revenue.

Penalty for removing or damaging Locks or Fastenings.

CXC. Wherever any Warehouse, Storeroom, or other Room or Place, or any Furnace, or any Still or other Vessel, or any Pipe, Plug, Cock, or other Utensil belonging to any Excise Trader, is by this Act directed to be secured and locked by the Officers, all fit and proper Fastenings for the Purpose of enabling the Officers to affix Locks thereto, or otherwise to secure the same, shall be provided and affixed, repaired and renewed from Time to Time by the Excise Trader to the Satisfaction of the proper Supervisor for the Time being, or other superior Officer, or otherwise such Supervisor or Officer shall provide and affix, and repair or renew, such Fastenings at the Expense of the Excise Trader, who shall pay to the proper Collector or Supervisor, on Demand, the Cost or Expense incurred thereby, on pain of forfeiting the Sum of One hundred Pounds for any Neglect or Refusal so to do; but all Locks or Keys necessary for the Purpose aforesaid shall be provided by the Commissioners, at the Expense of the Revenue; and if any Excise Trader, or his Servant or Workman, shall wilfully destroy or damage any such Fastening as aforesaid, or any Lock or Key belonging thereto, or any Lock Label, or shall by any means open, take off, or remove any Lock or Fastening, or Lock Label, or make any Way or Entrance, or improperly gain Access or Admittance into any Warehouse, Storeroom, or other Room or Place, Furnace, Still, or Vessel, Pipe, Plug, Cock, or other Utensil, or have any Fastening, Cock, Pipe, Plug, or Pump so constructed that Security intended to be obtained by any Lock or Fastening may be defeated, the Excise Trader shall, whether such Offence be committed by himself or his Servant or Workman, forfeit the Sum of Five hundred Pounds.

Supplying Spirits to be unlawfully retailed, and having in possession Spirits not Duty-paid.

Penalty on Persons selling Liquors to be unlawfully retailed, &c. by others.

CXCI. If any Person shall knowingly sell or deliver or cause to be sold or delivered any Quantity of Spirits to any other Person, to the end that the same may be unlawfully retailed or consumed or carried into Consumption, the Person so offending shall forfeit, over and above all other Penalties, the Sum of One hundred Pounds.

Persons knowingly having in possession Spirits for which the Duties have not been paid to forfeit the same, and Treble Value.

CXCII. If any Person shall knowingly buy, or receive, or have in his Possession, any Spirits after the same shall have been removed from the Place where the same ought to have been charged with the Duty payable in respect thereof, and before the Duty to which the same shall be liable has been charged and paid or secured to be paid, or before such Spirits have been lawfully condemned as forfeited, such Person, whether he have or claim any Property or Interest therein or not, shall forfeit treble the Value of such Spirits, according to and at the Rate and Price which the best Spirits of the like Kind and Strength shall sell for in *London* at the Time when such Penalty shall be incurred, and the Spirits shall also be forfeited.

Retailing and using Spirits in Gaols.

No Licence to be granted for retailing Spirits within Gaols or Houses of Correction, nor shall Spirits be used there except such as shall be medicinally prescribed.

CXCIII. No Licence shall be granted for the retailing of Spirits within any Gaol, Prison, or House of Correction, and all Licences granted to the contrary hereof shall be void and of no Effect; and if any Gaoler, Keeper or Officer of any Gaol, Prison, or House of Correction, shall sell, use, lend, or give away any Spirits, or knowingly permit or suffer any Spirits to be sold, used, lent, or given away in such Gaol, Prison, or House of Correction, or brought into the same, other than and except such Spirits as shall be prescribed or given by the Prescription and Direction of a regular Physician, Surgeon, or Apothecary, and supplied in pursuance of such Prescription from the Shop of some regular Apothecary, such Gaoler, Keeper, or Officer shall forfeit the Sum of One hundred Pounds, and if, being convicted of any such Offence, he shall again offend in like Manner, and be thereof a Second Time lawfully convicted, such Second Offence shall be deemed a Forfeiture of his Office.

Justices upon Information that Spirits are kept in any Goal, &c. may

CXCIV. Any Justice of the Peace, upon Information upon Oath that any Spirits are kept and disposed of in any Gaol, Prison, or House of Correction, may enter and search, or authorize and empower by Warrant under his Hand any Constable, Headborough, or other Peace Officer to enter and search, any such Gaol, Prison, or House of Correction; and in case any Spirits shall be found therein (except such

such as are directed to be used medicinally as aforesaid) such Constable, Headborough, or other Peace Officer shall seize such Spirits, and cause the same to be forthwith staved and destroyed. empower any Constable to seize the same.

Hawking Spirits and selling Spirits in unlicensed Places.

CXCV. No Person shall hawk, or sell, or expose to Sale, any Spirits, by whatever Name the same may be called, in or about the Streets, Highways, or other Places, or in or from any Boat or other Vessel upon the Water, or in any other Manner or Place whatsoever, except in a Place duly licensed for that Purpose, upon pain of forfeiting all such Spirits and the Sum of One hundred Pounds; and any Justice of the Peace may, on his own View or on the Confession of the Party, or by due Proof on Oath made of such Offence, convict any Person so offending; and the Person convicted shall immediately on such Conviction pay the said Sum of One hundred Pounds, or some mitigated Amount to which such Justice may think proper to mitigate the same, not being less than One Fourth Part thereof; and on Nonpayment thereof the Justice shall by Warrant under his Hand commit the Offender to Hard Labour in the House of Correction of the County or Place for the Space of Three Calendar Months, to be reckoned from the Day of the said Commitment, and the Person so committed shall not be discharged until he shall have paid the said Sum of Money, or until the full Expiration of the said Three Months. Persons hawking or selling Spirits in unlicensed Places to forfeit the same and a Penalty, and may be committed to the House of Correction for Nonpayment.

CXCVI. It shall be lawful for any Justice of the Peace, on Information upon Oath made before him against any Person for hawking or selling or exposing to Sale any Spirits contrary to this Act, to issue his Warrant under his Hand, to be directed to any Constable or other ministerial Officer of the Peace, for apprehending such Offender, and bringing him before such Justice, in order to such Offender being dealt with according to Law. Justice of Peace may issue Warrant to apprehend Persons hawking Spirits.

CXCVII. And it shall also be lawful for any Person whomsoever to seize and detain any Person who shall hawk or sell or expose to Sale in manner aforesaid any Spirits, by whatsoever Name they may be called, for such reasonable Time as may enable him to give Notice to the Constable, Headborough, Tythingman, Churchwarden, Overseer of the Poor, or some other Peace or Parish Officer, who is hereby required to carry the Person so seized and detained before a Justice of the Peace; and such Justice shall proceed to the Examination of the Person so brought before him for such Offence, in the same Manner as if such Person had been apprehended and brought before him under such Warrant as aforesaid. Any Person may detain a Hawker of Spirits, and give Notice to a Peace Officer, who is to carry the Offender before a Justice.

As to the Acquittal and Reward of Informers.

CXCVIII. On the Commission of any Offence against this Act, either of the offending Parties who shall first discover and inform against the other, before any Information has been lodged against the informing Party for such Offence, shall, upon Conviction of the Person against whom such Information shall be given, be discharged and acquitted from all Penalties to which, at the Time of such Information given, the informing Party may be liable by reason of any such Offence committed by him; and the Evidence of the informing Party shall, on any Trial touching such Offence, be admitted to prove the Facts thereof or relating thereto. Either of the offending Parties informing against the other shall be acquitted of his own Penalty.

CXCIX. Where any Person shall be lawfully convicted of any Offence against this Act, and the pecuniary Penalty imposed for such Offence shall not be paid, and cannot be levied, or the Person incurring such Penalty is not able to pay the same, but in lieu thereof is sent to Prison, the Commissioners may cause such Reward as they shall think fit, not exceeding Fifty Pounds in each Case, to be paid to the respective Persons who shall appear to them to be entitled thereto as Informers, and in such Shares and Proportions as they shall think fit, out of any Monies in their Hands arising from any Penalties or Forfeitures under the Excise Laws. Informers may be rewarded by the Commissioners, if the Penalty is not paid, or if Offender be sent to Prison.

As to Persons opposing the Law, and Peace Officers refusing to aid in executing it.

CC. If any Person shall, armed with any offensive Weapon, or in a violent Manner, with Staves or Stones, rescue any Offender arrested, or any Goods or Chattels seized under this Act, or shall prevent such Arrest or Seizure, or shall assault, beat, or wound any Officer or other Person acting in his Aid, or any Person who shall have given or be about to give Information against, or shall have discovered or given Evidence against, or be about to discover or give Evidence against, or shall seize or bring to Justice, any Person offending against this Act, or who shall have seized or be about to seize or examine any Goods or Chattels as forfeited under this Act, or shall forcibly oppose the Execution of any of the Powers given by this Act, or who, being so armed, or with such Violence as aforesaid, shall offer or threaten so to do, every Person so offending, and his Aiders and Abettors, thereof lawfully convicted, shall be adjudged to be guilty of Felony, and shall be kept in Penal Servitude for the Term of Seven Years. Armed Persons opposing the Law or violently rescuing Offenders, guilty of Felony, and to be kept in Penal Servitude for Seven Years.

CCI. And if any Constable or other ministerial Officer of the Peace shall refuse or neglect, upon due Notice or Request, or on his own View, to be aiding in the Execution of this Act, he shall, on being thereof duly convicted before a Justice of the Peace, forfeit the Sum of Twenty Pounds. Penalty on Constables not assisting in executing this Act.

As to the Repeal of existing Acts, and the Commencement and Operation of the Act.

CCII. The several Acts and Parts of Acts set forth in Schedule (C.) to this Act annexed are hereby repealed, to the Extent to which the same are by such Schedule expressed to be repealed, except as to anything Acts repealed.

anything done before the Commencement of this Act, and as to any Arrears of Duty, and any Allowance or Drawback, and any Penalty or Forfeiture which shall respectively have become due or payable or been incurred before the Commencement of this Act; and provided always, that all Bonds taken and Licences granted, and all Things done under the Authority or in pursuance of any of the said Acts or Parts of Acts hereby repealed, shall be as valid and effectual as if this Act had not been passed.

Commencement and Operation of the Act.

CCIII. This Act, as to the several Clauses and Provisions thereof for the Commencement of which no Day is herein-before expressly mentioned, shall commence on the First Day of *October* One thousand eight hundred and sixty, and shall have Effect throughout the whole of the United Kingdom, save and except as to such Clauses or Provisions thereof as are limited in their Operation to any particular Part of the said United Kingdom, by having the Name of such Part expressly mentioned therein, or by the Subject or Context thereof.

SCHEDULES referred to in the foregoing Act.

SCHEDULE (A.)

Containing a Table to be used in determining the original Specific Gravity of Worts or Wash.

Degrees of Spirit Indication.	Degrees of original Specific Gravity.	Degrees of Spirit Indication.	Degrees of original Specific Gravity.	Degrees of Spirit Indication.	Degrees of original Specific Gravity.	Degrees of Spirit Indication.	Degrees of original Specific Gravity.
·1	·3	4·1	15·5	8·1	34·3	12·1	54·9
·2	·6	4·2	16·0	8·2	34·8	12·2	55·4
·3	·9	4·3	16·4	8·3	35·4	12·3	55·9
·4	1·2	4·4	16·8	8·4	35·9	12·4	56·4
·5	1·5	4·5	17·3	8·5	36·5	12·5	56·9
·6	1·8	4·6	17·7	8·6	37·0	12·6	57·4
·7	2·1	4·7	18·2	8·7	37·5	12·7	57·9
·8	2·4	4·8	18·6	8·8	38·0	12·8	58·4
·9	2·7	4·9	19·1	8·9	38·6	12·9	58·9
1·0	3·0	5·0	19·5	9·0	39·1	13·0	59·4
1·1	3·3	5·1	19·9	9·1	39·7	13·1	60·0
1·2	3·7	5·2	20·4	9·2	40·2	13·2	60·5
1·3	4·1	5·3	20·9	9·3	40·7	13·3	61·1
1·4	4·4	5·4	21·3	9·4	41·2	13·4	61·6
1·5	4·8	5·5	21·8	9·5	41·7	13·5	62·2
1·6	5·1	5·6	22·2	9·6	42·2	13·6	62·7
1·7	5·5	5·7	22·7	9·7	42·7	13·7	63·3
1·8	5·9	5·8	23·1	9·8	43·2	13·8	63·8
1·9	6·2	5·9	23·6	9·9	43·7	13·9	64·3
2·0	6·6	6·0	24·1	10·0	44·2	14·0	64·8
2·1	7·0	6·1	24·6	10·1	44·7	14·1	65·4
2·2	7·4	6·2	25·0	10·2	45·1	14·2	65·9
2·3	7·8	6·3	25·5	10·3	45·6	14·3	66·5
2·4	8·2	6·4	26·0	10·4	46·0	14·4	67·1
2·5	8·6	6·5	26·4	10·5	46·5	14·5	67·6
2·6	9·0	6·6	26·9	10·6	47·0	14·6	68·2
2·7	9·4	6·7	27·4	10·7	47·5	14·7	68·7
2·8	9·8	6·8	27·8	10·8	48·0	14·8	69·3
2·9	10·2	6·9	28·3	10·9	48·5	14·9	69·9
3·0	10·7	7·0	28·8	11·0	49·0	15·0	70·5
3·1	11·1	7·1	29·2	11·1	49·6	15·1	71·1
3·2	11·5	7·2	29·7	11·2	50·1	15·2	71·7
3·3	12·0	7·3	30·2	11·3	50·6	15·3	72·3
3·4	12·4	7·4	30·7	11·4	51·2	15·4	72·9
3·5	12·9	7·5	31·2	11·5	51·7	15·5	73·5
3·6	13·3	7·6	31·7	11·6	52·2	15·6	74·1
3·7	13·8	7·7	32·2	11·7	52·7	15·7	74·7
3·8	14·2	7·8	32·7	11·8	53·3	15·8	75·3
3·9	14·7	7·9	33·2	11·9	53·8	15·9	75·9
4·0	15·1	8·0	33·7	12·0	54·3	16·0	76·5

SCHEDULE (B.)

A TABLE for determining the WEIGHT per GALLON of SPIRITS by SYKES'S HYDROMETER.

Column A. Indication on Sykes's Hydrometer.	Column B. Weight per Gallon.	Column A. Indication on Sykes's Hydrometer.	Column B. Weight per Gallon.	Column A. Indication on Sykes's Hydrometer.	Column B. Weight per Gallon.	Column A. Indication on Sykes's Hydrometer.	Column B. Weight per Gallon.
0	8·154	10	8·323	20	8·495	30	8·670
2	8·157	2	8·326	2	8·498	2	8·674
4	8·161	4	8·330	4	8·502	4	8·677
6	8·164	6	8·333	6	8·505	6	8·681
8	8·168	8	8·337	8	8·509	8	8·684
1	8·171	11	8·340	21	8·512	31	8·688
2	8·174	2	8·343	2	8·516	2	8·692
4	8·178	4	8·347	4	8·519	4	8·695
6	8·181	6	8·350	6	8·523	6	8·699
8	8·185	8	8·354	8	8·526	8	8·702
2	8·188	12	8·357	22	8·530	32	8·706
2	8·191	2	8·361	2	8·533	2	8·709
4	8·195	4	8·364	4	8·537	4	8·713
6	8·198	6	8·368	6	8·540	6	8·716
8	8·202	8	8·371	8	8·544	8	8·720
3	8·205	13	8·375	23	8·547	33	8·723
2	8·208	2	8·378	2	8·551	2	8·727
4	8·212	4	8·382	4	8·554	4	8·730
6	8·215	6	8·385	6	8·558	6	8·734
8	8·219	8	8·389	8	8·561	8	8·737
4	8·222	14	8·392	24	8·565	34	8·741
2	8·225	2	8·395	2	8·568	2	8·745
4	8·229	4	8·399	4	8·572	4	8·748
6	8·232	6	8·402	6	8·575	6	8·752
8	8·236	8	8·406	8	8·579	8	8·755
5	8·239	15	8·409	25	8·582	35	8·759
2	8·242	2	8·412	2	8·586	2	8·763
4	8·245	4	8·416	4	8·589	4	8·766
6	8·249	6	8·419	6	8·593	6	8·770
8	8·252	8	8·423	8	8·596	8	8·773
6	8·255	16	8·426	26	8·600	36	8·777
2	8·258	2	8·429	2	8·603	2	8·781
4	8·262	4	8·433	4	8·607	4	8·784
6	8·265	6	8·436	6	8·610	6	8·788
8	8·269	8	8·440	8	8·614	8	8·791
7	8·272	17	8·443	27	8·617	37	8·795
2	8·275	2	8·446	2	8·620	2	8·799
4	8·279	4	8·450	4	8·624	4	8·802
6	8·282	6	8·453	6	8·628	6	8·806
8	8·286	8	8·457	8	8·631	8	8·809
8	8·289	18	8·460	28	8·635	38	8·813
2	8·292	2	8·464	2	8·639	2	8·817
4	8·296	4	8·467	4	8·642	4	8·820
6	8·299	6	8·471	6	8·646	6	8·824
8	8·303	8	8·474	8	8·649	8	8·827
9	8·306	19	8·478	29	8·653	39	8·831
2	8·309	2	8·481	2	8·656	2	8·835
4	8·313	4	8·485	4	8·660	4	8·838
6	8·316	6	8·488	6	8·663	6	8·842
8	8·320	8	8·492	8	8·667	8	8·845

Spirits.

Column A. Indication on Sykes's Hydrometer.	Column B. Weight per Gallon.	Column A. Indication on Sykes's Hydrometer.	Column B. Weight per Gallon.	Column A. Indication on Sykes's Hydrometer.	Column B. Weight per Gallon.	Column A. Indication on Sykes's Hydrometer.	Column B. Weight per Gallon.
40	8·849	52	9·069	64	9·294	76	9·525
2	8·853	2	9·073	2	9·298	2	9·529
4	8·856	4	9·076	4	9·302	4	9·533
6	8·860	6	9·080	6	9·305	6	9·537
8	8·863	8	9·083	8	9·309	8	9·541
41	8·867	53	9·087	65	9·313	77	9·545
2	8·871	2	9·091	2	9·317	2	9·549
4	8·874	4	9·095	4	9·321	4	9·553
6	8·878	6	9·098	6	9·324	6	9·557
8	8·881	8	9·102	8	9·328	8	9·561
42	8·885	54	9·106	66	9·332	78	9·565
2	8·889	2	9·110	2	9·336	2	9·569
4	8·892	4	9·114	4	9·340	4	9·573
6	8·896	6	9·117	6	9·344	6	9·576
8	8·899	8	9·121	8	9·348	8	9·580
43	8·903	55	9·125	67	9·352	79	9·584
2	8·907	2	9·129	2	9·356	2	9·588
4	8·911	4	9·132	4	9·360	4	9·592
6	8·914	6	9·136	6	9·363	6	9·596
8	8·918	8	9·139	8	9·367	8	9·600
44	8·922	56	9·143	68	9·371	80	9·604
2	8·926	2	9·147	2	9·375	2	9·608
4	8·929	4	9·151	4	9·379	4	9·612
6	8·933	6	9·154	6	9·382	6	9·615
8	8·936	8	9·158	8	9·386	8	9·619
45	8·940	57	9·162	69	9·390	81	9·623
2	8·944	2	9·166	2	9·394	2	9·627
4	8·947	4	9·170	4	9·398	4	9·631
6	8·951	6	9·173	6	9·401	6	9·635
8	8·954	8	9·177	8	9·405	8	9·639
46	8·958	58	9·181	70	9·409	82	9·643
2	8·962	2	9·185	2	9·413	2	9·647
4	8·965	4	9·189	4	9·417	4	9·651
6	8·969	6	9·192	6	9·420	6	9·655
8	8·972	8	9·196	8	9·424	8	9·659
47	8·976	59	9·200	71	9·428	83	9·663
2	8·980	2	9·204	2	9·432	2	9·667
4	8·984	4	9·207	4	9·436	4	9·671
6	8·987	6	9·211	6	9·440	6	9·674
8	8·991	8	9·214	8	9·444	8	9·678
48	8·995	60	9·218	72	9·448	84	9·682
2	8·999	2	9·222	2	9·452	2	9·686
4	9·002	4	9·226	4	9·456	4	9·690
6	9·006	6	9·229	6	9·459	6	9·694
8	9·009	8	9·233	8	9·463	8	9·698
49	9·013	61	9·237	73	9·467	85	9·702
2	9·017	2	9·241	2	9·471	2	9·706
4	9·021	4	9·245	4	9·475	4	9·710
6	9·024	6	9·248	6	9·479	6	9·714
8	9·028	8	9·252	8	9·483	8	9·718
50	9·032	62	9·256	74	9·487	86	9·722
2	9·036	2	9·260	2	9·491	2	9·726
4	9·039	4	9·264	4	9·495	4	9·730
6	9·043	6	9·267	6	9·498	6	9·733
8	9·046	8	9·271	8	9·502	8	9·737
51	9·050	63	9·275	75	9·506	87	9·741
2	9·054	2	9·279	2	9·510	2	9·745
4	9·058	4	9·283	4	9·514	4	9·749
6	9·061	6	9·286	6	9·517	6	9·753
8	9·065	8	9·290	8	9·521	8	9·757

Spirits.

Column A. Indication on Sykes's Hydrometer.	Column B. Weight per Gallon.	Column A. Indication on Sykes's Hydrometer.	Column B. Weight per Gallon.	Column A. Indication on Sykes's Hydrometer.	Column B. Weight per Gallon.	Column A. Indication on Sykes's Hydrometer.	Column B. Weight per Gallon.
88	9·761	91	9·820	94	9·880	97	9·942
2	9·765	2	9·824	2	9·884	2	9·946
4	9·769	4	9·828	4	9·888	4	9·950
6	9·773	6	9·832	6	9·892	6	9·955
8	9·777	8	9·836	8	9·896	8	9·959
89	9·781	92	9·840	95	9·900	98	9·963
2	9·785	2	9·844	2	9·904	2	9·967
4	9·789	4	9·848	4	9·908	4	9·972
6	9·792	6	9·852	6	9·913	6	9·976
8	9·796	8	9·856	8	9·917	8	9·981
90	9·800	93	9·860	96	9·921	99	9·985
2	9·804	2	9·864	2	9·925	2	9·989
4	9·808	4	9·868	4	9·929	4	9·994
6	9·812	6	9·872	6	9·934	6	9·998
8	9·816	8	9·876	8	9·938	8	10·003
						100	10·007

SCHEDULE (C.)

Of ACTS to be REPEALED.

Date of Act.	Title of Act.	Extent of Repeal.
28 Geo. 3. c. 46. -	An Act for discontinuing for a limited Time the several Duties payable in Scotland upon Low Wines and Spirits, and upon Worts, Wash, and other Liquors there used in the Distillation of Spirits, and for granting to His Majesty other Duties in lieu thereof; and for better regulating the Exportation of British-made Spirits from England to Scotland and from Scotland to England; and to continue for a limited Time an Act made in the Twenty-sixth Year of the Reign of His present Majesty, "to discontinue for a limited "Time the Payment of the Duties upon Low "Wines and Spirits for Home Consumption; and "for granting and securing the due Payment of "other Duties in lieu thereof; and for the better "Regulation of the making and vending British "Spirits; and for discontinuing for a limited "Time certain Imposts and Duties upon Rum "and Spirits imported from the West Indies."	The whole Act.
1 & 2 Geo. 4. c. 82. -	An Act for allowing to Distillers of Spirits for Home Consumption in Scotland a Drawback of a Portion of the Duty on Malt used by them; and for the further Prevention of Smuggling of Spirits on the Borders of Scotland and England.	The whole Act.
3 Geo. 4. c. 52. - -	An Act to grant certain Duties in Scotland upon Wash or Spirits made from Corn or Grain, and upon Licences for making and keeping of Stills, and to regulate the Distillation of such Spirits for Home Consumption; and for better preventing private Distillation in Scotland, until the Tenth Day of November One thousand eight hundred and twenty-four.	The whole Act, except Sections 107 to 127 inclusive.

Spirits.

Date of Act.	Title of Act.	Extent of Repeal.
4 Geo. 4. c. 94. - -	An Act to grant certain Duties of Excise upon Spirits distilled from Corn or Grain in Scotland and Ireland, and upon Licences for Stills for making such Spirits, and to provide for the better collecting and securing such Duties, and for the warehousing of such Spirits without Payment of Duty.	The whole Act, except Section 133.
6 Geo. 4. c. 58. - -	An Act for providing equivalent Rates of Excise Duties, Allowances, and Drawbacks on Beer and Malt, and on Spirits made in Scotland or Ireland, according to the Measure of the new Imperial Standard Gallon.	The whole Act.
6 Geo. 4. c. 80. - -	An Act to repeal the Duties payable in respect of Spirits distilled in England, and of Licences for distilling, rectifying, or compounding such Spirits, and for the Sale of Spirits, and to impose other Duties in lieu thereof; and to provide other Regulations for the Collection of the said Duties, and for the Sale of Spirits, and for the warehousing of such Spirits without Payment of Duty for Exportation.	The whole Act, except Section 145.
9 Geo. 4. c. 45. - -	An Act to amend and to make perpetual, and to extend to the whole of the United Kingdom, certain Provisions contained in several Acts for regulating the Rectification, compounding, dealing in, or retailing of Spirits, and for preventing private Distillation in Scotland, and to provide for the Payment of the Duty on Malt used in making of Spirits from Malt only.	The whole Act, except so much of Section 2 as relates to the Prevention of private Distillation in Scotland.
11 Geo. 4. and 1 Will. 4. c. 49.	An Act to impose additional Duties of Excise on Spirits.	The whole Act.
2 Will. 4. c. 29. - -	An Act to reduce the Allowance on Spirits made from Malt only in Scotland and Ireland.	The whole Act.
2 & 3 Will. 4. c. 74. -	An Act to permit the Distillation of Spirits from Mangel Wurzel.	The whole Act.
4 & 5 Will. 4. c. 75. -	An Act to repeal the Duties on Spirits made in Ireland, and to impose other Duties in lieu thereof; and to impose additional Duties on Licences to Retailers of Spirits in the United Kingdom.	The whole Act, except Sections 9 and 10.
6 & 7 Will. 4. c. 72. -	An Act to impose countervailing Duties of Excise on Mixtures, Compounds, Preparations, and Commodities made from or with Spirits removed from Ireland to England or Scotland, or from Scotland to England; and to grant countervailing Drawbacks on the Removal of the same, to repeal the additional Duties of Excise on Licences to Retailers of Spirits in the United Kingdom, and to alter the Laws relating to Distillers and Retailers of Spirits.	The whole Act.
5 Vict. Sess. 2. c. 15. -	An Act to impose an additional Duty on Spirits, and to repeal the Allowance on Spirits made from Malt only in Ireland.	The whole Act.
5 Vict. Sess. 2. c. 25. -	An Act to repeal the present and impose and allow new countervailing Duties and Drawbacks of Excise on Mixtures and Preparations made with Spirits when removed from or into England, Scotland, or Ireland respectively, and to suspend for a limited Time so much of an Act of the present Session as repeals the Allowance on Spirits made from Malt only in Ireland.	The whole Act, except Section 4.

Spirits.

Date of Act.	Title of Act.	Extent of Repeal.
6 & 7 Vict. c. 49. -	An Act to reduce the Duty on Spirits in Ireland, and to impose other countervailing Duties and Drawbacks on the Removal of certain Mixtures and Compounds between Ireland, England, and Scotland respectively.	The whole Act.
8 & 9 Vict. c. 65. -	An Act to determine the countervailing Duties payable on Spirits of the Nature of plain British Spirits, the Manufacture of Guernsey, Jersey, Alderney, or Sark, imported into the United Kingdom, and to prohibit the Importation of rectified or compound Spirits from the said Islands.	The whole Act.
10 & 11 Vict. c. 6. -	An Act to further encourage the Distillation of Spirits from Sugar in the United Kingdom.	The whole Act.
11 & 12 Vict. c. 100. -	An Act to permit the Distillation of Spirits from Sugar, Molasses, and Treacle in the United Kingdom.	The whole Act.
11 & 12 Vict. c. 121. -	An Act to alter the Laws and Regulations of Excise respecting the Survey of Dealers in and Retailers of Spirits, and respecting the Sale and Removal of Spirits by Permit from the Stock of such Traders, and respecting the Distribution of Penalties and Forfeitures recovered under the Laws of Excise.	The whole Act, except Sections 9, 10, 11. 18. and 28.
11 & 12 Vict. c. 122. -	An Act to amend the Laws respecting the warehousing of British Spirits in England, Scotland, and Ireland respectively, and to permit Spirits made from Malt only, and Spirits made from Malt and other Grain, and rectified Spirits to be exported on Drawback from any Part of the United Kingdom, and respecting certain Spirit Mixtures and the Removal of Goods subject to Excise Regulations from Customs Warehouse.	The whole Act, except Section 26.
16 & 17 Vict. c. 37. -	An Act to impose additional Duties on Spirits in Scotland and Ireland, and to alter the countervailing Duties on Spirits the Manufacture of Guernsey, Jersey, Alderney, or Sark imported into Scotland or Ireland, and the countervailing Duties and Drawbacks on the Removal of certain Mixtures and Compounds between Scotland, Ireland, and England respectively, and to amend the Laws relating to the collecting and securing the Duties of Excise upon Spirits.	The whole Act.
17 & 18 Vict. c. 27. -	An Act for granting certain additional Rates and Duties of Excise.	The whole Act, except Section 8.
18 Vict. c. 22. -	An Act for granting certain additional Rates and Duties of Excise.	The whole Act.
18 & 19 Vict. c. 94. -	An Act to impose increased Rates of Duty of Excise on Spirits distilled in the United Kingdom, to allow Malt, Sugar, and Molasses to be used Duty-free in the distilling of Spirits, in lieu of Allowances and Drawbacks on such Spirits, Sugar, and Molasses respectively, and to amend the Laws relating to the Duties of Excise.	Sections 1, 2, 3, 4. 9, 10. 28. 30, 31. 33, and 34.
19 & 20 Vict. c. 51. -	An Act to permit the Use of Rice in the Distillation of Spirits.	The whole Act.
21 & 22 Vict. c. 15. -	An Act for granting certain additional Rates and Duties of Excise.	

CAP. CXV.

An Act to simplify and amend the Practice as to the Entry of Satisfaction on Crown Debts and on Judgments. [28th *August* 1860.]

'WHEREAS by several Acts of Parliament Debts and Obligations to the Crown, Judgments pending Suits, and Annuities are severally required to be registered in the Office of the Senior 'Master of the Court of Common Pleas at *Westminster*, in order to affect any Lands, Tenements, and 'Hereditaments sought to be charged therewith, and it is expedient to simplify and amend the Practice 'with respect to the Entry of Satisfaction or Discharge on the Registry thereof respectively:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Provisions of Sections 195, 196, and 197 of 16 & 17 Vict. c. 107. extended to all Bonds to the Crown.

I. All the Powers, Provisions, and Regulations concerning Bonds and other Securities relating to the Customs contained in Sections One hundred and ninety-five, One hundred and ninety-six, and One hundred and ninety-seven of the Act passed in the Session of Parliament holden in the Sixteenth and Seventeenth Years of Her Majesty's Reign, Chapter One hundred and seven, shall, *mutatis mutandis*, be deemed to extend and shall be applied to all Bonds and other Securities entered into or given to Her Majesty, Her Heirs or Successors: Provided always, that in every Case in which under the Provisions of the said Sections any Certificate is required to be signed or any other Matter authorized to be done by the Commissioners of Customs, or any Number of them, any such Certificate or Matter in relation to any Bond or other Security concerning or incident to any Public Department shall respectively be signed and done by the respective Commissioners or other principal Officers of such Department, or any Two of them respectively, or if there shall be only One such Commissioner or principal Officer then by him, as the Case may be, or if there shall be no such Commissioner or other principal Officer then by the Commissioners of Her Majesty's Treasury or any Two of them.

As to Entry of Satisfaction on Judgments.

II. The Senior Master of the Court of Common Pleas at *Westminster* may, upon the filing with him of an Acknowledgment in the Form or to the Effect following, be at liberty to enter a Satisfaction or Discharge as to any registered Judgment, pending Suit, Lis pendens, Decree, Order, Rule, Annuity, or Rentcharge or Writ of Execution, and such Officer shall be entitled for any such Registry of Satisfaction or Discharge to the Sum of Two Shillings and Sixpence, and no more; and such Senior Master may issue Certificates of the Entry of any Satisfaction or Discharge, and may charge the Sum of One Shilling for every such Certificate.

Form of Acknowledgment of Satisfaction.

SATISFACTION is acknowledged between *A.B.* and *C.D.* as to a dated the Day of 18 for the Sum of £ a Memorandum of which said was left with the Senior Master of the Court of Common Pleas at Westminster on the Day of 18 to affect the Estate of and [if so] on the Writ of Execution thereon, dated the Day of 18 a Memorandum of which was left with the said Master on the Day of 18 .

And (*or* the Executor or Administrator of) do hereby expressly nominate and appoint of Attorney-at-Law, to witness and attest the Execution of this Acknowledgment of Satisfaction.

Signed by the said in the Presence of me, the undersigned , One of the Attorneys of Her Majesty's Court of at Westminster, and I hereby declare myself to be the Attorney for and on behalf of the said expressly named by and attending at request to inform him of the Nature and Effect of this Acknowledgment of Satisfaction (which I accordingly did before the same was signed by), and I also declare that I subscribe my Name as Witness hereto as such Attorney.

A.B. the above-named [*or F.G.*, Executor or Administrator of] the Day of 18 .

CAP. CXVI.

An Act to amend the Law relating to the Election, Duties, and Payment of County Coroners. [28th *August* 1860.]

'it is expedient to amend the Law with respect to the Election and Payment of 'counties, and to extend the Provisions of the Act Seven and Eight *Victoria*, 'ties, whether divided into Districts or not:' Be it therefore enacted by and with the Advice and Consent of the Lords Spiritual and

and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; that is to say,

Provisions of 7 & 8 Vict. c. 92. extended to all Counties, although not divided for the Purposes of such Act.

I. From and after the passing of this Act, all the Provisions of the Act Seven and Eight *Victoria*, Chapter Ninety-two, shall, so far as the same may be applicable to the Election of Coroners, be extended and be construed to extend and apply to all Counties, notwithstanding the same may not have been divided into Two or more Districts for the Purposes of such Act; and every Election of a Coroner for a County not so divided as aforesaid which may have taken place previous to the passing of this Act, shall be and the same is hereby declared to be as legal and valid to all Intents and Purposes whatsoever as if such Election had taken place subsequent to the passing of this Act.

Elections for Coroners to last but 1 Day.

II. From and after the passing of this Act, so much of the Act Seven and Eight *Victoria*, Chapter Ninety-two, as authorizes the Polling at Elections for Coroners to continue for Two Days shall be and the same is hereby repealed, and thenceforth such Polling shall continue for One Day only.

Provisions as to Coroners Fees repealed.

III. From and after the Thirty-first Day of *December* One thousand eight hundred and sixty, so much of any Act as provides for the Remuneration of County Coroners by Fees, Mileage, and Allowances, shall be and the same is hereby repealed.

County Coroners to be paid by Salary.

IV. On and after the First Day of *January* One thousand eight hundred and sixty-one, there shall be paid to every County Coroner, in lieu of the Fees, Mileage, and Allowances which if this Act had not been passed he would have been entitled to receive, such an annual Salary as shall be agreed upon between him and the Justices in General or Quarter Sessions assembled for the County for which, or for some Portion of which, such Coroner shall act, such Salary in the Case of any Person holding the Office of County Coroner at the Time of the passing of this Act not being less than the average Amount of the Fees, Mileage, and Allowances actually received by such Coroner and his Predecessors, if any, for the Five Years immediately preceding the Thirty-first Day of *December* One thousand eight hundred and fifty-nine; and such Salary shall be paid quarterly to such Coroner by the Treasurer of the County out of the County Rate; and whenever from Death, Removal, or any other Cause whatever any County Coroner shall not be entitled to a Salary for the whole of a Quarter, a proportionate Part of the Salary shall be paid to him, or, in case of his Death, to his Personal Representatives: Provided always, that in case any such Justices and any such County Coroner as aforesaid shall be unable to agree as to the Amount of the Salary to be paid to such Coroner, it shall be lawful for Her Majesty's Principal Secretary of State for the Home Department, and he is required, upon the Application of such Coroner to fix and determine the Amount of such Salary, having regard to such Average as aforesaid, also the average Number of Inquests held by any such Coroner in the preceding Five Years as aforesaid, and also to the special Circumstances of each Case, and the general Scale of Salaries of County Coroners; provided also, that after the Lapse of every successive Period of Five Years it shall be lawful for any such Justices and such Coroner as aforesaid to revise, and thereby increase or diminish any such Salary, having regard to the average Number of Inquests held by any such Coroner in the Five Years immediately preceding, and subject in case of their Disagreement to such Appeal to the Home Secretary as before mentioned: Provided always, that nothing herein contained shall in any Manner take away, alter, or deprive any such Coroner of the Right to be repaid out of the County Rate the Expenses and Disbursements which may have been paid or made by him on the holding of any Inquest as provided by the Act First *Victoria*, Chapter Sixty-eight.

If Coroner refuse to hold Inquest, Application may be made to a Judge for a Rule to show Cause.

V. If any Coroner shall refuse or neglect to hold an Inquest in any Case when such Inquest ought to be held, it shall be lawful for Her Majesty's Attorney General to apply to the Court of Queen's Bench, or during Vacation to a Judge of any One of Her Majesty's Superior Courts of Law at *Westminster*, for a Rule calling on such Coroner to show Cause why he should not hold such Inquest, and if after due Service of such Rule good Cause shall not be shown against it, it shall be lawful for the Judge to make such Rule absolute, with or without Payment of Costs as to such Judge shall seem meet, and the Coroner, upon being served with such Rule Absolute, shall obey the same, and hold such Inquest, upon pain of being liable to an Attachment in case of Refusal or Neglect.

Power to remove Coroner.

VI. It shall be lawful for the Lord Chancellor, if he shall think fit, to remove for Inability or Misbehaviour in his Office any such Coroner already elected or appointed, or hereafter to be elected or appointed.

County of Chester to be henceforth subject to the General Law.

VII. From and after the passing of this Act so much of the Public General Act Seventh and Eighth *Victoria*, Chapter Ninety-two, as exempts the County of *Chester* from the Provisions of that Act, and also the Local and Personal Act, Three *Victoria*, Chapter Eighty-seven, authorizing the Appointment of additional Coroners for the County Palatine of *Chester* (except the Twenty-first Section of that Act, so far as regards the Head Coroners now in Office for the Three Divisions into which that County is now divided), and also so much of the Act of the Thirty-third Year of King *Henry* the Eighth, Chapter Thirteen, as relates to Coroners for the Shire of *Chester* are hereby repealed, and all the Provisions of this Act, and of the Public General Act, Seventh and Eighth *Victoria*, Chapter Ninety-two (except the said Exemption) and all other Public General Acts, Laws, Statutes, and Usages relating to Coroners for Counties, from Time to Time in force, shall, from and after the passing of this Act, extend and apply to the County of *Chester* and the Coroners for the Divisions into which that County is now or hereafter may be divided: Provided always, that notwithstanding such Repeal the present Divisions of the

County of *Chester* under the Powers of the said Local and Personal Act, Three *Victoria*, Chapter Eighty-seven, shall continue, unless and until that County shall be divided into other Districts under the Powers of the said Public General Act, Seventh and Eighth *Victoria*, Chapter Ninety-two, and the said present Divisions shall be deemed to have been made under the last-mentioned Act, without Prejudice to the Provisions contained in the Twenty-first Section of the said Local and Personal Act so far as regards the present Head Coroners of the said County; provided also, that such Repeal shall not invalidate or affect the Election of the present Head Coroners for the said County, but (subject to any future Alteration or Division of their respective Divisions or Districts under the Public General Act, Seventh and Eighth *Victoria*, Chapter Ninety-two,) they shall continue in Office as if such Repeal had not taken place.

Interpretation of "County."

VIII. The Word "County" in and throughout this Act shall be deemed and taken to include all Counties, Ridings, Divisions, Hundreds, Wards, Liberties, and other Places the Coroners whereof are paid out of the County Rates.

Saving Rights of the Crown, &c.

IX. Nothing herein contained shall be construed to abridge or affect the Royal Prerogative, or any Right vested in any Person or Persons, to appoint by Patent or by Election, or otherwise, any Coroner for any City, Borough, Liberty, Franchise, Manor, or Place, or the Authority of the Lord Chancellor, or to issue a Writ De coronatore eligendo.

Extent of Acts.

X. The said Act of the Seventh and Eighth *Victoria*, Chapter Ninety-two (as varied by this Act), and this Act, shall extend only to that Part of the United Kingdom called *England* and *Wales*.

CAP. CXVII.

An Act to confer Powers on the Commissioners of Her Majesty's Works and Public Buildings to acquire certain Property in *Edinburgh*, for the Erection of an Industrial Museum for *Scotland*. [28th *August* 1860.]

18 & 19 Vict. c. 80.

'WHEREAS under the Provisions of an Act passed in the Eighteenth and Nineteenth Year of the Reign of Her present Majesty, Chapter Eighty, intituled *An Act to ratify conditional Agreements entered into by the Commissioners of Her Majesty's Works and Public Buildings, and to vest in the said Commissioners certain Property situate near the College of* Edinburgh *in the City of* Edinburgh, *together with the General Register House in the said City, and all Lands held therewith, and to enable the said Commissioners to acquire certain Property near the Palace of* Holyrood, certain Property was acquired and vested in the said Commissioners for the Purpose of erecting a National Museum of Industry for *Scotland* within the City of *Edinburgh*: And whereas it has been found that the Property so acquired and vested is of inadequate Extent for that Purpose, and it is necessary and expedient that certain Lands, Houses, and other Property situate in or adjoining to *Argyle Square* in the City Parish of *Edinburgh* or Parish of *Easter* or *Old Greyfriars* within the Royalty and City of *Edinburgh*, described in the Schedule to this Act annexed, should be acquired and appropriated by the said Commissioners for the Erection of the said National Museum of Industry: And whereas a Plan describing the said Lands, Houses, and other Property to be acquired by the said Commissioners under the Authority of this Act has been deposited in the Office at *Edinburgh* of the Sheriff Clerk of the County of *Mid Lothian*:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title.

I. This Act may be cited for all Purposes as "The Industrial Museum (*Scotland*) Act, 1860."

8 & 9 Vict. c. 19. incorporated.

II. "The Lands Clauses Consolidation (*Scotland*) Act, 1845," save and except such Parts as relate and so far only as such Parts relate to Compensation for any Damage or Injury to or to injuriously affecting any Lands by reason of the Execution of any Works, and also save and except Sections Fifteen, Sixteen, Forty-eight, Eighty to Ninety-two inclusive, One hundred and twenty to One hundred and twenty-eight inclusive, One hundred and thirty-two, One hundred and thirty-five, One hundred and forty-two, and One hundred and forty-three of the said Act, shall, so far as the same may be applicable to and not inconsistent with or modified by this Act, be incorporated with and form Part of this Act; and the Expression "the special Act" in the said Act shall mean this Act; and the Expression "the Promoters of the Undertaking" in the said Act shall mean the Commissioners of Her Majesty's Works and Public Buildings for the Time being, incorporated by this Act.

Interpretation of Terms.

III. The following Words shall have the several Meanings hereby assigned to them:

The Word "Commissioners" in this Act shall mean the Commissioners of Her Majesty's Works and Public Buildings for the Time being, incorporated by this Act:

The Word "Lands" in this Act and in the Act herewith incorporated, so far as the same relates to the Purposes of this Act, shall mean and include Houses, Buildings, Tenements, Cellars, Areas, Streets, Squares, Ways, Paths, Passages, Stairs, Galleries, Walls, Yards, Sheds, Workshops, Water Tanks, Gardens, vacant Ground, and Subjects of every Description and of every Tenure, and all public and private Rights, Liberties, Privileges, and Servitudes of every Description, in, over, upon, under, or through the same or any of them.

IV. The

Commissioners of Works incorporated for Purposes of this Act.

IV. The Persons who for the Time being, under the Provisions of the Act Fourteenth and Fifteenth *Victoria*, Chapter Forty-two, shall be Commissioners of Her Majesty's Works and Public Buildings, shall for the Purposes of this Act be and are hereby constituted a Corporation by the Name and Style of "The Commissioners of Her Majesty's Works and Public Buildings," and by that Name shall have perpetual Succession and a Common Seal, to be by them from Time to Time altered as they may think fit.

Commissioners to carry Act into execution.

V. It shall be lawful for the Commissioners and they are hereby authorized, out of any Monies which have been or which may be appropriated by Parliament, and put at their Disposal for that Purpose, to purchase and acquire, as provided in this Act and in the Act herewith incorporated, the Lands described on the said deposited Plan and in the Schedule to this Act annexed, and to pull down and remove the Buildings thereon, when so purchased, and to appropriate the Sites of the said Buildings, and all the Ground mentioned in the said Schedule, whether now used as Streets, Squares, Ways, Paths, Passages, Yards, Gardens, Pleasure Grounds, vacant Ground, or otherwise, for the Erection thereon or on some Part or Parts thereof of a Building or Buildings for the said National Museum of Industry, and the necessary Accesses and Approaches thereto, and to carry the Purposes of this Act into execution in manner herein mentioned.

Value of Lands to be ascertained distinct from Damages.

VI. In all Cases of disputed Compensation for Lands to be purchased or acquired by the Commissioners under the Provisions of this Act, and the Act herewith incorporated, in which the Verdict of a Jury shall be given, or the Award of Arbiters or an Oversman shall be issued, the Jury, Arbiters, or Oversman shall in such Verdict or Award state separately and distinctly the Amount of Compensation awarded in respect of the Value of such Lands, and the Amount, if any, awarded in respect of Damage sustained or to be sustained from the Loss thereof by the Party from whom such Lands are to be acquired, and the Jury, Arbiters, or Oversman shall, if required by the Commissioners, declare in such Verdict or Award whether the Particulars of the Claim have been computed, made up, and delivered to the Commissioners in such Manner as to enable them to make a proper Offer of Compensation.

As to Expenses of Proceedings before Juries and Arbiters.

VII. In all Cases where by the Verdict of a Jury or the Award of Arbiters or an Oversman a less Sum is awarded to the Party claiming Compensation than had been previously to the Commencement of the Inquiry offered to him by the Commissioners, and where by such Verdict or Award it is declared that the Particulars of the Claim have not been computed, made up, and delivered to the Commissioners in such Manner as to enable them to make a proper Offer of Compensation, the Party so claiming shall not only be liable in Payment of the Expenses incurred by him in the Course of the Inquiry, but also in Payment of the Expenses incurred by the Commissioners in the Inquiry, as the same shall be taxed by the Auditor of the Court of Session, unless the Jury, Arbiters, or Oversman by a special Finding declare that the Commissioners shall bear their own Expenses.

Purchases to be made under the Authority of the Treasury.

VIII. No Purchase shall be made by the Commissioners for the Purposes of this Act except with the Consent of the Commissioners of Her Majesty's Treasury, but it shall not be necessary for any Seller to ascertain that such Consent has been given, nor shall the Commissioners be bound to produce to any Seller any Evidence of such Consent: Provided that such Consent may be given either generally, or for any particular Purchase or Purchases, as to the Commissioners of Her Majesty's Treasury shall seem meet.

Lands to be vested in Commissioners for the Public Service.

IX. All Lands purchased or acquired by the Commissioners under the Authority of this Act and to the Act herewith incorporated shall be vested in them for the Public Service, and shall be subject to the Provisions of the Act Fifteenth *Victoria*, Chapter Twenty-eight, and in all respects as if such Lands had been acquired under the Provisions of that Act.

Materials, &c. vested in the Commissioners.

X. The Right and Property of all the Materials, Implements, Utensils, and Things whatsoever which may be provided by the Commissioners or by their Order, or under any Contract to be entered into by them, or which may otherwise belong to and be used by them for the Purposes of this Act, and also any Materials which formed Part of any Buildings which may be pulled down by the Direction of the Commissioners, in pursuance of the Powers of this Act, shall be vested in the Commissioners, and they are hereby empowered to dispose of and apply the same for the Purposes of this Act as they shall think fit, and to bring any Action, and to prosecute any Person who shall steal, secrete, injure, damage, or dispose of the same or any of them respectively to their own Use and Uses, or shall disturb the Commissioners or their Officers or other Persons acting under them in the Possession thereof.

Power to alter Streets and Ways.

XI. It shall be lawful for the Commissioners to alter, widen, bridge over, or otherwise vary all such Streets, Ways, Paths, Passages, Roads, or Accesses connected with, adjoining, or near to, or which now lead into or pass through the Lands to be purchased or acquired as aforesaid, as shall be necessary for the Purposes of this Act; and the Ground and Soil of such Streets, Ways, Paths, Passages, Roads, or Accesses, or Parts thereof respectively, as shall be so altered, widened, bridged over, or otherwise varied, shall be and are hereby vested in the Commissioners for the Purposes of this Act: Provided that the Commissioners shall cause to be constructed an Access or Communication between the Buildings of the University of *Edinburgh* and the Buildings of the National Museum of Industry, the Use of which Access or Communication shall be subject to such Regulations as the Commissioners may from Time to Time prescribe.

Streets may be raised or lowered.

XII. It shall be lawful for the Commissioners to raise or lower the Ground of any Streets or Ways which shall communicate with the Building or Buildings so to be erected as aforesaid, or any Part or Parts thereof.

Lands may be taken notwithstanding Errors in Schedule.

XIII. It shall be lawful for the Commissioners to purchase, take, and use for the Purposes of this Act any of the Lands described on the said Plan and in the Schedule to this Act annexed, although such Lands, or the Name or Names of the Owner, Lessee, or Occupier thereof, may happen to be erroneously stated or omitted in the said Schedule, provided it shall appear to and be certified by any Two or more of the Justices of the Peace for the City of *Edinburgh* that such Error or Omission proceeded from Mistake or erroneous Information.

Power to clear Ground and sell old Materials.

XIV. It shall be lawful for the Commissioners to pull down or cause to be pulled down all Houses, Buildings, and other Erections purchased or acquired under this Act, or such of them or such Parts thereof as they shall deem expedient to be pulled down, and to level and clear the Ground whereon the same stand, and all other Ground to be purchased under this Act, in such Manner as they shall think proper, and, if they shall see fit, to sell or cause to be sold the Materials of the Houses and other Buildings so to be taken down and removed; and the Monies produced by the Sale thereof (after deducting the Expenses of pulling down such Houses and Buildings respectively, and of such Sale or Sales), and also the Rents and Profits of such Lands as may be purchased or acquired under this Act, until the same shall be pulled down or cleared, shall be received and applied by the Commissioners for the Purposes of this Act.

Actions may be brought for Breach of Contract.

XV. In case any Contract entered into with the Commissioners in pursuance of this Act shall not be well and sufficiently performed according to the Intent and Meaning of such Contract, or in case any Work to be executed in pursuance of this Act shall not be executed according to the Intent and Meaning of any Contract entered into with the Commissioners, or shall not be completed within the Time or Times specified in such Contract, then and in every such Case the Commissioners may cause an Action to be brought in any of the Courts of Law in *Scotland* against any Contractor or his Sureties for any Penalty contained in his Contract, and on Proof of the Nonperformance thereof at the Time or Times for that Purpose therein mentioned the Commissioners shall be entitled to and shall recover the full Penalty contained in any such Contract, any Law, Custom, or Usage to the contrary in anywise notwithstanding, which Penalty, when recovered, shall be applied to the Purposes of this Act: Provided that it shall be lawful for the Commissioners, if they think fit, to compound and agree with any such Contractor for any Penalty incurred by him or his Sureties for the Breach or Nonperformance of any such Contract for such Sum of Money as the Commissioners shall think proper.

Surplus Lands may be sold.

XVI. It shall be lawful for the Commissioners from Time to Time, in such Manner as they may deem most advantageous, with Consent of the Commissioners of Her Majesty's Treasury, to sell, excamb, feu, or in any other Manner dispose of or to let all or any of the Lands purchased or acquired by them under the Authority of this Act, and which may not be required for the Purposes thereof, and to execute all Conveyances, Contracts, Leases, or other Deeds and Writings that may be requisite and necessary.

Lands acquired by Excambion to vest in Commissioners.

XVII. All Lands that may be acquired by the Commissioners by way of Excambion shall vest in them for the same Uses and Purposes, and with the like Powers in all respects, as are hereby declared with respect to Lands purchased or acquired under the Provisions of this Act.

Monies to be paid to Paymaster General.

XVIII. All Monies payable to the Commissioners under the Provisions of this Act, arising from the Sale of any Lands or Materials or otherwise, or which may be payable by way of Rent, Premium, Feu Duty, Compensation, or otherwise, shall be paid to Her Majesty's Paymaster General for the Time being, whose Receipt shall be a sufficient Discharge for such Monies to the Person paying the same; and such Monies so paid as aforesaid shall from Time to Time be by such Paymaster General paid over and applied as the Commissioners shall by any Order direct, and in the meantime shall be applied or invested in the Purchase of Exchequer Bills, if the Commissioners shall so direct.

Contracts made by First Commissioner of Works valid.

XIX. All Contracts made by the First Commissioner of Her Majesty's Works and Public Buildings in the Execution of any of the Powers by this Act conferred on the Commissioners shall be valid and binding on the Commissioners as if the same had been under their Corporate Seal.

Notices by Commissioners.

XX. All Notices and other Writs and Proceedings which under this Act are to be given or executed by the Commissioners may be given or executed under the Hand of *Donald Horne*, Writer to the Signet, their Solicitor in *Scotland*, or of their Solicitor in *Scotland* for the Time being, or of *Robert Matheson*, their Surveyor of Works in *Scotland*, or of their Surveyor of Works in *Scotland* for the Time being.

Notices to Commissioners.

XXI. All Notices and other Writs and Proceedings which under this Act are to be given to or served on the Commissioners shall be given to or served on the said *Donald Horne* or *Robert Matheson*, or their Solicitor or Surveyor of Works in *Scotland* for the Time being, by being left at or transmitted through the Post to their respective Places of Business in *Edinburgh*.

Deeds and Instruments not liable to Stamp Duty.

XXII. No Deed, Bond, Discharge, Receipt, or other Instrument which shall be made or executed by, to, or with the Commissioners, or otherwise, for any of the Purposes of this Act, shall be subject or liable to any Stamp Duty imposed by any Act now in force, or to any Stamp Duty to be imposed by any future Act, unless such Instruments be specially subjected and specially charged therewith by any future Act.

XXIII. Nothing

Saving Rights of Her Majesty.

XXIII. Nothing in this Act contained shall defeat, abridge, or injuriously affect, in any Action, Suit, or other Proceeding, the legal Rights, Privileges, or Prerogatives of Her Majesty, Her Heirs and Successors.

Protection of Commissioners personally.

XXIV. Nothing in this Act contained, and nothing done under or in pursuance thereof, shall extend to charge the Commissioners or any of them with the Payment of any Penalty or Penalties, or to charge, affect, or make liable the Person or Persons of the Commissioners or any of them, or their Heirs, Executors, or Administrators, or their own proper Lands, Tenements, Goods, Chattels, or Property, in, under, or by reason of any Actions, Suits, Arbitrations, or other Proceedings whatsoever, at Law, in Equity, or otherwise, instituted, agreed, made, or taken under or in pursuance of this Act, nor shall the Commissioners or any of them be personally liable, nor shall the Property of the Commissioners or any of them be liable to any legal Process or Execution in any such Actions, Suits, Arbitrations, or other Proceedings as aforesaid.

SCHEDULE referred to in this Act.

No. on Plan.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
1.1.1.1.1. 1.1.1.1.1. 1.	Dwelling House, with Cellars, Areas, Outbuildings, Back Ground, and Division Walls.	Miss Isabella Campbell, residing at No. 4, Melville Street, Edinburgh; Miss Agnes Broun, also residing there; and Archibald Broun, Esquire, Advocate. No. 40, Drummond Place, Edinburgh.	John Cochrane, M.D., No. 17, Argyle Square.	John Cochrane, M.D., No. 17, Argyle Square.
2.2.2.2.2. 2.2.2.2.	Dwelling House, with Cellars, Areas, Outbuildings, Back Ground, and Division Walls.	The same - -	Alexander Maxwell Adams, M.D., No. 16, Argyle Square.	Alexander Maxwell Adams, M.D., No. 16, Argyle Square.
3.3.3.3.3. 3.3.3.	Dwelling House, with Cellars, Areas, Outbuildings, Back Ground, and Division Walls.	Alexander Callender, No. 27, Grey Street, Edinburgh.	James Watson, Teacher of Arithmetic, No. 15, Argyle Square.	James Watson, Teacher of Arithmetic, No. 15, Argyle Square.
4.4.4.4.4. 4.4.4.	Dwelling House, with Cellars, Areas, Outbuildings, Back Ground, and Division Walls.	Mrs. George Watson, No. 23, George Square, Edinburgh.	Andrew Gibb, Commission Agent, No. 14, Argyle Square.	Andrew Gibb, Commission Agent, No. 14, Argyle Square.
5.5.5.5.5. 5.5.5.5.	Dwelling House, with Cellars, Areas, Outbuildings, Back Ground, and Division Walls.	James Lindsay, Fruit Salesman, No. 13, Argyle Square.	- - -	James Lindsay, Fruit Salesman, No. 13, Argyle Square.
6.6.6.6.6. 6.6.6.6.	Dwelling House, with Cellars, Areas, Outbuildings, Back Ground, and Division Walls.	The Reverend Thomas Hardie, Wester Foulis, Crieff; John Forrester, W.S., No. 8, Drummond Place, Agent.	The Reverend James Wright, No. 12, Argyle Square.	The Reverend James Wright, No. 12, Argyle Square.
7.7.7.7.7. 7.7.7.7.7. 7.	Tenement of Dwelling Houses, with Cellars, Areas, Outbuildings, Back Ground, Sheds, Covered Passage, and Boundary and Division Walls.	John Ord Mackenzie, W.S., No. 9, Hill Street, Edinburgh, as sole surviving Trustee of the late John Mackintosh, Surgeon in the Royal Artillery.	- - -	John Smith, Tailor; Mrs. Mary Scott; Matthew Combe, Tailor; Mrs. James Hamilton; Mrs. Margaret Macfarlane; James Thyne, Draper; Robert Macfarlane, Gas Surveyor; James Barron, Butler; all of No. 11, Argyle Square.

Industrial Museum (Scotland).

No. on Plan.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
8.8.8.8.8. 8.8.	Dwelling House, with Cellars, Areas, Outbuildings, Back Ground, and Division Walls.	Miss Isabella Campbell, residing at No. 4, Melville Street, Edinburgh; Miss Agnes Broun, also residing there; and Archibald Broun, Esquire, Advocate, No. 40, Drummond Place, Edinburgh.	The Reverend William Nisbet, No. 10, Argyle Square.	The Reverend William Nisbet, No. 10, Argyle Square.
9.9.9.9.9. 9.9.9.	Dwelling House, with Cellars, Areas, Outbuildings, Back Ground, and Division Walls.	Mrs. Ebenezer Wallace, No. 13, London Street, Edinburgh, and Ebenezer Wallace, W.S., her Husband; the Rev. James Duncan, Minister of the Free Church at Temple, by Gorebridge.	The Reverend James Gardner, M.D., No. 9, Argyle Square.	The Reverend James Gardner, M.D., No. 9, Argyle Square.
10.10.10. 10.10.	Pleasure Ground in Argyle Square, with Parapets, Copes, Iron Rails, and Gates enclosing the same.	Miss Isabella Campbell, residing at No. 4, Melville Street, Edinburgh; Miss Agnes Broun, also residing there; and Archibald Broun, Esquire, Advocate, No. 40, Drummond Place, Edinburgh.	—	—
11.11.11. 11.	Tenement of Dwelling Houses, Shops, and Warehouses in Brown Square.	The Honourable Walter Elliott of Wolflee, Madras Civil Service; and Samuel Hay, Manager of the Union Bank of Scotland, Edinburgh, his Commissioner.	- - -	John Schultze, Printer, Mrs. Anne Mackenzie, Jane Gowans, all of No. 20, Brown Square, Edinburgh; Mrs. Jane Gowans, Grocer, No. 21, Brown Square, Edinburgh; Messrs. Muir and Wilson, Commission Agents, Nos. 22, 23, and 24, Brown Square, Edinburgh; and William Muir and Thomas Wilson, the individual Partners of that Firm; James Hunter, Provision Merchant, No. 26, Brown Square, Edinburgh.

Industrial Museum (Scotland).

No. on Plan.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
12.12.	Portion of ruinous Tenement	The Lord Provost, Magistrates, and Council of the City of Edinburgh, James Laurie, City Clerk, No. 10, Royal Exchange, Edinburgh; and the City of Edinburgh Paving Board, William Duncan, S.S.C., No. 1, Heriot Row, Edinburgh, Clerk.	- - -	James Doull, Joiner and House Agent, No. 11, West Adam Street, Edinburgh; William Anderson, Slater and Glazier, No. 10, North College Street, Edinburgh.
13.13.13. 13.13.13.	Remaining Portion of ruinous Tenement, with Workshops, Areas, Stables, and Boundary and Division Walls.	Charles M'Gibbon, Builder, No. 7, East Claremont Street, Edinburgh.	- - -	The same; and James Hunter, Provision Merchant, No. 26, Brown Square, Edinburgh.
14.14.14.	Enclosed Space and Shed.	The Lord Provost, Magistrates, and Council of the City of Edinburgh, James Laurie, City Clerk, No. 10, Royal Exchange, Edinburgh; and the City of Edinburgh Paving Board, William Duncan, S.S.C., No. 1, Heriot Row, Edinburgh, Clerk.	- - -	Robert Berry and Alex. Berry, Builders, Nos. 22 and 24 Society, Edinburgh.
15.15.15.	Range of Buildings, comprehending a Barm Brewery, Stables, Coach-houses, Lofts, Dungstead, and Cellar.	Sir John Hall of Dunglass, Baronet, as sole surviving Trustee of the late Mrs. Isabella Atkinson or Potts, Widow of the deceased Thomas Potts, Merchant and Grocer, Bristo Port, Edinburgh.	The Union Barm Company, Alex. M'Kean, Baker, No. 2, Charles St., Edinburgh, Treasurer.	The Union Barm Company, Alex. M'Kean, Baker, No. 2, Charles St., Edinburgh, Treasurer; Archibald Aikman and Co., Merchants, No. 1, Victoria Street, Edinburgh; Peter Wilson and Co., Spirit Dealers, Regent Arch, Edinburgh; Robert Berry and Alexander Berry, Builders, Nos. 22 and 24, Society, Edinburgh.
16.16.16. 16.16.16. 16.	Enclosed Space, with Walls and Door.	Edinburgh Water Company, Alex. Ramsay, Manager, No. 123, Princes Street, Edinburgh.	- - -	Edinburgh Water Company, Alex. Ramsay, Manager, No. 123, Princes Street, Edinburgh.

Industrial Museum (Scotland).

No. on Plan.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
17.17.	Cellar, with Walls and Roof.	John Ord Mackenzie, W.S., No. 9, Hill Street, Edinburgh, as sole surviving Trustee of the late John Mackintosh, Surgeon in the Royal Artillery.	- - -	James Jamieson, Bookbinder, Society, Edinburgh.
18.18.18. 18.18.18. 18.	Bleaching Green, with Boundary and Division Walls and Stairs.	Miss Isabella Campbell, residing at No. 4, Melville Street, Edinburgh; Miss Agnes Broun, also residing there; and Archibald Broun, Esq., Advocate, No. 40, Drummond Place, Edinburgh.	- - -	Mrs. Berry; Robert Berry, Builder, No. 24, Society; Alexander Berry, Builder, No. 22, Society; Rev. James Wright, No. 12, Argyle Square, Edinburgh; Rev. Thomas Hardie, Wester Foulis, Crieff; Rev. James Gardner, M.D., No. 9, Argyle Square, Edinburgh.
19.19.19. 19.19.	City Wall - -	The Lord Provost, Magistrates, and Council of the City of Edinburgh, James Laurie, City Clerk, No. 10, Royal Exchange, Edinburgh.	—	—
20.20.20. 20.20.20. 20.20.20. 20.20.20. 20.20.20. 20.20.20. 20.20.20. 20.20.20. 20.20.20. 20.20.20. 20.20.20. 20.20.20. 20.20.20. 20.20.20. 20.20.	Streets, Paved Ways, Road Ways, and Passages.	The same, and the City of Edinburgh Paving Board, William Duncan, S.S.C., No. 1, Heriot Row, Edinburgh, Clerk.	- - -	The Lord Provost, Magistrates; and Council of the City of Edinburgh, James Laurie, City Clerk, No. 10, Royal Exchange, Edinburgh; the City of Edinburgh Paving Board, William Duncan, S.S.C., No. 1, Heriot Row, Edinburgh, Clerk.

The Lord Provost, Magistrates, and Council of the City of Edinburgh, and the said Miss Isabella Campbell, residing at No. 4, Melville Street, Edinburgh, Miss Agnes Broun, also residing there, and Archibald Broun, Esquire, Advocate, No. 40, Drummond Place, Edinburgh, are the reputed Superiors of the Properties above described.

The Owners of Nos. 1 to 9 inclusive have a reputed Right of Servitude over the Pleasure Ground, No. 10.

Local Government Supplemental (No. 2).

CAP. CXVIII.

An Act to confirm certain Provisional Orders under the Local Government Act (1858), relating to the Districts of *Nottingham*, *Sunderland*, *Hastings*, *Reading*, *Chatham*, *Dartmouth*, *Tunbridge Wells*, *Sheerness*, *Sandgate*, *Wilton*, *Bridgnorth*, *and Dorchester*. [28th *August* 1860.]

'WHEREAS the Secretary of State for the Home Department, being One of Her Majesty's Principal Secretaries of State, has, under the Provisions of "The Local Government Act, 1858," duly made certain Provisional Orders, which are contained in the Schedule to this Act annexed, and it is provided by the aforesaid Local Government Act that no such Orders shall be of any Validity whatever until they shall have been confirmed by Parliament, and it is expedient that the said Orders should be so confirmed, and further Provision made in relation thereto:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. The Provisional Orders contained in the Schedule hereunto annexed shall, from and after the passing of this Act, be absolute, and be as binding and of the like Force and Effect as if the Provisions of the same had been expressly enacted in this Act. Provisional Orders in Schedule confirmed.

II. This Act shall be deemed to be incorporated with "The Local Government Act, 1858," and shall be as if this Act and the said Local Government Act were One Act. Incorporation of Act.

III. In citing this Act in any other Act of Parliament, or in any Proceeding, Instrument, or Document whatsoever, it shall be sufficient to use the Words and Figures, "The Local Government Supplemental Act, 1860 (No. 2)." Short Title.

SCHEDULE of PROVISIONAL ORDERS referred to in the preceding Act.

1. *Nottingham.*—Putting in force the Lands Clauses Consolidation Act, 1845, for the Purchase and taking of Lands otherwise than by Agreement.
2. *Sunderland.*—Putting in force the Lands Clauses Consolidation Act, 1845, for the Purchase of Lands for Street Improvements.
3. *Hastings.*—Putting in force the Lands Clauses Consolidation Act, 1845, for the Purchase of Lands for Street Improvements and other Purposes.
4. *Reading.*—Putting in force the Lands Clauses Consolidation Act, 1845, for the Purchase of Land.
5. *Chatham.*—Repealing Local Acts in force within the District.
6. *Dartmouth.*—Repealing and altering Parts of a Local Act in force within the District.
7. *Tunbridge Wells.*—Repealing and altering Parts of a Local Act in force within the District.
8. *Sheerness.*—Altering the Boundaries of the District of Minster, as constituted for the Purposes of the Public Health Act, 1848.
9. *Sandgate.*—Extending the borrowing Powers of the Local Board of Health.
10. *Wilton.*—Extending the borrowing Powers of the Local Board of Health.
11. *Bridgnorth.*—Extending the borrowing Powers of the Local Board of Health.
12. *Dorchester.*—Extending the borrowing Powers of the Local Board of Health.

NOTTINGHAM.

Provisional Order putting in force the Lands Clauses Consolidation Act, 1845, within the District of the Local Board for the Borough of Nottingham, for the Purchase and taking of Lands by the said Board, otherwise than by Agreement.

LOCAL GOVERNMENT ACT, 1858.

Whereas the Mayor, Aldermen, and Burgesses of the Borough of Nottingham, being the Local Board of Health in and for the District of the said Borough, have, in pursuance of the Provisions of the 75th Section of the Local Government Act, 1858, and after complying with the requirements of that Section by duly giving and serving all notices thereby directed, presented a Petition, under the Seal of the said Local Board, to one of Her Majesty's Principal Secretaries of State, for authority to put in force the Lands Clauses Consolidation Act, 1845, to enable the aforesaid Local Board to purchase certain pieces of land, buildings, and premises, for the purpose of enabling them to form, alter, and improve certain streets or roads within such Borough.

And whereas the said Petition duly set forth in the Schedule annexed thereto the several pieces of land and the several buildings and premises intended to be taken by such Board for such purpose, and the names of the owners, lessees, and occupiers of the aforesaid lands, buildings, and premises who have assented, dissented, and are neuter in respect of the taking thereof, or who have returned no answer to the notices issued by such Board; and such Petition prayed that the said Board might, with reference to such land, buildings, and premises, be allowed to put in force the powers of the Lands Clauses Consolidation Act aforesaid, with respect to the purchase and taking of lands otherwise than by agreement; and on the receipt of such Petition, Her Majesty's Principal Secretary of State for the Home Depart-

ment directed Alfred Dickens, Esquire, the Inspector appointed for the purpose, to visit the said District, and the said Inspector has now inquired in the District aforesaid into the subject matter of such Petition, and has duly reported thereon.

Now, therefore, I, as one of Her Majesty's Principal Secretaries of State, do hereby, in pursuance of the powers vested in me by the Local Government Act, 1858, make Order and direct,

That from and after the passing of any Act of Parliament confirming this Order—

The Mayor, Aldermen, and Burgesses of the Borough of Nottingham, being the Local Board for the said Borough, shall be empowered to put in force, with reference to the lands, buildings, and premises referred to and described in the Schedule to this Order annexed, the powers of the Lands Clauses Consolidation Act, 1845, with respect to the purchase and taking of lands otherwise than by agreement.

Given under my Hand, this Twenty-second day of June 1860.

(Signed) G. C. Lewis.

The SCHEDULE referred to in the foregoing Order.

The Lands, Buildings, and Premises proposed to be taken for the Purposes set forth in the preceding Order, and situate in the Borough of Nottingham, are the following, the Figures in the Second Column referring to those on the Plan mentioned in the Petition of the aforesaid Local Board of Health, herein-before described.

Description of Property.	No. on the Plan.	Owners or reputed Owners.	Occupiers.
Office, Yard, and Premises in High Street Place.	1	Samuel Fox - -	The Nottingham Permanent Benefit Building Society and the Great Northern Railway Company.
House, Shop, Warehouses, Store-rooms, Stable, Yards, Cellars, Passage, and Premises in or near the Poultry and High Street.	2, 3, 4, and 5.	The same - - -	John Hutchinson and Samuel Armitage.
House, Shop, and Premises in Chandlers Lane.	7	The same - -	George Sheffield.
Warehouse and Premises in Chandlers Lane.	8	The same - - -	John Hutchinson and Samuel Armitage.
Shop, Warehouse, Passage, and Premises in Chandlers Lane.	9	George Shelton the younger, Elizabeth Henshall Bretland, William Burgass, and Samuel Willmott (Owners), George Freeth (Mortgagee).	James Moore and John Moore.
Counting-house and Premises in or near Chandlers Lane.	10	The same - - -	John Wilkinson Smith.
Warehouse and Premises in or near Chandlers Lane.	10	The same - -	Charles Beecroft.
House, Shop, Yard, and Premises in or near the Poultry and High Street.	11	The same - - -	The same.
House, Shop, and Premises in or near the Poultry, High Street, and Bridlesmith Gate.	13	The same - - -	James Addlesee.
House, Shop, and Premises in Chandlers Lane.	14	The same - -	John Burton.
House, Shop, and Premises in Chandlers Lane.	15	The same - - - -	James Frost.
Common Yard, Passages, and Outbuildings in or near Chandlers Lane, the Poultry, and Bridlesmith Gate.	12, 15 and 16.	The same.	—

Local Government Supplemental (No. 2).

Description of Property.	No. on the Plan.	Owners or reputed Owners.	Occupiers.
Warehouse and Premises in Chandlers Lane.	6	Mary Ann Henson -	John Sellars.
Houses, Shops, Workshop, Yards, and Premises in or near Chandlers Lane and Bottle Lane.	19, 20. 22, 23 and 30.	The same - - -	Robert Eades and Henry Miller.
House, Shop, Passage, and Premises in Bottle Lane.	21	The same - -	James Bacon.
House, Shop, Pantry, and Premises in or near Chandlers Lane and Bottle Lane.	24 and 28	The same - - -	William Nuthall.
House, Shops, Pantry, and Premises in Chandlers Lane.	25, 26, and 27.	The same - -	Sarah Dickinson and Charlotte Dickinson.
House, Shop, Cellars, and Premises in Chandlers Lane.	29	The same - - -	William Smith.
Maltrooms, Maltkiln, and Premises in or near Bottle Lane.	30 and 33	The same - -	James Rogers.
Common Yard and Outbuildings in or near Bottle Lane.	31	The same.	——
House and Premises in Bottle Lane.	32	The same - -	John Durrands.
Houses, Workshops, Yard, Pantry, and Premises in or near Chandlers Lane and Bottle Lane.	34, 35, 36, 37. 29.	Anthony Shepperley, Susan Shepperley, and William Thickett.	Samuel Morley, Arthur Morley, Rowland Stagg, and Adam Murray, and John Hartshorn and Joseph Bagshaw.
House, Yard, and Premises in Chandlers Lane.	40	Robert Mackley Musson -	Robert James (Occupier). George Sims (Lessee).
Workshops and Premises in Chandlers Lane.	41	The same - - -	George Sims (Lessee and Occupier).
Schoolroom, Staircase, Stables, Haylofts, Yards, and Premises in Bottle Lane.	38 and 39	The same - -	Isaac Newton and Isabella Rutland.
House, Shops, Cellar, Rooms, Passages, Staircase, and Premises in Bottle Lane.	48 and 49	The same - - -	John Bagshaw, Henry Bray, and William Thomas Hebb.
Common Passage in or near Bottle Lane.	50	The same.	——
Shops, Warehouse, and Premises in Chandlers Lane.	42	Frances Elizabeth Goodall, Charles Kayes Goodall, James Goodall, and Thomas Goodall.	George Sims, William Marriott, and John Shepherd.
Houses, Slaughterhouse, Stable, and Premises in or near Chandlers Lane.	44	The same - - -	Frederick Hucknall, John Waters, and Mary Ann Brocklesby.
Houses, Yard, Passage, Outbuildings, and Premises in or near Chandlers Lane and Bottle Lane.	45, 46, 47. 51, and 52.	The same - -	Frederick Hucknall, Alfred Bates, and Alfred Barber.
House, Passage, and Premises in Chandlers Lane.	54	The same - - -	Henry Lawrence.
House, Yards, Shed, and Premises in Chandlers Lane.	55, 56, and 57.	Frances Elizabeth Goodall, Charles Kayes Goodall, James Goodall, and Thomas Goodall.	Charles Oakland and Charles Goodall.
House, Shop, Yard, Buildings, and Premises in or near Chandlers Lane.	58. 61 and 62.	The same - - -	John Lees.
House, Shop, and Premises in Chandlers Lane.	59 and 60	The same - -	Frank Barton.

Local Government Supplemental (No. 2).

Description of Property.	No. on the Plan.	Owners or reputed Owners.	Occupiers.
Common Privies and Ashpit in or near Chandlers Lane.	63	The same.	——
Common Yards and Premises in or near Bottle Lane.	53	The same, and Robert Mackley Musson, Charles Goodall, and George Hickling.	——
Slaughterhouse, Rooms, and Premises in or near Chandlers Lane and Bottle Lane.	64 and 65	Charles Goodall - -	Charles Goodall.
House and Premises in or near Bottle Lane.	65	George Hickling - -	Bartholomew Good.
House, Shop, Yard, and Premises in or near Bottle Lane.	66 and 67	Charles Goodall - -	Charles Goodall and William Hunt.
House, Yard, Workshops, and Premises in Bottle Lane.	68 and 69	John Frost Sutton -	George Frederick Kirk.
House, Yard, and Premises in Bottle Lane.	69	John Shore, Elizabeth Shore, and Arthur Wells.	John Swindley Wright.
House, Workshops, Yard, and Premises in or near Chandlers Lane and Bottle Lane.	70	George Lewin - -	George Lewin.
Warehouse and Premises in Chandlers Lane.	71	John Stanley - -	John Stanley.
House, Shop, Passage, and Premises in Chandlers Lane.	72	The same - - -	Samuel Roe.
Common Yard, Common Passage, and Premises in or near Bottle Lane and Warser Gate.	73 and 74	The same.	——
Warehouse, Offices, and Premises in or near Bottle Lane and Warser Gate.	74	The same - - -	Edwin Hartshorn, David Marks, William Brown, James Gadsby, and Francis Lees.
Warehouse, Rooms, and Premises in or near Bottle Lane and Warser Gate.	75	The same - - -	William Tomlinson, David Adams, and John Beardsall.
House, Bakehouses, Yard, Passage, and Premises in or near Warser Gate and Chandlers Lane.	76 and 78	William Goodwin -	John Goodwin.
Houses, Passage, Privies, and Premises in or near Chandlers Lane.	78, 79, and 80.	The same - -	Mary Ann Margeson and William Goodwin.
House and Premises in Queen Street.	87	Sarah Milnes - -	Thomas Addicott.
Houses and Premises in or near Queen Street.	82 and 88	The same - - -	William Edward Hebb.
House and Premises in Queen Street.	89	The same - - -	James Haslam.
House, Passage, and Premises in Queen Street.	90	The same - -	John Price.
House, Passage, and Premises in or near Queen Street and Warser Gate.	91	The same - - -	John Burbage.
Common Yard and Outbuildings in or near Queen Street.	81 and 83	The same.	——
House and Premises in Queen Street and Chandlers Lane.	84	Joseph Adcock - -	Sarah Peat.
House and Premises in Queen Street.	85	The same - -	John Barks.

Local Government Supplemental (No. 2).

Description of Property.	No. on the Plan.	Owners or reputed Owners.	Occupiers.
House and Premises in Queen Street.	86	The same - - -	Ann Hutchinson.
House, Workshops, and Premises in or near Queen Street, Chandlers Lane, and Carlton Street.	93	Elizabeth Henshall Bretland, William Burgass, and John Black.	Elizabeth Henshall Bretland.
House, Shop, and Premises in Queen Street.	94 and 95	The same - - -	Elizabeth Westwick.
House, Shop, Yard, and Premises in Queen Street.	96	Alfred Westwick -	Alfred Westwick.
House, Shop, and Premises in or near Queen Street and Warser Gate.	97	Charles Wells, Eliza Wells, and Bott Parker.	Richard Cornelius Nutt.
Warehouse, Yard, and Premises in Warser Gate.	98	The same - - -	William Ruddle.
Houses, Shops, Workshops, Yard, Passage, Outbuildings, and Premises in or near Carlton Street.	100, 101, and 102.	William Flewitt - -	William Flewitt and Frederick Johnson.
House, Shop, Yard, and Premises in Carlton Street.	103	William Redfern -	John Brown (Lessee and Occupier).
House, Shop, and Premises in or near Carlton Street and Chandlers Lane.	104	George Alfred Walker -	William Taylor the younger.
House, Shop, and Premises in Carlton Street.	104*a*	The same - -	William Barnes.
Common Yard and Premises in or near Carlton Street and Chandlers Lane.	104*b*	The same.	—
Yard, Passage, and Premises in or near Pelham Street.	107	The same - -	Thomas Holmes.
Printing Office, Warehouse, and Premises in Chandlers Lane.	108	The same - - -	William Williams.
House, Shop, Surgery, Stables, Coach-house, Yard, and Premises in or near Pelham Street and Chandlers Lane.	109 and 110	William Wright - -	William Wright and Thomas Harris.
Shop and Premises in Chandlers Lane.	112	The same - -	William Tombs.
Passage and Premises in Chandlers Lane.	112	The same - - -	John Stanley.
Public House, Brewhouse, Stable, Coach-house, and Premises in or near Chandlers Lane and Pelham Street.	113 and 114	Elizabeth Day - -	Nathaniel Warren.
Common Passage in or near Chandlers Lane and Pelham Street.	114*a*	The same.	—
Printing Office and Premises in Chandlers Lane.	117	Richard William Preston	Richard William Preston.
Shop, Warehouse, Manufactory, Passage, and Premises in or near Pelham Street and Chandlers Lane.	118	Daniel Underwood and William Underwood.	Daniel Underwood.

Local Government Supplemental (No. 2).

Description of Property.	No. on the Plan.	Owners or reputed Owners.	Occupiers.
House and Premises in or near Chandlers Lane.	119	Samuel Cropper, Hannah Cropper, and John Stanley.	Sarah Richards.
House and Premises in or near Chandlers Lane.	120	The same - - -	William Bonser.
House and Premises in or near Chandlers Lane.	121	The same - - -	William Bonser and Joseph Chambers.
House and Premises in Chandlers Lane.	122	The same - - -	Samuel Cropper.
Common Yard, Privies, and Passage in or near Chandlers Lane.	123. 127. 134. and 136.	The same, and Mary Simpson, John Morley, James Tomlinson, William Woollard Creeke, and John Whyatt.	——
House, Stables, and Premises in or near Chandlers Lane.	136	Mary Simpson, John Morley, and James Tomlinson.	John Morley, Charles Beecroft, and John Mason.
Public House, Passage, and Premises in Chandlers Lane.	137	The same - - -	John Morley.

SUNDERLAND.

Provisional Order putting in force the Lands Clauses Consolidation Act, 1845, within the District of the Local Board of Health for the Borough of Sunderland in the County of Durham, for the Purchase of Lands by the said Board for Street Improvements.

LOCAL GOVERNMENT ACT, 1858.

Whereas the Mayor, Aldermen, and Burgesses of the Borough of Sunderland, in the County of Durham, being the Local Board of Health in and for the District of the said Borough, under the Borough of Sunderland Act, 1851, have, in pursuance of the Provisions of the 75th Section of the Local Government Act, 1858, and after complying with the requirements of that Section by duly giving and serving all notices thereby directed, presented a Petition, under the Seal of the said Local Board, to one of Her Majesty's Principal Secretaries of State, for authority to put in force the Lands Clauses Consolidation Act, 1845, to enable the aforesaid Local Board of Health to purchase certain pieces of land and certain buildings for the purpose of enabling them to alter and improve certain streets and thoroughfares within such Borough.

And whereas the said Petition duly set forth in the Schedules annexed thereto the several pieces of land and the several buildings intended to be taken by such Board for such purposes, and the names of the owners, lessees, and occupiers of the aforesaid land and buildings who have assented, dissented, and are neuter in respect of the taking thereof, or who have returned no answer to the notice issued by such Board; and such Petition prayed that the said Board might, with reference to such land and buildings, be allowed to put in force the powers of the Lands Clauses Consolidation Act aforesaid, with respect to the purchase and taking of land otherwise than by agreement; and on the receipt of such Petition, Her Majesty's Principal Secretary of State for the Home Department directed Henry Austin, Esquire, the Inspector appointed for the purpose, to visit the said District, and the said Inspector has now inquired in the District aforesaid into the subject matter of such Petition, and has duly reported thereon.

Now, therefore, I, as one of Her Majesty's Principal Secretaries of State, do hereby, in pursuance of the powers vested in me by the Local Government Act, 1858, make Order and direct,—

That, from and after the passing of any Act of Parliament confirming this Order—

The Mayor, Aldermen, and Burgesses of the Borough of Sunderland, in the County of Durham, being the Local Board of Health for the said Borough, shall be empowered to put in force, with reference to the land and premises referred to and described in the Schedule to this Order annexed, the powers of the Lands Clauses Consolidation Act, 1845, with respect to the purchase and taking of land otherwise than by agreement.

Given under my Hand this Eighth day of June 1860.

(Signed) G. C. LEWIS.

SCHE-

SCHEDULE referred to in the preceding Order.

THE Pieces of Land and the Premises proposed to be taken, as described in the foregoing Order, are the following; the figures referring to the figures on the Plan mentioned in the Schedules to the Petition of the Local Board of Health herein-before mentioned:—

Lands proposed to be taken.	Number on Plan.
A piece of ground comprising 70 superficial yards, with the gate, stile, and wall thereon, situate at the east ends of Vine Place, Derwent Street, and Olive Street, and between the east ends of Vine Place, Derwent Street, and Olive Street, and Building Hill Lane, adjoining the Borough Road on the North, in the Township of Bishopwearmouth, in the said borough of Sunderland.	No. 1 on Plan No. 1.
A piece of ground comprising 45 superficial yards, with the walls thereon, situate between the back street east of Waterloo Place and the back street west of the south part of Fawcett Street and adjoining the cross street leading east from Waterloo Place and the cross street leading west from Fawcett Street in continuation of Athenæum Street in the said township of Bishopwearmouth, in said borough of Sunderland.	No. 1 on Plan No. 2.
A piece of ground comprising 52 superficial yards, with the walls and iron railing thereon, and adjoining the last described piece of ground on the north, and a portion of which is part of the shrubbery on the west side of Fawcett Street and adjoining a cross street in continuation of Athenæum Street, and the other portion is ground whereon a wall is built between the said cross street leading east from Waterloo Place and the said shrubbery in the said township of Bishopwearmouth in the said Borough.	Nos. 2 and 3 on Plan No. 2.
The piece of ground comprising forty-nine superficial yards and the walls and iron railing thereon, a portion of which is part of the said shrubbery, situate on the west side of Fawcett Street, and adjoining or contiguous to a cross street leading east from Union Street, and also adjoining or contiguous to a cross street, being a continuation of St. Thomas Street; and the other portion of which is ground upon which a wall or walls is built, between the cross street leading east from Union Street and the said shrubbery, and the said street a continuation of Saint Thomas Street, in the township of Bishopwearmouth in the said borough.	Nos. 4 and 5 on Plan No. 2.
The ground comprising one superficial yard, whereon certain posts are fixed, between Manor Place and West Sunniside in the township of Bishopwearmouth aforesaid in the said borough, and the posts thereon.	No. 1 on Plan No. 3.
The ground comprising one superficial yard, between West Sunniside and Saint Thomas Street, whereon certain posts are fixed, in the said township of Bishopwearmouth in the said borough, and the posts thereon.	No. 2 on Plan No. 3.
And also the ground whereon certain posts are fixed, in a cross street known as Dannatt's Court, leading from Norfolk Street to the back of Nile Street, comprising one superficial foot in the said township of Bishopwearmouth in the said borough of Sunderland, and the posts thereon.	No. 4 on Plan No. 3.

HASTINGS.

Provisional Order putting in force the Lands Clauses Consolidation Act, 1845, within the District of the Hastings Local Board of Health, in the County of Sussex, for the Purchase of Lands by the said Board for Street Improvements and other Purposes.

LOCAL GOVERNMENT ACT, 1858.

Whereas the Local Board of Health in and for the District of Hastings, in the Borough of Hastings, in the County of Sussex, to which the Public Health Act, 1848, was duly applied, and in pursuance of the Provisions of the 75th Section of the Local Government Act, 1858, and after complying with the requirements of that Section by duly giving and serving all notices thereby directed, presented a Petition, under the Seal of and duly signed by the said Local Board, to one of Her Majesty's Principal Secretaries of State, for authority to put in force the Lands Clauses Consolidation Act, 1845, to enable the aforesaid Local Board of Health to purchase, otherwise than by agreement, certain pieces of land for the purpose of widening, altering, and improving the street or roadway within the aforesaid District, opposite the Lower Lighthouse, leading from the Marine Parade to the Fish Market, and to dedicate the same partly as a highway and partly for other purposes in such Petition described.

And

And whereas the said Petition, and the Schedule thereto annexed, duly set forth and described the pieces of land intended to be taken by such Board for such purposes, and the names of the owners, lessees, and occupiers of the aforesaid pieces of land who have assented, dissented, and are neuter in respect of the taking such pieces of land, or who have returned no answer to the notice issued by such Board; and such Petition prayed that the said Board might, with reference to such land, be allowed to put in force the powers of the Lands Clauses Consolidation Act aforesaid, with respect to the purchase and taking of land otherwise than by agreement; and on the receipt of such Petition, Her Majesty's Principal Secretary of State for the Home Department directed William Ranger, Esq., the Inspector appointed for the purpose, to visit the said District, and the said Inspector has now inquired in the District aforesaid into the subject matter of such Petition, and has duly reported thereon.

Now, therefore, I, as Her Majesty's Principal Secretary of State for the Home Department, do hereby, in pursuance of the powers vested in me by the Local Government Act, 1858, made Order and direct,—

That, from and after the passing of any Act of Parliament confirming this Order—

1.—The Local Board of Health for the District of Hastings, in the Borough of Hastings, in the County of Sussex, shall be empowered to put in force, with reference to the land referred to and described in the Schedule to this Order annexed, the powers of the Lands Clauses Consolidation Act, 1845, with respect to the purchase and taking of land otherwise than by agreement.

Given under my Hand this Fifteenth day of June 1860.

(Signed) G. C. Lewis.

SCHEDULE referred to in the preceding Order.

The Pieces of Land proposed to be taken, as described in the foregoing Order, are the following; the figures referring to the figures on the Plan mentioned in the Schedule to the Petition of the Local Board of Health herein-before mentioned:—

No. on Plan.	Land proposed to be taken.	Owner, Lessee, and Occupier.
2.	All that piece or parcel of land or ground, containing by admeasurement 8 feet in width and 12 feet in depth, together with the small wooden erection or shop now standing thereon, situate opposite the lower lighthouse, and used for the sale of fish.	Richard Moore and Sarah Moore, his wife (Owners). Joseph White (Lessee and Occupier).
3.	All that piece or parcel of land or ground, containing by admeasurement 10 feet in width and 18 feet in depth, together with the small wooden erection or shop now standing thereon, situate opposite the lower lighthouse, and used for the sale of fish.	Joseph White (Owner and Occupier).

READING.

Provisional Order putting in force the Lands Clauses Consolidation Act, 1845, within the District of the Reading Local Board of Health for the Purchase of Land by the said Board.

Local Government Act, 1858.

Whereas the Local Board of Health for the District of the Borough of Reading, in the County of Berks, to which the Public Health Act, 1848, was duly applied by a Provisional Order of the General Board of Health, bearing date the 2d day of August 1850, confirmed by the Public Health Supplemental Act, 1850, (No. 3,) have, in pursuance of the Provisions of the 75th Section of the Local Government Act, 1858, and after complying with the requirements of that Section by duly publishing the advertisements and serving all notices thereby directed, presented a Petition, under the seal of the said Local Board, to one of Her Majesty's Principal Secretaries of State, for authority to put in force the Lands Clauses Consolidation Act, 1845, to enable the said Local Board to purchase certain pieces of land, messuages, buildings, and premises, for Street Improvements within the aforesaid District.

And whereas the said Petition duly set forth and described the land and property intended to be taken by such Local Board, and the purposes for which the same were required, and the names of the owners, lessees, and occupiers of the aforesaid pieces of land and property who have assented, dissented, or are neuter in respect of the taking thereof, or who have returned no answer to the notice issued by such Board; and such Petition prayed that the said Board might, with reference to such land and property, be allowed to put in force the powers of the Lands Clauses Consolidation Act aforesaid, with respect to the purchase and taking of lands otherwise than by agreement; and on the receipt of such Petition, Her Majesty's Principal Secretary of State for the Home Department directed William Ranger, Esq., the

the Inspector appointed for the purpose, to visit the said Borough, and the said Inspector has now inquired into the subject matter of such Petition, and has duly reported thereon.

Now, therefore, I, as one of Her Majesty's Principal Secretaries of State as aforesaid, do hereby, in pursuance of the powers vested in me by the Local Government Act, 1858, make Order and direct—

That, from and after the passing of any Act of Parliament, confirming this Order, the Local Board of Health for the Borough of Reading shall be empowered to put in force, with reference to the land and property referred to and described in the Schedule to this Order annexed, the powers of the Lands Clauses Consolidation Act, 1845, with respect to the purchase and taking of lands otherwise than by agreement.

Given under my Hand, this Twenty-third day of June 1860.

(Signed) G. C. Lewis.

SCHEDULE referred to in the preceding Order.

The land, messuages, buildings, and premises proposed to be taken, as described in the foregoing Order, by the Local Board of Health named therein, together with the names of the owners, lessees, and occupiers of the said premises, are as follow :—

Description of Lands, Messuages, Buildings, and Premises.	Owner or reputed Owner.	Lessee or reputed Lessee.	Occupier.
House and Shop, commonly known as Number 1, Middle Row, Reading.	William Deacon, Baughurst, Hants, and Mark Taylor, Goring, Oxon.	William Hedgecock Wellsteed, 10, Coley Hill, Reading.	William Hedgecock Wellsteed.
Dwelling House and Shop, commonly known as Number 5, Middle Row, Reading.	Reading Local Board of Health.	William Church, Prospect Hill, Reading, and George Church, Middle Row, Reading; Thomas Elliott, 1, Greenland Villa, Hydraulic Road, Tunbridge Wells, Kent, and John Randall Whittingham, Middle Row, Reading.	John Randall Whittingham.
Dwelling House and Shop, commonly known as Number 32, Middle Row, Reading.	William Church, Prospect Hill, Reading, and George Church, Middle Row, Reading.	Thomas Elliott, 1, Greenland Villa, Hydraulic Road, Tunbridge Wells, Kent, and John Randall Whittingham, Middle Row, Reading.	John Randall Whittingham.
Dwelling House commonly known as Number 6, Middle Row, Reading.	Reading Local Board of Health.	The Representatives of the late John Glanville Lamb, High Street, Reading.	James Banister and James Banister the younger.
Dwelling House and Shop, commonly known as Number 31, Middle Row, Reading.	The Representatives of the late John Glanville Lamb, High Street, Reading.	- - - -	James Banister and James Banister the younger.
Dwelling House and Shop, commonly known as Number 7, Middle Row, Reading.	John Blagrave, Esquire, Calcot Lodge, Tilehurst, Berks, and Cecil Monro, Esquire, Hadley, Middlesex.	George Shackel, Earley near Reading, and Maria Jane Shackel, Clarence Place, Reading.	Christopher Saunders.
Dwelling House, commonly known as Number 8, Middle Row, Reading.	Frederick Turton, Middle Row, Reading.	- - - -	William Hemus.
Dwelling House, commonly known as Number 9, Middle Row, Reading.	Frederick Turton, Middle Row, Reading.	- - - -	Frederick Turton.

Local Government Supplemental (No. 2).

Description of Lands, Messuages, Buildings, and Premises.	Owner or reputed Owner.	Lessee or reputed Lessee.	Occupier.
Dwelling House and Shop, commonly known as Number 10, Middle Row, Reading.	Reading Local Board of Health.	Thomas Hedges, Spring Gardens, Reading, and John Hedges, South Bruton Mews, Berkeley Square, London.	Joseph Yates.
Dwelling House and Shop, commonly known as Number 30, Middle Row, Reading.	George Bailey, The Thistle, Glassford Street, Glasgow.	- - - -	Unoccupied.
Dwelling House, commonly known as No. 100, London Street, Reading, with the Yard, Shed, Brewhouse, Land, Buildings, and Appurtenances belonging thereto.	John Blagrave, Esquire, Calcot Lodge, Tilehurst, Berks; and Cecil Monro, Esquire, Hadley, Middlesex.	- - - -	Thomas Justins.
Land and Stable belonging to and in the Rear of the Premises commonly known as No. 103, London Street, Reading.	Henry Clark, Kendrick Road, Reading.	Henry Hutt, 103, London Street, Reading.	Henry Hutt.
Stable belonging to and in the Rear of the Premises commonly known as Nos. 104 and 105, London Street, Reading.	The Mayor, Aldermen, and Burgesses of the Borough of Reading.	George Meloy, 104 and 105, London Street, Reading.	George Meloy.
Dwelling House, Garden, and Buildings known as Number 1, Talfourd Place, East Street, Reading.	Henry Clark, Kendrick Road, Reading.	- - - -	Harriett Willard.

CHATHAM.

Provisional Order repealing Local Acts in force within the District of the Chatham Local Board of Health.

LOCAL GOVERNMENT ACT, 1858, Sec. 77.

Whereas the Local Board of Health in and for the District of Chatham Extra, in the County of Kent, to which District the Public Health Act, 1848, was duly applied by a Provisional Order of the General Board of Health, bearing date the 19th day of July 1849, confirmed by "The Public Health Supplemental Act, 1849," have, under the powers and in pursuance of the 77th Section of the Local Government Act, 1858, presented a Petition to the Right Honorable Sir George Cornewall Lewis, Bart., M.P., as one of Her Majesty's Principal Secretaries of State, praying for the repeal (so far as the Local Acts herein-after mentioned relate to or concern the District of that Local Board of Health, to wit, the District of Chatham Extra,) of certain Local Acts of Parliament now partially in force within the District, having relation to the purposes of the Local Government Act, 1858, and not conferring powers or privileges upon any corporation, company, undertakers, or individuals for their own pecuniary benefit; that is to say,

An Act passed in the Twelfth year of the reign of His late Majesty King George the Third, intituled "An Act for the better paving, cleansing, lighting, and watching the streets and lanes in the Town "and Parish of Chatham, in the County of Kent, and for removing and preventing nuisances and "annoyances therein:" and also—

An

An Act passed in the Sixteenth year of the reign of His said Majesty King George the Third, intituled "An Act to explain and amend an Act made in the Twelfth year of His present Majesty, 'for "'paving, cleansing, lighting, and watching the streets and lanes in the Town and Parish of "'Chatham, in the County of Kent, and for removing and preventing nuisances and annoyances "'therein,' and to extend the provisions of the said Act to such parts of the High Street in "Chatham as are situate in the Parishes of Saint Margaret and Gillingham, and to other places "adjoining or contiguous to the said Town:"

And whereas in pursuance of the Local Government Act, 1858, inquiry has been directed in the District in respect of the several matters mentioned in the Petition:

And whereas it appears expedient to issue a Provisional Order in relation to those matters, but no such Order can be valid without confirmation by Parliament:

Now, therefore, in pursuance of the powers vested in me by the Local Government Act, 1858, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order, under my hand, direct that from and after the passing of any Act of Parliament confirming this Order—

The several parts of the herein-before recited Acts of 12 George 3. and 16 George 3., in force within the District of Chatham, shall, except only so far as is herein-after otherwise provided, be repealed, so far as those parts of the Acts relate to or concern the District of the Local Board of Health, to wit, the District of Chatham Extra: Provided always, that the repeal of those Acts shall not prejudice any rate heretofore made under the authority of those Acts or either of them, and not yet fully paid: Provided also, that the several powers and provisions of those Acts respectively with respect to the collecting, recovering, receiving, and applying of so much of any or every rate heretofore made under the authority of those Acts, or either of them, as is not yet fully paid shall remain in force, so long, but so long only, as is requisite for the collecting, recovering, receiving, and applying of the same: Provided also, that the repeal of those Acts shall not prejudice any contract heretofore entered into by the Local Board under the authority of Section 13 of the recited Act of 12 George 3. and now in force, or any right or remedy under or with respect to any such contract, and shall not prejudice any of the powers and provisions of Sections 15, 16, 17, and 18 of the recited Act of 12 George 3. with respect to the assessing, collecting, recovering, receiving, and applying of any monies now or hereafter paid or due and payable by the Local Board under or by virtue of any such contract: Provided also, that the several powers and provisions of the recited Acts of 12 George 3. and 16 George 3. respectively, with respect to the fulfilment of every such contract, and the assessing, collecting, recovering, receiving, and applying of all such monies, shall remain in force so long, but so long only, as is requisite for those purposes respectively.

Given under my Hand this Twenty-second day of June 1860.

(Signed) G. C. Lewis.

DARTMOUTH.

Provisional Order repealing and altering Parts of a Local Act in force within the District of the Dartmouth Local Board.

Local Government Act, 1856, Sec. 77.

Whereas the Mayor, Bailiffs, and Burgesses of the Borough of Clifton Dartmouth Hardness, in the County of Devon, acting as the Local Board in and for the District of the Borough aforesaid, in which the Local Government Act, 1858, has been duly adopted, have, in pursuance of the said Act, presented a Petition to one of Her Majesty's Principal Secretaries of State, praying for the alteration and partial repeal of a certain Local Act of Parliament in force within the said district, having relation to the purposes of the said Local Government Act, and not conferring powers or privileges upon any corporation, company, undertakers, or individuals for their own pecuniary benefit; that is to say,

An Act passed in the Fifty-fifth year of the reign of His late Majesty King George the Third, Chapter twenty-eight, intituled "An Act for building a Market House in the Borough of Clifton Dartmouth "Hardness, in the County of Devon, and for better paving, lighting, widening, and improving the "streets and other public places within the said Borough."

And whereas, in pursuance of the said Local Government Act, inquiry has been directed in the said District in respect of the several matters mentioned in the said Petition.

And whereas it appears expedient to issue a Provisional Order in relation to the said matters, but no such Order can be valid without confirmation by Parliament.

Now, therefore, in pursuance of the powers vested in me by the said Local Government Act, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order, under my hand, direct that from and after the passing of any Act of Parliament confirming this Order—

1.—The parts of the said Local Act of 55 Geo. 3. Cap. 28. specified in the Schedule hereunto annexed shall be repealed.

2.—The powers, authorities, and duties of the Commissioners for the time being, acting heretofore in execution of all or any of the said parts of the said Local Act, shall cease.

3.—All property and estate of the Commissioners acting in the execution of the said portions of the said Local Act shall be transferred to the said Local Board, and shall, as near as circumstances will permit, be held by the said Local Board upon the same trusts, and for the same purposes, as by such Commissioners.

4.—All debts, monies, and securities for money contracted or payable by such Commissioners shall be satisfied by the said Local Board out of such parts of the said transferred property and estate as would have been chargeable therewith if this Order had not been made, and shall be paid and satisfied by the said Local Board as by such Commissioners.

5.—Provided always, that if such property and estate be insufficient for that purpose, the deficiency shall be charged upon the rates leviable under the said Local Government Act, 1858, in the parts only which would have been chargeable with such deficiency if this Order had not been made.

Given under my Hand this Twenty-seventh day of June 1860.

(Signed) G. C. Lewis.

SCHEDULE to which this Order refers.

The parts of the Local Act [55 Geo. 3. Cap. 28.] herein-before referred to in this Order to be repealed are as follows; that is to say,

All the sections of the said Local Act 55 Geo. 3. Cap. 28., from Section 15. to Section 82., both inclusive.

TUNBRIDGE WELLS.

Provisional Order repealing and altering Parts of a Local Act in force within the District of Tunbridge Wells.

Local Government Act, 1858, Sec. 77.

Whereas the execution of the Tunbridge Wells Improvement Act, 1846, is vested in a body of Commissioners consisting of all persons owning or occupying property within the Town of Tunbridge Wells of the clear value of 50*l.* per annum, who have made and subscribed a certain Declaration in the said Act prescribed, whilst all other persons owning or occupying property of less value than 50*l.* per annum are excluded.

And whereas the Ratepayers of the said Town of Tunbridge Wells at two General Meetings convened for the purpose of considering the subject resolved, That it is expedient to modify the said Tunbridge Wells Improvement Act, 1846, so far as to secure to the Town the advantages of a representative local authority and a recognized head of the same.

And whereas the Board of Tunbridge Wells Improvement Commissioners, having taken into consideration the wishes of the general body of Ratepayers as expressed at such meetings, and also the altered condition of the Town since the passing of the Tunbridge Wells Improvement Act, 1846, are likewise of opinion that a change is become necessary, and that it is further desirable to reduce the number of Commissioners to twenty-four, the same to be elected by the Ratepayers.

And whereas, with a view to facilitate this change, the said Commissioners have adopted the seventy-seventh section of the Local Government Act, 1858, and have under the powers of the said section petitioned me, as one of Her Majesty's Principal Secretaries of State, to make a Provisional Order partially to repeal or alter, and provide for the future execution of the said Tunbridge Wells Improvement Act, 1846.

Now, therefore, I, as one of Her Majesty's Principal Secretaries of State as aforesaid, do hereby, in pursuance of the powers vested in me by the Local Government Act, 1858, make Order and direct that from and after the passing of any Act of Parliament confirming this Order—

1.—So much of the Ninth Section of the said Tunbridge Wells Improvement Act, 1846, as prescribes who shall be Commissioners for carrying the said Act into execution, and fixes the qualification of the said Commissioners; and so much of the Seventeenth Section of the said Tunbridge Wells Improvement Act, 1846, as prescribes the Statement of Qualification to be made in the Declaration taken by the said Commissioners; and so much of the Twenty-first Section of the said Tunbridge Wells Improvement Act, 1846, as fixes the day and hour of the monthly meetings of the said Commissioners; and so much of the Twenty-eighth Section of the said Tunbridge Wells Improvement Act, 1846, as relates to the appointment of Chairman at meetings of the said Commissioners, shall be repealed.

And in lieu thereof,—

2.—The Commissioners for execution of the said Tunbridge Wells Improvement Act, 1846, shall be 24 in number, to be elected within one month after the passing of the Act of Parliament confirming this Order by the owners of property and the payers of rates under the said Tunbridge Wells Improvement Act, 1846, in respect of property within the limits of the said Act, according to the scale of voting and the regulations in respect of the election of Local Boards, as provided by the Public Health Act, 1848, and the Local Government Act, 1858.

3.—The qualification of the said Commissioners shall be the ownership or occupancy of property actually rated to the rates under the said Tunbridge Wells Improvement Act, 1846, at an annual

annual value of 30*l.*, and a statement of such qualification shall be substituted in the declaration to be made by such Commissioners before acting, in lieu of the statement of qualification prescribed in the 17th section of the said Tunbridge Wells Improvement Act, 1846.

4.—The said Commissioners shall at their first meeting after the passing of any Act of Parliament confirming this Order, and afterwards from time to time at their annual meetings, appoint one of their members to be Chairman for one year at all meetings at which he is present, and in case the Chairman so appointed be absent from any meeting at the time appointed for holding the same, the Commissioners present shall appoint one of their number to act as Chairman thereat. And in case the Chairman appointed as first aforesaid die, resign, or become incapable of acting, another Commissioner shall be appointed as Chairman for the period during which the person so dying, resigning, or becoming incapable of acting would have been entitled to continue in office and no longer.

5.—Eight of the Commissioners so elected as aforesaid shall go out of office on the day of the second election of Commissioners under this Order, and so on annually, and the order in which the Commissioners first elected shall go out of office shall be fixed by the said Commissioners, and no such Commissioner shall in any case continuously remain in office for more than three years, and on the days appointed for going out of office a number of persons shall be elected as Commissioners equal to the number going out of office, and as many others as may be necessary to complete the full number of the said Commissioners.

6.—Any of the said Commissioners after going out of office, resigning, or otherwise ceasing to be a Commissioner may, if otherwise qualified, be again elected a Commissioner; and if at any time the said Commissioners shall be fewer in number than 24, the remaining Commissioners may continue, and be as competent to act till such number is completed by election, as if no vacancy had occurred.

7.—The Clerk of the present Commissioners for execution of the said Tunbridge Wells Improvement Act, 1846, shall be the person to conduct the first election under this Order, and shall fix the day for such first election within one month of the passing of the Act confirming this Order.

Given under my Hand this Seventh day of July 1860.

(Signed) G. C. Lewis.

SHEERNESS.

Provisional Order for altering the Boundaries of the District of Minster in the County of Kent, as constituted for the Purposes of the Public Health Act, 1848.

Local Government Act, 1858.

Whereas by a Provisional Order of the General Board of Health, bearing date the Sixteenth day of July 1849, confirmed by the Public Health Supplemental Act, 1849, the Public Health Act, 1848, was duly applied to the Parish of Minster in the County of Kent.

And whereas a Petition has been duly presented to me, as one of Her Majesty's Principal Secretaries of State, under the Provisions of the 77th Section of the Local Government Act, 1858, praying for an alteration of the boundaries of the said District of Minster, by the separation of the Village and part of the upper District of Minster aforesaid from the District constituted under the herein-before recited Provisional Order, and the Act confirming the same.

And whereas, in pursuance of the said Local Government Act, inquiry has been directed in the said District in respect of the several matters mentioned in the said Petition, and report has been made to me thereon by Alfred Dickens, Esquire, the Inspector appointed for the purpose.

And whereas it appears expedient to issue a Provisional Order in relation to the said matters, but no such Order can be valid without confirmation by Parliament.

Now, therefore, in pursuance of the powers vested in me by the said Local Government Act, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order, under my hand, direct—

That, from and after the passing of any Act of Parliament confirming this Order—

1.—The District of the aforesaid Local Board of Health for Minster, in the County of Kent, be altered by so much of the Upper Division of Minster aforesaid as is situate on the east side of the Boundary of the Ecclesiastical District of Sheerness being excluded from the District of the aforesaid Local Board of Health.

2.—The District altered as aforesaid be styled the District of Sheerness, instead of being, as heretofore, styled the District of the Parish of Minster.

3.—At every election of members of the Local Board of Health aforesaid which shall take place after the passing of the Act of Parliament confirming this Order, the members to be elected shall be elected for the whole of the District as altered by this Order, and by the votes of owners of, and ratepayers in respect of, property situate within the district so constituted.

Given under my Hand this Twenty-fifth day of June 1860.

(Signed) G. C. Lewis.

SANDGATE.

SANDGATE.

Provisional Order for extending the Borrowing Powers of the Sandgate Local Board of Health.

LOCAL GOVERNMENT ACT, 1858.

Whereas, by a Provisional Order of the General Board of Health, bearing date the Twelfth day of June 1850, confirmed by the Public Health Supplemental Act, 1850 (No. 2.), the Public Health Act, 1848, was duly applied to the District of Sandgate in the County of Kent, as described in the above-mentioned Provisional Order.

And whereas the Local Board of Health for the said District have borrowed under that Act, and with the Authority of the General Board of Health, sums, amounting in the whole to Four thousand Pounds, to defray the expense of works for supplying water to the said District, and for other works of a permanent nature under the aforesaid Act, a portion of which said sums now remains due and owing from such Local Board; and whereas a further sum will be required to carry out and complete works of a permanent nature, for improving and extending the supply of water to the said District, but such further sum, together with the debt now charged upon such District in respect of the unpaid portion of the herein-before mentioned 4,000*l.*, will exceed the assessable value for one year of the premises assessable under the said Act within such District.

And whereas the said Board have now, under the authority of the 78th Section of the Local Government Act, 1858, petitioned me, as one of Her Majesty's Principal Secretaries of State, for powers to borrow or re-borrow for such works on mortgage of the rates leviable by the aforesaid Local Board of Health under the powers of the Public Health Act, 1848, and the Local Government Act, 1858, a sum or sums which shall not exceed in the whole two years assessable value of the premises assessable within the District in respect of which such sum or sums may be borrowed or re-borrowed.

And whereas after due inquiry and report by Alfred Dickens, Esquire, the Inspector appointed by me for the purpose, I am of opinion that the prayer of such Petition should be granted; but the same cannot be done without the consent of Parliament.

Now, therefore, in pursuance of the power now vested in me as one of Her Majesty's Principal Secretaries of State as aforesaid, I do hereby, by this Provisional Order under my Hand, direct as follows:—

That, from and after the passing of any Act of Parliament confirming this present Order—

1.—The Local Board of Health for the District of Sandgate in the County of Kent shall have power and authority to borrow or to re-borrow, for the execution and completion of the aforesaid works within such District, and on mortgage of the rates leviable by them under the aforesaid Acts, an amount not exceeding in the whole Five thousand nine hundred Pounds, including therein the existing debt of the said Board in respect of such works, and the sum now estimated to be required for the completion of the works as herein-before described, such amount of Five thousand nine hundred Pounds, not exceeding in the whole two years assessable value of the premises assessable under such Acts within the aforesaid District, to be repaid, with interest thereon, within a period of fifty years from the date of the borrowing thereof.

Given under my Hand this Twenty-eighth day of June 1860.

(Signed) G. C. LEWIS.

WILTON.

Provisional Order for extending the Borrowing Powers of the Wilton Local Board of Health.

LOCAL GOVERNMENT ACT, 1858.

Whereas the Public Health Act, 1848, has been duly applied to the Parish of Wilton, in the County of Wilts.

And whereas the Local Board of Health for the said District of Wilton have borrowed under that Act, and with the authority of the General Board of Health, sums, amounting in the whole to Two thousand nine hundred and sixty Pounds, to defray the expense of works for the Drainage of and Supply of Water to the said District, being works of a permanent nature under the aforesaid Act; and whereas a further sum will be required to carry out and complete the said works, but such further sum, with the herein-before mentioned 2,960*l.*, will exceed the assessable value for one year of the premises assessable under the said Act within such District.

And whereas the said Board have now, under the authority of the 78th Section of the Local Government Act, 1858, petitioned me, as one of Her Majesty's Principal Secretaries of State, for powers to borrow for such works, on mortgage of the rates leviable by the aforesaid Local Board of Health under the powers of the Public Health Act, 1848, and the Local Government Act, 1858, a sum or sums which, with the amount already borrowed, shall not exceed in the whole two years assessable value of the premises assessable within the District in respect of which such sum or sums may be borrowed.

And whereas after due inquiry and report by Alfred Dickens, Esquire, the Inspector appointed by me for the purpose, I am of opinion that the prayer of such Petition should be granted; but the same cannot be done without the consent of Parliament.

Now,

Now, therefore, in pursuance of the power now vested in me as one of Her Majesty's Principal Secretaries of State as aforesaid, I do hereby, by this Provisional Order under my Hand, direct as follows :—

That, from and after the passing of any Act of Parliament confirming this present Order,—

1.—The Local Board of Health for the District of Wilton, in the County of Wilts, shall have power and authority to borrow, for the completion of the aforesaid works within such District, and on mortgage of the rates leviable by them under the aforesaid Acts, an amount not exceeding in the whole Two thousand nine hundred and sixty Pounds over and above the amount of 2,960*l.* already borrowed by the said Local Board of Health, such additional sum of 2,960*l.* making, with the amount already borrowed, 5,920*l.*, which exceeds by 2,467*l.* the one year's assessable value, but does not exceed in the whole two years assessable value of the premises assessable under such Acts within the aforesaid District, the aforesaid additional sum of 2,960*l.* to be repaid, with interest thereon, within a period of fifty years from the date of the borrowing thereof.

Given under my Hand this Twenty-seventh day of June 1860.

(Signed) G. C. Lewis.

BRIDGNORTH.

Provisional Order for extending the Borrowing Powers of the Bridgnorth Local Board of Health.

Local Government Act, 1858.

Whereas, by an Order of Her most Gracious Majesty in Council, bearing date the Twenty-ninth day of December 1853, the Public Health Act, 1848, was duly applied to the Borough of Bridgnorth, in the County of Salop, and the said Borough was thereby constituted a District under that Act.

And whereas the Local Board of Health of the said District have borrowed under that Act sums amounting in the whole to Eleven thousand one hundred and ninety-four Pounds, to defray the expense of works for sewering and supplying water to the said District, but such sums were not sufficient to defray the cost of completing the works for the purposes aforesaid.

And whereas the said Local Board have, under the authority of the 78th Section of the Local Government Act, 1858, petitioned me, as one of Her Majesty's Principal Secretaries of State, for power to reborrow, on account of such works, a sum sufficient to pay off the sums borrowed and still remaining due and owing by them,—viz., an amount of Nine thousand eight hundred and sixty-three Pounds; and to borrow a further sum of Five thousand Pounds for extending the works for supplying water to the said District; the said sums of Nine thousand eight hundred and sixty-three Pounds and Five thousand Pounds, making in the whole Fourteen thousand eight hundred and sixty-three Pounds, not exceeding two years assessable value of the premises assessable within such District; and whereas the said sum of Fourteen thousand eight hundred and sixty-three Pounds is proposed to be repaid within a period of fifty years from the date of the borrowing thereof.

And whereas, after due inquiry and report by Alfred Dickens, Esquire, the Inspector appointed for the purpose, it appears expedient that the prayer of such Petition should be granted; but the same cannot be done without the consent of Parliament.

Now, therefore, in pursuance of the power now vested in me, as one of Her Majesty's Principal Secretaries of State, I do hereby, by this Provisional Order under my Hand, direct as follows :—

That from and after the passing of any Act of Parliament confirming this present Order—

The Local Board of Health for the District of Bridgnorth, in the County of Salop, shall have power and authority to borrow or reborrow, for the purposes aforesaid, on mortgage of the rates leviable by them under the Local Government Act, 1858, an amount not exceeding in the whole a sum of Fourteen thousand eight hundred and sixty-three Pounds, the said amount to be repaid, with interest thereon, within a period of fifty years from the date of the borrowing thereof.

Given under my Hand this Twenty-second day of June 1860.

(Signed) G. C. Lewis.

DORCHESTER.

Provisional Order for extending the Borrowing Powers of the Dorchester Local Board of Health.

Local Government Act, 1858.

Whereas, by a Provisional Order of the General Board of Health, bearing date the Ninth day of November 1852, confirmed by the Public Health Supplemental Act, 1853 (No. 1), the Public Health Act, 1848, was duly applied to the Borough of Dorchester, in the County of Dorset, and the said Borough was thereby constituted a District under that Act.

And whereas the said Local Board have borrowed under that Act, and with the authority of the General Board of Health, sums to defray the expense of works for the drainage of and supplying water to the said District, but which sums are not sufficient to defray the remainder of the cost of the works of water supply, and of works for the sewerage of such District.

And

And whereas the said Board have now, under the authority of the 78th Section of the Local Government Act, 1858, petitioned me, as one of Her Majesty's Principal Secretaries of State, for powers to borrow for such works, on mortgage of the rates leviable by the aforesaid Local Board of Health under the powers of the Public Health Act, 1848, and the Local Government Act, 1858, a sum or sums not exceeding in the whole an amount of Two thousand five hundred Pounds, beyond one year's assessable value of the premises assessable within the District in respect of which such sum or sums may be borrowed, such sum or sums to be repaid within a period of fifty years from the date of the borrowing thereof.

And whereas after due inquiry and report by Alfred Dickens, Esquire, the Inspector appointed by me for the purpose, I am of opinion that the prayer of such Petition should be granted; but the same cannot be done without the consent of Parliament.

Now, therefore, in pursuance of the power now vested in me as one of Her Majesty's Principal Secretaries of State as aforesaid, I do hereby, by this Provisional Order under my hand, direct as follows:—

That, from and after the passing of any Act of Parliament confirming this present Order—

1.—The Local Board of Health for the Borough of Dorchester, in the County of Dorset, shall have power and authority to borrow or to reborrow, for the execution and completion of the aforesaid works within such District, and on mortgage of the rates leviable by them under the Public Health Act, 1848, and Local Government Act, 1858, a sum or sums not exceeding in the whole an amount of Two thousand five hundred Pounds beyond one year's assessable value of the premises assessable under such Acts within the aforesaid District, to be repaid, with interest thereon, within a period of fifty years from the date of the borrowing thereof.

Given under my Hand this Fifteenth day of June 1860.

(Signed) G. C. Lewis.

CAP. CXIX.

An Act to amend the Law relating to Weights and Measures in *Ireland*. [28th *August* 1860.]

'WHEREAS it is expedient to amend the Laws relating to Weights and Measures in *Ireland*:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title.

I. This Act may for all Purposes be cited as "The Weights and Measures (*Ireland*) Act, 1860."

Interpretation of Terms.

II. In the Construction and for the Purposes of this Act, if not inconsistent with the Context or Subject Matter, the following Expressions shall have the Meanings herein-after assigned to them; (that is to say,)

"Lord Lieutenant" shall mean the Chief Governor or Governors of *Ireland* for the Time being;

"County" shall include Riding, and also any County of a City or County of a Town in *Ireland*, and the Two Constabulary Districts of the County of *Galway* shall respectively be deemed and taken to be Counties for the Purposes of this Act;

"Borough" shall mean any Borough or Town Corporate in *Ireland*;

"Assizes" shall include Presenting Term;

"Treasurer" shall include the Finance Committee and the Secretary of the Grand Jury for the County of *Dublin*.

Part of 5 & 6 W. 4. c. 63. s. 19. repealed.

III. So much of Section Nineteen of the Act of the Fifth and Sixth Years of King *William* the Fourth, Chapter Sixty-three, as requires Grand Juries in *Ireland* to appoint Inspectors of Weights and Measures, shall be and the same is hereby repealed; and from and after the passing of this Act no such Inspectors heretofore appointed by Grand Juries under the Provisions of the said Act shall exercise any of the Duties imposed on them as Inspectors of Weights and Measures.

14 & 15 Vict. c. 92. s. 18. repealed.

IV. The Eighteenth Section of "The Summary Jurisdiction (*Ireland*) Act, 1851," shall be and the same is hereby repealed: Provided always, that nothing herein contained shall extend to alter or affect in any Manner the Appointment of any Head or other Constable in any Petty Sessions District in *Ireland* who shall have been selected, under the Provisions of the said Act, by the County Inspector of Constabulary, with the Approval of the Justices for that Purpose, an *ex officio* Inspector of Weights and Measures within such District.

Certain Head and other Constables to be ex officio Inspectors of Weights and Measures.

V. Such Head or other Constables in each Petty Sessions District in *Ireland* as shall have been selected under the Provisions of the said last-mentioned Act, or shall be selected under this Act, by the County Inspector of Constabulary, with the Approval of the Justices for that Purpose, shall be *ex officio* Inspectors of Weights and Measures within such District, and shall possess and exercise all the Powers and Authorities, and be subject to the like Penalties for any Neglect or Offence in the Discharge of such Duties, which any Inspector of Weights and Measures heretofore possessed or exercised or had been liable to under and by virtue of the said Act of the Fifth and Sixth Years of King *William* the Fourth, Chapter Sixty-three, and shall perform such Duties, under the Direction of the Justices at Petty Sessions, without Fee or Reward, and notwithstanding any Manorial Jurisdiction or Claim of Jurisdiction within such District.

VI. The

As to Custody of Copies of Imperial Standard Weights and Measures

VI. The Grand Jury of any County in *Ireland* may order and direct any Inspector of Weights and Measures heretofore appointed in such County, under the Provisions of the said last-mentioned Act, in whose Custody any Copy or Copies of the Imperial Standard Weights and Measures shall have been deposited, as therein provided, to transmit the same to such *ex-officio* Inspector of Weights and Measures or Person in such County as shall be appointed by the Inspector General of Constabulary, with the Consent and Approval of the Lord Lieutenant, to have the Custody of the same; and any such Inspector neglecting or refusing to obey such Order shall be liable to a Penalty not exceeding Ten Pounds; and in all Counties of Cities and Boroughs where no Rate is levied, and which Counties of Cities and Boroughs are liable to County Cess, the Expense incurred under this Act shall be defrayed by the respective Counties.

Grand Juries in Counties and Town Councils in Boroughs to provide Sub-Standard Weights and Measures.

VII. It shall be lawful for the Grand Jury of each County and the Town Council of each Borough in *Ireland*, and they are respectively hereby required, from Time to Time, to provide for such County and Borough respectively as many Copies in Iron or other sufficient Material of the County Copies of the Imperial Weights and Measures, and such accurate Beams and Scales, as they shall see fit, and to direct that such Copies shall be duly stamped by such Sub-Inspector of Constabulary as such Grand Jury or Town Council respectively shall appoint for that Purpose, with the Approval of the Inspector General; and the said Copies shall be called the Sub-Standard Weights and Measures; and such Grand Jury and Town Council respectively shall also provide such good and sufficient Stamps for stamping or sealing Weights and Measures used or to be used in such County or Borough respectively as they shall see fit.

Sub-Standard Weights and Measures to be deposited with Head or other Constables.

VIII. Such Sub-Standard Weights and Measures shall be deposited in the Custody of the said Head or other Constables, and shall at least once in every Year, and also at all other Times when required by the County Inspector of Constabulary of the County, or by the Justices at Petty Sessions, be compared with and corrected by the said County Copies of the Imperial Weights and Measures by the said Sub-Inspector of Constabulary so appointed as aforesaid, (subject to such Regulations as the Inspector General of Constabulary shall, with the Consent and Approval of the Lord Lieutenant, frame from Time to Time for such Purpose,) and such Sub-Inspector shall adjust the same, and also affix the County or Borough Stamp thereto, and such Sub-Standard Weights and Measures so adjusted and stamped shall, until the next Comparison of the same, to be made in manner aforesaid, be considered to all Intents the same as the said County Copies of the Imperial Weights and Measures, and for all Purposes of Comparison and Verification, and for all other Purposes for which such County Copies of the Imperial Weights and Measures are required, under the Provisions of the said Act of the Fifth and Sixth Years of King *William* the Fourth, or this Act, by any Inspector of Weights and Measures.

As to Supply of Sub-Standard Weights, &c. to Sub-Inspectors.

IX. The Grand Jury in each such County and the Town Council in each such Borough shall and they are hereby required to supply such Sub-Inspector with such Copies of the Imperial Standard Weights and Measures, and such County or Borough Stamps, as the Case may be, as may be necessary for such Comparison, Correction, and Stamping, as herein-before mentioned.

As to Weights to be used until Imperial Weights, &c. shall be supplied.

X. Provided always, That until such Copies of the County Copies of the Imperial Weights and Measures, and such County or Borough Stamps, shall have been supplied by such Grand Jury or Town Council respectively, it shall be lawful for any *ex-officio* Inspector of Weights and Measures to use, for the Purposes of this Act, any Copies of the County Copies of the Imperial Weights and Measures which shall have been provided for the Use of *ex-officio* Inspectors of Weights and Measures, and shall have been duly stamped by any Sub-Inspector, under the Provisions of "The Summary Jurisdiction (*Ireland*) Act, 1851."

Grand Jury may present for Expenses on County.

XI. It shall be lawful for the Grand Jury of any such County to present the Amount of such Expenses as shall be incurred either in procuring or transmitting such Sub-Standard Weights and Measures, or otherwise, in carrying the Provisions of the said last-mentioned Act or this Act into effect in such County, and also all such reasonable and necessary Expenses as shall be incurred by any such Sub-Inspector, Head or other Constable, in relation thereto; and such Sums so presented shall be levied off the County in like Manner as any other Sums presented by such Grand Jury.

Town Council may raise Amount of Expenses by way of Rate on Boroughs.

XII. It shall be lawful for the Town Council in any such Borough to make, assess, and levy such Rate as may be necessary for defraying the Amount of such Expenses as shall be incurred either in procuring or transmitting such accurate Beams and Scales, and such Sub-Standard Weights and Measures, or otherwise, in carrying the Provisions of the said last-mentioned Act or this Act into effect in such Borough; and also all such reasonable and necessary Expenses as shall be incurred by any such Sub-Inspector, Head or other Constable, in relation thereto; and such Rates shall be raised and levied in such Manner as any other Rates are authorized to be raised and levied within such Borough by any Act or Acts in force therein.

Judge of Assize to order Copies of Standards, &c. in Counties in Ireland when it has not been done by Grand Juries.

XIII. The Judge of Assize shall, before the Close of the Assizes which shall be held for any County in *Ireland* next after the passing of this Act, and at the First Assizes which shall be held in every succeeding Year, inquire whether One complete Set of such Copies of the Imperial Standard Weights and Measures and a sufficient Number of Sub-Standard Copies of Weights and Measures, Beams and Scales, and County Stamps, has been provided in such County, and in every Case in which it shall not appear to him that One Set at least of such Copies has been so provided such Judge shall forthwith order the Treasurer of the County to provide One complete Set of such Copies of the Imperial Weights and

and Measures, and such Number of Sub-Standard Weights and Measures, Beams and Scales, and County Stamps, as shall appear to him to be sufficient for such County for the Purposes of this Act; and every such Order shall have the Effect of a Presentment on the County at large for such Sum as may be necessary to procure the same, and such Treasurer shall, within Three Calendar Months next after he shall receive such Order, fully execute the same, or failing so to do shall be liable to any Penalty not exceeding Twenty Pounds.

Chairman of Quarter Sessions to order Copies of Standard Weights and Measures in Boroughs within the County, in case it has not been done by Town Council.

XIV. The Chairman of Quarter Sessions for each County in *Ireland* at the Quarter Sessions of the Peace which shall be held for such County next after the Twenty-fifth Day of *March* in the Year One thousand eight hundred and sixty-one, and at such Quarter Sessions in every succeeding Year, shall inquire whether One complete Set of such Copies of the Imperial Standard Weights and Measures, and a sufficient Number of Sub-Standard Copies of Weights and Measures, Beams and Scales, and Borough Stamps, has been provided in each Borough within such County; and in every Case in which it shall not appear to him that One Set at least of such Copies has been so provided such Chairman of Quarter Sessions shall forthwith order the Town Clerk or other proper Officer of such Borough to provide One complete Set of such Copies of the Imperial Standard Weights and Measures, and also such Number of Sub-Standard Weights and Measures, Beams and Scales, and Borough Stamps as he shall think sufficient; and every such Order shall have the Effect of an Order of the Town Council of such Borough to raise such Amount by way of Rate in such Borough as may be necessary to procure a complete Set of such Copies of the Imperial Standard Weights and Measures, and also such Number of Copies of the Sub-Standard Weights and Measures, Beams and Scales, and Borough Stamps, as shall appear to such Chairman of Quarter Sessions to be sufficient, and as he shall direct; and such Town Clerk or other proper Officer shall, within Three Calendar Months next after he shall receive such Order, fully execute the same, or failing so to do shall be liable to any Penalty not exceeding Twenty Pounds.

Imperial Standards of Weights and Measures when to be adjusted.

XV. No Copy of any of the Imperial Standards of Weights shall be deemed legal, or used for the Purpose of enforcing the Provisions of this Act or the Act passed in the Session holden in the Fifth and Sixth Years of the Reign of King *William* the Fourth, Chapter Sixty-three, unless the same have been compared or re-verified by the Comptroller General, or some other Officer of the Exchequer duly authorized, within Five Years before the Time when it is so used; and no Model or Copy of any of the Imperial Standards of Measures shall be deemed legal, or used for the Purposes aforesaid, unless it have been compared or re-verified as aforesaid within Ten Years before the Time when it is so used, or unless such Model or Copy have been compared by the Sub-Inspector so appointed as aforesaid, in the County in which it is used, in the Presence of One Justice of the Peace, with a Model or Copy of the Imperial Standard of Weight duly compared and verified at the Exchequer within Five Years of its being so used, and found on such Comparison by such Inspector to be correct, or with a Model or Copy of the Imperial Standard of Measure duly compared and verified at the Exchequer within Ten Years of its being so used, and found on such Comparison by such Inspector to be correct; and the Expenses incurred in and about such Comparison or Re-verification of any such Model or Copy of any Imperial Standard of Weight or Measure shall in all Cases be paid in the same Manner, and out of the same Funds, as is provided for the procuring of such Models and Copies under the Provisions of this Act.

Power to Inspectors to inspect Beams, Scales, &c. in possession of Persons selling in the public Streets.

XVI. It shall be lawful for every *ex-officio* Inspector of Weights and Measures, at all reasonable Times, to inspect all Beams, Scales, and Balances, and Weights and Measures, in the Possession of any Person selling, offering, or exposing for Sale any Goods on any open Ground, or in any public Street, Lane, Thoroughfare, or other open Place; and if upon such Inspection or Examination any such Beams, Scales, or Balances, or Weights or Measures, shall be found light or unjust, or otherwise contrary to the Provisions of this Act or the said Act passed in the Fifth and Sixth Years of King *William* the Fourth, or if any Fraud be wilfully committed in the using thereof, the same shall be liable to be seized and forfeited, and the Person or Persons using or having in his or her Possession any such false or unjust Beams, Scales, or Balances, or light or unjust Weights or Measures, shall be liable to any Penalty not exceeding Five Pounds, as shall be adjudged by any Justice or Justices before whom any such Conviction shall take place.

Power to destroy false Weights and Measures.

XVII. Every light or unjust Weight or Measure used by any Person for the Sale of any Article, or in the Possession of any Person, shall, on being discovered by any such Head or other Constable as aforesaid, be seized by him, and upon the Conviction of the Person so using or possessing the same shall be forfeited and forthwith destroyed.

Penalty for certain Offences against Provisions of this Act.

XVIII. Any Person who shall stamp any Weight or Measure with the County or Borough Stamp which shall not have been duly and properly compared and adjusted as herein-before mentioned, or shall use the County Sub-Standard Weights and Measures for any Purpose other than that authorized by the said Act of the Fifth and Sixth Years of King *William* the Fourth, Chapter Sixty-three, or this Act, shall, upon being convicted thereof, forfeit and pay any Sum not exceeding Five Pounds as shall be adjudged by any Justice or Justices before whom any such Conviction shall take place.

Penalty for making and selling false Beams, Scales, &c.

XIX. Any Person who shall wilfully or knowingly make or sell, or cause to be made or sold, any false or unjust Beam, Scale, or Balance, or any light or unjust Weight or Measure shall, upon being convicted thereof, forfeit and pay any Sum not exceeding Ten Pounds, as shall be adjudged by any Justice or Justices before whom any such Conviction shall take place.

XX. 'And

Inspectors authorized to stamp Measures although made partly of Glass, &c.

XX. 'And whereas since the passing of the said Act of the Fifth and Sixth Years of King *William* 'the Fourth, Measures for Liquids have been constructed with a small Window or transparent Part, 'through which the Contents, whether to the Brim or to any other Index thereof, may be seen without 'Impediment, and the Use of such Measures by Publicans and others in the Retail of Malt Liquors and 'Spirits, and other exciseable Liquids, would be attended with Advantage both to the Purchaser and 'Seller:' Be it therefore enacted, That Measures for such Liquids, which shall correspond in Capacity with the Sub-Standard Measures herein-before mentioned, or Parts or Multiples thereof, although such Measures may be made partly of Copper or other Metal, and partly of Glass or other transparent Medium, may be examined, compared, and stamped by all *ex-officio* Inspectors of Weights and Measures, anything in the said recited Act to the contrary notwithstanding: That Measures for such Liquids, the Capacity of which shall exceed the Sub-Standard Measures, or Parts or Multiples thereof, herein-before mentioned, but which shall have the Capacity of such Sub-Standard Measures, or Parts or Multiples thereof, respectively indicated by a level Line drawn through the Centre of the Window or transparent Part, although such Measures may be made partly of Copper or other Metal, and partly of Glass or other transparent Medium, may be examined, compared, and stamped by all such Inspectors of Weights and Measures, anything in the said recited Act to the contrary notwithstanding.

Proceedings under this Act for Recovery of Penalties, &c.

XXI. All Proceedings under this Act as to compelling the Appearance of any Witness, and as to the Hearing and Determination of any Complaints, or any other Matter relating thereto, shall be subject in all respects to "The Petty Sessions (*Ireland*) Act, 1851," as the same is amended by "The Petty Sessions Clerk (*Ireland*) Act, 1858," (when the Case shall be heard in any Petty Sessions District.) and to the Provisions of the Acts relating to the Divisional Police Offices, when the same shall be heard in the Police District of *Dublin* Metropolis, so far as the said Provisions shall be consistent with any special Provisions of this Act; and when any Fine or Penalty is imposed under the Provisions of this Act, such Fines and Penalties shall be paid over to such Purposes and applied in such Manner as is provided by "The Fines Act (*Ireland*), 1851."

Provisions of 5 & 6 W. 4. c. 63. (save such Parts as are hereby repealed) incorporated in this Act.

XXII. The several Clauses and Provisions contained in the said Act of the Fifth and Sixth Years of King *William* the Fourth, Chapter Sixty-three, which are not by this Act expressly or by necessary Implication repealed, so far as the same are applicable, and are not modified by or inconsistent with this Act, shall be incorporated with and be construed as forming Part of this Act: Provided always, that nothing herein contained shall be construed or taken to apply to any Action or Proceeding now pending or which may have been commenced before the passing of this Act.

CAP. CXX.

An Act to amend the Laws relating to the Ballots for the Militia in *England*, and to suspend the making of Lists and Ballots for the Militia of the United Kingdom. [28th *August* 1860.]

'WHEREAS it is expedient to amend the Laws relating to the Ballot for the Militia in *England*, 'and the Proceedings preparatory thereto, in the Cases where a Ballot may be required for 'supplying the Vacancies in the Militias of any Counties or Places; and it is also expedient to suspend 'for a further Period the Ballots for the Militia of the United Kingdom:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

General Meetings of Lieutenancy may alter the existing Subdivisions.

'I. The Lieutenant of each County, Riding, and Place in *England* shall as soon as conveniently may be after the passing of this Act, when required or authorized so to do by One of Her Majesty's Principal Secretaries of State, summon a General Meeting of the Lieutenancy of such County, Riding, or Place, and such Lieutenant, together with Three or more Deputy Lieutenants, or in the Absence of the Lieutenant, or, if his Office be vacant, any Five or more Deputy Lieutenants, may at such General Meeting, or at an Adjournment thereof, alter all or any of the appointed Subdivisions within such County, Riding, or Place, or constitute new Subdivisions therein, in such Manner as may appear to them convenient for the Execution of this Act and other Acts in relation to the Militia (the Act of the Session holden in the Fifteenth and Sixteenth Years of Her Majesty, Chapter Fifty, Section Ten, notwithstanding), and the Lieutenant shall report the Result of every such Meeting and the Description of the Subdivisions of such County, Riding, and Place, whether altered or constituted at such Meeting, or otherwise, to the Secretary of State.

Quota of Subdivisions to be fixed by Orders in Council.

II. It shall be lawful for Her Majesty, with the Advice of Her Privy Council, after the General Meetings of Lieutenancy herein-before directed to be holden, and afterwards from Time to Time as Occasion may appear to Her Majesty to require, to ascertain and fix the Number of Militiamen who shall, until other Quotas shall be fixed in like Manner, serve for each Subdivision of every County, Riding, and Place, and the Numbers so fixed as aforesaid shall be transmitted to the respective Lieutenants of the said Counties, Ridings, and Places from Time to Time, and Notice of the same shall be published in the *London Gazette*, and the Numbers so from Time to Time appointed by Her Majesty shall be the Quotas of the several Subdivisions until other Quotas are appointed in like Manner.

Secretary-at-War to apportion Deficiency among Subdivisions, and certify Numbers to be raised.

III. The Secretary-at-War shall, at such Time as he shall think fit in the Year One thousand eight hundred and sixty, and previously to the Month of *September* in every subsequent Year, apportion between or among the Subdivisions in each County, Riding, and Place, according to the Quotas for the Time being fixed as aforesaid for such Subdivisions, the Number of Men required to be raised, in addition to those then serving, to make up the full Quota for each County, Riding, and Place, and certify or cause to be certified to the Clerk of each Subdivision the Number of Men which pursuant to such Apportionment is to be raised by Ballot in such Subdivision.

Regard to be had in Apportionment of the Number of Men actually serving who when enrolled were resident in each Subdivision, &c.

IV. As well in apportioning the Number of Men required to be raised between or among the several Subdivisions as aforesaid, as in fixing under the Provisions herein-after contained the Number to serve for each Parish of a Subdivision, regard shall be had to the Number of private Men for the Time being serving in the Militia of the County, Riding, or Place, who at the Time of their being enrolled were resident in each such Subdivision or Parish, as the Case may be, and Credit shall be given to each Subdivision and Parish respectively for the private Men actually serving as aforesaid who at the Time of being enrolled were resident in such Subdivision or Parish, and if the Number of private Men actually serving as aforesaid who at the Time of being enrolled were resident in such Subdivision or Parish amounts to or exceeds the full Number of Men which (upon an Apportionment among Subdivisions of the full Number of the Militia of the County, Riding, or Place,) such Subdivision ought to furnish, or which on the like Apportionment of the full Quota of the Subdivision among the Parishes therein such Parish ought to furnish, the Men required to be raised to make up any Deficiency of the whole County or Subdivision shall be apportioned among the other Subdivisions or Parishes, as the Case may be, to the Exemption of the Subdivision or Parish from which such full Number of Men has been enrolled.

Lord Lieutenant to appoint Places for holding Subdivision Meetings.

V. The Lord Lieutenant of every County, Riding, and Place shall, at or after the General Meeting of Lieutenancy herein-before directed to be holden, appoint the Places at which Subdivision Meetings of Lieutenancy shall be holden for the several Subdivisions within such County, Riding, or Place, and may from Time to Time alter the same as he may see Occasion, and shall cause Notice to be given by Advertisement in One or more Newspaper or Newspapers circulating in such County, Riding, or Place, of the Places so fixed, and of the Alterations from Time to Time made as aforesaid.

As to holding Subdivision Meetings.

VI. A Subdivision Meeting of Lieutenancy shall be holden for each of the Subdivisions in every County, Riding, and Place on the First *Wednesday* in the Month of *October* in every Year, at Eleven of the Clock in the Forenoon.

Notices to be given to Householders.

VII. The Overseers of the Poor of every Parish shall, within Seven Days after the Second *Monday* in the Month of *September* in every Year, give or leave Notice in Writing, in the Form in the Schedule to this Act marked (A.), to the Occupier of every Dwelling House within their Parish, at such Dwelling House, or if such Dwelling House be divided into different Apartments occupied separately by several Persons, then to the Occupier of each separate Apartment, requiring him or her to prepare and produce, within Five Days next after the Day of giving such Notice, a List in Writing, to the best of his or her Belief, of the Christian Name and Surname of every Man dwelling therein between the Ages of Eighteen and Thirty, distinguishing therein every such Person claiming to be exempt from serving in the Militia, with the Ground of every such Claim; and every such Occupier shall, after such Notice so given or left, make out such List, and sign the same with his or her own Name, and shall deliver the same, or cause the same to be delivered, to the Overseers, who are hereby required to collect the Returns to such Notices as aforesaid; and for the Purposes of this Act the Term "Parish" shall mean any Parish, Township, extra-parochial or other Place for which Overseers are appointed; and where Overseers are not required to be appointed for any Extra-parochial Place by reason of its contributing under Agreement to the Poor Rates of any Parish, such Extra-parochial Place shall for the Purposes of this Act be deemed Part of such Parish.

Penalty on Householder not making Return.

VIII. Every Occupier who neglects or refuses to make out, sign, and deliver such List as aforesaid within the Time herein-before limited, or who knowingly omits any Person who ought to have been included therein, or knowingly makes any false Return of any Particular required therein, shall for every such Offence forfeit a Sum not exceeding Five Pounds.

List to be made out from Returns.

IX. The Overseers of every Parish shall, within Fourteen Days after having delivered such Notices as aforesaid, make out or cause to be made out a fair and true List in Writing, according to the Form in the Schedule to this Act marked (B.), of the Names of all the Men usually and at that Time dwelling within the Parish to which such List refers between the Ages of Eighteen and Thirty Years, as well of those who have not made any Return or not been returned in pursuance of such Notices as aforesaid, as of those who have made such Returns or been returned in pursuance thereof, distinguishing their respective Ranks and Occupations, and those who have made Returns to such Notices from those who have neglected to make such Returns, (and where the true Name of any Person cannot be procured the common Application of such Person shall be sufficient,) and distinguishing which of the Persons so returned labour under any known Infirmity incapacitating them from serving as Militiamen, and which of the Persons so returned claim or are known to be exempt from serving in the Militia, and on what Account, and shall cause a true Copy of every such List to be affixed on the Door or the outer Wall near the Door of every Church and public Chapel in such Parish, including Places of Public Worship which do not belong to the Established Church, or (if such Parish have no such Church or Chapel) then on the

the Door or the outer Wall near the Door of every such Church and Chapel of some Parish thereto adjoining, during some One *Sunday* before they make the Return to the Deputy Lieutenants as directed by this Act, and shall afterwards make a Return of such List as aforesaid, or a true and exact Copy thereof, to the Deputy Lieutenants of the Subdivision in which the Parish is comprised, at their Meeting to be holden on the First *Wednesday* in the Month of *October* in the same Year, at the Time appointed for holding thereof.

Vestry Meeting to be called in each Parish to determine as to providing Volunteers under Sect. 42. of 42 G. 3. c. 90.

X. The Overseers of the Poor of each Parish shall, within the Time within which they are required to give or leave such Notices as aforesaid, call a Vestry or Meeting of the Inhabitants of the Parish to determine whether or no any Volunteer or Volunteers shall be provided on Behalf of the Parish under Section Forty-two of the Act of the Forty-second Year of King *George* the Third, Chapter Ninety, and shall report the Result of such Vestry or Meeting to the Subdivision Meeting as herein-after provided; and where any Volunteer or Volunteers provided for a Parish under the said Section of the said Act shall be produced to the Deputy Lieutenants at the Subdivision Meeting appointed for the Ballot, and shall be examined and approved, every such Volunteer shall be sworn and enrolled as in the Case of a balloted Man, and the Number to be chosen by Ballot for such Parish shall be reduced or dispensed with, as the Case may require.

Lists to be returned to Subdivision Meetings, and Deputy Lieutenants to amend Lists, and appoint Meetings for the Ballot.

XI. The said Overseers shall attend at the said Meeting at which Lists are required to be returned by them under this Act, and shall verify their said Returns upon Oath, and shall at the same Meeting report to the Deputy Lieutenants the Result of the Vestry or other Meetings of their respective Parishes, and the said Deputy Lieutenants, or any Two or more of them, assembled in their respective Subdivisions, shall direct the Names of all Persons by Law exempted or incapacitated from serving in the Militia to be struck out from the several Lists, and shall direct to be inserted therein the Names of any Persons that have been wrongfully omitted, where the Right to be exempted, the Incapacity, or the Omission may be within the Knowledge of any of such Deputy Lieutenants, or may be made known to them by the Overseers making such Returns or otherwise; and the Lists for all the Parishes in each Subdivision, with such Corrections, if any, as may be so made therein, shall together, for the Purpose of the Ballot under this Act, form and be the List for such Subdivision; and at the said Meeting the Deputy Lieutenants or any Two or more of them there assembled shall ascertain and fix the Number of Militiamen, who shall until other Quotas shall be fixed in like Manner serve for each Parish of such Subdivision, having regard as herein-before provided to the Number of private Men then serving in the Militia of the County, Riding, or Place, who at the Time of their being enrolled were resident in any such Parish, and shall thereupon appoint another Meeting to be holden not later than Seven Days thereafter for the Ballot, and shall direct the Overseers of the Parishes in such Subdivision to give such public Notice in their respective Parishes of the Time so appointed for such Meeting, and of the Purpose thereof, as to the said Deputy Lieutenant shall seem meet.

Penalty for *inducing Overseer to make false Returns*, or refusing to tell Name, &c.

XII. Every Person who, by Gratuity, Gift, or Reward, or by any Threat or Promise, or otherwise, directly or indirectly endeavours to prevail on any Person not to make any Return, or to make a false Return of any List for any Place, or to omit or erase from or out of any such List the Name of any Person who ought to be returned to serve as a Militiaman, shall for every such Offence forfeit the Sum of Fifty Pounds; and every Person who refuses to tell his Christian Name and Surname, or who knowingly tells a false Name, pretending the same to be his true Christian Name or Surname, or who refuses to tell the Christian Name or Surname of any Man lodging or dwelling within his or her House or Apartment, or knowingly tells any false Name, pretending it to be the true Name of any such Person, to any Overseer who may demand the same for the Purpose of making, correcting, or verifying any Return or List required by this Act, shall forfeit the Sum of Ten Pounds.

Deputy Lieutenants may *require the Attendance of Overseers, Constables, &c.*

XIII. The Deputy Lieutenants within any Subdivision, or any Two or more of them, from Time to Time may issue their Order or Warrant under their Hands and Seals, requiring the Attendance of any Overseer, or any Constable, Tithingman, Headborough, or other Peace Officer of any Parish within such Subdivision, at such Time and Place as in such Order or Warrant shall be expressed; and if any such Officer whose Attendance is so required refuse or neglect to appear according to such Order or Warrant, or if any Overseer refuse or neglect to perform his Duty in the Execution of this Act, or in making any Return under this Act be guilty of any Fraud or wilful Partiality or gross Neglect in his Duty, the said Deputy Lieutenants, or any Two or more of them, shall be empowered and required to commit the Person so offending to the Common Gaol or House of Correction for any Time not exceeding One Calendar Month, or, at their Discretion, to fine such Person in any Sum not exceeding Twenty Pounds.

At the said Subdivision *Meeting for Ballot* twice the Number of Men required to be chosen by Ballot, and another Meeting appointed.

XIV. At the Subdivision Meeting appointed for the Ballot the Deputy Lieutenants, or any Two or more of them there assembled, after making due Allowance for any Volunteer or Volunteers who may be produced on Behalf of any Parish, and examined, approved, and sworn, as herein-before provided, shall cause twice the Number of Men required to serve in the Militia for each Parish of such Subdivision to be chosen by Ballot in manner following; (that is to say,) the Names of the Persons liable to be balloted shall publicly, and in the Presence of such Magistrates, Churchwardens, and Overseers as choose to attend, be called over from the Parish List and put into the Box or Glass for balloting, and be in like Manner publicly drawn out until the Number of Men to be chosen by Ballot has been obtained;

obtained; and the said Deputy Lieutenants shall cause the Names of the Men so drawn to be called or read over, and, entered in a Book, and numbered in the Order in which they are drawn, and shall appoint another Meeting to be holden within Seven Days in the same Subdivision, and the Clerk of the Subdivision Meeting shall forthwith send Notice by the Post to every Man so chosen, addressed to him at his Place of Abode as stated in the Overseer's List, requiring him to appear at the Meeting so appointed, and specifying the Place, Day, and Hour of holding the same; and the Overseers of each Parish within such Division shall forthwith cause Notices to be affixed on the Door or the outer Wall near the Door of every Church and public Chapel in such Parish, including Places of Public Worship which do not belong to the Established Church, or (if such Parish have no such Church or Chapel) then on the Door or the outer Wall near the Door of every such Church and Chapel of some Parish thereto adjoining, which Notices shall state the Names and Places of Abode of such of the Men so chosen as were on the List made for such Parish, and the Fact of their having been so chosen, and shall require them to appear at the Meeting appointed as aforesaid, and shall specify the Place, Day, and Hour of holding the same.

At such Meeting Claims of Exemption to be heard;

XV. Every Person so chosen by Ballot shall upon such Notice appear at such Meeting; and if any Person so chosen consider that his Name ought not to have been returned or inserted in the List for his Parish, or that he is not liable to serve in the Militia, he may make his Objection at such Meeting, and the Determination thereon of any Two Deputy Lieutenants if only Two be assembled, or of the greater Number of those present if more than Two, shall be final.

Lists to be corrected, and the Number of Men required to be sworn and enrolled.

XVI. The said Deputy Lieutenants shall, after striking out the Names of Persons whose Objections are allowed, take and cause to be examined the remaining Persons chosen by Ballot as aforesaid, in the Order in which their Names are numbered, until the full Number of Men appearing to be of the Height of not less than Five Feet Two Inches and able and fit for Service, which is required for such Parish for the Militia, has been obtained; and the Men taken and examined, and appearing to be of such Height and able and fit for Service, shall then and there take the Oath required to be taken by Men raised by Ballot, and be enrolled (in a Roll to be prepared for that Purpose) to serve in the Militia of the County, Riding, or Place as a Private Militiaman for the Space of Five Years; and for the Purpose of any Examination as aforesaid the Secretary of War shall by his Regulations provide for the Attendance at any Meeting where the Men are so examined of a duly qualified Medical Practitioner, and for the Payment of such Medical Practitioner out of such Monies as may be provided by Parliament for this Purpose, and when such full Number of Men has been obtained the remaining Men on the said List shall be discharged from all further Attendance.

Provision for Case of List of balloted Men being exhausted before the requisite Number obtained.

XVII. If from Incapacity for Service, Exemption, or other Cause the List of Men chosen by Ballot be exhausted before the full Number of Men required to be furnished for any Parish has been obtained, the Deputy Lieutenants shall, at the Meeting at which such List is found to be exhausted, or at any subsequent Meeting to be appointed for the Purpose, cause twice the Number deficient to be chosen by Ballot, and a Supplemental List of the Men so chosen to be formed in manner herein provided with respect to the choosing of Men for and the Formation of the original List, and shall, at a subsequent Meeting to be appointed for this Purpose, after the like Notices have been given and affixed as required in the Case of the first choosing of Men, provide for such Deficiency out of the Men so chosen in like Manner as in the Case of such original List.

Supply of Vacancies happening between the annual Ballots from Lists of balloted Men.

XVIII. Where after the Number of Men required have been raised by Ballot, Vacancies happen by Death, Discharge, or otherwise among the Militiamen so raised in any Parish or Parishes, and the Secretary-at-War may think it requisite that such Vacancies be supplied before the Time of the next annual Ballot, a Subdivision Meeting shall be held in the Subdivision in which such Parish or Parishes is or are situate, at such Time as shall be appointed by the Secretary-at-War and certified to the Clerk of the Subdivision for this Purpose; and the Deputy Lieutenants shall at any such Meeting, or at any subsequent Meeting, cause twice the Number of Men required to supply the Vacancies to be chosen by Ballot, and a Supplemental or further Supplemental List of the Men so chosen to be formed in manner provided with respect to the choosing of Men for and the Formation of the original List at the annual Ballot, and shall at a subsequent Meeting to be appointed for this Purpose, after the like Notices have been given and affixed as required under the Enactment herein-before contained in the Case of the Men on the original List at the annual Ballot, supply out of such Supplemental or further Supplemental List the said Vacancies in like Manner as directed for providing the Men required for the Parish out of the original List.

Men sworn to attend at Head Quarters.

XIX. The Men sworn as herein-before provided shall within Seven Days after being sworn attend at the Head Quarters of the Regiment, or such other convenient Place as may be directed by the Commanding Officer of the Regiment, by any Order of Her Majesty, signified by One of the Principal Secretaries of State, there to be drilled, trained, or exercised by way of preliminary Instruction for not exceeding Twenty-eight Days, in like Manner and subject to the same Provisions as in the Case of Volunteers.

Balloted Man may produce a Substitute.

XX. Any balloted Man who becomes liable to serve in the Militia may, at the Meeting at which it appears that he is so liable to serve, produce for his Substitute a Man of such Age and Height as by the Regulations of the Secretary-at-War may be required in the Case of Volunteers raised for the Militia,

and

and of the same County, Riding, or Place as such balloted Man, and who has not been drawn by Ballot in the same or any other Subdivision, and such Man, if on Examination appearing able and fit to serve, shall be accepted as such Substitute, and sworn and enrolled as in the Case of a balloted Man.

Consequences of not appearing and being sworn.

XXI. If any Person chosen by Ballot under this Act (not being a Quaker) required to appear at any Subdivision Meeting in pursuance of any Notice given under this Act refuse or neglect to appear, and he become liable in the Rotation herein-before prescribed to be taken and examined as herein-before provided, or if any Person so taken and examined refuse to take the said Oath and serve in the Militia, or to provide such Substitute as herein-before mentioned, who shall be examined and approved and take the said Oath, every such Person shall forfeit any Sum not less than Forty Shillings and not exceeding Ten Pounds, and at the Expiration of Five Years be again liable to serve or provide a Substitute, and in default of Payment of such Penalty, or for Want of sufficient Effects whereon to levy the same, the Name of such Person shall be entered on the Roll, and he shall be delivered over to some proper Officer of the Regiment, Battalion, or Corps for which he was balloted, and be compelled (if found fit for Service) to serve for Five Years from the Time of his being apprehended, and be subject to the same Punishment for afterwards absconding or deserting as he would have been subject to in case he had been then sworn and enrolled in the ordinary Way.

Consequences of Refusal to be examined.

XXII. If any Man chosen by Ballot as aforesaid, and becoming liable in the Rotation herein-before provided to be taken and examined, refuse, when required by any Two or more Deputy Lieutenants, to be examined as to his Fitness to serve in the Militia, such Person may, at the Discretion of any Two or more Deputy Lieutenants, be imprisoned for any Time not exceeding One Week, and shall, notwithstanding such Imprisonment, be liable to be enrolled to serve in the Militia if he appear to the Deputy Lieutenants a proper Person to be so enrolled.

Sections 27. and 33. of 42 G. 3. c. 90. as to Quakers to apply to this Act.

XXIII. Sections Twenty-seven and Thirty-three of the Act of the Forty-second Year of King *George* the Third, Chapter Ninety, in relation to Occupiers and Overseers who are Quakers, shall apply to and in the Case of Proceedings under this Act, and Section Fifty of the said Act, as amended by the Act of the Session holden in the Fifteenth and Sixteenth Years of Her Majesty, Chapter Fifty, in relation to Persons being Quakers chosen by Ballot to serve in the Militia, and refusing or neglecting to appear and to take the Oath and serve in the Militia or provide a Substitute, shall apply to Persons being Quakers who may be chosen by Ballot, and become, or but for being Quakers would become, liable in the Rotation herein-before prescribed to be taken and examined, and if found fit to be sworn and enrolled as herein-before provided.

Secretary of State to furnish Forms, and Expenses to be paid by Parliament.

XXIV. One of Her Majesty's Principal Secretaries of State shall from Time to Time cause to be furnished to the said Overseers the necessary Forms for the Purpose of the said Notices and Lists, and the Expenses incurred by such Overseers in and about the collecting Returns to such Notices, and making the Returns so required of them, and otherwise in the Performance of the Duties imposed on them by this Act, shall be defrayed out of such Monies as may be provided by Parliament for this Purpose.

Provision consequential on Alteration of Quotas.

XXV. Where upon any Alteration of the Quota of any County, Riding, or Place, or of any Subdivision, such Quota shall be increased, no Proceedings shall be taken for making up the Number of Men serving for such County, Riding, Place, or Subdivision to the full Quota by means of the Ballot, until the Time for the next annual Proceedings for the Purpose of the Ballot; and where upon any such Alteration the Quota is decreased below the Number then actually serving, the Men actually serving shall nevertheless continue to serve during their Term of Service as if such Quota had not been decreased.

Provisions herein-before contained as to the Ballot to apply to Militia raised in England only; and certain Enactments herein named to be repealed.

XXVI. The Provisions herein-before contained for and in relation to the Ballot shall apply only to the Militia to be raised in *England*: The following Enactments relating to such Militia shall be repealed; (that is to say,) the Sections numbered Twenty-five, Twenty-six, Twenty-eight, Twenty-nine, Thirty, Thirty-one, Thirty-two, Thirty-six, Thirty-seven, Thirty-eight, Thirty-nine, Forty, Forty-four, and Forty-five of the Act of the Forty-second Year of King *George* the Third, Chapter Ninety, and Section Forty-one of the same Act, except so much thereof as prescribes the Form of Oath to be taken by Men raised by Ballot; and Sections Thirteen and Fourteen of the Act of the Forty-third Year of King *George* the Third, Chapter Fifty; and Section One of the Act of the Forty-third Year of King *George* the Third, Chapter One hundred; and all the Provisions now in force of the said Act of the Forty-second Year of King *George* the Third, and of any Acts amending the same not hereby repealed, shall, so far as the same are consistent with the Provisions herein-before contained, be applicable for the Purposes thereof, and be construed therewith as One Act.

Meetings relating to the Militia of the United Kingdom and Ballots for such Militia suspended.

XXVII. Provided always, That all Proceedings under the Enactments herein-before contained, except only the holding of the General Meetings of Lieutenancy under Section One of this Act, and the Proceedings to be had at such Meetings, and the Report of the Result thereof, and the Ascertainment and fixing of the Number of Militiamen to serve for Subdivisions, and the Appointment by Lord Lieutenants of the Places for holding Subdivision Meetings, shall, unless Her Majesty by Order in Council otherwise direct, be suspended until the First Day of *October* One thousand eight hundred and sixty-one; and all General and Subdivision Meetings relating to the Militia of the United Kingdom, and all Proceedings relating to procuring any Returns, or preparing or making out Lists of such Militia or any Part thereof, for the Purpose of a Ballot, or relating to balloting for any Militiamen or supplying any Vacancies in such Militia by Ballot, as are or may be directed or authorized by or under any Act of Parliament

Parliament now in force, shall cease and remain suspended until the First Day of *October* One thousand eight hundred and sixty-one.

Proceedings may be had during such Suspension by Order in Council.

XXVIII. Provided always, That it shall be lawful for Her Majesty by any Order in Council to direct that any Proceedings shall be had at any Time before the Expiration of such Period as aforesaid, either for the giving of Notices and making Returns and preparing Lists, and also for the proceeding to ballot and enrol Men for the filling up Vacancies in the Militia, as Her Majesty shall deem expedient; and upon the issuing of any such Order all such Proceedings shall be had for carrying into execution all the Provisions herein-before contained, and all other the Provisions of the Acts in force in the United Kingdom relating to the giving Notices for and Returns of Lists, and for the balloting and enrolling of Men to supply any Vacancies in the Militia, and holding General and Subdivision Meetings for such Purpose, at such Times respectively as shall be expressed in any such Order in Council, or by any Directions given in pursuance thereof to or by Lord Lieutenants, or Deputy Lieutenants acting for Lord Lieutenants, of the several Counties, Shires, Cities, and Places in the United Kingdom; and all the Provisions of this Act, and of the several other Acts in force in the United Kingdom relating to the Militia shall, upon any such Order, and any Directions given in pursuance thereof, become and be in full Force and be carried into execution by all Lieutenants, Deputy Lieutenants, Overseers, Constables, and all other Persons, at the Periods or respective Times specified in such Order or Directions as aforesaid, with all such Penalties and Forfeitures for any Neglect thereof, as fully as if such Periods or respective Times had been fixed in this Act or the other Acts relating to such Militia.

Not to extend to prevent the holding of certain Meetings relating to the Militia.

XXIX. Provided also, That nothing herein contained shall extend to prevent the holding before the Expiration of such Period as aforesaid of such General or other Meetings relating to the Militia of the United Kingdom as may be called in *Great Britain* under the Authority of One of Her Majesty's Principal Secretaries of State, or in *Ireland* under the Authority of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, or of any Meeting which may be called for the Purpose of altering, enlarging, or providing any Place for the Reception of the Arms, Accoutrements, Clothing, or other Stores belonging to the Militia.

SCHEDULES to which this Act refers.

SCHEDULE (A.)

To

TAKE NOTICE, That you are hereby required, within Five Days from the Date hereof, to prepare or produce a List in Writing, to the best of your Belief, of the Christian Name and Surname of each and every Man resident in your Dwelling House between the Ages of Eighteen and Thirty, distinguishing every Person in your Dwelling House of such Age as aforesaid claiming to be exempt from serving in the Militia, together with the Ground of every such Claim of Exemption; and you are to sign such List with your own Name, and to deliver or cause the same to be delivered to us or One of us.

Dated the Day of

A.B.
C.D.
Overseers of the Poor of

Description.	Names of Persons liable to serve.	Names of Persons exempt.	Ground of Exemption.
Housekeeper - -	- - - -	*A.B.*	
" - - -	*C.D.*	—	
Lodger - - -	*E.F.*	—	
" - - - -	*G.H.*	—	
" - - - -	- - - -	*P.R.*	
Servants - - -	*I.K.* *L.M.* *N.O.*		

N.B.—If a House is divided in distinct Stories or Apartments, occupied distinctly, each distinct Occupier is required to make this Return, and each Occupier either of the whole House or of any separate Story or Apartment, being a Man between the Ages of Eighteen and Thirty, must include in his Return his own Name with the Particulars above required.

Neglect of Compliance with this Notice will subject the Party to the Penalty of Five Pounds.

A.B.
C.D.
Overseers of the Poor of

SCHE-

SCHEDULE (B.)

Parish of

MILITIA LIST made pursuant to the Directions of an Act passed in the Year of the Reign of Queen Victoria.

Names returned.	Place of Abode.	Rank or Occupation.	Infirmity, if any, likely to incapacitate from serving.	Ground of Exemption.

Names of those not returned, or common Appellations.	Place of Abode.	Rank or Occupation, if known, distinguishing Housekeepers and Occupiers who have not made Returns.	Infirmity, if known,	Ground of Exemption, if known.

A.B.
C.D.

Overseers of the Poor of

CAP. CXXI.

An Act to amend an Act passed in the Sixth Year of Her Majesty Queen *Victoria*, intituled *An Act to enable Her Majesty to provide for the Government of Her Settlements on the Coast of* Africa *and in the* Falkland Islands. [28th *August* 1860.]

'WHEREAS by an Act passed in the Sixth Year of Her Majesty, Queen *Victoria*, intituled *An Act to enable Her Majesty to provide for the Government of Her Settlements on the Coast of* Africa *and in the* Falkland Islands, Provision was made for the Government of such Settlements which were then or might thereafter be made by any of Her Majesty's Subjects resorting to the said Coast or in the said Islands: And whereas divers of Her Majesty's Subjects have occupied or may hereafter occupy other Places, being Possessions of Her Majesty, but in which no Government has been established by Authority of Her Majesty: And whereas it is necessary that Provision should be made for the Civil Government of such Places, and for the Administration of Justice therein:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: 6 & 7 Vict. c. 13.

I. The Provisions of the said Act shall extend to all Possessions of Her Majesty not having been acquired by Cession or Conquest, nor (except in virtue of this Act) being within the Jurisdiction of the legislative Authority of any of Her Majesty's Possessions abroad. 6 & 7 Vict. c. 13. extended to certain Territories.

II. It shall be lawful for Her Majesty by any Order or Orders in Council to authorize and require the Supreme or other Principal Court of Judicature in any of Her Possessions to be specified in such Order (subject always to such Conditions and Limitations as in the said Order or Orders shall be mentioned) to take cognizance of all or any Suits, Actions, or Prosecutions for Treason or Felony, which may arise in respect of any Act or Matter occurring within any Possession of Her Majesty to which this or the said herein-before recited Act shall extend, and by such Order or Orders to make Regulations respecting the Attendance of Witnesses in any such Suit, Action, or Prosecution, and the Mode of enforcing such Attendance, and respecting the Custody and Conveyance of any Person charged with the Commission of any such Crime within such last-mentioned Possessions, and respecting such other Matters as may be requisite for the due Trial of such Person by such Court as aforesaid, and every such Order shall be laid before both Houses of Parliament as soon as conveniently may be after the making thereof. Orders of Council as to Jurisdiction of Supreme Courts in certain Possessions abroad.

CAP. CXXII.

An Act to enable the Legislatures of Her Majesty's Possessions abroad to make Enactments similar to the Enactment of the Act Ninth *George* the Fourth, Chapter Thirty-one, Section Eight. [28th *August* 1860.]

'WHEREAS by an Act passed in the Ninth Year of His late Majesty *George* the Fourth, intituled *An Act for consolidating and amending the Statutes in* England *relating to Offences against the Person*, it was enacted (amongst other Things), that where any Person, being feloniously stricken, poisoned, or otherwise hurt at any Place in *England*, should die of such Stroke, Poisoning, or Hurt upon the Sea or at any Place out of *England*, every Offence committed in respect of any such Case, whether the same shall amount to the Offence of Murder or of Manslaughter, or of being Accessory before the Fact to Murder, or after the Fact to Murder or Manslaughter, might be dealt with, inquired for, tried, determined, and punished in the Country or Place in *England* in which such Stroke, Poisoning, or Hurt should happen, in the same Manner in all respects as if such Offence had been wholly committed in that Country or Place: And whereas it may be desirable that Provisions similar or analogous to the above-recited Provisions should be made with respect to Offences committed within Her Majesty's Possessions abroad: And whereas Doubts are entertained whether it is competent to the Legislature of any such Possession to make such Provision:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

9 G. 4. c. 31.

Legislatures of Possessions abroad empowered to make Ordinances enacting to the like Effect as in Provisions of Sect. 8. of 9 G. 4. c. 31.

I. It shall be lawful for the Legislature of any of Her Majesty's Possessions abroad to enact by any Law or Ordinance, to be by them made in the usual Manner, that where any Person, being feloniously stricken, poisoned, or otherwise hurt at any Place within the Limits of such Possession, shall die of such Stroke, Poisoning, or Hurt upon the Sea or at any Place out of the Limits of such Possession, every Offence committed in respect of any such Case, whether the same shall amount to the Offence of Murder or of Manslaughter, or of being Accessory before the Fact to Murder, or after the Fact to Murder or Manslaughter, may be dealt with, inquired of, tried, determined, and punished in the Possession within the Limits of which such Stroke, Poisoning, or Hurt shall happen, in the same Manner in all respects as if such Offence had been wholly committed within the Limits of such Possession, or such Legislature may enact, by any such Law or Ordinance to be made as aforesaid, to the like Effect.

CAP. CXXIII.

An Act to amend the Laws relating to the Government of the Navy. [28th *August* 1860.]

'WHEREAS it is expedient to amend the Laws relating to the Government of the Navy, whereon, under the good Providence of God, the Wealth, Safety, and Strength of the Kingdom chiefly depend:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

PART I.

ARTICLES OF WAR.

Public Worship.

Public Worship to be performed.

I. All Officers in Command of Her Majesty's Ships of War shall cause the Public Worship of Almighty God according to the Liturgy of the Church of *England* established by Law to be solemnly, orderly, and reverently performed in their respective Ships, and shall take care that Prayers and Preaching, by the Chaplains in Holy Orders of the respective Ships, be performed diligently, and that the Lord's Day be observed according to Law.

Misconduct in the Presence of the Enemy.

Penalty for Misconduct in Action.

II. Every Flag Officer, Captain, Commander or Officer commanding subject to this Act who upon Signal of Battle, or on Sight of a Ship of an Enemy which it may be his Duty to engage, shall not,

(1.) Use his utmost Exertion to bring his Ship into Action;

(2.) Or shall not during such Action, in his own Person and according to his Rank, encourage his inferior Officers and Men to fight courageously;

(3.) Or who shall surrender his Ship to the Enemy when capable of making a successful Defence, or who in Time of Action shall improperly withdraw from the Fight,

shall, if he has acted traitorously, suffer Death; if he has acted from Cowardice shall suffer Death, or be imprisoned, and be also dismissed with Disgrace from Her Majesty's Service; and if he has acted from Negligence, or through other Default, he shall be dismissed from Her Majesty's Service, with or without Disgrace, or shall suffer such other Punishment as is herein-after mentioned.

III. Every

III. Every Officer subject to this Act who shall forbear to pursue the Chase of any Enemy, Pirate, or Rebel, beaten or flying, or shall not relieve and assist a known Friend in View to the utmost of his Power, or who shall improperly forsake his Station, shall, if he has therein acted traitorously, suffer Death; if he has acted from Cowardice, suffer Death or be imprisoned; if he has acted from Negligence, or through other Default, shall be dismissed from Her Majesty's Service, with or without Disgrace, or shall suffer such other Punishment as is herein-after mentioned. Penalty for not pursuing the Enemy and of not assisting a Friend in View.

IV. When any Action or any Service is commanded, every Person subject to this Act who shall presume to delay or discourage the said Action or Service upon any Pretence whatsoever, or in the Presence or Vicinity of the Enemy shall desert his Post or sleep upon his Watch, shall suffer Death, or such other Punishment as is herein-after mentioned. Penalty for discouraging the Service, or deserting his Post, &c.

V. Every Person subject to this Act, and not being a Commanding Officer, who shall not use his utmost Exertions to carry the Orders of his superior Officers into execution when ordered to prepare for Action, or during the Action, shall, if he has acted traitorously, suffer Death; if he has acted from Cowardice shall suffer Death, or be imprisoned; and if he has acted from Negligence, or through other Default, be dismissed from Her Majesty's Service, with or without Disgrace, or suffer such other Punishment as is herein-after mentioned. Penalty for Misconduct of subordinate Officers and Men in Action.

Communications with the Enemy.

VI. All Spies for the Enemy shall be deemed to be Persons subject to this Act, and shall suffer Death, or such other Punishment as is herein-after mentioned. Penalty for Spies.

VII. Every Person subject to this Act who shall traitorously hold— Penalty for corresponding, &c. with the Enemy.

(1.) Correspondence with or shall give Intelligence to the Enemy;

(2.) Or fail to make known to the proper Authorities any Information he may have received from the Enemy;

(3.) Or who shall relieve the Enemy with any Supplies,

shall suffer Death, or such other Punishment as is herein-after mentioned.

VIII. Every Person subject to this Act who shall, without any treacherous Intention, hold any improper Communication with the Enemy, shall be dismissed from Her Majesty's Service, or shall suffer such other Punishment as is herein-after mentioned. Penalty for improper Communication with the Enemy.

Neglect of Duty.

IX. Every Person subject to this Act who shall desert his Post or sleep upon his Watch, or negligently perform the Duty imposed on him, shall be dismissed from Her Majesty's Service, with or without Disgrace, or shall suffer such other Punishment as is herein-after mentioned. Penalty for abandoning Post, &c.

Mutiny.

X. Where Mutiny is accompanied by Violence, every Person subject to this Act who shall join therein shall suffer Death, Penal Servitude, or Imprisonment; and every Person subject to this Act who shall not use his utmost Exertions to suppress such Mutiny shall, if he has acted traitorously, suffer Death, Penal Servitude, or Imprisonment; if he has acted from Cowardice, shall suffer Penal Servitude or Imprisonment; if he has acted from Negligence he shall be dismissed from Her Majesty's Service, with or without Disgrace, or suffer such other Punishment as is herein-after mentioned. Penalty for Mutiny with Violence.

XI. Where a Mutiny is not accompanied by Violence, the Ringleaders of such Mutiny shall suffer Death, Penal Servitude, or Imprisonment; and all other Persons who shall join in such Mutiny, or shall not use their utmost Exertions to suppress the same, shall suffer Imprisonment, or such other Punishment as is herein-after mentioned. Penalty for Mutiny not accompanied by Acts of Violence.

XII. Every Person subject to this Act who shall endeavour to seduce any other Person subject to this Act from his Duty or Allegiance to Her Majesty, or endeavour to incite him to commit any Act of Mutiny, shall suffer Death, Penal Servitude, Imprisonment, or such other Punishment as is herein-after mentioned. Penalty for inciting to Mutiny.

XIII. Every Person, not otherwise subject to this Act, who, being on board any Ship of Her Majesty, shall endeavour to seduce from his Duty or Allegiance to Her Majesty any Person subject to this Act, shall so far as respects such Offence be deemed to be a Person subject to this Act, and shall suffer Death or such other Punishment as is herein-after mentioned. Penalty for Civilians endeavouring to seduce from Allegiance.

XIV. Every Person subject to this Act who shall make or endeavour to make any mutinous Assembly, or shall lead or incite any other Person to join in any mutinous Assembly, or shall utter any Words of Sedition or Mutiny, shall suffer Penal Servitude, Imprisonment, or such other Punishment as is herein-after mentioned. Penalty for making mutinous Assemblies, &c.

XV. Every Person subject to this Act who shall wilfully conceal any traitorous or mutinous Practice or Design, or any traitorous or mutinous Words spoken against Her Majesty, or any Words, Practice, or Design tending to the Hindrance of the Service, shall suffer Penal Servitude, Imprisonment, or such other Punishment as is herein-after mentioned. Penalty for concealing traitorous or mutinous Practice, &c.

XVI. Every Person subject to this Act who shall strike or offer to strike or use any Violence against his superior Officer, being in the Execution of his Office, shall be punished with Death, Penal Servitude, Imprisonment, Penalty for striking or offering to

strike superior Officer.

Imprisonment, or such other Punishment as is herein-after mentioned; and every Person subject to this Act who shall strike or offer to strike or use any Violence against his superior Officer, not being in the Execution of his Office, shall be punished with Penal Servitude or such other Punishment as is herein-after mentioned.

Insubordination.

Penalty for Disobedience to superior Officer.

XVII. Every Person who shall wilfully disobey any lawful Command of his superior Officer, or shall use threatening or insulting Language or behave with Contempt to his superior Officer, shall be punished with Dismissal from Her Majesty's Service, with or without Disgrace, or suffer Imprisonment or such other Punishment as is herein-after mentioned.

Penalty for quarrelling, &c., or using reproachful Speech or Gestures.

XVIII. Every Person subject to this Act who shall quarrel or fight with any other Person, whether such other Person be or be not subject to this Act, or shall use reproachful or provoking Speeches or Gestures, tending to make any Quarrel or Disturbance, shall suffer Imprisonment or such other Punishment as is herein-after mentioned.

Desertion and Absence without Leave.

Penalty for Desertion;

XIX. Every Person subject to this Act who shall absent himself from his Ship or from the Place where his Duty requires him to be, without any Intention of returning to such Ship or Place, or who shall at any Time and under any Circumstances when absent from his Ship do any Act which shows that he has not any Intention of returning to such Ship or Place, shall be deemed to have deserted, and shall be punished accordingly; that is to say,

(1.) If he has deserted to the Enemy he shall be punished with Death, Penal Servitude, or such other Punishment as is herein-after mentioned;

(2.) If he has deserted under any other Circumstances he shall be punished with Penal Servitude or such other Punishment as is herein-after mentioned;

and in every such Case he shall forfeit all Pay, Head Money, Bounty, Salvage, Prize Money, and Allowances that have been earned by him, and all Annuities, Pensions, Gratuities, Medals, and Decorations that may have been granted to him, and also all Clothes and Effects which he may have left on board the Ship or at the Place from which he has deserted, unless the Tribunal by which he is tried shall otherwise direct.

or inducing Desertion.

XX. Every Person subject to this Act who shall endeavour to seduce any other Person subject to this Act to desert shall suffer Imprisonment, or such other Punishment as is herein-after mentioned.

Penalty for entertaining a Deserter.

XXI. Every Officer in Command of any Ship of Her Majesty who shall receive or entertain any Deserter from Her Majesty's Military or Naval Forces, after discovering him to be a Deserter, and shall not, with all convenient Speed, in the Case of a Deserter from Her Majesty's Naval Forces, give Notice to the Commanding Officer of the Ship to which such Deserter belongs, or, if such Ship is at a Distance, to the Secretary of the Admiralty or to the Commander-in-Chief, or, in case of a Deserter from Her Majesty's Military Forces, give Notice to the Secretary of War or the Commanding Officer of the Regiment to which such Deserter belongs, the Officer so offending shall be dismissed from Her Majesty's Service, or shall suffer such other Punishment as is herein-after mentioned.

Penalty for Absence without Leave.

XXII. Every Person subject to this Act who shall be absent without Leave shall be liable to Imprisonment for any Period not exceeding Ten Weeks, with or without Hard Labour, or such other Punishment as the Circumstances of the Case may require, and shall also forfeit out of his Wages a Sum not exceeding the Amount of Two Days Pay, exclusive of all Charges of Apprehension, and in addition for every Twenty-five Hours of Absence a Sum not exceeding Six Days Pay; and any Person may be deemed to be absent without Leave, notwithstanding his Absence may not have been voluntary, but may have been caused by Imprisonment under any Commitment for any Offence against the Law.

Miscellaneous Offences.

Penalty for profane Swearing and other Immoralities.

XXIII. Every Person subject to this Act who shall be guilty of profane Oaths, Cursings, Execrations, Drunkenness, Uncleanness, or other scandalous Actions in derogation of God's Honour and Corruption of good Manners, shall be dismissed from Her Majesty's Service, or suffer such other Punishment as is herein-after mentioned.

Penalty on Officer for Cruelty or Oppression.

XXIV. Every Officer subject to this Act who shall be guilty of Cruelty, or of any scandalous or fraudulent Conduct, shall be dismissed with Disgrace from Her Majesty's Service; and every Officer subject to this Act who shall be guilty of any other Conduct unbecoming the Character of an Officer shall be dismissed, with or without Disgrace, from Her Majesty's Service.

Penalty for suffering Ships to be improperly lost.

XXV. Every Person subject to this Act who shall either designedly or negligently suffer any Ship of Her Majesty to be improperly lost, stranded, or hazarded, shall be dismissed from Her Majesty's Service, with or without Disgrace, or suffer Imprisonment or such other Punishment as is herein-after mentioned.

Penalty for not taking care

XXVI. The Officers of all Ships of Her Majesty appointed for the Convoy and Protection of any Ships or Vessels shall diligently perform their Duty without Delay according to their Instructions in

that

that Behalf; and every Officer who shall fail in his Duty in this respect, and shall not defend the Ships and Goods under his Convoy, without Deviation to any other Objects, or shall refuse to fight in their Defence if they are assailed, or shall cowardly abandon and expose the Ships in his Convoy to Hazard, or shall demand or exact any Money or other Reward from any Merchant or Master for convoying any Ships or Vessels entrusted to his Care, or shall misuse the Masters or Mariners thereof, shall make such Reparation in Damages to the Merchants, Owners, and others as the Court of Admiralty may adjudge, and also shall be punished criminally according to the Nature of his Offence, by Death or such other Punishment as is herein-after mentioned. Of and defending Ships under Convoy.

XXVII. Every Master or other Officer in Command of any Merchant or other Vessel under the Convoy of any Ship of Her Majesty shall obey the Commanding Officer thereof in all Matters relating to the Navigation or Security of the Convoy, and shall take such Precautions for avoiding the Enemy as may be directed by such Commanding Officer; and if he shall fail to obey such Directions such Commanding Officer may compel Obedience by Force of Arms, without being liable for any Loss of Life or of Property that may result from his using such Force. Master of Merchant Vessel to obey Orders of convoying Officer.

XXVIII. Every Officer in Command of any of Her Majesty's Ships who shall receive on board, or permit to be received on board, such Ship any Goods or Merchandises whatsoever, other than for the sole Use of the Ship, except Gold, Silver, or Jewels, and except the Goods and Merchandise belonging to any Merchant or on board any Ship which may be shipwrecked or in imminent Danger, either on the High Seas or in some Port, Creek, or Harbour, for the Purpose of preserving them for their proper Owners, or except such Goods or Merchandise as he may at any Time be ordered to take or receive on board by Order of the Admiralty, shall be dismissed from Her Majesty's Service, or suffer such other Punishment as is herein-after mentioned. Penalty for taking any Goods on board other than for the Use of the Vessel, except Gold, Silver, Jewels, &c.

XXIX. Every Person subject to this Act who shall wastefully expend, embezzle, or fraudulently buy, sell, or receive, any Ammunition, Provisions, or other Public Stores, and every Person subject to this Act who shall knowingly permit any such wasteful Expenditure, Embezzlement, Sale, or Receipt, shall suffer Imprisonment or such other Punishment as is herein-after mentioned. Penalty for embezzling Public Stores.

XXX. Every Person subject to this Act who shall unlawfully set fire to any Dockyard, Victualling Yard, or Steam Factory Yard, Arsenal, Magazine, Building, Stores, or to any Ship, or Furniture thereunto belonging, not being the Property of an Enemy, Pirate, or Rebel, shall suffer Death or such other Punishment as is herein-after mentioned. Penalty for burning any Magazine, &c. not belonging to an Enemy.

XXXI. Every Person subject to this Act who shall knowingly make or sign a false Muster or Record or other official Document, or who shall command, counsel, or procure the making or signing thereof, or who shall aid or abet any other Person in the making or signing thereof, shall be dismissed from Her Majesty's Service, with or without Disgrace, or suffer such other Punishment as is herein-after mentioned. Penalty for making or signing false Musters.

XXXII. Every Person subject to this Act who shall wilfully do any Act, or wilfully disobey any Orders, whether in Hospital or elsewhere, with Intent to produce or to aggravate any Disease or Infirmity, or to delay his Cure, or who shall feign any Disease, Infirmity, or Inability to perform his Duty, shall suffer Imprisonment, or such other Punishment as is herein-after mentioned. Penalty for Misconduct in Hospital.

XXXIII. Every Person subject to this Act who shall have any Cause of Complaint, either of the Unwholesomeness of the Victuals or upon any other just Ground, shall quietly make the same known to his Superior, or Captain, or Commander-in-Chief, and the said Superior, Captain, or Commander-in-Chief shall, as far as he is able, cause the same to be presently remedied; and no Person subject to this Act upon any Pretence whatever shall attempt to stir up any Disturbance, upon Pain of such Punishment as a Court-martial may think fit to inflict, according to the Degree of Offence. Penalty for stirring up any Disturbance on account of Unwholesomeness of the Victuals &c.

XXXIV. Every Person subject to this Act who shall be guilty of any Act, Disorder, or Neglect to the Prejudice of Good Order and Naval Discipline, not herein-before specified, shall suffer Imprisonment, or such other Punishment as is herein-after mentioned. Penalty for other Offences.

XXXV. All the Papers, Charter Parties, Bills of Lading, Passports, and other Writings whatsoever that shall be taken, seized, or found aboard any Ship or Ships which shall be taken as Prize shall be duly preserved, and the Commanding Officer of the Ship which shall take such Prize shall send the Originals entire and without Fraud to the Court of Admiralty, or such other Court or Commissioners as shall be authorized to determine whether such Prize be lawful Capture, there to be viewed, made use of, and proceeded upon, according to Law, upon Pain that every Person offending herein shall be dismissed from Her Majesty's Service, or shall suffer such further Punishment as is herein-after mentioned, and in addition thereto shall forfeit and lose his Share of the Capture. Penalty for not sending to the Court of Admiralty all Papers found aboard Prize Ships.

XXXVI. No Person subject to this Act shall take out of any Prize or Ship seized for Prize any Money, Plate, or Goods, unless it shall be necessary for the better securing thereof, or for the necessary Use and Service of any of Her Majesty's Ships and Vessels of War, before the same be adjudged lawful Prize in some Admiralty Court; but the full and entire Account of the whole without Embezzlement shall be brought in, and Judgment passed entirely upon the whole, without Fraud, upon Pain that every Person offending herein shall be dismissed from Her Majesty's Service, with or without Disgrace, or suffer such other Punishment as is herein-after mentioned, and in addition thereto forfeit and lose his Share of the Capture. Penalty for taking Money or other Effects out of any Prize before the same shall be condemned.

XXXVII. If

Penalty for stripping or ill-using Persons taken on board a Prize.

XXXVII. If any Ship or Vessel shall be taken as Prize, none of the Officers, Mariners, or other Persons on board her shall be stripped of their Clothes, or in any sort pillaged, beaten, or evil intreated, upon Pain that the Person or Persons so offending shall be dismissed from Her Majesty's Service, with or without Disgrace, or suffer such other Punishment as is herein-after mentioned.

OFFENCES PUNISHABLE BY ORDINARY LAW.

Penalty for Offences punishable by ordinary Law.

XXXVIII. Every Person subject to this Act who shall be guilty of Murder shall suffer Death:

If he shall be guilty of Manslaughter he shall suffer Penal Servitude, Imprisonment, or such other Punishment as is herein-after mentioned:

If he shall be guilty of Sodomy with Man or Beast he shall suffer Penal Servitude:

If he shall be guilty of indecent Assaults he shall suffer Penal Servitude or such other Punishment as is herein-after mentioned:

If he shall be guilty of Robbery or Theft he shall suffer Penal Servitude, Imprisonment, or such other Punishment as is herein-after mentioned:

If he shall be guilty of any other Criminal Offence punishable by the Laws of *England*, he shall be punished either in pursuance of the First Part of this Act as an Act to the Prejudice of good Order and Naval Discipline not otherwise specified, or the Offender shall be subject to the same Punishment as might be awarded by any Civil Tribunal competent to try the Offender.

Offences, when punishable.

XXXIX. For all Offences specified or referred to in this Act, if committed by any Person subject thereto in any Harbour, Haven, or Creek, or on any Lake or River, whether in or out of the United Kingdom or anywhere within the Jurisdiction of the Admiralty, or at any Place on Shore out of the United Kingdom of *Great Britain* and *Ireland*, or in any of Her Majesty's Dockyards, Victualling Yards, Steam Factory Yards, or on any Gun Wharf, or in any Arsenal, Barrack, or Hospital belonging to Her Majesty, whether in or out of the said United Kingdom, the Offender may be tried and punished under this Act, and for all Offences herein-before specified under the Headings "Communications with the Enemy," "Mutiny," "Insubordination," "Desertion and Absence without Leave," or "Miscellaneous Offences," if committed by any Person subject to this Act at any Place on Shore, whether in or out of the said United Kingdom, the Offender may be tried and punished under this Act.

PART II.

GENERAL PROVISIONS.

Power of Court-martial to find Intent with which Offence committed.

XL. Where the Amount of Punishment for any Offence under this Act depends upon the Intent with which it has been committed, and any Prisoner is charged with having committed such Offence with an Intent involving a greater Degree of Punishment, a Court-martial may find that the Offence was committed with an Intent involving a less Degree of Punishment, and award such Punishment accordingly.

Power of Court martial to find Prisoner guilty of lesser Offence on Charge of greater.

XLI. Where any Prisoner shall be charged with Murder, a Court-martial may find him guilty of Manslaughter or of a Common Assault; where he shall be charged with Sodomy, a Court-martial may find him guilty of an indecent Assault; where he shall be charged with Theft, a Court-martial may find him guilty of an Attempt to thieve, or of Embezzlement, or of wrongful Appropriation of Property belonging to another; and generally where any Prisoner shall be charged with any Offence under this Act he may upon Failure of Proof of the Commission of the greater Offence be found guilty of another Offence of the same Class, involving a less Degree of Punishment, but not of any Offence involving a greater Degree of Punishment.

Rebels, &c. to be deemed Enemies.

XLII. All armed Rebels, armed Mutineers and Pirates, shall be deemed to be Enemies within the Meaning of this Act.

Power to arrest Offenders.

XLIII. Every Officer in Command of One of Her Majesty's Ships may, by Warrant under his Hand, authorize any Person to arrest an Offender belonging to such Ship for any Offence against this Act mentioned in such Warrant; and any Person so authorized may use Force, if necessary, for the Purpose of effecting such Apprehension, towards any Person subject to this Act.

Penalty for not assisting in Detection of Prisoners.

XLIV. Every Person subject to this Act who shall not use his utmost Endeavours to detect, apprehend, and bring to Punishment all Offenders against this Act, and shall not assist the Officers appointed for that Purpose, shall suffer Imprisonment or such other Punishment as is herein-after mentioned.

PART III.

REGULATIONS AS TO PUNISHMENTS.

Punishments.

XLV. The following Punishments may be inflicted in Her Majesty's Navy:

(1.) Death:
(2.) Penal Servitude:
(3.) Dismissal with Disgrace from Her Majesty's Service:
(4.) Imprisonment or Corporal Punishment:
(5.) Dismissal from Her Majesty's Service:
(6.) Forfeiture of Seniority as an Officer for a specified Time, or otherwise:

(7.) Dismissal

(7.) Dismissal from the Ship to which the Offender belongs:
(8.) Severe Reprimand, or Reprimand:
(9.) Disrating a Subordinate or Petty Officer:
(10.) Forfeiture of Pay, Head Money, Bounty, Salvage, Prize Money, and Allowances earned by and of all Annuities, Pensions, Gratuities, Medals, and Decorations granted to the Offender, or of any One or more of the above Particulars; also, in the Case of Desertion, of all Clothes and Effects left by the Deserter on board the Ship to which he belongs:
(11.) Such minor Punishments as are now inflicted according to the Custom of the Navy, or may from Time to Time be allowed by the Admiralty:

and each of the above Punishments shall be deemed to be inferior in Degree to every Punishment preceding it in the above Scale.

Regulations as to Punishments.

XLVI. The following Regulations are hereby made with respect to the Infliction of Punishments in Her Majesty's Navy:

(1.) The Admiralty may, except in case of Sentence of Death, which shall only be remitted by Her Majesty, suspend, annul, or modify any Sentence passed on any Person subject to this Act:
(2.) Judgment of Death shall not be passed on any Prisoner unless Four at least of the Officers present at the Court-martial, where the Number does not exceed Five, and in other Cases a Majority of not less than Two Thirds of the Officers present, concur in the Sentence:
(3.) The Punishment of Death shall not be inflicted on any Prisoner until the Sentence has been confirmed by the Admiralty or by the Commander-in-Chief on a Foreign Station:
(4.) The Punishment of Penal Servitude may be inflicted for the Term of Life, or for any other Term of not less than Four Years:
(5.) The Punishment of Penal Servitude shall in all Cases involve Dismissal with Disgrace from Her Majesty's Service:
(6.) Dismissal with Disgrace shall involve in all Cases a Forfeiture of all Pay, Head Money, Bounty, Salvage, Prize Money, and Allowances that have been earned by, and of all Annuities, Pensions, Gratuities, Medals, and Decorations that may have been granted to the Offender, and an Incapacity to serve Her Majesty again in any Military, Naval, or Civil Service; and may also in all Cases be accompanied by a Sentence of Imprisonment, with or without Solitary Confinement not exceeding the Periods herein-after mentioned, and with or without Hard Labour for all or any Part of the Term of Imprisonment, and with or without Corporal Punishment:
(7.) The Punishment of Imprisonment may be inflicted for any Term not exceeding Two Years; it may be accompanied with a Direction that the Prisoner shall be kept in Solitary Confinement for any Period of such Term not exceeding Fourteen Days at any One Time, and not exceeding Eighty-four Days in any One Year, with Intervals between the Periods of Solitary Confinement of not less Duration than the Periods of Solitary Confinement, and when the Imprisonment awarded exceeds Eighty-four Days, the Solitary Confinement shall not exceed Seven Days in any Twenty-eight Days of the whole Imprisonment awarded, with Intervals between the Periods of Solitary Confinement of not less Duration than such Periods, or the Punishment of Imprisonment may be accompanied with a Direction that the Prisoner shall be kept to Hard Labour for all or any Part of the Term of Imprisonment; and Corporal Punishment may be awarded in addition to any Sentence of Imprisonment: In any Case of Corporal Punishment, not more than Forty-eight Lashes shall be inflicted:
(8.) No Officer shall be subject to Corporal Punishment: no Petty or Non-commissioned Officer shall be subject to Corporal Punishment, except in case of Mutiny:

All other Punishments authorized by this Act may be inflicted in the Manner heretofore in use in the Navy.

Limitation of Time as to Trials.

XLVII. No Person, unless he be an Offender who has avoided Apprehension or fled from Justice, shall be tried or punished in pursuance of this Act for any Offence committed by him unless such Trial shall take place within Three Years from the Commission of such Offence, or within One Year after the Return of such Offender to the United Kingdom, where he has been absent from the United Kingdom during such Period of Three Years.

Scale of Punishment.

XLVIII. Subject to the foregoing Regulations, where any Punishment is specified by this Act as the Penalty for any Offence, and it is further declared that another Punishment may be awarded in respect of the same Offence, the Expression "other Punishment" shall be deemed to comprise every Punishment inferior in Degree to the specified Punishment, according to the Scale herein-before mentioned; but Corporal Punishment shall be deemed equal in Degree to Imprisonment, and may in all Cases, subject to the foregoing Regulations, be inflicted as a Substitute for or in addition to Imprisonment.

Authorities having Power to try Offences.

XLIX. Any Offence triable under this Act may be tried and punished by Court-martial; and any Offence triable under this Act, not committed by an Officer, and not hereby made Capital, may, under such Regulations as the Admiralty may from Time to Time issue, be summarily tried and punished by the Officer in Command of the Ship to which such Offender belongs, subject to the following Restrictions; (that is to say,)

(1.) The Commanding Officer shall not have Power to award the Punishment of Penal Servitude:
(2.) The Commanding Officer shall not have Power to sentence any Man, except a Deserter, or Man absent without Leave, to Imprisonment for a longer Period than Twenty-eight Days, nor to sentence a Deserter to Imprisonment for a longer Period than Three Calendar Months, nor a Man absent without Leave to Imprisonment for a longer Period than Six Weeks, nor to award Solitary Confinement for more than Seven Days at a Time with Intervals of not less than Seven Days between each Period of Solitary Confinement:
(3.) Except in case of open Mutiny, no Man shall be sentenced by the Commanding Officer to Corporal Punishment until his Offence has been inquired into by One or more Officers appointed by such Commanding Officer, and his or their Opinion as to the Guilt or Innocence of the Prisoner reported to such Commanding Officer, and the Commanding Officer shall thereupon act as according to his Judgment may seem right.

PART IV.

COURTS-MARTIAL.

Constitution of Courts-martial.

Constitution of Courts-martial.

L. The following Regulations are hereby made with respect to Courts-martial:
(1.) A Court-martial shall consist of not less than Five nor more than Nine Officers:
(2.) No Officer shall be qualified to sit as a Member of any Court-martial held in pursuance of this Act unless he be a Flag Officer, Captain, Commander, or Lieutenant of Her Majesty's Navy on Full Pay:
(3.) A Court-martial shall not be held unless at least Three of Her Majesty's Ships, not being Tenders, and not commanded by Officers under the Rank of Lieutenant, are together at the Time when such Court-martial is held:
(4.) No Officer shall sit on a Court-martial who is under Twenty-one Years of Age:
(5.) No Court-martial for the Trial of a Flag Officer shall be duly constituted unless the President is a Flag Officer, and the other Officers composing the Court are of the Rank of Captain, or of higher Rank;
(6.) No Court-martial for the Trial of a Captain in Her Majesty's Navy shall be duly constituted unless the President is a Captain or of higher Rank, and the other Officers composing the Court are Commanders or Officers of higher Rank:
(7.) No Court-martial for the Trial of any Person below the Rank of Captain in Her Majesty's Navy shall be duly constituted, unless the President is a Captain or of higher Rank, nor unless in addition to the President there are Two other Members of the Court of the Rank of Commander or of higher Rank:
(8.) The Prosecutor shall not sit on any Court-martial for the Trial of a Prisoner whom he prosecutes:
(9.) The Admiralty shall have Power to order Courts-martial to be held for the Trial of Offences under this Act, and to grant Commissions to any Officer of Her Majesty's Navy on Full Pay authorizing him to order Courts-martial to be held for the Trial of such Offences:
(10.) An Officer holding a Commission from the Admiralty to order Courts-martial shall not be empowered to do so if there is present at the Place where such Court-martial is to be held any Officer superior in Rank to himself, although such last-mentioned Officer may not hold a Commission to order Courts-martial; and in such a Case such last-mentioned Officer may order a Court-martial, although he does not hold any Commission for the Purpose:
(11.) If any Officer holding a Commission from the Admiralty to order Courts-martial, having the Command of a Fleet or Squadron, and being in Foreign Parts, die, be recalled, leave his Station, or be removed from his Command, the Officer upon whom the Command of the Fleet or Squadron devolves, and so from Time to Time the Officer who shall have the Command of the Fleet or Squadron, shall, without any Commission from the Admiralty, have the same Power to order Courts-martial as the first-mentioned Officer was invested with:
(12.) If any Officer holding a Commission from the Admiralty to order Courts-martial, and having the Command of any Fleet or Squadron of Her Majesty's Ships in Foreign Parts, shall detach any Part of such Fleet or Squadron, he may, by Commission under his Hand, empower the Commanding Officer of the Squadron or Detachment ordered on such separate Service, and in case of his Death or ceasing so to command the Officer to whom the Command of such separate Squadron or Detachment shall belong, to order Courts-martial during the Time of such separate Service, or until such Authority shall be revoked, or until the Officer commanding the Detachment shall come under the Command of another superior Officer, or shall return to the United Kingdom:
(13.) The Officer ordering a Court-martial shall not sit thereon:
(14.) The President of every Court-martial shall be named by the Authority ordering the same, or by any Officer empowered by such Authority to name the President:

(15.) No

(15.) No Commander or Lieutenant shall be required to sit as a Member of any Court-martial when Four Officers of a higher Rank and junior to the President can be assembled at the Place where the Court-martial is to be holden:

(16.) Subject to the foregoing Regulations, whenever a Court-martial shall be held the Officer appointed to preside thereat shall summon, according to Seniority, all the Officers present at the Place where the Court-martial shall be held to sit thereon until the Number of Nine, or such Number, not less than Five, as is attainable, is complete; subject to this Proviso, that the Admirals and Captains, being Superintendents of Her Majesty's Dockyards, shall not be summoned to sit on Courts-martial unless specially directed to do so by Orders from the Admiralty.

Proceedings of Courts-martial.

Sittings of Courts-martial.

LI. A Court-martial held in pursuance of this Act shall sit from Day to Day, with the Exception of *Sundays*, until Sentence is given, and its Proceedings shall not be delayed by the Absence of any Member, so that not less than Five are present; and no Member shall absent himself unless compelled so to do by Sickness or other just Cause, to be approved of by the other Members of the Court; and if any Member of a Court-martial shall absent himself therefrom, in contravention of this Section, he shall be dismissed from Her Majesty's Service, or shall suffer such other Punishment as may be awarded by a Court-martial.

Appointment of officiating Judge Advocate.

LII. In the Absence of a Judge Advocate or his Deputy, the Officer who is to be the President of the Court-martial may appoint any Person to officiate as Judge Advocate at the Trial; and the Judge Advocate of any Fleet for the Time being, or his Deputy, or the Person officiating as Judge Advocate, herein-after included under the Term "the Judge Advocate," shall administer an Oath to every Witness appearing at the Trial.

Proceedings at Trial.

LIII. As soon as the Court is assembled, the Names of the Officers composing the Court shall be read over to the Prisoner, who shall be asked if he objects to being tried by any Member of the Court. If the Prisoner shall object to any Member, the Objection shall be decided by the Court. If the Objection shall be allowed, the Place of the Member objected to shall be filled up by the Officer next in Seniority who is not on the Court-martial, subject to the Regulations herein-before contained.

Oaths to be administered to Members of Courts-martial.

LIV. Before the Court shall proceed to try the Prisoner, the Judge Advocate shall administer to every Member of the Court the following Oath; that is to say,

'I do swear, That I will duly administer Justice according to Law, without Partiality, Favour, or Affection; and I do further swear, that I will not on any Account, at any Time whatsoever, disclose or discover the Vote or Opinion of any particular Member of this Court-martial, unless thereunto required in due Course of Law. So help me GOD.'

Oath to be administered to Judge Advocate, &c.

LV. As soon as the said Oath shall be administered to the Members of the Court-martial, the President shall administer to the Judge Advocate the following Oath:

'I do swear, That I will not upon any Account, at any Time whatsoever, disclose or discover the Vote or Opinion of any particular Member of the Court-martial, unless thereunto required in due Course of Law. So help me GOD.'

Summoning Witnesses.

LVI. Every Person, Civil, Naval, and Military, who may be required to give Evidence before a Court-martial, shall be summoned by the Judge Advocate; and all Persons so summoned and attending as Witnesses before any Court-martial shall, during their necessary Attendance in or on such Court, and in going to and returning from the same, be privileged from Arrest, and shall, if unduly arrested, be discharged by the Court out of which the Writ or Process issued by which such Witness was arrested, or if such Court be not sitting, then by any Judge of the Superior Courts of *Westminster* or *Dublin*, or the Court of Session in *Scotland*, or of the Courts of Law in the *East* or *West Indies* or elsewhere, according as the Case shall require, upon its being made to appear to such Court or Judge, by any Affidavit in a summary Way, that such Witness was arrested in going to or returning from or attending upon such Court-martial; and all Witnesses so duly summoned as aforesaid who make default in attending on such Courts, or attending refuse to be sworn or make Affirmation, or being sworn or having made Affirmation refuse to give Evidence, or to answer all such Questions as the Court may legally demand of them, or prevaricate in giving their Evidence, shall be liable to be attached in the Court of Queen's Bench in *London* or *Dublin*, or the Court of Session, or Sheriff Depute or Stewarts Depute, or their respective Substitutes, within their several Shires and Stewartries, in *Scotland*, or Courts of Law in the *East* or *West Indies*, or in any of Her Majesty's Colonies, Garrisons, or Dominions in *Europe* or elsewhere, respectively, upon Complaint made, in like Manner as if such Witness after having been duly summoned and subpœnaed had neglected to attend on a Trial in any Proceeding in the Court in which such Complaint is made, or had refused to be sworn, or on being sworn had refused to give Evidence, or to answer all such Questions as the Court may legally demand, or had prevaricated in giving Evidence, or if the Court-martial shall think fit, in case any such Person belong to Her Majesty's Navy, being called upon to give Evidence at any Court-martial, shall refuse or neglect to attend to give his Evidence upon Oath or Affirmation, or shall prevaricate in his Evidence, or behave with Contempt to the Court, such Court-martial may punish every such Offender by Imprisonment not longer than Three Months,

in case of such Refusal, Neglect, or Prevarication, nor longer than One Month in the Case of such Contempt; and every Person not subject to this Act who may be so summoned to attend shall be allowed and paid his reasonable Expenses, under the Authority of the Admiralty, for such Attendance.

Penalty on Persons giving false Evidence.

LVII. Every Person who, upon any Examination upon Oath or upon Affirmation, before any Court-martial held in pursuance of this Act, shall wilfully and corruptly give false Evidence, shall be liable to the Penalties of wilful and corrupt Perjury.

Where Persons are insane at the Time of Offence or Trial.

LVIII. Where it shall appear upon the Trial by Court-martial of any Person charged with an Offence that such Person is insane, the Court shall find specially the Fact of his Insanity, and shall order such Person to be kept in strict Custody in such Place and in such Manner as to the Court shall seem fit, until the Directions of the Admiralty thereupon are known; and it shall be lawful for the Lords of the Admiralty to give Orders for the safe Custody of such Person during Her Majesty's Pleasure, in such Place and in such Manner as they shall think fit.

Report of Proceedings of Courts-martial.

LIX. Every Judge Advocate, or Person officiating as Judge Advocate, shall transmit with as much Expedition as may be the original Proceedings and Sentence of every Court-martial attended by him to the Commander-in-Chief or senior Officer, who shall transmit them to the Secretary of the Admiralty for the Time being, and any Person tried by a Court-martial shall be entitled, on Demand, to a Copy of such Proceedings and Sentence, at any Time not sooner than Six Months after the Trial if the same takes place in the *Mediterranean*, Three Months if at any other Naval Station within *Europe*, and Twelve Months if elsewhere, (upon Payment for the same at the Rate of Fourpence *per* Folio of Seventy-two Words,) but no such Demand shall be allowed after the Space of Three Years from the Date of the final Decision of such Court-martial.

PART V.

Penal Servitude and Prisons.

Penal Servitude.

Sentence of Penal Servitude.

LX. Whenever any Sentence of Death shall be commuted for Penal Servitude, or whenever Sentence of Penal Servitude shall be passed upon any Offender by any Court-martial, and such Sentence, or any Part thereof, is intended to be carried into effect, the Admiralty shall cause the same to be notified in Writing to any Justice of the Queen's Bench, Common Pleas, or Baron of the Exchequer, and thereupon such Justice or Baron shall make an Order for the Penal Servitude of such Offender, upon the Terms and for the Time specified in such Notification, and shall do all such other Acts consequent upon such Notification as any such Justice or Baron is or may be authorized to make or do by any Statute or Statutes in force at the Time of making any such Order in relation to Penal Servitude of Offenders sentenced by Courts of Criminal Jurisdiction to Penal Servitude; and such Order and other Acts to be so made and done as aforesaid shall be obeyed and executed by such Person in whose Custody such Offender may at that Time be, and by all other Persons whom it may concern, and shall be as effectual and have all the same Consequences as any Order made under the Authority of any Statute relating to Penal Servitude with respect to any Offender in such Statute mentioned, and every Sheriff, Gaoler, Keeper, Governor, or Superintendent whom it may concern, and all Constables and other Persons, shall be bound to obey the aforesaid Order and Orders, and be assistant in the Execution thereof, and be liable to the same Punishment for Disobedience to or for interrupting the Execution of such Order as they would be if the same had been made under the Authority of any such Statute; and every Person so ordered to be kept in Penal Servitude shall be subject to all the Penalties and Provisions made by Law, and in force for the Time being, concerning Persons under Sentence of Penal Servitude, or receiving Her Majesty's Pardon on Condition of Penal Servitude; and from the Time when such Order of Penal Servitude is made every Law in force touching the Escape of Felons, or their afterwards returning or being at large without Leave, shall apply to such Offender, and to all Persons aiding, abetting, contriving, or assisting in any Escape or intended Escape, or the returning without Leave of any such Offender; and the Judge or Baron who makes an Order for Penal Servitude as aforesaid shall direct the Notification of the Admiralty, and his own Order made thereupon, to be filed and kept of Record in the Office of the Clerk of the Crown of the Court of Queen's Bench, and the said Clerk shall have a Fee of Two Shillings and Sixpence only for filing the same, and shall, on Application, deliver a Certificate in Writing (not taking more than Two Shillings and Sixpence for the same) to such Offender, or to any Person applying in his or the Admiralty's Behalf, showing the Christian and Surname of such Offender, his Offence, the Place where the Court was held before which he was convicted, the Sentence, and the Conditions on which the Order of Penal Servitude was made, and such Certificate shall be sufficient Proof of the Conviction and of the Sentence of such Offender, and also of the Terms on which such Order for his Penal Servitude was made, in any Court and in any Proceeding wherein it may be necessary to inquire into the same.

Disposal of Offender after Sentence of Penal Servitude.

LXI. When any Sentence of Death shall have been commuted for Penal Servitude, or when any Person subject to this Act shall have been condemned to Penal Servitude, it shall be lawful for the Admiralty, or the Commanding Officer of the Ship to which such Person belongs or has belonged, to cause him to be detained and conveyed to any One of Her Majesty's Ships, or any Gaol or Prison, there to

to remain in safe Custody until he is removed therefrom by due Authority, under an Order for his Penal Servitude, to be made by some Justice of the Queen's Bench or Common Pleas or Baron of the Exchequer as aforesaid, and a Certificate of his Sentence (such Certificate to be signed by the Secretary of the Admiralty or such Commanding Officer) shall be a sufficient Authority to the Commanding Officer of the Ship to which he may be sent, or to the Governor, Keeper, or Superintendent of the Gaol or Prison, to receive and detain him.

Subsistence of Offender.

LXII. In case any such Offender shall be conveyed to any Prison, not being a Naval Prison appointed by virtue of this Act, an Allowance such as the Admiralty shall from Time to Time direct shall be made to the Governor, Keeper, or Superintendent of the Gaol or Prison, for the Subsistence of such Offender during his Detention therein, and such Allowance shall be paid by Order of the Admiralty, upon Production by the said Governor, Keeper, or Superintendent of a Declaration, to be made by him before One of Her Majesty's Justices of the Peace of such County, of the Number of Days during which the Offender has been so detained and subsisted in such Gaol or Prison.

Imprisonment of Offender already under Sentence for previous Offence.

LXIII. Whenever Sentence shall be passed by a Court-martial on an Offender already under Sentence either of Imprisonment or of Penal Servitude, passed upon him by a Court-martial for a former Offence, the Court may award Sentence of Imprisonment or Penal Servitude for the Offence for which he is under Trial to commence at the Expiration of the Imprisonment or Penal Servitude to which he has been previously sentenced, although the aggregate of the Terms of Imprisonment or Penal Servitude may exceed the Term for which either of those Punishments could be otherwise awarded.

Prisons.

Term and Place of Imprisonment.

LXIV. Every Term of Penal Servitude or of Imprisonment in pursuance of this Act shall be reckoned as commencing on the Day on which the Sentence was awarded, and the Place of Imprisonment, whether the Imprisonment was awarded as an original or as a commuted Punishment, shall be such Place as may be appointed by the Court or the Commanding Officer awarding the Punishment, or which may from Time to Time be appointed by the Admiralty, and may be One of the Naval Prisons appointed under this Act, or any Common Gaol within Her Majesty's Dominions.

Place of Imprisonment may be changed, &c.

LXV. Whenever it is deemed expedient it shall be lawful for the Admiralty, by any Order in Writing, from Time to Time to change the Place of Confinement of any Offender imprisoned or sentenced to be imprisoned in pursuance of this Act, and the Gaoler or other Person having the Custody of such Offender shall immediately on the Receipt of such Order remove such Offender to the Gaol, Prison, or House of Correction mentioned in the said Order; and every Gaoler or Keeper of such last-mentioned Prison, Gaol, or House of Correction shall, upon being furnished with a Copy of such Order of Removal, attested by the Secretary of the Admiralty for the Time being, receive into his Custody and shall confine pursuant to such Sentence or Order every such Offender.

Expenses of Removal or Subsistence of Prisoners.

LXVI. The Gaoler or other Person removing any Offender in pursuance of such Order shall be allowed for the Charges of such Removal a Sum not exceeding One Shilling a Mile, and when any Offender is not confined in a Naval Prison the Gaoler or other Person in whose Custody any such Offender may be shall receive such an Allowance as the Admiralty shall from Time to Time direct for every Day that such Offender is in his Custody, to be applied towards his Subsistence, and such Sum shall be paid to the said Gaoler or other Person under the Authority of the Admiralty, upon the Application in Writing made to the Secretary of the Admiralty by any Justice for the County or Place in which such Gaol, Prison, or House of Correction shall be situate, with a Copy of the Sentence or Order under which the Prisoner is confined.

Proviso for Discharge or Removal of Prisoners.

LXVII. Whenever any Prisoner is undergoing Imprisonment in pursuance of this Act, it shall be lawful for the Admiralty, or where an Offender has been imprisoned by Order of his Commanding Officer, for such Commanding Officer, to give an Order in Writing directing that the Prisoner be discharged; and it shall also be lawful for the Admiralty and any Officer commanding any of Her Majesty's Ships, by Order in Writing, to direct that any such Prisoner be delivered over to Naval Custody for the Purpose of being brought before a Court-martial, either as a Witness, or for Trial or otherwise, and such Prisoner shall accordingly, on the Production of any such Order, be discharged, or be delivered over to such Custody.

Proviso as to Time of Detention in Naval Custody.

LXVIII. The Time during which any Prisoner under Sentence of Imprisonment is detained in Naval Custody shall be reckoned as Imprisonment under his Sentence, for whatever Purpose such Detention takes place; and the Governor, Gaoler, Keeper, or Superintendent who shall deliver over any such Prisoner shall again receive him from Naval Custody, so that he may undergo the Remainder of his Punishment.

In case of Insanity Prisoners to be removed to some Lunatic Asylum.

LXIX. If any Person imprisoned by virtue of this Act shall become insane, and a Certificate to that Effect shall be given by Two Physicians or Surgeons, the Admiralty may, by Warrant, direct the Removal of such Person to such Lunatic Asylum or other proper Receptacle for insane Persons in the United Kingdom as they may judge proper, for the unexpired Term of his Imprisonment; and if any such Person shall in the same Manner be certified to be again of sound Mind, the Admiralty may issue a Warrant for his being removed to such Prison or Place of Confinement as may be deemed expedient,

to undergo the Remainder of his Punishment, and every Gaoler or Keeper of any Prison, Gaol, or House of Correction shall receive him accordingly.

Admiralty may set apart Buildings and Ships as Naval Prisons.

LXX. The Admiralty may set apart any Buildings or Vessels, or any Parts thereof, as Naval Prisons, and any Buildings or Vessels, or Parts of Buildings or Vessels, so set apart, shall be deemed to be Naval Prisons within the Meaning of this Act, and all Powers and Authorities with respect to County Gaols or Houses of Correction, which now are or which may hereafter be vested in any of Her Majesty's Principal Secretaries of State, shall, with respect to all such Naval Prisons, belong to the Admiralty; and it shall be lawful for the Admiralty from Time to Time to make, alter, and repeal Regulations for the Government and Superintendence of any such Naval Prison, and of the Officers and Servants thereof, and of Offenders confined therein, and from Time to Time to appoint Inspectors and all other necessary Officers and Servants for any such Naval Prison, and, as Occasion may arise, to remove the Inspectors, Officers, or Servants of any such Naval Prison; and the senior Officer at any Port or Place or on any Station where there may be any such Naval Prison, or such senior Officer and such other Person and Persons as the Admiralty may from Time to Time appoint, shall be a Visitor or Visitors of such Prison; and every Inspector, Visitor, or Officer, having the Charge or Command of any such Naval Prison respectively, shall, subject to such Rules and Regulations as may from Time to Time be made as aforesaid, have and exercise, in respect of such Prison, and of the Officers and Servants thereof, and of the Prisoners confined therein, all the Powers and Authorities, as well in respect of administering Oaths as otherwise, which any Inspector, Visiting Justice, or Governor of a County Gaol or House of Correction may respectively exercise as such.

Penalties on aiding Escape or Attempt to escape of Prisoners, and on Breach of Prison Regulations.

LXXI. If any Person shall convey or cause to be conveyed into any such Naval Prison any Arms, Tools, or Instruments, or any Mask or other Disguise to facilitate the Escape of any Prisoner, or by any Means whatever shall aid any Prisoner to escape or in an Attempt to escape from such Prison, whether an Escape be actually made or not, such Person shall be deemed guilty of Felony, and upon being convicted thereof shall be imprisoned, with or without Hard Labour, for any Term not exceeding Two Years, or suffer Penal Servitude for any Term not exceeding Fourteen Years; and if any Person shall bring or attempt to bring into such Prison, in contravention of the Rules, any spirituous or fermented Liquor, he shall for every such Offence be liable to a Penalty not exceeding Twenty Pounds and not less than Ten Pounds; and if any Person shall bring into such Prison, or to or for any Prisoner, without the Knowledge of the Officer having Charge or Command thereof, any Money, Clothing, Provisions, Tobacco, Letters, Papers, or other Articles not allowed by the Rules of the Prison to be in the Possession of a Prisoner, or shall throw into the said Prison any such Articles, or by Desire of any Prisoner, without the Sanction of the said Officer, shall carry out of the Prison any of the Articles aforesaid, he shall for every such Offence be liable to a Penalty not exceeding Five Pounds; and if any Person shall interrupt any Officer of such Prison in the Execution of his Duty, or shall aid or excite any Person to assault, resist, or interrupt any such Officer, he shall for every such Offence be liable to a Penalty not exceeding Five Pounds, or if the Offender be a Prisoner, he shall, upon Conviction thereof by a Board of not less than Three of the Visitors of the Prison, be liable to be sentenced for every such Offence to be imprisoned, either with or without Hard Labour, and with or without Solitary Confinement, for any Time not exceeding Six Calendar Months, in addition to so much of the Time for which he was originally sentenced as may be then unexpired.

Penalty as regards Gaolers, &c.

LXXII. Every Governor, Gaoler, and Keeper of any Prison, Gaol, or House of Correction, and every Officer having the Charge or Command of any Place, Ship, or Vessel for Imprisonment, who shall, without lawful Excuse, refuse or neglect to receive or confine, remove, discharge, or deliver up any Offender against the Provisions of this Act or any of them, shall incur for every such Refusal or Neglect a Penalty not exceeding One hundred Pounds, to be recovered in a summary Manner.

Pay to be stopped during Imprisonment, &c.

LXXIII. During the Imprisonment of any Person in pursuance of this Act all Pay and Wages of the Prisoner shall be suspended and stopped.

PART VI.

Supplemental Provisions.

Short Title: Commencement of Act.

LXXIV. This Act may be cited for all Purposes as "The Naval Discipline Act, 1860."

LXXV. This Act shall commence on the First Day of *April* One thousand eight hundred and sixty-one.

Definition Clause.

LXXVI. In the Construction of this Act, unless there be something in the Context or Subject Matter repugnant to or inconsistent with such Construction—

"Admiralty:" "Admiralty," or "the Lords of the Admiralty," shall mean the Lord High Admiral for the Time being of the United Kingdom of *Great Britain* and *Ireland*, and when there shall be no such Lord High Admiral in Office, any Two or more of the Commissioners for executing the Office of Lord High Admiral of the United Kingdom:

"Officer:" "Officer" shall mean an Officer belonging to One of Her Majesty's Ships, and shall include a subordinate and a Warrant Officer, but shall not extend to Petty and Non-commissioned Officers:

"Superior Officer." When the Words "Superior Officer" are used in this Act they shall be held to include all Officers, including Petty and Non-commissioned Officers.

LXXVII. Every

Persons subject to this Act.

LXXVII. Every Person in or belonging to Her Majesty's Navy, and borne on the Books of any One of Her Majesty's Ships in Commission, shall be subject to this Act; and all other Persons hereby made liable thereto, and all Spies, shall be triable and punishable under the Provisions of this Act.

Land Forces embarked as Passengers.

LXXVIII. Her Majesty's Land Forces, when embarked on board any of Her Majesty's Ships, shall be subject to the Provisions of this Act, to such Extent and under such Regulations as Her Majesty, Her Heirs and Successors, by any Order or Orders in Council, shall at any Time or Times direct.

Other Persons embarked as Passengers.

LXXIX. All other Persons ordered to be received or being Passengers on board any of Her Majesty's Ships shall be deemed to be Persons subject to this Act, under such Regulations as the Admiralty may from Time to Time direct.

Crews of Ships lost or destroyed.

LXXX. When any One of Her Majesty's Ships shall be wrecked or lost or destroyed, or taken by the Enemy, such Ship shall, for the Purposes of this Act, be deemed to remain in Commission until her Crew shall be regularly removed into some other of Her Majesty's Ships of War, or until a Court-martial shall have been held, pursuant to the Custom of the Navy in such Cases, to inquire into the Cause of the Wreck, Loss, Destruction, or Capture of the said Ship.

All the Officers and Crew of lost Ship may be tried by One Court,

LXXXI. When no specific Charge shall be made against any Officer or Seaman for or in respect or in consequence of such Wreck, Loss, Destruction, or Capture, it shall be lawful to try all the Officers and Crew or all the surviving Officers and Crew of any such Ship, together, before One and the same Court, and to call upon all or any of them when upon their Trial to give Evidence on Oath or Affirmation before the Court touching all or any of the Matters then under Inquiry, but no Officer or Seaman shall be obliged to give any Evidence which may tend to criminate himself.

or by separate Courts.

LXXXII. When deemed necessary by the Admiralty, or any Officer authorized to order Courts-martial, separate Courts-martial shall be held for the Trial of some One or more of such Officers and Crew for or in respect or in consequence of the Wreck, Loss, Destruction, or Capture of any such Ship.

For subsequent Offence, separate Court.

LXXXIII. For any Offence or Offences committed by any Officer or Seaman, or Officers and Seamen, after the Wreck, Loss, Destruction, or Capture of any such Ship, a separate Court-martial shall be held for the Trial of such Offender or Offenders.

Pay of Crews of Ships lost or taken.

LXXXIV. When any Ship of Her Majesty shall be wrecked, lost, or otherwise destroyed, or taken by the Enemy, if it shall appear by the Sentence of a Court-martial that the Crews of such Ship did, in the Case of a Ship wrecked or lost, do their utmost to save or get her off, and in the Case of a Ship taken by the Enemy do their utmost to defend themselves, and that they have, since the Wreck, Destruction, Loss, or Capture of such Ship, behaved themselves well, and been obedient to their Officers, then all the Pay of such Crews or of such Portions of such Crews as have behaved themselves well, and been obedient to their Officers, shall be continued until the Time of their being discharged or removed into other Ships of Her Majesty, or dying.

When Ship of senior Officer is lost he may dispose of Officers and Crew of lost Ship.

LXXXV. If the Ship of any Officer ordered to command any Two or more of Her Majesty's Ships shall be wrecked, lost, or otherwise destroyed, such Officer shall continue in the Command of any Ship or Ships which at the Time of his Ship being wrecked, lost, or destroyed was or were under his Command, and it shall be lawful for such Officer to order the surviving Officers and Crew of the wrecked, lost, or destroyed Ship to join any other Ship under his Command, or to distribute them among the other Ships under his Command, if more than One, and such Officer shall, until he meets with some other Officer senior to himself, have the same Power and Authority in all respects as if his Ship had not been wrecked, lost, or destroyed.

PART VII.

Repeal of Acts, and Saving Clause.

Repeal of Acts and Parts of Acts.

LXXXVI. On and after the Day of the Commencement of this Act there shall be repealed the several Acts and Parts of Acts set forth in the Schedule hereto, to the Extent to which such Acts or Parts of Acts are therein expressed to be repealed.

Trial of Offences against repealed Acts.

LXXXVII. Any Person who has committed or may commit, before the Commencement of this Act, any Offence against any of the Acts or Portions of Acts hereby repealed, for which such Person has not been tried before such Day, shall be tried and punished under this Act as if such Crime or Offence had been committed against the same, but he shall not suffer any greater Punishment than he was liable to under any of the Acts or Portions of Acts hereby repealed; and any Proceedings of any Court-martial, or any other Proceedings under such Acts or Portions of Acts, which may be pending on the Day of the Commencement of this Act, shall be continued, and the Offender, if found guilty, shall be punished as if the Act against which he offended had not been repealed.

Reservation of Power of Admiralty.

LXXXVIII. Nothing in this Act shall prejudice or affect the Right of the Admiralty to discharge any Person subject to this Act from Her Majesty's Service.

Act not to supersede Authority of ordinary Courts.

LXXXIX. Nothing in this Act contained shall be deemed or taken to supersede or affect the Authority or Power of any Court or Tribunal of ordinary Civil or Criminal Jurisdiction, or any Officer thereof, in Her Majesty's Dominions, in respect of any Offence mentioned in this Act which may be punishable or cognizable by the Common or Statute Law.

The

The SCHEDULE to which this Act refers,

Reference to Act.	Title of Acts.	Extent of Repeal.
22 Geo. 2. c. 33. -	An Act for amending, explaining, and reducing into One Act of Parliament the Laws relating to the Government of His Majesty's Ships, Vessels, and Forces by Sea.	All such Parts of the Act as remain unrepealed at the Time of the passing of this Act.
29 Geo. 2. c. 27. -	An Act for extending the Act of the Twenty-second Year of His present Majesty (for amending, explaining, and reducing into One Act of Parliament the Laws relating to the Government of His Majesty's Ships, Vessels, and Forces by Sea,) to such Officers, Seamen, and others as shall serve on board His Majesty's Ships or Vessels employed upon the Lakes, Great Waters, or Rivers in North America.	The whole.
19 Geo. 3. c. 17. -	An Act to explain and amend an Act made in the Twenty-second Year of the Reign of His late Majesty King George the Second, intituled "An "Act for amending, explaining, and reducing into "One Act of Parliament the Laws relating to the "Government of His Majesty's Ships, Vessels, "and Forces by Sea."	The whole.
56 Geo. 3. c. 5. -	An Act to extend the Powers of an Act of the Thirty-seventh Year of His present Majesty, for enabling His Majesty more effectually to grant conditional Pardons to Persons under Sentence of Naval Courts-martial, and to regulate Imprisonment under such Sentences.	The whole.
5 & 6 Vict. c. 98. -	An Act to amend the Law concerning Prisons.	Sections 27, 28, 29.
10 & 11 Vict. c. 59. -	An Act for amending an Act, intituled "An Act for "amending, explaining, and reducing into One "Act of Parliament the Laws relating to the "Government of His Majesty's Ships, Vessels, "and Forces by Sea."	The whole.
10 & 11 Vict. c. 62. -	An Act for the Establishment of Naval Prisons, and for the Prevention of Desertion from Her Majesty's Navy.	Sections 1 to 8, both inclusive.
16 & 17 Vict. c. 69. -	An Act to make better Provision concerning the Entry and Service of Seamen, and otherwise to amend the Laws concerning Her Majesty's Navy.	Sections 13, 14, 15. 17.

CAP. CXXIV.

An Act further to amend the Acts relating to the Ecclesiastical Commissioners, and the Act concerning the Management of Episcopal and Capitular Estates in *England*.

[28th *August* 1860.]

'WHEREAS it is expedient to amend the Acts relating to the Ecclesiastical Commissioners for 'England and the Act concerning the Management of Episcopal and Capitular Estates in 'England:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Sect. 17. of 13 & 14 Vict. c. 94. repealed.

I. Section Seventeen of the Act of the Session holden in the Thirteenth and Fourteenth Years of Her Majesty, Chapter Ninety-four, directing the Mode of securing the annual Income of Archbishops and Bishops, shall, as respects every Archbishop and Bishop who shall succeed to a See after the passing of this Act, be repealed.

The Lands of each See to vest in the

II. Upon the first Avoidance of the See of any Archbishop or Bishop in *England* after the passing of this Act, all the Lands, Hereditaments, and Emoluments of or belonging to such See (except all Rights

Rights of Patronage or Presentation and the Residences of the Archbishop or Bishop, and such Lands necessary for the Enjoyment of such Residences as shall be attached thereto by any Scheme sanctioned by Order in Council) shall become vested absolutely in the Ecclesiastical Commissioners for *England*, for the Purposes and subject to the Provisions applicable to other Hereditaments vested in the said Commissioners. Commissioners on the next Avoidance.

III. After the Lands of a See have become vested in the Commissioners as aforesaid, an Arrangement shall be made as soon as conveniently may be, and with all reasonable Despatch, for assigning to the Archbishop or Bishop of such See and his Successors, as an Endowment for the See, such of the Lands and Hereditaments then vested in the Ecclesiastical Commissioners for *England* as in the Judgment of the Estates Committee of the said Ecclesiastical Commissioners, and subject to the Approbation of such Archbishop or Bishop, may be deemed convenient to be held as such Endowment, and will secure as nearly as may be, after deducting Costs of Management, a net annual Income equal to that named for the Archbishop or Bishop of the See by any Act of Parliament or Order in Council then in force, and no more; and in the meantime, until such Endowment is so assigned, the Ecclesiastical Commissioners shall pay to the Archbishop or Bishop of the See the annual Income named for him as aforesaid, at the Times at which the same would have been payable if this Act had not been passed. Lands sufficient to afford the statutory Income to be secured to each See.

IV. In case any Archbishop or Bishop who may have succeeded on an Avoidance happening before the passing of this Act, and having an Income named as aforesaid, signify his Willingness to accept an Endowment for his See in Lands and Hereditaments, in lieu of his Income, it shall be lawful to make the like Arrangement for that Purpose as might have been made if the Lands of the See had become vested in the Commissioners as aforesaid, and upon such Arrangement being made all the Lands, Hereditaments, and Emoluments of or belonging to the See, except such as may be assigned under such Arrangement, and such Rights of Patronage or Presentation, and Residences as aforesaid, shall become vested absolutely in the said Ecclesiastical Commissioners. Like Arrangement may be made before next Avoidance, on Request of the Bishop.

V. On the Avoidance from Time to Time of any See, after the Assignment of an Endowment for the same, the Estates Committee of the Ecclesiastical Commissioners may, if they shall think fit, revise the Arrangement in force in relation to such Endowment, and for that Purpose inquire into the State and Productiveness of such Endowment, and if such Endowment, in the Judgment of the Committee, will secure a net annual Income exceeding that named for the Archbishop or Bishop as aforesaid, or will not secure the full Amount of such annual Income, such Committee may report thereon to the said Ecclesiastical Commissioners, and the said Commissioners shall, if they think fit, make an Arrangement by vesting Part of the Lands and Hereditaments constituting such Endowment in the Ecclesiastical Commissioners, or by assigning Lands and Hereditaments by way of Addition to such Endowment, or by means of annual or other Payments to or by the Ecclesiastical Commissioners, as the Case may require, which may secure, in the Judgment of the said Committee, to the Archbishop or Bishop who may succeed upon that Avoidance, the net annual Income so named, or as near thereto as Circumstances will allow: Provided always, that if a Difference of Opinion as to the Value or Sufficiency of the Estates which such Committee may propose to leave or to assign to any See shall arise between the Archbishop or Bishop thereof and the said Committee, such Difference shall be settled by Arbitration before such Arrangement as is last mentioned shall be made. Arrangements to be revised on Avoidance.

VI. When the Arrangement is completed under this Act for the Endowment of a See the Lands and Hereditaments thereby assigned shall be the Endowment of the See, and shall be taken in lieu of the Income intended to be secured thereby. Endowments to be in lieu of fixed Income.

VII. All Arrangements for the Purposes of this Act shall be made by the Authority and in the Manner by and in which Arrangements for carrying into effect the Recommendations recited in the Act of the Session holden in the Sixth and Seventh Years of King *William* the Fourth, Chapter Seventy-seven, may now be made. Arrangements, how to be made.

VIII. No Lands assigned or secured as the Endowment of any See under this Act shall be granted by the Archbishop or Bishop otherwise than from Year to Year, or for a Term of Years in possession not exceeding Twenty-one Years, at the best annual Rent that can be reasonably gotten without Fine, the Lessee not to be made dispunishable for Waste or exempted from Liability in respect of Waste; and so that in every such Lease such or the like Covenants, Conditions, and Reservations be entered into, reserved, or contained with or for the Benefit of the Archbishop or Bishop and his Successors, as under Section One of the Act passed in the Session holden in the Fifth and Sixth Years of Her Majesty, Chapter Twenty-seven, (for better enabling the Incumbents of Ecclesiastical Benefices to demise the Lands belonging to their Benefices on Farming Leases,) are to be entered into, reserved, or contained in a Lease granted under that Enactment to or for the Benefit of the Incumbent and his Successors, or as near thereto as the Circumstances of the Case will permit; but where, under the said Section of the last-mentioned Act, any Consents are provided for or required, the Consent only of the Archbishop or Bishop for the Time being shall be requisite: Provided always, that it shall be lawful for the Archbishop or Bishop, with the Approval of the Estates Committee of the Ecclesiastical Commissioners, testified under the Common Seal of the said Commissioners, which the said Committee are hereby empowered to affix to any Lease for this Purpose, from Time to Time to grant Mining or Building or other Leases of any such Lands, for such Periods, for such Considerations, upon such Terms, and generally Lands assigned as Endowments, how to be leased.

generally in such Manner as such Committee under the Circumstances of each Case may think fit, and it shall be lawful for such Committee to require that any Portion of the Rent reserved on any such Lease shall be payable to the said Ecclesiastical Commissioners.

Estates Committee to see that Property assigned as Endowment is kept in proper Condition.

IX. The Estates Committee shall cause the Property assigned as an Endowment for any See as aforesaid to be inspected so often as they think fit, and shall cause Notice in Writing of all Dilapidations or Want of Repair found on such Inspection, and of the Repairs or Works necessary for remedying the same, to be given to the Archbishop or Bishop of such See, and such Archbishop or Bishop shall forthwith do or cause to be done, at his or their own Expense, or at the Expense of his or their Lessees or Tenants, (as the Case may require,) the Repairs or Works mentioned in such Notice; and if any Difference arise between such Archbishop or Bishop and the Estates Committee with regard to the Condition of such Property, or the Repairs or Works required by the Estates Committee, the Matter in difference shall be referred to Arbitration as herein-after provided.

Provision for the Improvement of Lands.

X. It shall be lawful for the Estates Committee, upon the Application of any Archbishop or Bishop, to undertake or authorize any Works of permanent Improvement which such Committee may think advisable, on any Lands assigned by way of Endowment to such Archbishop or Bishop, and the Ecclesiastical Commissioners may advance out of the Common Fund the Money which may be required for the Purpose of such Works, and the Money so advanced shall be repaid, with such Interest, and at such Times, and until repaid shall be charged on such of the said Lands, as may be agreed upon by the said Committee and the said Archbishop or Bishop, and his or their Tenants interested in such Improvements.

Estates Committee, where required, to manage the Lands assigned.

XI. The Estates Committee shall, when required by any Archbishop or Bishop to whom Lands may have been assigned as an Endowment under this Act, undertake the Management of such Lands, and receive the Rents and Profits thereof during the Incumbency of the Archbishop or Bishop; and in every such Case as aforesaid the Estates Committee, during their Management, may grant all such Leases as might have been granted by such Archbishop or Bishop if the Lands had continued under his or their Management, and may, with the Approval of such Archbishop or Bishop, grant such other Leases as might have been granted by him or them, with the Approval of the Estates Committee; and the Commissioners shall, during the Time such Lands are under the Management of the said Estates Committee, pay to such Archbishop or Bishop the annual Income to secure which the Lands may have been assigned.

Sect. 67. of 3 & 4 Vict. c. 113. extended to all Lands.

XII. 'And whereas by the Act of the Session holden in the Third and Fourth Years of Her Majesty, 'Chapter One hundred and thirteen, Section Sixty-seven, it is provided, that, by Payments or 'Investments made out of the Common Fund of the Ecclesiastical Commissioners, or by means of an 'actual Conveyance and Assignment of Lands, Tithes, or other Hereditaments, vested or to be vested in 'them as therein mentioned, or of a Portion thereof, additional Provision shall be made by the Authority 'therein provided for the Cure of Souls in Parishes where such Assistance is most required; provided 'always, that in making any such additional Provision out of any Tithes, or any Lands or other 'Hereditaments allotted or assigned in lieu of Tithes so vested or to be vested in the said Commissioners, 'or out of the Rents and Profits thereof, due Consideration shall be had of the Wants and Circumstances 'of the Places in which such Tithes arise or have heretofore arisen:' In making additional Provision for the Cure of Souls under the recited Enactment out of any Lands or Hereditaments whatsoever now vested or hereafter to be vested in the said Commissioners (except Lands or Hereditaments which may have been or may hereafter be bought or taken in exchange by the Commissioners, or any Estate or Interest in Lands or Hereditaments so bought or taken in exchange during the Continuance of such Estate or Interest), or out of the Rent and Profits thereof (except as aforesaid), due Consideration shall be had of the Wants and Circumstances of the Places in which such Lands or Hereditaments may be situate or arise; and the same Rule shall also be applicable, in case the Commissioners shall see fit, in favour of Places in which Lands or Hereditaments now vested or heretofore vested in the Commissioners are situated, from which the Commissioners have heretofore derived any Income.

Provisions concerning local Claims to apply to Tithes and Lands of certain Ecclesiastical Corporations.

XIII. Where any Ecclesiastical Corporation Sole is in the Receipt of an Income fixed by Act of Parliament, and the Estates of such Corporation yield an annual Income greater than the Income so fixed, it shall be incumbent on the Ecclesiastical Commissioners to make, out of any Tithes, Lands, or Hereditaments whatsoever from which such annual Income arises, or out of the Rents and Profits thereof, such Provision as may seem to them needful for the Cure of Souls in the Parish or Place in which such Tithes, Lands, or Hereditaments are situate or arise, in the same Manner and to the same Extent in and to which such Provision might be made if the said Tithes, Lands, or Hereditaments were actually vested in the Commissioners.

Preference may be given to Places where Contribution is made in aid of Grant.

XIV. In making additional Provision for the Cure of Souls under Section Sixty-seven of the said Act of the Third and Fourth Years of Her Majesty, Preference may be given, if the said Commissioners see fit, to those Places in respect of which Contributions from other Sources are made in aid of Grants out of the Common Fund, but this Enactment shall not prejudice the Proviso at the End of the said Section, or the last Two preceding Sections of this Act.

In Mining Districts Commissioners may

XV. In Districts in which large Masses of Population are collected for the Purpose of working Mines, it shall be lawful for the said Commissioners, by Resolution of a General Meeting, from Time to Time

Time to make Grants to meet Benefactions for the Purpose of making temporary Provision for the Cure of Souls.

make Grants for Cure, &c.

XVI. Where it appears to the Church Estates Commissioners that Inconvenience is occasioned in the Negotiations between any Ecclesiastical Corporation, sole or aggregate, and its Lessees, (in relation to Property which it is now authorized to dispose of,) by reason of its Disability to sell or exchange intermixed or other Lands held by such Corporation in possession, or for some other Estate which it is not now authorized to dispose of, it shall be lawful for such Ecclesiastical Corporation, with the Approval in Writing of the said Church Estates Commissioners, to sell any such Lands (whether of Freehold or Copyhold or Customary Tenure), or to exchange any such Lands for other Lands or any Estate or Interest therein; and all the Provisions of the Act of the Session holden in the Fourteenth and Fifteenth Years of Her Majesty, Chapter One hundred and four, as amended by the Act of the Session holden in the Seventeenth and Eighteenth Years of Her Majesty, Chapter One hundred and sixteen, and this Act, authorizing the receiving or paying of Money by way of Equality of Exchange, and concerning the Payment, Application, and Investment of any Money payable to or for the Benefit of any such Corporation on any such Sale, Exchange, or Enfranchisement as is mentioned in the said Act of the Fourteenth and Fifteenth Years of Her Majesty, and all other the Provisions of the said Acts in anywise applicable for effectuating any such Sale, Exchange, or Enfranchisement, or in consequence thereof, shall, so far as the Nature of the Case may require, extend and be applicable to and in consequence of any Sale or Exchange authorized by this Act.

Power to Corporations, with Approval of the Church Estates Commissioners, to sell Lands in possession, for facilitating Negotiations with Lessees.

XVII. Where it appears to the Church Estates Commissioners that any such Ecclesiastical Corporation has been accustomed to renew without Payment of any Fine, or for a nominal Fine, the Lease of any Lands used for the Purposes of a School, or the Support or Maintenance thereof, it shall be lawful for such Corporation, with the Approval in Writing of the Church Estates Commissioners, or where the Lands have become vested in the Ecclesiastical Commissioners, for such Commissioners, to convey to the Trustees or other Persons to whom a Renewal of such Lease might have been granted in trust for the Purposes of such School all or any Part of such Lands, for the whole Estate of such Corporation therein, without requiring the Payment of any Consideration for the same; and every Conveyance in pursuance of this Provision shall be made and confirmed as provided by Section Five of the said Act of the Fourteenth and Fifteenth Years of Her Majesty with reference to such Conveyances as therein mentioned.

Small Portions of Land under Leases usually renewed for the Purposes of Schools may be conveyed absolutely without Payment.

XVIII. When any Ecclesiastical Corporation, previous to the passing of this Act, has been accustomed to grant or renew, without Payment of any Fine, or for a nominal Fine, the Lease of any Lands, Tenements, Tithe Rentcharges, or other Hereditaments, for the Endowment, either in whole or part, of the Incumbent of any Parish or Chapelry, the whole Estate of such Ecclesiastical Corporation in such Lands, Tenements, Tithe Rentcharges, or other Hereditaments, heretofore held by such Lease, may, with the Consent of the Ecclesiastical Commissioners, under their Common Seal, be lawfully conveyed by such Corporation to the Incumbent to whom a Renewal of such Lease might have been granted, without such Corporation requiring the Payment of any valuable Consideration for such Conveyance.

When Ecclesiastical Corporations have been accustomed to renew Leases Lands may be conveyed without Consideration;

XIX. When any Ecclesiastical Corporation, previous to the passing of this Act, has been accustomed to reserve any annual Rent or other Payments in any Lease granted or renewed by them for the Endowment, either in whole or part, of the Incumbent of any Parish or Chapelry, the whole Estate of such Ecclesiastical Corporation, in such annual Rents or other Payments heretofore granted and reserved as aforesaid, may, with the Consent of the Ecclesiastical Commissioners, under their Common Seal, be lawfully conveyed to the Incumbent for whom they are at present reserved, without such Corporation requiring any valuable Consideration for the Conveyance of such Estate.

and when accustomed to reserve Rent the whole Estate may be conveyed without Consideration.

XX. In any Case in which any Estate or Interest under any Lease or Grant made by any such Ecclesiastical Corporation may be vested in any Person or Persons as a Trustee or Trustees, whether expressly or by Implication of Law, with Power to raise Money for the Purpose of procuring a Renewal of such Lease or Grant, and in every other Case in which a Power is vested in any Person or Persons for that Purpose, it shall be lawful for such Person or Persons to raise Money for the Purpose of purchasing the Reversion of or otherwise enfranchising the Property comprised in such Lease or Grant, and to apply the same accordingly, in the same Manner, and subject to the same Conditions, *mutatis mutandis*, so far as the same may be applicable to the Case, as such Person or Persons might by virtue of such Power have raised Money for the Purpose of renewing such Lease or Grant and have applied the same accordingly.

Trustees and others having Power to raise Money for Renewals may raise Money for Enfranchisements

XXI. In estimating, for the Purposes of any Sale, Purchase, or Exchange under the said Acts of the Fourteenth and Fifteenth Years and Seventeenth and Eighteenth Years of Her Majesty, and this Act, or any of them, the Value of the Estate or Interest of any Lessee of any Lands holden of any Archbishop or Bishop, or of the Ecclesiastical Commissioners, under any Lease granted for a Term of Twenty-one Years, an Extension of the unexpired Term to the Eleventh Day of *October* One thousand eight hundred and eighty-four at the accustomed Rate of Fine shall, as a Rule, be allowed, and a like Extension, at the accustomed Rate of Fine, shall, for the Purposes of Sale, Purchase, or Exchange, be allowed in the Case of any Lease for Lives, the Extent and Value of which shall be computed by Arbitrators in default of

In estimating Value of 21 Years Leases, an Extension to 11th October 1884 to be allowed.

of an Agreement between the Parties to be less than the Extent and Value of a Term ending on the said Eleventh Day of *October* One thousand eight hundred and eighty-four.

In estimating the Value of Mining Leases an Extension to 1884 to be allowed.

XXII. The said Ecclesiastical Commissioners or any Ecclesiastical Corporation, aggregate or sole, in carrying out the Powers of leasing Mines and Minerals vested in them, shall in the granting to the Lessees of Mines and Minerals holden of the Ecclesiastical Commissioners or any Ecclesiastical Corporation, aggregate or sole, whether for Years or for Lives, an extended Term or Estate therein, and fixing the Terms of such Grant, have regard to the Value of the Estate and Interest of the Lessees of all such Mines and Minerals under any Lease or Leases heretofore ordinarily renewable on the Payment of a Fine, and shall as a Rule, in computing such Value, estimate and include an Extension of the existing unexpired Term or Estate of the Lessees to the Eleventh Day of *October* One thousand eight hundred and eighty-four, at the accustomed Rate of Fine; and in the Case of such of the said Leases for Lives as, according to the Expectancy of Human Life, according to the Life Tables which are appended to the Twelfth Annual Report of the Registrar-General of Births, Deaths, and Marriages in *England*, would not determine until after the said Eleventh Day of *October* One thousand eight hundred and eighty-four, shall have regard to the actual Value of the Estate and Interest of the Lessees.

Differences between Mining Lessees and Lessors to be referred to Arbitration.

XXIII. In case any such Lessees shall require any extended Term in such Mines and Minerals to be granted to them, and any Difference shall arise between the said Ecclesiastical Commissioners or other Ecclesiastical Corporation and such Lessees thereupon, or as to the Value so to be estimated, or as to the Rents to be reserved, or the Term of Years to be granted, or other the Terms and Conditions on which such Lease for any extended Term or Estate shall be granted, it shall be lawful for either Party to require the other Party to join in referring to Arbitration the Matter or Matters so in difference, and the same shall be referred to Arbitration.

Upon Treaty for Sale, &c., either Party may require Reference to Arbitration.

XXIV. In any Case where a Treaty shall have been or shall be entered into under the said Acts of the Fourteenth and Fifteenth Years and Seventeenth and Eighteenth Years of Her Majesty, and this Act, or any of them, for any Sale, Exchange, or Purchase, it shall be lawful for either Party to require the other Party to join in referring to Arbitration the Finding of the annual Value of the Property comprised in the Lease or Grant, and of the Value of the Fee Simple, and when such Values have been found it shall be binding on both Parties, if either Party require to proceed to such Sale, Exchange, or Purchase, on Terms to be computed according to such Finding: Provided always, that whenever the Ecclesiastical Commissioners shall decline to enter into a Treaty with a Lessee for either the Sale of the Reversion or the Purchase of the Term of or in the Lands held by such Lessee, it shall nevertheless be lawful for such Lessee, at any Time within Two Years after the said Commissioners shall have so declined to treat, to require that his Estate and Interest therein shall be purchased by the Ecclesiastical Commissioners so declining to treat as aforesaid, and that the Value of such Estate and Interest shall be ascertained by such Methods and with such Extension of the unexpired Term on his said Lease as are by this Act provided in respect of other Leaseholds.

Rules to be observed in Valuation as to Rate of Interest, &c.

XXV. Provided always, That under any Arbitration under the said Act of the Seventeenth and Eighteenth Years of Her Majesty, or this Act, where any Lease shall relate to Lands (except Building Ground or Houses), the beneficial Interest of the Lessee shall be valued at the same Rate of Interest at which the Value of the Fee Simple has been determined; and where such Lease shall relate to Houses or to Building Ground, it shall be lawful for the Arbitrator or Arbitrators or Umpire, as the Case may be, simply to find the gross Sum to be paid for such Sale or Enfranchisement, in such Manner as he or they may deem just; provided also, that regard shall be had to any Consideration given to the Lessee by this Act on account of the long-continued Practice of Renewal; provided further, that in the Case of Houses the Umpire shall, notwithstanding anything in the last-mentioned Act or this Act contained, be appointed by Her Majesty's Principal Secretary of State for the Home Department.

Provision as to Under-lessees bound to contribute to Expenses of Renewals.

XXVI. Where Persons holding Under-leases under the Lessee of any Ecclesiastical Corporation may, either before or after the passing of this Act, be under Obligation to pay or contribute to the Fines and Expenses of Renewal, and such Lessee is unable to obtain a Renewal of his Lease, but the Under-lessees are, by reason of the Purchase of the Reversion or other Arrangement made by such Lessee with the Ecclesiastical Commissioners, secured in the Enjoyment of the full Terms which might have been secured to them by means of such Renewal, or shall be otherwise sufficiently indemnified from all Loss which might be occasioned by Want of such Renewal, the Persons holding such Under-leases shall pay to such Lessee such gross Sums of Money or such additional yearly Rents during the unexpired Residues of such Terms as may be a just Equivalent for the Exemption from the Expenses of such Renewal; and where any such Under-lessee has under-leased, and his Under-lessees are under like Obligation to contribute to the Expenses of such Renewal, they shall pay to their Under-lessor such gross Sums of Money or such additional yearly Rents during the unexpired Residue of their Terms as may be a just Equivalent for such Exemption as aforesaid; and the Payments to be made in each Case, and the Nature and Sufficiency of the Indemnity (if any) to be given, shall, in case the Parties differ about the same, be referred to Arbitration.

Under-lessees having Right of Renewal to enjoy Benefits

XXVII. 'And whereas considerable Portions of the Lands and Houses holden by Lessees of 'Ecclesiastical Corporations which may be dealt with under the Provisions of this Act are by such 'Lessees granted to Under-lessees, with the Right of Renewal in case of the Renewal of the original

'Lease,

'Lease, and again sub-demised by such Under-lessees to Persons holding under them with a similar 'Right of Renewal:' That all such Under-lessees and Persons having such Right of Renewal shall have and enjoy, according to their respective Estates and Interests in such Lands and Houses, the Benefit of the Provisions contained in this Act for the Protection of the Lessees. of this Act for Protection of Lessees.

XXVIII. The Powers and Provisions contained in the Section Two of the said Act of the Fourteenth and Fifteenth Years of Her Majesty, and the Section Two of the said Act of the Seventeenth and Eighteenth Years of Her Majesty, shall extend to authorize the Apportionment of Fines certain and Heriots, and also to authorize the Substitution of Money Payments in lieu of Heriots, and the Apportionment of such Money Payments, and shall be applicable as well to Cases under those Acts as to Cases under this Act; and the Powers and Provisions so extended shall apply to all Cases of the Surrender, Conveyance, or Assignment to or in trust for the said Ecclesiastical Commissioners of the Estate or Interest in a Part only of the Lands comprised in any Lease, Grant, or Copy, the Reversionary or Freehold Estate in which is or shall be vested in the said Ecclesiastical Commissioners, and also to all Cases of the Sale, Exchange, or Enfranchisement by the said Ecclesiastical Commissioners of a Part only of the Lands comprised in any such Lease, Grant, or Copy; and the Enfranchisement or Surrender under the said Acts or either of them, or this Act, of a Part only of any Copyhold or Customary Lands held under a Grant or Copy, shall not affect, in other respects than the Apportionment of the Rents, Fines, and Heriots, any Custom by or under which the Remainder of the Land comprised in such Grant or Copy is held, or the demiseable Quality of the Remainder of such Land. Extending Powers of Apportionment of Rent, under Sect. 2. of 14 & 15 Vict. c. 104. and Sect. 2. of 17 & 18 Vict. c. 116. on Surrender, Sale, or Exchange of Part of Lands comprised in Lease held under the Ecclesiastical Commissioners.

XXIX. In every Case in which under any Contract by the Ecclesiastical Commissioners or any such Corporation with any Lessee or Grantee holding Land under the Ecclesiastical Commissioners or such Corporation by any Lease for Lives or Years, or Copyhold or Customary Grant, for the Purchase or receiving in Exchange or Partition by the Ecclesiastical Commissioners or such Corporation of any Land comprised in such Lease or Grant, any Sum of Money is agreed to be paid by the said Ecclesiastical Commissioners or such Corporation, and in which the Lessee or Grantee shall fail or declare himself unable to make a marketable Title to or an effectual Assurance of such Land to the said Ecclesiastical Commissioners or such Corporation, such Sum of Money may, with the Consent of such Lessee or Grantee, be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Chancery to an Account in the Matter of "An Act" [*Title of this Act*], to the Credit of the Parties interested in such Land, and be disposed of in like Manner as is directed by "The Lands Clauses Consolidation Act, 1845," with respect to Purchase Monies in the Case of Parties neglecting or failing to make out satisfactory Titles; and upon the Execution of an Assignment, Surrender, or other Assurance by the Person for the Time being the Party in possession or receipt of the Rents and Profits of the Land so agreed to be sold or conveyed in Exchange unto or in trust for the Ecclesiastical Commissioners or such Corporation, all the Estate and Interest in such Land in respect whereof such Money shall have been paid shall vest absolutely in the said Ecclesiastical Commissioners or Corporation, or other Person to whom the same shall be expressed to be assured. Sums of Money agreed to be paid by Ecclesiastical Commissioners may, on Failure of Lessee or Grantee to make marketable Title to or Assurance of Land, be paid into Bank of England.

XXX. It shall be lawful for the Commissioners, if they shall think fit, to release any Rentcharge granted or transferred to them by way of Endowment of any Church or Chapel, in consideration of the Transfer into their Names of a Sum in the Three *per Centum* Consolidated Bank Annuities, producing Dividends equal in Amount to such Rentcharge; and also, if they shall think fit, to release any Part or Parts of the Lands out of which any such Rentcharge is issuing from the Payment thereof without any Consideration, provided the Residue of such Lands shall in their Judgment be sufficient Security for such Rentcharge, and in such Case the Rentcharge shall be wholly chargeable on and issuing out of such Residue of the Lands. Provision for Release of Rentcharge granted to Commissioners by way of Endowment of Church or Chapel.

XXXI. Where any Estate now or heretofore of any Ecclesiastical Corporation is subject to any Special Act of Parliament providing for the perpetual Renewal of the Lease or Leases thereof, or for the Leasing or the Management of such Estate, or creating or imposing any Rights, Remedies, or Obligations with reference to such Estate, the Rights of Renewal, and other the Rights and Obligations under such Special Act, shall not be affected by this Act or by the Transfer of such Estate to the Commissioners, but such Special Act, and any Leases, Contracts, Under-leases, Enfranchisements, and Instruments already or hereafter to be made, entered into, or executed thereunder, shall be construed so that by virtue of the Act of Parliament or other Authority under which the Estate shall have been transferred to or vested in the Commissioners, the same Leases, Contracts, Under-leases, Enfranchisements, and Instruments may operate and have Effect as if the Commissioners, as to such Part of the Estate as for the Time being shall be vested in them, and their respective Assigns as to each such several Part thereof as shall be vested in them respectively, were therein substituted for the Ecclesiastical Corporation whose Estate has been or shall be so transferred or have become so vested; and such Special Act, Leases, Contracts, Under-leases, Enfranchisements, and Instruments shall be construed as if such Commissioners or their respective Assigns, as regards the Portion of the Estate vested in them respectively, were named or referred to therein instead of the Corporation named or referred to therein; and the Seal of such Commissioners shall be in every Case as regards the Estate or Part of an Estate for the Time being vested in them, and the Sealing and Delivery by any Assignee shall be in every Case as regards the Estate or Part of an Estate for the Time being vested in him, as effectual as the Signature Rights and Obligations under Special Acts preserved.

or Seals or Signature and Seal, as the Case may be, of the Corporation whose Estate has been or shall be so transferred or become so vested.

Power of Partition of Estates held under Special Acts, &c.

XXXII. Whenever any Property shall be vested in the Ecclesiastical Commissioners jointly or in common with any other Person, or subject to any Estate or Interest vested in any other Person, either under any Special Act of Parliament or any Lease or Grant, and such Person shall be a Trustee of the Estate or Interest vested in him or them, it shall be lawful for such Trustee, in every Case in which he shall expressly or by Implication of Law have a Power of Sale, with such Consents only (if any) as may be requisite to such Sale, to concur with the said Ecclesiastical Commissioners, and also to and for the said Ecclesiastical Commissioners, under an Arrangement to be made in manner herein provided, to concur with such Trustee as aforesaid in making Partition of such Property so as to vest in the said Commissioners in Severalty in Fee, discharged from all Rights, Titles, and Trusts affecting the Estate or Interest of such Trustee, such Portion of the said Property as shall, under all the Circumstances of the Case, be a just and fair Equivalent for the Interest of the said Commissioners in the whole of such Estate, and in any Payments or Reservations payable to them thereout, and so as to vest in such Trustee in Severalty in Fee such remaining Portion of such Estate as shall in like Manner be a just and fair Equivalent for the Interest in the whole Estate of all other Parties besides the said Commissioners; and the Portions of such Estate to be vested in the said Commissioners and Trustee respectively in Severalty as aforesaid shall be ascertained by Arbitration as herein provided.

Substitution of Titles on Exchange or Partition.

XXXIII. Every Exchange or Partition which shall be made under the Provisions of the said Acts of the Fourteenth and Fifteenth and of the Seventeenth and Eighteenth Years of Her Majesty, of this Act, or any of them, shall be valid and effectual in the Law to all Intents and Purposes whatsoever, and shall be in nowise liable to be impeached by reason of any Infirmity of Estate or Defect of Title of any of the Parties to such Exchange or Partition; and the Land expressed to be conveyed to or vested in any Corporation or Person under such Exchange or Partition shall henceforth be subject only to the same Uses, Limitations, Charges, and Equities as previously affected the Land in lieu or in respect of which the same was conveyed or vested by way of Substitution, or as near thereto as, regard being had to the different Natures or Tenures of the Interests acquired under such Exchange or Partition, and the relative Rights and Equities of Parties, and the Circumstances of the Case, will admit or may require.

Providing for the Transfer of the Paddington Estate.

XXXIV. When the Reversion in Fee in the Lands and Hereditaments at *Paddington* in the County of *Middlesex*, Part of the Possessions of the See of *London* (commonly called the *Paddington* Estate) now vested in the Bishop of *London*, subject to the Provisions of a Private Act of Parliament passed in the Sixth Year of His Majesty King *George* the Fourth, Chapter Forty-five, and the several Acts therein recited, shall be vested in the said Ecclesiastical Commissioners, either under the Provisions of this Act or of any of the Acts relating to the said Ecclesiastical Commissioners, the same shall become vested in them subject to the several Powers and Obligations created by the said Private Act and the Acts therein recited, which Powers and Obligations shall be exerciseable by and binding upon the said Commissioners while the said Reversion shall remain vested in them, in the same Manner as if the said Commissioners were named in the said Acts instead of the said Bishop, and as if the Common Seal of the said Commissioners had been thereby required or referred to instead of the Hand or Signature of the said Bishop; and the said Reversion shall continue to be so vested in the said Commissioners until a special Scheme, to be prepared by the said Commissioners, for the Purpose of transferring, disposing of, or managing the same, shall be approved of by Her Majesty in Council, Notice of which Scheme shall be inserted and published in the *London Gazette* One Calendar Month at least previously to the same being so approved; and in such Scheme there shall be inserted such Provisions as shall be deemed proper for the Preservation and future Exercise and Fulfilment of the said Powers and Obligations, with such Alterations or Modifications (if any) as, having regard to the Change of Circumstances, may be deemed necessary; and such Scheme, when so approved, shall have the Force of an Act of Parliament.

Power to Trustees and Persons having Interests to charge Enfranchisement Monies on the Lands enfranchised, &c.

XXXV. 'And whereas in some Cases Leases or Grants made by Ecclesiastical Corporations are in 'Settlement, or held in trust, without Power to raise Money for Renewals, or the Manner prescribed for 'raising Money for Renewals may not be applicable for raising the Money required for Purchase or 'Enfranchisement:' It shall be lawful for any Person or Persons being a Trustee or Trustees, expressly or by Implication of Law, of any such Lease or Grant, or any Person being under any Will or other Settlement in the actual Possession or Receipt of the Rents and Profits of the Lands comprised in such Lease or Grant, upon purchasing the Reversion or otherwise procuring the Enfranchisement of such Lands, to charge such Lands (or where the whole thereof is settled to the same Uses, Trusts, or Purposes, any Part thereof, exclusively of the Residue thereof,) with the Payment to any Person advancing any Money paid for such Purchase or Enfranchisement, and for the Expenses incident to such Purchase or Enfranchisement, or for either of those Purposes, of the Money so advanced, with Interest thereon at a Rate not exceeding Five Pounds *per Centum per Annum*, and to convey or cause to be conveyed such Lands by way of Mortgage for securing such Payment accordingly; and such Charge shall be effectual, as well on the subsisting Term or Estate under such Lease or Grant as on the Reversion or Interest acquired by such Purchase or Enfranchisement, and not only against the Person making the same, and all

all Persons claiming through him or for whom he may be a Trustee, but also against all Persons claiming any Estate or Interest in the same Lands through or under the same Will or Settlement, but so as not to prejudice any prior Charge or Incumbrance, Under-lease, or Tenancy affecting such Lands; and, subject and without Prejudice to such Charge and Mortgage so made as aforesaid, the Interest acquired by such Purchase or Enfranchisement shall be subject in Equity as is provided by Section Three of the said Act of the Fourteenth and Fifteenth Years of Her Majesty, concerning the Interest in Land acquired by any Lessee under that Act.

Wherever Estate under such Lease or Grant is vested in Trustees, and Monies are vested in same Trustees, they may raise out of such Monies sufficient for Renewal of Lease, &c.

XXXVI. Wherever the Estate and Interest under any such Lease or Grant may be vested in any Trustee or Trustees, either expressly or by Implication of Law, and any Monies, Stocks, Funds, or Securities for Money are vested in the same Trustees or Trustee, upon the same or like Trusts, it shall be lawful for such Trustees or Trustee, with the Consent of the Person or Persons entitled for the Time being to the beneficial Receipt of the Dividends or annual Proceeds of such Monies, Stocks, Funds, or Securities, if such Person or Persons shall be capable of giving Consent, or if there shall be no Person capable of giving Consent, or if such Consent shall be withheld, and the Trustee or Trustees shall consider such a Course essential to the Interest of the Parties entitled under the Settlement, then with the Sanction and Approbation of the Court of Chancery, to be obtained on Petition to the said Court, to raise out of such Monies, or by Sale of such Stocks, Funds, or Securities, a sufficient Sum for the Purpose of purchasing the Reversion of, or otherwise enfranchising, the Property comprised in such Lease or Grant, and of procuring, if necessary for the Purpose of Enfranchisement, the Renewal of such Lease or Grant, and to pay and apply the same accordingly, and all Payments and Applications of Monies, or of the Proceeds of the Sale of such Stocks, Funds, or Securities so made as aforesaid, shall be valid and binding on all Persons interested under the Trust, Will, or Settlement under or by which such Monies, Stocks, Funds, or Securities for Money may be held in trust or settled as aforesaid.

Lands in the Lease or other Lands settled to like Uses may be sold or mortgaged to raise Money for Purchase of Reversion, under Direction of the Court of Chancery.

XXXVII. Where any such Lease or Grant may be vested in any Person or Persons as a Trustee or Trustees, whether expressly or by Implication of Law, and other Lands, whether Freehold, Copyhold, or Leasehold, are vested in the same Trustees or Trustee upon the same or like Trusts, or are settled to the same Uses or Purposes, or as near thereto as the different Tenures of the Lands admit, or where any Person is under any Will or Settlement in the actual Possession or Receipt of the Rents and Profits of the Lands comprised in such Lease or Grant and of other Lands settled to like Trusts or Uses as aforesaid, it shall be lawful for such Trustees or Trustee, or such Person as aforesaid, with the Sanction and Approbation of the Court of Chancery, to be obtained on Petition to the said Court, to raise Money, either by Sale or Mortgage of all or any Part of the Property comprised in the Lease or Grant, and the other Lands, whether Freehold, Copyhold, or Leasehold, vested in such Trustee or Trustees, or settled as aforesaid, as the said Court shall direct, for the Purpose of purchasing the Reversion of or otherwise enfranchising the Property comprised in such Lease or Grant, in such Manner, and subject to such Provisions for protecting or adjusting the Equities arising under such Purchase or Enfranchisement and such Mortgage or Sale as aforesaid, as the Court shall think fit; and all Sales and Mortgages effected for the Purposes aforesaid shall be valid and binding on all Persons interested under the Trust, Will, or Settlement under which such Lands may be held in trust or settled as aforesaid.

Trustees empowered to sell Estates held under Lease.

XXXVIII. In any Case in which the Estate and Interest under any Lease or Grant made by any Ecclesiastical Corporation may be vested in any Trustee or Trustees, and such Trustee or Trustees shall not have Power to sell, it shall be lawful for such Trustee or Trustees, with the Consent in Writing of the Person or Persons entitled for the Time being to the beneficial Receipt of the Rent or annual Proceeds thereof, if such Person or Persons shall be capable of giving Consent, or if there shall be no Person capable of giving Consent, or if such Consent shall be withheld and the Trustee or Trustees shall consider a Sale essential to the Interests of Parties entitled under the Settlement, then, with the Sanction and Approbation of the Court of Chancery, to be obtained on Petition to the said Court, to sell and dispose of all or any Part of such Property; and in every such Case the Purchase Money shall be paid to such Trustee or Trustees, whose Receipt shall be a good Discharge for the same; and the Money so paid to such Trustee or Trustees shall be invested and be held by him or them upon the same Trusts, as far as the Circumstances of the Case will admit, as the Leasehold Property, if not sold, would have been subject to; and such Investment may, with the Sanction and Approbation of the Court of Chancery, be made in the Purchase of other Leasehold Estates, whether held under any Ecclesiastical Corporation or not.

Persons empowered to raise Money for Enfranchisement may give Lands in Exchange for Reversion.

XXXIX. Any Person authorized under this Act or otherwise to raise any Money for the Purchase of the Reversion of any Lease or Grant may exchange with the Corporation by which such Lease or Grant was made, or with the Ecclesiastical Commissioners, any Part of the Lands comprised in such Lease or Grant, for the Reversion, Estate, or Interest of such Corporation or the Ecclesiastical Commissioners in any other Part of the Lands comprised therein, or may exchange such Lands or any Part thereof for the Reversion, Estate, or Interest of the Corporation by which any Lease or Grant was made in any Lands comprised in any other Lease or Grant held under the same Trusts, or settled to the same Uses, Trusts, or Purposes.

Compensation to Officers of

XL. 'And whereas certain Officers of Ecclesiastical Corporations will be injured by the Restriction 'herein-before contained on the Power of granting Leases, whereby such Officers will be deprived of the

'Profits

Ecclesiastical Corporations.

'Profits arising from the Preparation of such Leases and other Instruments connected therewith:' It shall be lawful for the said Ecclesiastical Commissioners, and they are hereby required, to award and pay to such Officers such Sum of Money or Annuity as may be deemed by the said Commissioners a sufficient Compensation for the Loss such Officers will from Time to Time sustain by reason of the Restriction aforesaid; provided nevertheless, that such Officers have personally discharged their own Duties.

Provision as to Arbitration.

XLI. Where by this Act it is provided that any Matter in difference shall be referred to Arbitration, or where any Difference shall arise between the Commissioners and any Body or Person touching the annual or other Sums of Money to be paid to any Archbishop or Bishop as herein directed, or touching the Value or Nature of the Estates proposed to be assigned as Endowment for any Archbishop or Bishop, the Matter in difference shall be referred to Two Arbitrators, One to be appointed by each Party, and all the Provisions of "The Common Law Procedure Act, 1854," applicable in the Case of such an Arbitration, shall apply accordingly; and for the Purpose of the Application of the said Act this Act shall be deemed the "Document" authorizing the Reference to Arbitration; and where any Matter is so referred, the Award of the Arbitrators or Umpire shall be final.

Extension of Patronage Exchange Powers.

XLII. It shall be lawful for any Person within the Meaning of the Term Person, as the same is interpreted by the Act Sixteenth and Seventeenth *Victoria*, Chapter Fifty, to exchange under the Provisions of the same Act any Advowson or Ecclesiastical Patronage belonging to such Person for any Advowson or Ecclesiastical Patronage belonging to any Ecclesiastical Corporation aggregate or sole, or any other Person.

Treasurer's Receipts to be full Discharges.

XLIII. Every Receipt or Acknowledgment of Payment already given or to be given by the Treasurers for the Time being of the said Ecclesiastical Commissioners shall fully discharge the Person or Corporation to whom the same shall be given from all Responsibility in respect of the Amount in such Receipt or Acknowledgment expressed to have been received or paid, and from all Liability in respect of the Application or Misapplication thereof.

Not to affect Christ Church, Oxford, or Collegiate Church at Manchester.

XLIV. Nothing in this Act contained, except Sections Eighteen, Nineteen, and Forty-two, shall in any Manner affect or apply to the Cathedral Church of *Christ* in *Oxford*, nor shall anything in this Act contained affect or apply to the Cathedral or Collegiate Church of *Manchester*, or to the Parish of *Manchester* Division Act, 1850.

CAP. CXXV.

An Act for better regulating the Supply of Gas to the Metropolis. [28th *August* 1860.]

'WHEREAS the following Gas Companies, (that is to say,) "The Gaslight and Coke Company," 'The *City of London* Gaslight and Coke Company," "The *Commercial* Gaslight and Coke 'Company," "The *Equitable* Gaslight Company," "The *Great Central* Gas Consumers Company," '"The *Independent* Gaslight and Coke Company," "The *London* Gaslight Company," "The *Phœnix* 'Gaslight and Coke Company," "The *Ratcliff* Gaslight and Coke Company," "The *Surrey* Consumers 'Gas Company," "The *South Metropolitan* Gaslight and Coke Company," "The *Western* Gaslight 'Company (Limited)," "The *Imperial* Gaslight and Coke Company," or some of them, are respectively 'incorporated under the Authority of Parliament, for the Purpose of supplying several Districts of the 'Metropolis with Gas; and the said Companies, instead of supplying Gas by several Mains in the same 'District, have agreed, as far as possible, each One to confine its Supply to a separate District, in order 'to economise Capital and avoid the too frequent opening of the public Streets, and, subject to the 'Provisions and Restrictions of this Act, it is expedient that such districting should receive the Sanction 'of Parliament: And whereas the Regulations to which those Companies are subject are not uniform: 'And whereas it is expedient that Provision be made for the due Regulation of all Companies and 'Persons supplying Gas within the Metropolis:' May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; (that is to say,)

Short Title.

I. This Act may for all Purposes be cited as "Metropolis Gas Act, 1860."

10 & 11 Vict. c. 15. incorporated with this Act.

II. "The Gasworks Clauses Act, 1847," (except so far as the Provisions thereof are inconsistent with this Act,) is incorporated with and forms Part of this Act, and shall apply to the several Companies before named or referred to as fully as if the Gasworks of the several Companies were authorized by this Act; and the Expression "Undertakers" in the recited Act shall be held to apply to every Gas Company affected by this Act; but it shall not be lawful for any Gas Company, by the Application of any of their Profits or Funds, to make up to the prescribed Rate, or the Rate of Ten Pounds *per Centum per Annum* where no such Rate shall be prescribed, any Dividend which shall have been payable more than Six Years previously; provided that the Powers vested in the Justices by the said Act shall be exercised by a Magistrate.

Companies and Persons to whom Act applies.

III. This Act applies to the several Gas Companies, and to all Persons already or hereafter supplying Gas within the Metropolis, except as herein-after excepted.

IV. In

Interpretation of Terms.

IV. In the Construction of this Act the following Words and Expressions have the following Meanings, unless excluded by the Subject or Context; (that is to say,)

The Expression "Gas Company" or "Gas Companies" means and includes any and every Company, and any Person or Persons, supplying Gas within the Limits of this Act:

The Expression "Local Authority" includes the Metropolitan Board of Works, Vestries, and District Boards appointed under an Act of the Session of the Eighteenth and Nineteenth Years of the Reign of Her present Majesty, Chapter One hundred and twenty, for the Local Management of the Metropolis:

The Word "Inspector" or "Inspectors" shall mean any Metropolitan Gas Inspector or Inspectors to be appointed under this Act:

The Word "Consumer" means a Person receiving or entitled, in accordance with this Act, to receive a Supply of Gas from any Gas Company:

The Word "the Metropolis" has the same Meaning as in the said Act of the Eighteenth and Nineteenth Years of Her present Majesty, Chapter One hundred and twenty:

The Word "District" means, with respect to every Gas Company supplying Gas wholly or in part within the Metropolis, the District, so far as it is within the Metropolis, within which the Gas Company are from Time to Time authorized to supply Gas, and means, with respect to any Person or Persons not being a Gas Company, but supplying Gas wholly or in part within the Metropolis, the District within the Metropolis within which he or they shall from Time to Time as a Trade or Business supply Gas:

The Word "Street" includes Square, Court, Alley, Highway, Lane, Road, Thoroughfare, and public Passage or Place:

The Word "Premises" includes public and private Messuages and other Buildings, Lands, and Tenements whatsoever:

The Word "the Gasworks" means the Works of the respective Gas Companies, and the Works connected therewith:

The Word "Rate" includes all Rents and other Payments for a Supply of Gas:

The Word "Meter Rent" includes all Rents and other Payments for the Use of Gas Meters:

The Word "Magistrate" means any Police or Stipendiary Magistrate acting in and for the District of the Metropolis in which the Matter referred to him arises, and in the City of *London* and the Liberties thereof shall mean any Justice of the Peace for the City of *London* and the Liberties thereof:

The Words "Common Gas" shall mean Gas of an illuminating Power herein-after defined of not less than Twelve Candles:

The Words "Cannel Gas" shall mean Gas of an illuminating Power herein-after defined of not less than Twenty Candles.

Limits of Act.

V. The Limits of this Act shall be the Metropolis: Provided always, that this Act and the several Clauses and Provisions thereof shall not extend or apply or be construed to extend or apply to the several Gas Companies set forth and enumerated in the Schedule annexed to this Act; provided also, that the Districts severally specified and described in the Acts and Instrument of Incorporation respectively mentioned in the said Schedule, or within which the said Companies or any of them are now supplying Gas, (notwithstanding the said Districts, or any Portions thereof, are or may be within the Limits of the Metropolis as defined by this Act,) shall not be included or deemed to be included in the Expression "the Metropolis," or any Extension thereof which may hereafter be made, under the Provisions of the herein-before mentioned Act of the Eighteenth and Nineteenth *Victoria*, Chapter One hundred and twenty; provided also, that if the said Companies or any of them shall supply Gas in Parts of the Metropolis other than those within their respective Districts as defined in the said Schedule, then the Provisions of this Act shall he held to apply to such Companies respectively so far only as regards such extended Limits as may be within the Metropolis.

Sanctioning Assignment of Districts to Gas Companies to be subject to triennial Revision.

VI. The Limits of each of the said Companies shall be the respective Districts supplied with Gas by such Companies as the same are defined upon Four duplicate Maps, signed by the Right Honourable *Thomas Henry Sutton Sotheron Estcourt*, and which Maps have been severally deposited with the respective Clerks of the Peace for the Counties of *Middlesex*, *London*, *Surrey*, and *Kent*; provided that at the Expiration of Three Years next after the passing of this Act, and of every Three Years thereafter, Her Majesty's Principal Secretary of State for the Home Department for the Time being may, either upon the Application and with the Consent of any Two or more of the said Gas Companies whose Districts adjoin one another, make any Alteration in the Boundaries of such Districts, or upon the Application of any Local Authority, or upon the Requisition of not less than Twenty Gas Consumers within any District or Districts proposed to be affected, and upon Proof to his Satisfaction being given that any of the said Gas Companies are not in a Condition adequately to supply with Gas their respective Districts, or have substantially failed to fulfil the Obligations imposed by this Act, may make such Alterations in the Boundaries of such Districts, or admit any new Company respectively, as he thinks proper; and all such Alterations shall be certified on One or more Maps to be signed by the said Secretary of State, and deposited with One or more of the said Clerks of the Peace; and such last-

last-mentioned Map or Maps shall be binding on all Parties, and the Provisions of this Act shall be held to apply to the several Districts when so altered, and to the several Companies affected thereby, as fully and effectually as if no Alteration in such Districts had been made, and no other Company or Person than the Company to whom such Limits are for the Time being assigned or shall hereafter be assigned shall supply Gas for Sale within the said Limits, unless authorized by Parliament so to do; provided that before proceeding to consider the Necessity for altering any of the said Districts the said Secretary of State shall cause at least One Month's Notice to be given of such Application to all Parties interested therein or affected thereby, and such Notice shall state the Day and Hour when and the Place where such Application will be considered; and Notices to be given to any Gas Company shall be left with the Secretary or some other principal Officer of the Company, and Notices to be given to any Local Authority shall be left with the Clerk or some other principal Officer of the said Local Authority.

On Complaint as to Quantity and Quality, Secretary of State may appoint Inspector to inquire and report.

VII. If at any Time Complaints as to the Quantity or Quality of the Gas supplied by any Company be made to the said Secretary of State by Memorial in Writing from the Metropolitan Board of Works, or any Vestry or District Board of Works, signed by their Clerks respectively, or not less than Twenty Inhabitant Householders paying Rates for and supplied with Gas by any such Company, it shall be lawful for the said Secretary, at any Time within One Month after the Receipt of such Complaint, to appoint a competent Person as Inspector, to inquire into and concerning the Grounds of such Complaint, and to report to the said Secretary thereon.

Power of Inspector so appointed.

VIII. The Inspector so appointed as aforesaid shall give Notice of his Appointment in Writing to the Company, and at any Time after Twenty-four Hours from the Time of his giving such Notice as aforesaid he shall have Power to inspect and examine the Gasworks of the Company, and to inquire into and concerning the Grounds of such Complaint, and the Company and their Officers shall afford all reasonable Facilities for such Inspection, Examination, and Inquiry.

Obstructing Inspector.

IX. Any Person obstructing such Inspector in the due Prosecution of such Inspection, Examination, or Inquiry shall forfeit and pay any Sum not exceeding Ten Pounds.

Notice if Complaint just.

X. If after the Receipt of such Report it shall appear to the said Secretary that the said Complaint is well founded, the said Secretary shall give Notice thereof in Writing to the Company.

Company to remove Ground of Complaint.

XI. After the Receipt of such Notice the Company shall and they are hereby required, within a reasonable Time, to remove the Grounds of such Complaint.

Gas Companies to obey Orders.

XII. Every Gas Company shall in all Things obey the Orders of the said Secretary made in pursuance of this Act, and in default of their so doing they shall be liable to a Penalty not exceeding Fifty Pounds for each Offence.

Cost of altering District.

XIII. All the Costs, Charges, and Expenses of and incident to any Inquiry and Decision of the said Secretary of State under this Act shall from Time to Time be borne and paid by such Parties as the said Secretary of State shall direct, and such Decision may, upon an *ex parte* Application, be made a Rule of any of Her Majesty's Superior Courts of Law at *Westminster*.

Gas Companies to provide Pipes, and supply Gas and Meters at prescribed Rents.

XIV. Every Gas Company from Time to Time supplying Gas within any District shall, as to any Premises or Street within such District not already supplied with Gas, and which shall lie within Fifty Yards of any existing Mains, at their own Expense, on being required by the Owner or Occupier of any Premises within the District or in part within the District, who shall contract for not less than Two Years to pay Gas Rates in respect of such Supply to an Amount equal to Twenty *per Cent.* upon the Outlay, provide and lay all proper and sufficient Communication, Service, and other Pipes up to the Premises of such Owner or Occupier, to communicate with the Gas Company's Mains, and shall, if so required by the Owner, Occupier, or Local Authority, furnish him or them, at the Rate prescribed by this Act, with a Supply of Gas for the Purpose of being used in or on the Premises, or for lighting the Street, and if so required by the Owner or Occupier, furnish him with One or more Meters, for ascertaining the Quantity of Gas consumed; provided that the Gas Company shall not be bound to supply more than One Meter for each Consumer occupying a separate Dwelling or Apartment, nor any Meter exceeding a Five-Light Meter; provided also, that the Meter Rent which the said Company shall be entitled to claim for such Meter shall not exceed Ten *per Cent.* on the net Cost of such Meter; provided that it shall not be lawful for any Company not charging a Meter Rent on the First Day of *January* One thousand eight hundred and sixty to charge such Rent within their District until after the First Day of *January* One thousand eight hundred and sixty-two.

Security to be given to Gas Company, if required.

XV. Provided, That the Owner or Occupier, if so required in Writing by the Gas Company or any of their Officers, shall, before he is entitled to have the Pipes provided and laid, or to have a Supply of Gas or of Meters furnished, give to the Gas Company such Security for the Payment of the Rate for the Gas to be supplied to him, and of the Meter Rent for every Meter to be supplied to him, as he and the Gas Company agree on.

Differences as to Security to be determined by a Magistrate.

XVI. Provided, That if the Owner or Occupier and the Gas Company cannot agree thereon, the Security to be given shall be determined by a Magistrate; and any single Magistrate shall, on the Application of the Owner or Occupier and the Gas Company, or either of them, determine the Nature and Amount of the Security to be given; and the Security may, as the Magistrate thinks fit, be the Deposit with the Gas Company, or with any Person approved by the Magistrate, or the Prepayment to the Gas Company, of a Sum of Money or any other Security which the Magistrate thinks sufficient

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and reasonable; and the Determination of the Magistrate shall be binding on all Parties, and final: Provided that if the Security be the Deposit with the Gas Company of a Sum of Money, the Gas Company shall pay Interest thereon to the Consumer at such Rate as the Magistrate shall determine.

Penalty on Gas Company failing to provide Pipes or Supply of Gas or Meters.

XVII. If the Gas Company, not being entitled to require or not having required any Security, wilfully fail for Seven Days after being thereunto required in Writing by the Consumer, or where the Security agreed on or determined by the Magistrate is given, shall wilfully fail for Fourteen Days thereafter to provide and lay all proper and sufficient Communication, Service, and other Pipes, or to furnish a Supply of Gas, or to furnish any Meter, pursuant to the Provisions of this Act, then and in every such Case the Gas Company shall, on a summary Conviction before a Magistrate, forfeit and pay to the Consumer not exceeding Forty Shillings for every Day after the Expiration of Seven or Fourteen Days respectively during which the Failure continues.

Gas to be consumed by Meter, &c.

XVIII. Provided, That every private Consumer shall, if so required in Writing by the Gas Company, consume the Gas by Meter, but any Consumer may, if he thinks fit, provide his own Meter.

Gas Companies may contract for Supply.

XIX. Subject to the Provisions of this Act, every Gas Company, from Time to Time, may enter into any Contract with any Owner, Occupier, or Local Authority for all or any of the following Purposes; that is to say, for supplying him or them with Gas, and with Pipes, Burners, Meters, Lamps, Lamp Posts, and other Apparatus, and for the Repair and cleansing and for the lighting and extinguishing thereof, in such Manner and on such Terms and Conditions as the Parties agree.

Contracts valid though not under Seal.

XX. Provided, That, notwithstanding its being required by any Act of Parliament or otherwise that the Gas Company's Contracts shall be under Seal, every Contract of the Gas Company entered into in accordance with this Act shall without Seal be binding on them, if the Contract be signed by at least Two of their Directors, or by their Secretary or other Officer, by the Authority of at least Two of their Directors.

Restrictions on Contracts with Gas Companies.

XXI. Provided, That no Contract for any of those Purposes shall contain any Term or Condition contrary to any of the Provisions of this Act, or for giving in case of Difference the sole Arbitrament thereon to the Gas Company or any Officer or Person who is or has been employed by them, or who may have a pecuniary Interest in such Company, or for requiring any Notice by a Consumer discontinuing his Supply of Gas or Meter which shall make him liable to pay more than One Month's Rate or Meter Rent after the Time of the Service of the Notice, or which shall entitle the Gas Company, except for Breach of any of the Provisions of this Act, to discontinue any Supply of Gas by less than One Month's Notice in Writing to the Consumer, unless the Rate due for Gas shall be in arrear, in which Case Three Days Notice in Writing to the Consumer shall be sufficient.

Gas Companies to light Streets when required by Local Authority.

XXII. The Gas Company shall well and effectually light all public Lamps in all Streets which they are required by the Local Authority to light, and shall, according to the Terms of their Contract, supply to the Local Authority so much Gas as they require for their public Lamps; provided that the Gas Company shall not be compelled to light any Street with Lamps at a greater Distance from each other than Seventy-five Yards.

Local Authorities may provide Lamps, &c.

XXIII. The Local Authority may provide and keep in repair their own public Lamp Posts and Lamps, and Apparatus connected therewith, and in case of their electing to burn by Meter, light and extinguish the Lamps, and defray the Expenses thereof.

Service Pipes to be fully charged with Gas.

XXIV. Every Gas Company shall, unless prevented by necessary Repairs or unavoidable Accident, at all Times keep all their Branch or Service Pipes fully charged with Gas, and the Stopcocks so turned as not to prevent the Branch or Service Pipes from being at all Times filled with Gas.

Illuminating Power and Purity of Gas.

XXV. The Quality of the Common Gas supplied by any Gas Company shall be, with respect to its illuminating Power at a Distance as near as may be of One thousand Yards from the Works, such as to produce from an Argand Burner having Fifteen Holes and a Seven-inch Chimney, consuming Five Cubic Feet of Gas an Hour, a Light equal in Intensity to the Light produced by not less than Twelve Sperm Candles of Six to the Pound each burning One hundred and twenty Grains an Hour, and the Quality of Cannel Gas supplied by any Gas Company shall with respect to its illuminating Power at the Distance aforesaid be such as to produce from a Batswing or Fishtail Burner consuming Five Feet of Gas *per* Hour a Light equal in Intensity to Twenty such Sperm Candles, and each such Gas shall with respect to its Purity be so far free from Ammonia and Sulphuretted Hydrogen that it shall not discolour either Turmeric Paper or Paper imbued with Acetate or Carbonate of Lead, when those Tests are exposed to a Current of Gas issuing for One Minute under a Pressure of Five Tenths of an Inch of Water, and shall not contain more than Twenty Grains of Sulphur in any Form in One hundred Cubic Feet of Gas: Provided that any Gas Company, and the Local Authorities of the District supplied by such Company, shall be at liberty to agree upon any other or different Test by which to ascertain the Purity of the Gas, or to vary the Amounts of Ammonia or Sulphur in any Form herein-before allowed, and thereupon the Company shall be thenceforth liable to have the Purity of their Gas tested in the Manner so prescribed.

Penalty for deficient illuminating Power or Impurity.

XXVI. If the Gas supplied by the Gas Company be at any Time of less illuminating Power or of less Purity than according to this Act it ought to be, the Gas Company shall for every such Offence, on a summary Conviction before a Police Magistrate, forfeit a Sum not exceeding Fifty Pounds, and also, in addition to that Penalty, and whether that Penalty be recovered or not, a further Sum of Ten Pounds for

for every Day after Notice in Writing from the Local Authority during which the Offence continues: Provided that such Police Magistrate shall not convict under this Section, if it shall be proved to his Satisfaction that such Defect of Gas was occasioned by any unavoidable Cause or Accident.

Appointment by Local Authority of Examiner of Gas.

XXVII. Every Local Authority taking any Supply of Gas according to this Act shall provide all proper and sufficient Apparatus, Machinery, and Instruments for testing the illuminating Power and Purity of the Gas, and from Time to Time shall appoint, and out of any Funds applicable by them for their local Purposes may pay, a Chemical Examiner or Gas Engineer, or other competent Person, to be an Examiner for the Purposes of this Act; and every Gas Company shall, within Six Months after the passing of this Act, cause to be erected in some convenient Place, as near as may be to One thousand Yards from their Works (such Place, in case of Dispute between the Company and the Local Authority, to be fixed by a Police Magistrate upon the Application of either Party, after hearing the Parties thereon), an Experimental Meter, furnished with a suitable Burner, capable of consuming Five Cubic Feet of Gas *per* Hour, with other necessary Apparatus for testing the illuminating Power of the Gas.

Examination of Gas, and Report thereon.

XXVIII. The Examiner shall, on giving Three Hours Notice to the Secretary or Engineer of the Company, have Access at all Times to such Experimental Meter, and when and so often as is necessary or as he is so directed by the Local Authority appointing him shall examine the illuminating Power, and the Purity of the Gas supplied, and shall present to the Local Authority, so often as they require, a Report stating the Number of Examinations on which the Report is founded, and the maximum, minimum, and average illuminating Power and Purity, or the illuminating Power and Purity from Day to Day or at longer Intervals of the Gas supplied during the whole Period to which the Report relates, with such other Information and Remarks thereon as may be deemed necessary.

Local Authorities may join in the Appointment.

XXIX. Provided, That Two or more Local Authorities, if they think fit, may join in providing the Apparatus, Machinery, and Instruments, and in appointing and paying the Examiner, and he shall make his Reports to every Local Authority so joining in appointing and paying him.

Complaint to a Magistrate as to Supply of Gas.

XXX. The Examiner, on Payment to him of a Fee of Ten Shillings and Sixpence by any Consumer, shall, at his Request, examine and report to him on the illuminating Power and the Purity of the Gas supplied as herein-before mentioned; and any Consumer may make Complaint to any Magistrate with respect to the illuminating Power or Purity of the Gas supplied to the Complainant, and the Magistrate may entertain and hear the Complaint, and proceed thereon according to the Provisions of this Act.

Hearing on Report.

XXXI. Any Magistrate may direct that Notice be given to the Complainant and the Gas Company to appear and be heard on the Complaint, at such Time as he appoints, and each Party shall thereupon appear and may be heard before a Magistrate, by themselves, their Counsel, Attorneys, or Agents.

Order on Hearing.

XXXII. Where on the Hearing, and whether or not the Gas Company have appeared, it appears to the Magistrate that the Complaint or any Part thereof is well founded, he shall make an Order declaring that the same is well founded, and ordering the Gas Company to pay any Penalty or Penalties thereby incurred, and to remove within a reasonable Time the Grounds of Complaint, and he may by the Order direct that any specific Acts shall be done by the Gas Company for removing the Grounds of Complaint, and may make any Order as to Costs; and all Orders so made shall be final and binding on all Parties.

Gas Company to obey Order.

XXXIII. Where the Gas Company are served with any Order so made they shall, within the Time limited by the Order, remove the Grounds of Complaint thereby declared to be well founded, and pay the Penalty or Penalties, and the Damages (if any) and Costs (if any) thereby ordered to be paid by them.

Gas Companies to afford Facilities for Examination under this Act.

XXXIV. The Gas Company, and their Officers, Agents, and Servants, and where there is any Complaint made, the Complainant, shall afford to the Examiner appointed by the Local Authority all reasonable Facilities for the respective Inspection, Examination, and Inquiry; and every Person obstructing any such Examiner so appointed in the Exercise of his Duties under this Act shall for every such Offence forfeit not exceeding Ten Pounds.

Limit of Charge for Gas and Meters.

XXXV. After the Thirty-first Day of *December* One thousand eight hundred and sixty no Gas Company shall, except under existing Contracts, demand or take for any Gas or Five-Light Meter supplied by them any Sum of Money exceeding the Rate or Meter Rent by this Act authorized.

Determination of existing Contracts.

XXXVI. All Contracts made or existing before the First of *January* One thousand eight hundred and sixty, between any of the Gas Companies included in this Act and any Local Authority, for or relating to the Supply of Gas, shall terminate on the First Day of *February* One thousand eight hundred and sixty-two, and thereafter the Provisions of this Act in all Particulars shall apply to such Company; provided that from the Time of the passing of this Act until the said First Day of *February* One thousand eight hundred and sixty-two the Provisions of this Act relating to Price, Purity, and illuminating Power of Gas, shall not apply to any such Company, unless such Company shall elect to adopt them.

Limit of Charge for Gas supplied to public Lamps.

XXXVII. The Gas Company shall not charge a higher Price by the One thousand Cubic Feet for Gas supplied to any Local Authority than the lowest Rate by the One thousand Cubic Feet from Time to Time charged by them to any private Consumers, otherwise than by special Contract in Writing, in the District supplied by the Gas Company.

Difference to be settled by Arbitration.

XXXVIII. If any Difference arise between the Local Authority and the Gas Company with respect to any Alteration in the Test, or to the Rate to be charged for Gas supplied or for lighting any public Lamp, the Difference shall be referred to and be determined by Arbitration in the Manner prescribed by

by the "Companies Clauses Consolidation Act, 1845," with respect to the Settlement of Disputes by Arbitration.

Incoming Tenant not to pay Arrears of outgoing Tenant unless by express Agreement.

XXXIX. In case any Consumer leave the Premises where Gas was supplied to him without paying to the Gas Company the Rate or Meter Rent due from him, the Gas Company shall not require from the next Tenant of the Premises Payment of the Arrears so left unpaid, unless the incoming Tenant agreed with the defaulting Consumer to pay the Arrears; but the Gas Company shall, notwithstanding any such Arrears, in the Absence of Collusion between the outgoing and incoming Tenant, supply Gas to the incoming Tenant, as required by this Act, on being required by him so to do.

Appeal by Consumers to Home Secretary on Rise of Price of Gas.

XL. No Company shall advance the Price of Gas above the Rate taken by such Company on the First Day of *January* One thousand eight hundred and sixty, whenever such Rate is at or above Four Shillings and Sixpence *per* One thousand Cubic Feet, unless there has been such Increase in the Cost of Gas, or any other Circumstances affecting the Company, as will warrant such Advance: Provided always, that before raising the Gas Rate in any District the Gas Company supplying such District shall give Notice of their Intention to the Local Authorities of the District and in some Newspaper circulating within the District for Two consecutive Weeks at least One Month before such Alteration in the Gas Rate shall be made; and in case any Local Authority shall, within such Month, dissent from such Alteration, it shall be determined by Arbitration in the Manner herein-before mentioned whether such Alteration shall be allowed: Provided always, that no Gas Company shall charge for Common Gas supplied by them any Sum exceeding Five Shillings and Sixpence for every One thousand Cubic Feet, or for Cannel Gas any Sum exceeding Seven Shillings and Sixpence for every One thousand Cubic Feet; provided also, that any Company shall be at liberty to change the Kind of Gas from Time to Time supplied by such Company, whether Common or Cannel Gas, on giving Three Months Notice of their Intention so to do; and upon the Expiration of such Notice the Company shall thenceforth supply Gas pursuant thereto under the Provisions of this Act until any like Notice shall be given for a further Change; and when the Company shall change the Supply from Cannel Gas to Common Gas, the Rate shall be reduced so as not to exceed Four Shillings and Sixpence *per* Thousand Cubic Feet, except under the Circumstances and in the Manner herein-before set forth.

Home Secretary may issue Form of Accounts to be filled up by Gas Companies.

XLI. The said Secretary of State may at any Time issue a Form of Accounts to be filled up by each of the said Gas Companies, and such Accounts shall state precisely the Amounts of the Capital of each Company, and the Acts of Parliament or other Authority under which the same is raised, and such other Information as the said Secretary may require, in order to enable him to ascertain the actual State and Condition of the Concerns of such Company; and every Gas Company shall, after receiving Notice in Writing signed by the said Secretary of the Form so required by him to be filled up, within Two Months after the General Meeting of the Company, fill up and forward to the said Secretary an annual Statement of Accounts in the Form so prescribed, and any Company which shall fail to furnish such Account shall be liable on Conviction before a Magistrate to forfeit any Sum not exceeding Fifty Pounds; and such Statement shall be laid by the Secretary of State before both Houses of Parliament every Year.

Gas Companies to cause Maps of their Districts to be made.

XLII. Every Gas Company shall within One Year after the passing of this Act cause a Map to be made of the District within which their Mains or District Mains then lie, on a Scale not less than Six Inches to a Mile, and shall cause to be marked thereon the Line of all their then existing Mains and District Mains, and shall once in every Year correct such Map and make such Additions thereto as will show the Line of all their then Mains and District Mains as aforesaid.

As to Deposit and Inspection of the Maps.

XLIII. Every Map, or a Copy thereof, so made by or for each Company, with the Date expressed thereon of the last Time when it was so corrected, shall be deposited, certified by their Secretary or Clerk by Writing under his Hand to be a true Copy thereof, with the respective Clerks of the Peace for the Counties in which such Mains lie, and who are hereby required to receive and keep in safe Custody the same; and such Maps so deposited shall at all reasonable Times be open to the Inspection of all Local Authorities and Consumers, and their respective Agents, and they respectively may take Copies of or Extracts from the same; and every Gas Company wilfully failing to comply with any of the Requirements of this Act with respect to Maps, and every Person having charge of such Maps who shall refuse to allow any Person to inspect and take Copies of or Extracts from such Maps, shall for every such Offence forfeit a Sum not exceeding Ten Pounds.

Charge for Inspection of Map.

XLIV. Every Clerk of the Peace with whom any Map shall be deposited under the Provisions of this Act may charge and take the Sum of One Shilling for every Inspection of such Map, and the further Sum of Two Shillings and Sixpence for every Extract from or Copy taken of such Map.

Secretary of State may direct Proceedings by the Attorney General against Gas Companies.

XLV. If and whenever it appears to the Secretary of State that any of the Provisions of this Act have been violated or not complied with on the Part of any Gas Company, or that the Gas Company are acting in a Manner unauthorized by Law, and if it appear to him that it would be for the Public Advantage that the Gas Company should be restrained from so acting, or compelled to do any Act for remedying the wrongful Act done by them, the Secretary of State may certify the same in Writing to Her Majesty's Attorney General, and thereupon he, if he be so advised, shall proceed by Information, Bill, or Action, or other such Proceeding at Law or in Equity, as the Case requires, to restrain the wrongful acting or to compel the doing of the Acts for remedying the wrongful Acts; provided always,

that the Secretary of State shall not give the Certificate at a Period exceeding One Year after the committing of the Offence specified in the Certificate.

Recovery and Application of Penalties.

XLVI. Every Penalty imposed by this Act, the Recovery and Application of which is not otherwise specially provided for by this Act, shall be recovered on summary Conviction before a Magistrate, and be enforced, accounted for, and paid to the Receiver of the Metropolitan Police District, and shall be apportioned in the same Manner as Penalties or Fines, other than Fines upon drunken Persons, or upon Constables for Misconduct, or for Assaults upon Police Constables, are by the Act of the Third Year of Her present Majesty, for regulating Police Courts in the Metropolis, directed to be recovered, enforced, accounted for, paid, and applied; and every Order or Conviction of any Magistrate in respect of any such Penalty shall be subject to the like Appeal, and upon the same Terms, as is by that Act provided in respect of any Order or Conviction of any Magistrate; and every Magistrate by whom any Order of Conviction is made under this Act shall have the same Power of binding over the Witnesses examined, and the Witnesses shall be entitled to the same Allowance of Expenses, as they would be entitled to in case the Order, Conviction, and Appeal were made under that Act.

Jurisdiction of Magistrates for Purposes of Act.

XLVII. Every Magistrate shall, for the Purposes of this Act, have full Jurisdiction and full Powers and Authorities over the Parties respectively, and with respect to making Orders on the Parties respectively, and otherwise, and as to Costs, and may issue every such Summons, Warrant, and other Process, and may take such other Proceedings as he thinks requisite; and the Service of any Summons, Notice, Order, or other Process in the Matter on such Person, or in such Manner as a Magistrate directs, shall be good Service thereof; and every Magistrate may proceed singly in the Execution of this Act in such Manner as he thinks proper.

For the Protection of Water Companies.

XLVIII. Nothing in this Act contained shall extend or be construed to extend to authorize or empower any Gas Company to interfere with or abridge any of the Rights or Privileges of any Company established for the Supply of Water to the Inhabitants of any Parish or Place within the Metropolis; and every Gas Company shall be answerable for any Damage, Spoil, Injury, or Mischief which shall be done to any of the Pipes, Works, or Property of any such Water Company, or which shall or may be sustained by such Water Company by reason or in consequence of any Act, Matter, or Thing to be done or executed by such Gas Company, or any of their Servants, Agents, or Workmen.

For laying Pipes to convey Gas.

XLIX. Whenever any Gas Company, or their Servants, Agents, or Workmen, shall dig or sink any Trench for laying any new Mains or Pipes, other than Service Pipes, for the Conveyance of Gas or other Apparatus near to which any Pipe belonging to any Water Company for conveying Water, or any Branch or Service Pipe for the Supply of Water to any Dwelling House or Buildings, shall be laid, such Gas Company, their Servants, Agents, or Workmen, shall give Four Hours previous Notice thereof in Writing to the Manager or Chief Clerk, or Secretary or Engineer, of such Water Company, such Notice to be delivered at the principal Office of the Company between the Hours of Ten in the Morning and Four in the Afternoon, and shall, under the Inspection of the Manager or Chief Clerk, Secretary or Engineer for the Time being of such Water Company, protect and secure every such Water Pipe from any Injury, and shall also repair any Damage that shall be done to such Pipe, and in default of repairing such Damage the Gas Company shall for each such Default forfeit and pay to the Secretary for the Time being of such Water Company, for the Use of the said Water Company, any Sum not exceeding Five Pounds, and also the Costs and Expenses which shall have been incurred by the said Water Company in protecting and securing any such Water Pipe, or in repairing or making good any Injury that may have been done thereto by the Means aforesaid, such Costs and Expenses to be ascertained by any Justice, and to be recovered in the same Manner as any Expenses or Penalty under this Act may be recovered.

Mode of laying Pipes.

L. All Pipes hereafter to be laid by any Gas Company for the Conveyance of Gas shall be laid at the greatest practicable Distance from the nearest Part of any Pipe then laid down by or by Order of any Water Company for the Conveyance of Water, and wherever the Width of the Carriageway or Footpath will allow thereof shall be laid at the Distance of Four Feet at least from the nearest Part of any such Water Pipe, unless in Cases where it shall be unavoidably necessary to lay the Gas Pipe across or nearer to any Water Pipe, in which Case the said Gas Pipe shall, wherever practicable, be laid over and above the said Water Pipe at the greatest practicable Distance therefrom, and shall form therewith a Right Angle, or as near thereto as the Situation will admit; and in every such Case the said Gas Pipe so crossing the said Water Pipe shall be at least Nine Feet in Length, so that no Joint of any Gas Pipe shall be nearer to any Water Pipe than Four Feet at the least, where the Width of the Road, Street, Square, Market Place, Lane, Alley, Passage, Court, or other Place will admit; and every such Gas Pipe so crossing the Water Pipe shall for the whole Length thereof be sufficiently bedded in with good sound Clay or other fit Materials of a proper Consistence, and well worked and rammed into the Trench all round the said Gas Pipe, and in laying down any such Gas Pipe the Gas Company shall use such Joints as are for the Time being of the most improved Description for preventing the Leakage of Gas, and shall in no Case join Two or more Gas Pipes together previous to their being laid in the Trench, but shall lay each Pipe as near as may be in its Place in the Trench, and shall in such Trench properly form the jointing with the other Pipes to be added thereto with proper and sufficient Materials, and shall also, wherever practicable, lay and well and sufficiently bed each Joint of the main Gas Pipes

and

and also the Joints or Screws of the Branch or Service Gas Pipes connecting with the Main Gas Pipes, and also the Joints of the Service or Branch Pipes for conveying the Gas from the Main Gas Pipes to the Houses and other Buildings, and all other Joints, Inlets, Apertures, or Openings which are or shall or may be made in any of the Main Gas Pipes belonging to the Gas Company, in such Manner and of such Material as shall, as far as reasonably practicable, prevent Leakage.

To prevent further Contamination of Water by Gas.

LI. Whenever the Water which shall be supplied by any Water Company shall be contaminated or affected in any way whatsoever by the Gas of any Gas Company, such Gas Company shall, within Twenty-four Hours next after Notice thereof in Writing, signed by any One of the Directors, or by the Secretary for the Time being of such Water Company, or by any Person using the Water of such Water Company, and left at the Office of such Gas Company, cause Measures to be taken effectually to prevent such Gas from contaminating or affecting the Water of such Water Company; and in case such Gas Company shall not within Forty-eight Hours next after any such Notice so left as aforesaid use all reasonable Means to effectually remove the Cause of such Complaint, and prevent all such Contamination whereof Notice shall be given as aforesaid, then and in every such Case such Gas Company shall on each Complaint whereof Notice shall be given as aforesaid forfeit and pay to the Secretary of such Water Company, for the Use of such Water Company, the Sum not exceeding Ten Pounds for each Day during which the Water supplied by such Water Company shall remain contaminated or affected by the Gas of such Gas Company; and every such Penalty or Forfeiture may be recovered for the Use of such Water Company in the same Manner as any other Penalty or Forfeiture imposed by this Act may be levied and recovered.

For ascertaining if the Water is contaminated.

LII. 'And whereas it may become a Question upon such Complaint as aforesaid whether or not the 'Water supplied by any Water Company within the Metropolis be contaminated or affected by the Gas 'of the Gas Company:' Be it enacted, That in every such Case it shall be lawful for any such Water Company to dig to and about and to search and examine the Mains, Pipes, Conduits, and Apparatus of the Gas Company adjacent to the Pipes of such Water Company for the Purpose of ascertaining whether or not such Contamination proceed or be occasioned by the Gas of such Gas Company, giving Twenty-four Hours previous Notice in Writing, signed by One of the Directors or by the Secretary for the Time being of such Water Company, and left at the Head Office of such Gas Company, of the Intention of such Water Company so to dig, search, and examine as aforesaid, and of the Time and Place or Places when and where such Digging, Search, and Examination is intended to be made; and if it shall appear that the said Water has been contaminated, and that there has been any Escape of Gas whereby such Contamination has been produced, then and in every such Case the Costs and Expenses of the said Digging, Search, and Examination, and of the Repair of the Street, Road, or Place which shall be taken up or disturbed, shall be borne and paid by such Gas Company, which Costs and Expenses shall be ascertained and determined if necessary by any Justice, and may be levied and recovered in the same Manner as any Penalty or Forfeiture imposed by this Act may be levied and recovered: Provided always, that if upon such Examination it shall appear that such Contamination has not arisen from any Escape of Gas from any of the Mains, Pipes, or Conduits of the Gas Company to which such Notice shall have been given, then and in every such Case the Water Company by whom or on whose Behalf such Examination and Search shall have been made shall bear and pay all the Costs, Charges, and Expenses of and incident to such Examination and Search, and shall also make good to such Gas Company any Damage which may be occasioned to their Mains, Pipes, Conduits, or Apparatus by such Search, and also any Injury or Damage which may be done in or about any of the Streets, Roads, or Places which shall be broken up or disturbed in such Search, the Amount of such Damage to be ascertained and determined if necessary by any Justice, and to be levied and recovered in the same Manner as any Penalty or Forfeiture under this Act may be levied and recovered.

Appropriation of Penalties in City of London.

LIII. All Penalties or Sums of Money ordered and adjudged within the City of *London* and the Liberties thereof to be paid under this Act, and not otherwise appropriated, shall be payable to the Chamberlain of the City of *London*, in aid of the Expenses of the Police of the said City.

Saving Rights of Metropolitan Board of Works, Vestries, and others.

LIV. Nothing in this Act contained shall avoid, prejudice, or impair any of the Powers now exercised by or vested in the Metropolitan Board of Works, or in the Commissioners of Sewers of the City of *London* and the Liberties thereof, or any Powers now vested in any Local Authority within the Metropolis, or any Powers now exercised or possessed in respect of the Manufacture or Supply of Gas within the Metropolis by any Railway Company, or by any other Person or Persons making or supplying Gas for his or their own Use, and not making or supplying Gas to the Public as a Trade or Business: Provided that if the said Local Authority shall refuse or delay their Consent to any Company to lay down Mains or Pipes in accordance with the Provisions of this Act, it shall be lawful for the said Secretary of State under his Hand to authorize the same to be laid down without such Consent; and after the Date of the Application by such Company to the said Secretary of State for such Consent no Penalty shall be incurred by any Default of such Company, so far as it is occasioned by such Refusal only.

Saving Jurisdiction of Courts of Law and Equity.

LV. Provided, That no special Remedy or Provision for giving Relief to any Person given by this Act shall prejudice or diminish the general Jurisdiction of any of Her Majesty's Superior Courts of Law

Law or Equity over or with respect to the Acts or Defaults in respect of which the special Remedies or Provisions are so given.

Expenses of Act.

LVI. The Costs, Charges, and Expenses of and incident to the passing of this Act, and preliminary thereto, shall be paid by the Metropolitan Board of Works, out of such Funds as may be and shall be levied by their Authority from the several Vestries and District Boards, in proportion to their annual rateable Value, and such Amount shall be included in the Precept of the Metropolitan Board under the Authority of the Act of the Eighteenth and Nineteenth Years of Her present Majesty, Chapter One hundred and twenty, for the Local Management of the Metropolis.

Expenditure of Local Authorities under this Act.

LVII. All the Expenditure from Time to Time made or incurred by any Local Authority under the Authority of this Act may and shall be defrayed by the Local Authority out of any Rate raised under the Provisions of the Act of the Session of the Eighteenth and Nineteenth Years of Her present Majesty, Chapter One hundred and twenty, for the Local Management of the Metropolis.

SCHEDULE to which Fifth Section of the Foregoing Act refers.

Name of Gas Company.	Special Act or Instrument of Incorporation.	District.
The Crystal Palace District Gas Company.	The Crystal Palace District Gas Company's Act, 1858.	The District defined by their said Special Act.
The Woolwich, Plumstead, and Charlton Consumers Gas Company.	The Woolwich, Plumstead, and Charlton Consumers Gas Act, 1855.	The District defined by their said Special Act.
The Woolwich Equitable Gaslight and Coke Company.	The Woolwich Equitable Gas Company's Act, 1855.	The District defined by their said Special Act.
The Wandsworth and Putney Gaslight and Coke Company.	The Wandsworth and Putney Gas Act, 1856.	The District defined by their said Special Act.
The Brentford Gas Company -	The Brentford Gas Act, 1858 -	The District now actually supplied by the Company.
The Victoria Docks Gas Company.	The Victoria Docks Gas Act, 1857.	The District defined by their said Special Act.
The Eltham Gaslight and Coke Company, Limited.	Articles of Association under the Joint Stock Company's Act, 1856.	The Parish of Eltham.
The West Ham Gas Company -	The West Ham Gas Company's Act, 1856.	The District defined by their said Special Act.
Mitcham, Merton, and Tooting Gas Company.	Articles of Association under 7 & 8 Victoria, Cap. 110.	The Parishes and Villages of and adjacent to Mitcham, Merton, and Tooting.

CAP. CXXVI.

An Act for the further Amendment of the Process, Practice, and Mode of Pleading in and enlarging the Jurisdiction of the Superior Courts of Common Law at *Westminster*.

[28th *August* 1860.]

'WHEREAS it is desirable further to improve the Process, Practice, and Mode of Pleading in, and, in some respects, to enlarge the Jurisdiction of the Superior Courts of Common Law:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Relief against Forfeiture.

Relief against Forfeiture for Nonpayment of Rent.

I. In the Case of any Ejectment for a Forfeiture brought for Nonpayment of Rent, the Court or a Judge shall have Power, upon Rule or Summons, to give Relief in a summary Manner, but subject to Appeal as herein-after mentioned, up to and within the like Time after Execution executed, and subject to the same Terms and Conditions in all respects, as to Payment of Rent, Costs, and otherwise, as in the Court of Chancery; and if the Lessee, his Executors, Administrators, or Assigns, shall upon such Proceeding be relieved, he and they shall hold the demised Lands according to the Lease thereof made, without any new Lease.

Relief against Forfeiture for non-insuring.

II. In the Case of any Ejectment for a Forfeiture for Breach of a Covenant or Condition to insure against Loss or Damage by Fire, the Court or a Judge shall have Power, upon Rule or Summons, to give

give Relief in a summary Manner, but subject to Appeal as herein-after mentioned, in all Cases in which such Relief may now be obtained in the Court of Chancery under the Provisions of an Act passed in the Session of Parliament held in the Twenty-second and Twenty-third Years of the present Reign, intituled *An Act to further amend the Law of Property, and to relieve Trustees*, and upon such Terms as would be imposed in such Court. 22 & 23 Vict. c. 35.

III. Where such Relief shall be granted, the Court or a Judge shall direct a Minute thereof to be made by Indorsement on the Lease or otherwise. Minute of Relief granted.

Appeal.

IV. Any Order made by a Judge upon an Application for Relief under the Provisions of this Act shall be subject to an Appeal to the Court, and may be discharged, varied, or set aside by the Court, upon such Terms as the Court shall think fit, on Application made thereto by any Party dissatisfied with such Order. Appeal to the Court from Order of Judge.

V. It shall be lawful for the Party against whom the Court makes any Rule or Order in respect of such Relief to appeal from such Rule or Order. Appeal from Court.

VI. The Courts of Error shall be Courts of Appeal for the Purposes of this Act. Courts of Appeal.

VII. No Appeal shall be allowed unless Notice thereof be given in Writing to the opposite Party or his Attorney, and to One of the Masters of the Court, within Four Days after the Decision complained of, or such further Time as may be allowed by the Court or a Judge. Notice of Appeal.

VIII. Notice of Appeal shall be a Stay of Execution, provided Bail to pay the Sum demanded and Costs be given, in like Manner and to the same Amount as Bail in Error, within Eight Days after the Decision complained of, or before Execution delivered to the Sheriff. Bail.

IX. The Appeal herein-before mentioned shall be upon a Case to be stated by the Parties (and in case of Difference to be settled by the Court, or a Judge of the Court appealed from), in which Case shall be set forth so much of the Pleadings, Facts, and the Order, Rule, or Judgment objected to as may be necessary to raise the Question for the Decision of the Court of Appeal. Form of Appeal.

X. The Court of Appeal shall give such Judgment or make such Rule as ought to have been given or made in the Court below, and shall have Power to remit the Cause, with such Directions as they shall think proper; and all such further Proceedings may be taken thereupon as if the Judgment or Rule had been given or made by the Court below. Judgment of Court of Appeal, and Power to remit Proceedings.

XI. The Court of Appeal shall have Power to adjudge Payment of Costs, and to order Restitution. Power of Court of Appeal as to Costs, &c.

Interpleader Proceedings.

XII. Where an Action has been commenced in respect of a Common Law Claim for the Recovery of Money or Goods, or where Goods or Chattels have been taken or are intended to be taken in Execution under Process issued from any One of the Superior Courts, or from the Court of Common Pleas at *Lancaster* or the Court of Pleas at *Durham*, and the Defendant in such Action, or the Sheriff or other Officer, has applied for Relief under the Provisions of an Act made and passed in the Session of Parliament held in the First and Second Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to enable Courts of Law to give Relief against adverse Claims made upon Persons having no Interest in the Subject of such Claims*, it shall be lawful for the Court or a Judge to whom such Application is made to exercise all the Powers and Authorities given to them by this Act and the herein-before mentioned Act passed in the Session of Parliament held in the First and Second Years of the Reign of His late Majesty King *William* the Fourth, though the Titles of the Claimants to the Money, Goods, or Chattels in question, or to the Proceeds or Value thereof, have not a common Origin, but are adverse to and independent of one another. Interpleader may be granted though Titles have not a common Origin. 1 & 2 W. 4. c. 58.

XIII. When Goods or Chattels have been seized in Execution by a Sheriff or other Officer under Process of the above-mentioned Courts, and some Third Person claims to be entitled under a Bill of Sale or otherwise to such Goods or Chattels, by way of Security for a Debt, the Court or a Judge may order a Sale of the whole or Part thereof, upon such Terms as to Payment of the whole or Part of the secured Debt, or otherwise, as they or he shall think fit, and may direct the Application of the Proceeds of such Sale in such Manner and upon such Terms as to such Court or Judge may seem just. Court or Judge may direct Sale of Goods seized in Execution.

XIV. Upon the Hearing of any Rule or Order calling upon Persons to appear and state the Nature and Particulars of their Claims, it shall be lawful for the Court or Judge, wherever, from the Smallness of the Amount in dispute or of the Value of the Goods seized, it shall appear to them or him desirable and right so to do, at the Request of either Party, to dispose of the Merits of the respective Claims of such Parties, and to determine the same in a summary Manner, upon such Terms as they or he shall think fit to impose, and to make such other Rules and Orders therein as to Costs and all other Matters as may be just. Power to Court or Judge to decide summarily in certain Cases.

XV. In all Cases of Interpleader Proceedings, where the Question is One of Law, and the Facts are not in dispute, the Judge shall be at liberty, at his Discretion, to decide the Question without directing an Action or Issue, and, if he shall think it desirable, to order that a Special Case be stated for the Opinion of the Court. Special Case may be stated where Facts undisputed.

XVI. The

Proceedings on Special Case in Court below and in Error.

XVI. The Proceedings upon such Case shall, as nearly as may be, be the same as upon a Special Case stated under "The Common Law Procedure Act, 1852;" and Error may be brought upon a Judgment upon such Case; and the Provisions of "The Common Law Procedure Act, 1854," as to bringing Error upon a Special Case, shall apply to the Proceedings in Error upon a Special Case under this Act.

Judgment and Decision when to be final.

XVII. The Judgment in any such Action or Issue as may be directed by the Court or Judge in any Interpleader Proceedings, and the Decision of the Court or Judge in a summary Manner, shall be final and conclusive against the Parties, and all Persons claiming by, from, or under them.

Rules, Orders, &c. made in Interpleader Proceedings may be entered of Record and made Evidence.

XVIII. All Rules, Orders, Matters, and Decisions to be made and done in Interpleader Proceedings under this Act (excepting only any Affidavits) may, together with the Declaration in the Cause, if any, be entered of Record, with a Note in the Margin expressing the true Date of such Entry, to the End that the same may be Evidence in future Times, if required, and to secure and enforce the Payment of Costs directed by any such Rule or Order; and every such Rule or Order so entered shall have the Force and Effect of a Judgment in the Superior Courts of Common Law.

Procedure and Practice.

Joinder as Plaintiffs of all Persons supposed to be legally entitled.

XIX. The Joinder of too many Plaintiffs shall not be fatal, but every Action may be brought in the Name of all the Persons in whom the legal Right may be supposed to exist; and Judgment may be given in favour of the Plaintiffs by whom the Action is brought, or of One or more of them, or, in case of any Question of Misjoinder being raised, then in favour of such One or more of them as shall be adjudged by the Court to be entitled to recover: Provided always, that the Defendant, though unsuccessful, shall be entitled to his Costs occasioned by joining any Person or Persons in whose Favour Judgment is not given, unless otherwise ordered by the Court or a Judge.

Defendant to have Benefit of Set-off, though Plaintiffs improperly joined.

XX. Upon the Trial of such Cause a Defendant who has therein pleaded a Set-off may obtain the Benefit of his Set-off by proving either that all the Parties named as Plaintiffs are indebted to him, notwithstanding that One or more of such Plaintiffs was or were improperly joined, or on proving that the Plaintiff or Plaintiffs who establish their Right to maintain the Cause is or are indebted to him.

No other Action for same Claim.

XXI. No other Action shall be brought against the Defendant by any Person so joined as Plaintiff in respect of the same Cause of Action.

19 & 20 Vict. c. 108. as to Replevin extended.

XXII. The Provisions of an Act passed in the Session of Parliament held in the Nineteenth and Twentieth Years of the Reign of Her present Majesty, Chapter One hundred and eight, which relate to Replevin, shall be deemed and taken to apply to all Cases of Replevin, in like Manner as to the Cases of Replevin of Goods distrained for Rent or Damage feasant.

Payment into Court in Replevin.

XXIII. The Plaintiff in Replevin may in answer to an Avowry pay Money into Court in satisfaction, in like Manner and subject to the same Proceedings as to Costs and otherwise as upon a Payment into Court by a Defendant in other Actions.

Effect of such Payment.

XXIV. Such Payment into Court in Replevin shall not, nor shall the Acceptance thereof by the Defendant in satisfaction, work a Forfeiture of the Replevin Bond.

Payment into Court in Action on Money Bonds, and for Detainer.

XXV. In any Action brought upon a Bond which has a Condition or Defeazance to make void the same upon Payment of a lesser Sum at a Day or Place certain, with a Penalty, and in any Action for detaining the Goods of the Plaintiff, it shall be lawful for the Defendant, by Leave of the Court or a Judge, and upon such Terms as they or he shall think fit, to pay into Court a Sum of Money to answer the Claim of the Plaintiff in respect of such Bond in the former Case, and in the latter Case to the Value of the Goods alleged to be detained; and such Payment into Court shall be made and pleaded in like Manner, and according to the Provisions of "The Common Law Procedure Act, 1852;" and the like Proceedings may be had and taken thereupon as to Costs and otherwise.

Dower, Writ of Right of Dower, &c. abolished as Real Actions, and to begin by Writ of Summons.

XXVI. No Writ of Right of Dower or Writ of Dower unde nihil habet, and no Plaint for Free Bench or Dower in the Nature of any such Writ, and no Quare impedit, shall be brought after the Commencement of this Act in any Court whatsoever; but where any such Writ, Action, or Plaint would now lie, either in a Superior or in any other Court, an Action may be commenced by Writ of Summons issuing out of the Court of Common Pleas in the same Manner and Form as the Writ of Summons in an ordinary Action; and upon such Writ shall be endorsed a Notice that the Plaintiff intends to declare in Dower, or for Free Bench, or in Quare impedit, as the Case may be.

Writ, and all Proceedings thereupon, to be as in ordinary Actions.

XXVII. The Service of the Writ, Appearance of the Defendant, Proceedings in default of Appearance, Pleadings, Judgment, Execution, and all other Proceedings and Costs upon such Writ, shall be subject to the same Rules and Practice, as nearly as may be, as the Proceedings in an ordinary Action commenced by Writ of Summons; and the Provisions of "The Common Law Procedure Act, 1852," and of "The Common Law Procedure Act, 1854," shall apply to the Writ and Pleadings, and Proceedings thereupon.

Judge may refuse to interfere in Proceedings to attach Debts.

XXVIII. In Proceedings to obtain an Attachment of Debts under "The Common Law Procedure Act, 1854," the Judge may, in his Discretion, refuse to interfere, where, from the Smallness of the Amount to be recovered, or of the Debt sought to be attached, or otherwise, the Remedy sought would be worthless or vexatious.

Proceedings where Third

XXIX. Whenever in Proceedings to obtain an Attachment of Debts under the Act above mentioned it is suggested by the Garnishee that the Debt sought to be attached belongs to some Third Person who has

has a Lien or Charge upon it, the Judge may order such Third Person to appear before him, and state the Nature and Particulars of his Claim upon such Debt. Person has a Lien.

XXX. After hearing the Allegations of such Third Person under such Order, and of any other Person whom by the same or any subsequent Order the Judge may think fit to call before him, or in case of such Third Person not appearing before him upon such Summons, the Judge may order Execution to issue to levy the Amount due from such Garnishee, or the Judgment Creditor to proceed against the Garnishee, according to the Provisions of "The Common Law Procedure Act, 1854," and he may bar the Claim of such Third Person, or make such other Order as he shall think fit, upon such Terms, in all Cases, with respect to the Lien or Charge (if any) of such Third Person, and to Costs, as he shall think just and reasonable. Judge may bar Claim of Third Person, and make Orders.

XXXI. The Provisions of "The Common Law Procedure Act, 1854," so far as they are applicable, shall apply to any Order, and the Proceedings thereon, made and taken in pursuance of the herein next before mentioned Powers under this Act. Provisions of 17 & 18 Vict. c. 125. to apply to Orders.

XXXII. In all Cases in which a Writ of Mandamus or of Injunction is issued under the Provisions of "The Common Law Procedure Act, 1854," such Writ shall, unless otherwise ordered by the Court or a Judge, in addition to the Matter directed to be inserted therein, command the Defendant to pay to the Plaintiff the Costs of preparing, issuing, and serving such Writ; and Payment of such Costs may be enforced in the same Manner as Costs payable under a Rule of Court are now by Law enforceable. Costs of Writs of Mandamus and Injunction may be included in Writs.

XXXIII. Writs of Injunction against a Corporation may be enforced either by Attachment against the Directors or other Officers thereof, as in the Case of a Mandamus, or by Writ of Sequestration against their Property and Effects, to be issued in such Form and tested and returnable in like Manner as Writs of Execution, and to be proceeded upon and executed in like Manner as Writs of Sequestration issuing out of the Court of Chancery. Mode of enforcing Writs of Injunction against Corporations.

XXXIV. When the Plaintiff in any Action for an alleged Wrong in any of the Superior Courts recovers by the Verdict of a Jury less than Five Pounds, he shall not be entitled to recover or obtain from the Defendant any Costs whatever in respect of such Verdict, whether given upon any Issue or Issues tried, or Judgment passed by Default, in case the Judge or presiding Officer before whom such Verdict is obtained shall immediately afterwards certify on the Back of the Record, or on the Writ of Trial or Writ of Inquiry, that the Action was not really brought to try a Right besides the mere Right to recover Damages, and that the Trespass or Grievance in respect of which the Action was brought was not wilful and malicious, and that the Action was not fit to be brought. Costs not recoverable in Action for Injury, and Verdict less than 5*l*., if Judge certifies.

XXXV. The Eighty-eighth Section of "The Common Law Procedure Act, 1854," shall be and is hereby repealed; and from and after the passing of this Act the Superior Courts or any Judge thereof may, upon summary Application, by Rule or Order, exercise such and the like Jurisdiction as may be exercised by the Court of Chancery under the Provisions of the Ninth Part of "The Merchant Shipping Act, 1854." Enactment in lieu of Sect. 88. of 17 & 18 Vict. c. 125.

XXXVI. It shall be lawful for the Superior Courts of Common Law, and every Judge thereof, and any Judge sitting at Nisi Prius, at all Times to amend all Defects and Errors in any Proceedings under the Provisions of this Act, whether there is anything in Writing to amend by or not, and whether the Defect or Error be that of the Party applying to amend or not; and all such Amendments may be made with or without Costs, and upon such Terms as to the Court or Judge may seem fit, and all such Amendments as may be necessary for the Purpose of determining in the existing Suit the real Question in controversy between the Parties shall be so made, if duly applied for. Amendments.

XXXVII. It shall be lawful for the Judges of the said Courts, or any Eight or more of them, of whom the Chiefs of each of the said Courts shall be Three, from Time to Time to make all such General Rules and Orders for the effectual Execution of this Act and of the Intention and Object thereof, and for fixing the Costs to be allowed for and in respect of the Matters herein contained, and the Performance thereof, as in their Judgment shall be necessary or proper, and for that Purpose to meet from Time to Time as Occasion may require; provided that nothing herein contained shall be construed to restrain the Authority or limit the Jurisdiction of the said Courts or of the Judges thereof to make Rules or Orders, or otherwise to regulate and dispose of the Business therein. General Rules may be made by the Judges.

XXXVIII. Such new or altered Writs and Forms of Proceedings may be issued, entered, and taken as may by the Judges of the said Courts, or any Eight or more of them, of whom the Chiefs of each of the said Courts shall be Three, be deemed necessary or expedient for giving Effect to the Provisions herein-before contained, and in such Forms as the Judges of such Courts respectively shall from Time to Time think fit to order; and such Writs and Proceedings shall be acted upon and enforced in such and the same Manner as Writs and Proceedings of the said Courts are now acted upon and enforced, or as near thereto as the Circumstances of the Case will admit; and any existing Writ or Proceeding the Form of which shall be in any Manner altered in pursuance of this Act shall nevertheless be of the same Force and Virtue as if no Alteration had been made therein, except as far as the Effect thereof may be varied by this Act. New Forms of Writs and other Proceedings.

XXXIX. In the Construction of this Act the Word "Court" shall be understood to mean any One of the Superior Courts of Common Law at *Westminster*; and the Word "Judge" shall be understood to mean a Judge or Baron of any of the said Courts; and the Word "Master" shall be understood to mean Interpretation of Terms.

mean a Master of any of the said Courts; and the Word "Action" shall be understood to mean any Action in any of the said Courts.

Provisions relating to Superior Courts to apply to Court of Common Pleas at Lancaster and Court of Pleas at Durham.

XL. All the Enactments and Provisions of this Act shall extend and apply to the Court of Common Pleas at *Lancaster* and the Court of Pleas at *Durham*, and Actions and Proceedings therein respectively, subject to the following Modifications: All the Powers given by this Act to the Judges of the said Superior Courts of Common Law at *Westminster* to make General Rules and Orders shall and may be exercised by the respective Judges of the Court of Common Pleas at *Lancaster* and Court of Pleas at *Durham*, being Judges of One of the said Common Law Courts at *Westminster*, or any Two of them respectively, with respect to the said Court of Common Pleas at *Lancaster* and Court of Pleas at *Durham* respectively, and Matters and Proceedings therein within the Jurisdiction of the same Courts respectively; and all Powers under this Act exerciseable by any One Judge of the Superior Courts at *Westminster* shall and may be exerciseable by One Judge of the said Superior Courts of the said Counties Palatine, being also a Judge of One of the said Courts at *Westminster*, as to Matters and Proceedings in the said Superior Courts of the said Counties Palatine.

Provisions as to Masters at Westminster to apply to Prothonotaries of Palatinate Courts.

XLI. Provided always, That all the Provisions of this Act applicable to Masters of the said Courts at *Westminster* shall apply to the respective Prothonotaries of the Court of Common Pleas at *Durham* and their respective Deputies, who may singly exercise, with reference to Matters and Proceedings in the last-mentioned Courts respectively, the Powers hereby given to any One or more of the Masters of the Superior Courts at *Westminster*.

As to Proceedings in Appeal.

XLII. Provided also, as to Proceedings in Appeal, That the Court of Queen's Bench, being the Court of Error from the said Court of Common Pleas at *Lancaster* and Court of Pleas at *Durham*, shall also be the Court of Appeal from the said respective Courts for the Purposes of this Act.

Commencement of Act.

XLIII. The Provisions of this Act shall come into operation on the Tenth Day of *October* in the Year of our Lord One thousand eight hundred and sixty.

Her Majesty may direct all or Part of this Act to extend to any Court of Record.

XLIV. It shall be lawful for Her Majesty, from Time to Time, by any Order in Council, to direct that all or any Part of the Provisions of this Act, or of the Rules to be made in pursuance thereof, shall apply to all or any Court or Courts of Record in *England* and *Wales*, and within One Month after such Order shall have been made and published in the *London Gazette* such Provisions and Rules respectively shall extend and apply in manner directed by such Order, and any such Order may be in like Manner from Time to Time altered and annulled; and in and by any such Order Her Majesty may direct by whom any Powers or Duties incident to the Provisions applied under this Act shall and may be exercised with respect to Matters in such Court or Courts, and may make any Order or Regulations which may be deemed requisite for carrying into operation in such Court or Courts the Provisions so applied.

Short Title.

XLV. In citing this Act in any Instrument, Document, or Proceeding it shall be sufficient to use the Expression "The Common Law Procedure Act, 1860."

Extent of Act.

XLVI. Nothing in this Act shall extend to *Ireland* or *Scotland*.

CAP. CXXVII.

An Act to amend the Laws relating to Attorneys, Solicitors, Proctors, and Certificated Conveyancers. [28th *August* 1860.]

6 & 7 Vict. c. 73. 7 & 8 Vict. c. 86. 14 & 15 Vict. c. 88.

'WHEREAS an Act was passed in the Session holden in the Sixth and Seventh Years of Her Majesty, intituled *An Act for consolidating and amending several of the Laws relating to Attorneys and Solicitors practising in* England *and* Wales, and an Act was passed in the Session holden in the Seventh and Eighth Years of Her Majesty, intituled *An Act for the Relief of Clerks to Attorneys and Solicitors who have omitted to enrol their Contracts; and for amending the Law relating to the Enrolment of such Contracts, and to the Disabilities of such Clerks in certain Cases:* And whereas by an Act passed in the Session holden in the Fourteenth and Fifteenth Years of Her Majesty, intituled *An Act for amending the several Acts for the Regulation of Attorneys and Solicitors*, the Privileges granted by the said Act of the Sixth and Seventh Years of Her Majesty to Persons having taken certain Degrees in the Universities therein mentioned were extended to Persons having taken the like Degrees in the Queen's University in *Ireland:* And whereas it is expedient to amend the said Act of the Sixth and Seventh Years of Her Majesty, and the Laws relating to Proctors and Certificated Conveyancers, in manner herein-after mentioned:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Interpretation of Terms.

I. In the Construction of this Act, unless there be something in the Subject or Context repugnant to such Construction, the Word "Attorney" shall mean Attorney of One or more of the Superior Courts of Law at *Westminster*, or of the Court of Common Pleas of the County Palatine of *Lancaster*, or of the Court of Pleas of the County Palatine of *Durham;* the Word "Solicitor" shall mean Solicitor of the High Court of Chancery; the Word "Registrar" shall mean Registrar of Attorneys and Solicitors; the Expression "the Roll of Attorneys and Solicitors kept by the Registrar" shall mean the Roll or Book, Rolls or Books of Attorneys and Solicitors, which by the first herein-before mentioned

mentioned Act the Registrar is required to keep; and the Expression "the Incorporated Law Society" shall mean "the Incorporated Society of Attorneys, Solicitors, Proctors, and others not being Barristers, practising in the Courts of Law and Equity of the United Kingdom."

Persons having taken Degrees at certain Universities may be admitted after Three Years Service.

II. Section Seven of the first herein-before mentioned Act shall be repealed, and any Person having taken the Degree of Bachelor of Arts or Bachelor of Laws in the University of *Oxford*, *Cambridge*, *Dublin*, *Durham*, or *London*, or in the Queen's University in *Ireland*, or the Degree of Bachelor of Arts, Master of Arts, Bachelor of Laws, or Doctor of Laws, in any of the Universities of *Scotland*, none of such Degrees being Honorary Degrees, and who at any Time after having taken such Degree, and either before or after the passing of this Act, has been bound by and has duly served under Articles of Clerkship to a practising Attorney or Solicitor for the Term of Three Years, and has been examined and sworn in manner directed by the first herein-before mentioned Act and by this Act, may be admitted and enrolled as an Attorney or Solicitor, and Service for any Part of the said Term not exceeding One Year with the *London* Agent of such Attorney or Solicitor in the Business, Practice, or Employment of an Attorney or Solicitor, either by virtue of any Stipulation in such Articles, or with the Permission of such Attorney or Solicitor, shall be and be deemed to have been good Service under such Articles for such Part of the said Term; and where any Person has before the passing of this Act, and at any Time after having taken such Degree, been bound as aforesaid for Five Years, he may, after having duly served Three Years of such Term in such Manner as would have been required if he had been bound for Three Years only, and having been examined and sworn as aforesaid, and with the Consent in Writing (endorsed on his Articles of Clerkship) of the Attorney or Solicitor to whom he may be bound, to the immediate Determination of his Articles of Clerkship, be admitted and enrolled as an Attorney or Solicitor; and where such Consent is given as aforesaid, and acted upon under this Provision by the Person hereby made eligible to be admitted and enrolled as aforesaid, the Articles of Clerkship shall be deemed to have determined as if they had determined by Effluxion of Time.

Persons having been at the Bar may be admitted after Three Years Service.

III. Every Person who has been called to the Degree of Utter Barrister in *England*, and who, before becoming such Barrister, has been bound by Contract in Writing to serve as a Clerk for the Term of Five Years, or who, after ceasing to be a Barrister, has been bound by Contract in Writing to serve as a Clerk for the Term of Three Years, to a practising Attorney or Solicitor, and has in either of the said Cases continued in such Service for the Term of Three Years, and during the whole of such Three Years served in such Manner as is herein-before required in the Case of Persons who have taken Degrees in the said Universities, and having been examined and sworn as aforesaid, after the Expiration of such Term of Three Years (the Examination and Swearing taking place, in the first-mentioned Case, after the Person has ceased to be a Barrister), may be admitted and enrolled as an Attorney or Solicitor: Provided always, that in the Case of any such Person as aforesaid who has been bound for Five Years, it shall be necessary for such Term to be determined with Consent, as herein-before provided in the Case of Persons having taken Degrees, who may have been bound for Five Years before the passing of this Act.

Persons having been bonâ fide Clerks to Attorneys, Solicitors, or Proctors for Ten Years may be admitted after Three Years Service.

IV. Any Person who, either before or after the passing of this Act, shall for the Term of Ten Years have been a *bonâ fide* Clerk to an Attorney, Solicitor, or Proctor, or Attorneys, Solicitors, or Proctors, and during that Term shall have been *bonâ fide* engaged in the Transaction and Performance, under the Direction and Superintendence of such Attorney, Solicitor, or Proctor, or Attorneys, Solicitors, or Proctors, of such Matters of Business as are usually transacted and performed by Attorneys, Solicitors, and Proctors, and who shall produce to the Examiners satisfactory Evidence that he has faithfully, honestly, and diligently served as such Clerk, and who after the Expiration of the said Term of Ten Years has been bound by and has duly served under Articles of Clerkship to a practising Attorney, Solicitor, or Proctor for the Term of Three Years, and has been examined and sworn in manner directed by the first herein-before mentioned Act and by this Act, may be admitted and enrolled as an Attorney and Solicitor or Proctor, and Service for any Part of the said Term not exceeding One Year with the *London* Agent of such Attorney or Solicitor or Proctor in the proper Business, Practice, or Employment of an Attorney, Solicitor, or Proctor, either by virtue of any Stipulation in such Articles, or with the Permission of such Attorney, Solicitor, or Proctor, shall be and be deemed to have been good Service under such Articles for such Part of the said Term; and where any such Person has, before the passing of this Act, been bound for Five Years, he may, after having duly served Three Years of such Term in such Manner as would have been required if he had been bound for Three Years only, and having been examined and sworn as aforesaid, and with the Consent in Writing (endorsed on his Articles of Clerkship) of the Attorney, Solicitor, or Proctor to whom he may be bound, to the immediate Determination of his Articles of Clerkship, be admitted and enrolled as an Attorney and Solicitor; and where such Consent is given as aforesaid, and acted upon under this Provision by the Person hereby made eligible to be admitted and enrolled as aforesaid, the Articles of Clerkship shall be deemed to have determined as if they had determined by Effluxion of Time.

Judges may make Regulations for Persons who have passed certain

V. The Lords Chief Justices of the Courts of Queen's Bench and Common Pleas, and the Lord Chief Baron of the Court of Exchequer, jointly with the Master of the Rolls, may, if they think fit, from Time to Time, by Regulations to be made by them, direct that any Person having successfully passed any Examination now or hereafter to be established in any of the Universities herein-before mentioned, and

Examinations before Articles to be admitted after Four Years Service.

and to be specified in such Regulations, may be admitted and enrolled as an Attorney or Solicitor, after having been subsequently bound by, and having duly served under Articles of Clerkship to a practising Attorney or Solicitor for the Term of Four Years, and been examined and sworn as aforesaid; and the said Judges may from Time to Time revoke or alter such Regulations as they think fit, but not so as to allow a less Term of Service than Four Years.

6 & 7 Vict. c. 73. s. 6. extended to Persons articled for Four Years.

VI. Section Six of the first herein-before mentioned Act shall apply as well to any Person bound as therein mentioned as a Clerk to a practising Attorney or Solicitor for the Term of Four Years only, where under the said Regulations that Term is sufficient, as to any Person so bound for the Term of Five Years, and shall be read and construed accordingly.

Articles of Clerkship to be produced to the Registrar, and entered within Three Months from Enrolment.

VII. The Contract or Articles whereby any Person shall be bound to serve as a Clerk to any Attorney or Solicitor, and also any Assignment thereof, shall, within Three Months after the same has or have been respectively enrolled and registered pursuant to the first herein-before mentioned Act, be produced to the Registrar, who shall enter the Names of the Parties to and the Date of such Contract or Articles, and also of such Assignment, if any, and the Term of Service in a Book to be kept for that Purpose, and the Registrar shall mark such Contract or Articles, and such Assignment, if any, as having been so produced and entered, with the Date thereof, and shall be entitled to receive a Fee of Five Shillings for the Entry of such Contract or Articles, and the like Fee for such Assignment, if any, and such Book shall be open to public Inspection during Office Hours without Fee or Reward; and in case such Contract or Articles, and such Assignment, if any, be not so produced to and entered by the Registrar as aforesaid within such Three Months as aforesaid, the Service of the Clerk shall be reckoned to commence from the Date of such Production and Entry, unless upon an Application, of which Notice shall be given to the Registrar, One of the Superior Courts of Law at *Westminster*, or a Judge thereof, or a Judge of the Court of Chancery, shall otherwise order.

Judges may require Examination in general Knowledge, either before Articles or before Admission, with Power to dispense therewith in special Cases.

VIII. The Lords Chief Justices of the Courts of Queen's Bench and Common Pleas, and the Lord Chief Baron of the Court of Exchequer, jointly with the Master of the Rolls, may from Time to Time make Regulations for the Examination in such Branches of general Knowledge as they may deem proper of all Persons (not having taken Degrees, or successfully passed such University Examinations as aforesaid) hereafter becoming bound under Articles of Clerkship to Attorneys or Solicitors, and the said Judges by such Regulations may require such Examination to be passed either before Persons so become bound or at any Time before their Admission as Attorneys or Solicitors, as to the said Judges may seem fit, and the said Judges may from Time to Time revoke or alter any such Regulations as they think fit, and may from Time to Time appoint Examiners for conducting such Examination as aforesaid; and no Person required to pass such Examination shall be capable of being bound as aforesaid, where such Examination is required to be passed before being bound, or of being admitted as an Attorney or Solicitor where such Examination is permitted to be passed at any Time before Admission, unless before being bound or before being admitted (as the Case may require) he obtain from the Examiners a Certificate of having satisfactorily passed such Examination: Provided always, that the said Judges, or any One or more of them, may, where under special Circumstances they or he see fit so to do, dispense with Compliance with such Regulations entirely or partially, or subject to any such Conditions as to them or him may seem fit.

Judges may require an Examination in legal Knowledge during Articles.

IX. The Lords Chief Justices of the Courts of Queen's Bench and Common Pleas, and the Lord Chief Baron of the Court of Exchequer, jointly with the Master of the Rolls, may from Time to Time, if they see fit, make Regulations for the Examination of Persons hereafter becoming bound under Articles of Clerkship as aforesaid, at such Times or Periods of their Service under such Articles as the said Judges may think fit and direct, in order to ascertain the Progress made by such Persons in acquiring the Knowledge necessary for rendering them fit and capable to act as Attorneys or Solicitors, and such Examination shall be conducted by the Examiners appointed under the first herein-mentioned Act, or such other Examiners as the said Judges may from Time to Time appoint in this Behalf; and the said Judges may by such Regulations, in the Case of Persons who fail to pass such Examination to the Satisfaction of the Examiners, postpone, either for a definite Time or such Time as the said Examiners may in each Case think proper, and either conditionally or otherwise, the Examination required to be passed at the Expiration of the Term of Service under Articles and before Admission.

Articled Clerks not to hold other Office or Employment.

X. No Person hereafter bound by Articles of Clerkship to any Attorney or Solicitor shall, during the Term of Service mentioned in such Articles, hold any Office or engage in any Employment whatsoever other than the Employment of Clerk to such Attorney or Solicitor, and his Partner or Partners (if any) in the Business, Practice, or Employment of an Attorney or Solicitor, save as by the first herein-before mentioned Act or this Act otherwise provided; and every Person bound as aforesaid shall, before being admitted an Attorney or Solicitor, prove by the Affidavit required under Section Fourteen of the first herein-before mentioned Act that he has not held any Office or engaged in any Employment contrary to this Enactment, and the Form of such Affidavit as aforesaid shall be varied by such Addition thereto as may be necessary for this Purpose.

Examination before Admission to extend to all Matters

XI. The Examination which under the first herein-before mentioned Act or this Act is authorized and required touching the Fitness and Capacity of a Person to act as an Attorney or as a Solicitor (as the Case may be), after the Expiration of the Term of his Service under Articles and before his Admission

Admission as an Attorney or Solicitor, shall be deemed to include such Examination touching his Fitness and Capacity to act in Matters of Business usually transacted or performed by Attorneys or Solicitors as the Examiners for the Time being deem proper, subject nevertheless to any Rules, Orders, or Regulations for conducting the said Examination to be from Time to Time made in manner provided by the first herein-before mentioned Act. of Business usually transacted by Attorneys or Solicitors.

XII. Whenever any of the Periods of Three Years, Four Years, and Five Years mentioned in this Act or in the first herein-before mentioned Act (whether the same Period shall have commenced before or after the passing of this Act) shall expire in any Vacation, then and in such Case any Person whose Period of Clerkship shall so expire shall be at liberty to pass his Examination in the Term immediately preceding the said Vacation; and at any Time in or after such Vacation, and after the said Period of Clerkship shall have expired, the Master of the Rolls as to the Court of Chancery and any One of the Judges as to the Courts of Common Law at *Westminster*, on being satisfied by Affidavit or otherwise that the Period of Clerkship of such Person has expired, may proceed to administer to him the Oath mentioned in the first herein-before mentioned Act and the Oath of Allegiance, and may do all other Acts necessary for or towards the Admission and Enrolment of such Person as an Attorney and Solicitor as provided in the said last-mentioned Act. Where the Three, Four, or Five Years expire in any Vacation, Examination may take place in Term preceding such Vacation.

XIII. No Person hereafter bound by Articles of Clerkship to any Attorney of the Court of Common Pleas of the County Palatine of *Lancaster*, or of the Court of Pleas of the County Palatine of *Durham*, shall be capable of being admitted and enrolled as an Attorney of such respective Court, unless after the Expiration of his Term of Service he have been examined touching his Articles and Service, and his Fitness and Capacity to act as an Attorney of Her Majesty's Superior Courts of Law at *Westminster*, or a Solicitor of the High Court of Chancery, in like Manner as is required before Admission as an Attorney of the said Courts of Law, or One of them, or a Solicitor of the Court of Chancery, and the Judge or Judges of such respective Court of the County Palatine of *Lancaster* or *Durham* be satisfied by such Examination, or the Certificate of the Examiners, of his being qualified to act as an Attorney or Solicitor: Provided always, that the Enactments contained in the Twelfth Section of this Act shall extend and apply, *mutatis mutandis*, to Persons hereafter bound by Articles of Clerkship to Attorneys of the Court of Common Pleas of the County Palatine of *Lancaster* and the Court of Pleas of the County Palatine of *Durham* respectively, and to the Judges of those Courts respectively. Persons not to be admitted in Palatine Courts without Examination.

XIV. All Persons who previously to the passing of this Act shall have been duly admitted and enrolled Attorneys or Solicitors of the Courts of the Counties Palatine of *Lancaster* and *Durham*, or either of them, shall and may be admitted and enrolled Attorneys and Solicitors of the High Court of Chancery, and in Her Majesty's Superior Courts of Law at *Westminster*, in pursuance of the Provisions of this Act, without further Examination, upon Payment of such Fees and Duty as by Law required: Provided always, that such Admission and Enrolment be perfected on or before the First Day of *Trinity* Term One thousand eight hundred and sixty-one. Attorneys, &c. of the Courts of Lancaster and Durham may be admitted to Court of Chancery and Superior Courts.

XV. Every Person who has been admitted and enrolled as a Writer to the Signet, or as a Solicitor in the Supreme Courts of *Scotland*, or as a Procurator before any of the Sheriff Courts of *Scotland*, and who, after being so admitted and enrolled, has been bound by and has duly served under Articles of Clerkship in *England* or *Wales* to a practising Attorney or Solicitor for the Term of Three Years, and has been examined and sworn in manner directed by the first herein-before mentioned Act and by this Act, may be admitted and enrolled as an Attorney and Solicitor; and Service for any Part of the said Term not exceeding One Year with the *London* Agent of such Attorney or Solicitor in the proper Business, Practice, or Employment of an Attorney or Solicitor, either by virtue of any Stipulation, or with the Permission of such Attorney or Solicitor, shall be and be deemed to have been good Service under such Articles for such Part of the said Term. Persons admitted as Writers to the Signet, &c. may be enrolled as Attorneys and Solicitors.

XVI. In every Case where by statutory Provision or by Custom the Qualification of a Solicitor or Attorney to hold any Office is his having been admitted and enrolled as an Attorney or Solicitor a prescribed Period, every Person who either before the passing of this Act has been or hereafter shall be called to the Degree of Utter Barrister in *England*, and who having been subsequently disbarred has been admitted and enrolled as an Attorney or Solicitor, shall, in lieu of such Qualification as aforesaid, be qualified to hold any such Office on the Completion of the prescribed Period, to be reckoned from the Date of such Person being called to the Degree of an Utter Barrister in *England*. Provision as to Admission to Offices of Solicitors who have been Utter Barristers.

XVII. The Masters or other Officers having respectively the Custody of the Rolls or Books kept for the Enrolment of Attorneys or Solicitors in the Superior Courts of Law at *Westminster*, the Court of Chancery, the Court of the Duchy Chamber of *Lancaster* at *Westminster*, and the Courts of the Counties Palatine of *Lancaster* and *Durham*, shall, within Seven Days after the End of every Term, transmit to the Registrar, at the Expense of such Registrar, a Copy, under the Hands of such Masters or Officers respectively, or under the Seals of their respective Courts, of such Rolls or Books, so far as the same relate to Attorneys or Solicitors enrolled within such Term. Officers having Custody of Roll of Attorneys, &c. to transmit to Registrar Copies of Enrolments.

XVIII. From and after the Fifteenth Day of *November* next after the passing of this Act, instead of separate annual stamped Certificates for Attorneys and Solicitors to be issued by the Commissioners of Inland Revenue as now required by Law, the Stamp Duties chargeable on such Certificates shall be denoted upon the Registrar's Certificates; and upon any such Certificate being stamped accordingly, and the Registrar's Certificates to be made the stamped Certificates of the

Commissioners of Inland Revenue.

the Date of the Payment of the Duty certified by the proper Officer by Writing under his Hand, or by other sufficient Means, the same shall be and be deemed the proper stamped Certificate required by Law to be taken out by the Attorney or Solicitor named therein.

The Amount of Stamp Duty to be determined by the Place of Business.

XIX. For determining the Rate of Stamp Duty payable on the Certificate, the Place or Places where the Attorney or Solicitor shall carry on his Business shall be deemed to be the Place or Places of his Residence, within the Meaning of the Acts relating to the Stamp Duties on Certificates; and after the said Fifteenth Day of *November* the Declaration required to be delivered to the Registrar for the Purpose of obtaining his Certificate, and also the Certificate to be granted thereon, shall accordingly specify the Place or Places where the Attorney or Solicitor by or for whom the Certificate is required so carries on his Business, and shall respectively be in the Forms (A.) and (B.) contained in the Schedule to this Act.

The Declaration, on applying for the Registrar's Certificate, to be in Duplicate, and One Copy to be left with the Commissioners.

XX. The Declaration required to be made for the Purpose of obtaining the Registrar's Certificate shall be made out and signed in Duplicate, and One of such Duplicates shall be delivered to and left with the Registrar, and the other produced to him, and the Duplicate so produced, together with the Certificate granted on such Declaration, shall be left with the Commissioners, or their proper Officer, on applying to have the Certificate stamped, and shall be and be deemed the Note in Writing required by Law to be delivered to the Commissioners, or their Officer, to entitle the Attorney or Solicitor to a stamped Certificate; and for every such Certificate issued by the Registrar, and the previous requisite Search and Inquiry, there shall be paid to him the Sum of Five Shillings, and the Registrar shall yearly render an Account of all Sums of Money received in respect thereof, and of the Application of the same to the Lords Chief Justices of the Courts of Queen's Bench and Common Pleas, and the Lord Chief Baron of the Court of Exchequer, jointly with the Master of the Rolls, who may from Time to Time, by Order under their Hands, diminish such Sum as they think fit; and the said Lords Chief Justices and Lord Chief Baron, jointly with the Master of the Rolls, by Order under their Hands, may also fix and regulate the Fees to be taken for the several Examinations by this Act authorized to be instituted, and may increase or diminish such Fees from Time to Time: Provided always, that a Copy of such Account so rendered as aforesaid shall be open to the Inspection of any Attorney or Solicitor at the Hall of the Incorporated Law Society.

Fees for Registrar's Certificate and for the Examinations.

Certificate to be entered with the Registrar; the Commissioners to supply Particulars where stamped before 2d January.

XXI. For enabling the Registrar to enter upon the Roll of Attorneys and Solicitors kept by him a Note or Minute of the Time of stamping every Certificate, the Commissioners shall, whenever the same shall be required after the Fifteenth Day of *February* in every Year, furnish to the Registrar an Account of the Certificates issued between the Fifteenth Day of *November* and the Second Day of *January* preceding, for which during the same Period the Stamp Duties have been paid, specifying the Names and Places of Business of the Parties respectively to or for whom the same have been issued, and the Dates of Payment of the Stamp Duties; or in lieu of such Account, the Commissioners at their Option shall return to the Registrar the aforesaid Duplicate Declarations to which such Certificates relate, with a Note or Memorandum on each of them specifying the Date of Payment of the Stamp Duty for the Certificate; and the Registrar shall upon such Account being furnished, or such Duplicate Declarations being returned to him as aforesaid, enter such Note or Minute as aforesaid; and in order to such Entry being made in respect of Certificates stamped at any other Time, every such last-mentioned Certificate shall, within a Month of the Payment of the Duty, be produced to the Registrar, who shall thereupon make such Entry, and signify the same by a Note or Memorandum upon the Certificate; and every such last-mentioned Certificate which shall not be so produced within the said Period shall have effect only as a Qualification to practise from the Time when it shall be produced: Provided that it shall be lawful for the Master of the Rolls in the Case of a Solicitor, or One of the Superior Courts of Law at *Westminster* or One of the Judges thereof, in the Case of an Attorney, at any Time to make an Order directing that any Certificate not so produced shall have effect upon and from the Time of stamping the same, or any subsequent Period.

Where stamped after 1st January, Certificate to be produced by the Party, to be entered within a Month.

When Certificate to bear Date and when to determine.

XXII. Every Certificate issued by the Registrar between the Fifteenth Day of *November* and the Sixteenth Day of *December* in any Year shall bear Date on the Sixteenth of *November*, and shall take effect on that Day for all Purposes, provided it be stamped before the Sixteenth Day of *December*; and in every such Case the Sixteenth Day of *November* shall, for the Purpose of this Act, be deemed to be the Date of the Payment of the Duty; but if such Certificate be not so stamped, it shall take effect, as regards the Qualification to practise, on the Day on which it is stamped; and every Certificate issued at any other Time shall bear Date on the Day on which it is issued, and subject to the Provision herein contained relating to Certificates stamped after the First Day of *January* in any Year, and not produced within a Month to be entered by the Registrar, shall take effect as regards such Qualification on the Day on which it is stamped; and every Certificate shall be and continue in force from the Day on which it shall take effect as aforesaid, until the Fifteenth Day of *November* next following, inclusive, and no longer: And any List of Attorneys, Solicitors, and Conveyancers, purporting to be published by the Authority of the Commissioners of Inland Revenue, and to contain the Names of Attorneys, Solicitors, and Conveyancers who have obtained stamped Certificates for the current Year on or before the First Day of *January* in the same Year shall, until the contrary be made to appear, be Evidence in all Courts, and before all Justices of the Peace and others, that the Persons named therein as Attorneys, Solicitors, or Conveyancers holding such Certificates as aforesaid for the current Year are Attorneys, Solicitors, or

Law List to be prima facie Evidence.

Conveyancers

Conveyancers holding such Certificates; and the Absence of the Name of any Person from such List shall, until the contrary be made to appear, be Evidence as aforesaid that such Person is not qualified to practise as an Attorney, Solicitor, or Conveyancer under a Certificate for the current Year; but in the Case of any Person being an Attorney or Solicitor whose Name does not appear in such List, an Extract from the Roll of Attorneys and Solicitors kept by the Registrar, certified under the Hand of the Secretary of the Incorporated Law Society (while such Society performs the Duties of Registrar), or of the Registrar for the Time being, shall be Evidence as aforesaid of the Facts appearing in such Extract, and in the Case of any Person being a Conveyancer whose Name does not appear on such List, the Fact of his being so shall be proved in the Way in which it is now by Law required to be proved.

In case of Neglect for a Year to renew Certificate, Order of Court or Judge necessary.

XXIII. If any Attorney or Solicitor after having at any Time taken out a stamped Certificate shall for the Space of a whole Year from and after the Expiration thereof have neglected to renew the same for the following Year, the Registrar shall not afterwards grant a Certificate to such Attorney or Solicitor, except under an Order of the Master of the Rolls in the Case of a Solicitor, or of One of the Superior Courts of Law at *Westminster*, or of One of the Judges thereof, in the Case of an Attorney; and it shall be lawful for the Master of the Rolls, or such Court or Judge, to direct the Registrar to issue a Certificate to such Person upon such Terms and Conditions as he or they shall think fit.

Rule for striking Attorneys off the Roll to be entered with the Registrar.

XXIV. Where the Name of any Attorney or Solicitor is ordered to be struck off the Roll of Attorneys or Solicitors of any Court, on his own Application or on the Application of any other Person, the Rule or Order for that Purpose shall forthwith, and before the same is acted upon, be produced to the Registrar, and the Registrar shall enter a Note or Minute of such Rule or Order in connexion with the Name of such Attorney or Solicitor on the Roll of Attorneys and Solicitors kept by the Registrar, and shall strike such Name off such Roll, and shall mark such Rule or Order as having been entered.

An Attorney struck off the Roll of One of the Courts to be struck off the Rolls of other Courts.

XXV. The Name of every Person hereafter struck off the Roll of Attorneys of any of the Superior Courts of Law at *Westminster* by the Rule of any of such Courts, or off the Roll of Solicitors of the Court of Chancery by Order of any Judge of that Court, shall upon Production of an Office Copy of such Rule or Order, and an Affidavit of the Identity of the Person named therein, to the proper Officer of every or any other of the said Courts of which such Person is an Attorney or Solicitor, be struck off the Roll of such Court; and in case any such Person be at any Time thereafter restored to the Roll by the Rule of the Court or Order of any Judge of the Court, by the Rule of which or the Order of a Judge of which his Name was struck off such Roll, he shall upon Production of an Office Copy of the Rule or Order so restoring him, with an Affidavit of the Identity of the Person named therein, to the proper Officer of every or any such other Court, be restored to the Roll thereof without Payment of any Fee or Fine whatsoever.

Penalty for wrongfully acting as an Attorney or Solicitor.

XXVI. Every Person who acts as an Attorney or Solicitor contrary to the Enactment in Section Two of the first herein-before mentioned Act, or who in his own Name, or in the Name of any other Person, in anywise acts as a Proctor in or with respect to any Proceeding in the Court of Probate or the Court for Divorce and Matrimonial Causes, without being duly qualified so to act, shall be deemed guilty of a Contempt of the Court in which the Action, Suit, Cause, Matter, or Proceeding in relation to which he so acts is brought, had, or taken, and may be punished accordingly, and shall be incapable of maintaining any Action or Suit for any Fee or Reward for or in respect of anything done or any Disbursement made by him in the Course of so acting, and shall, in addition to any other Penalty or Forfeiture and to any Disability to which he may be subject, forfeit and pay for every such Offence the Sum of Fifty Pounds, to be recovered, with full Costs of Suit, by Action brought with the Sanction of Her Majesty's Attorney General, in the Name of the Incorporated Law Society, in any of the Superior Courts of Law at *Westminster*, or in any County Court, and such Penalty shall be applied in like Manner as Fines imposed for practising without a stamped Certificate are now by Law applicable.

Power to Court of Chancery to order Payment of Interest on Costs in certain Cases.

XXVII. Whenever a Decree or Order is made by the Court of Chancery, in which the Payment of any Costs previously taxed, either in the Suit or Proceeding in which such Decree or Order is made, or in any other Suit or Proceeding, is ordered, and whether the Certificate of such previous Taxation have been made before the passing of this Act, or be made thereafter, it shall be lawful for the Court or Judge making such Decree or Order to order and direct the Amount of such Costs, as taxed, including the Costs of Taxation as ascertained by the said Certificate, to be paid, with Interest thereon at the Rate of Four Pounds *per Centum per Annum*, from the Date of the Certificate, the Amount of such Interest to be verified by Affidavit, and to be payable and recoverable out of the same Fund or in the same Manner as the Amount of such Costs.

Power to Courts of Justice to charge Property recovered with Payment of Costs.

XXVIII. In every Case in which an Attorney or Solicitor shall be employed to prosecute or defend any Suit, Matter, or Proceeding in any Court of Justice, it shall be lawful for the Court or Judge before whom any such Suit, Matter, or Proceeding has been heard, or shall be depending, to declare such Attorney or Solicitor entitled to a Charge upon the Property recovered or preserved, and upon such Declaration being made such Attorney or Solicitor shall have a Charge upon and against and a Right to Payment out of the Property, of whatsoever Nature, Tenure, or Kind the same may be, which shall have been recovered or preserved through the Instrumentality of any such Attorney or Solicitor, for the taxed Costs, Charges, and Expenses of or in reference to such Suit, Matter, or Proceeding; and it shall be lawful for such Court or Judge to make such Order or Orders for Taxation of and for raising and Payment

Payment of such Costs, Charges, and Expenses out of the said Property as to such Court or Judge shall appear just and proper; and all Conveyances and Acts done to defeat, or which shall operate to defeat, such Charge or Right, shall, unless made to a *bonâ fide* Purchaser for Value without Notice, be absolutely void and of no Effect as against such Charge or Right: Provided always, that no such Order shall be made by any such Court or Judge in any Case in which the Right to recover Payment of such Costs, Charges, and Expenses is barred by any Statute of Limitations.

Provision for Costs in Matters of Lunacy in case of Death.

XXIX. In every Case in which an Attorney or Solicitor has been or shall be employed to prosecute or oppose any Inquiry whether a Person is a Lunatic, Idiot, or of unsound Mind, and incapable of managing himself or his Affairs, or in or about any Proceedings consequent upon such Inquiry, and the Costs of such Attorney or Solicitor have not been paid in the Lifetime of such Person, it shall be lawful for the Lord High Chancellor or the Lords Justices, or other the Person or Persons intrusted by Her Majesty with the Care and Commitment of the Custody of the Persons and Estates of Persons found idiot, lunatic, or of unsound Mind, to make such and the like Orders and to exercise the like Power and Authority for Taxation of and for raising and Payment of such Costs after the Death of such Person as could or might have been exercised or made in his Lifetime; and such Orders and Proceedings shall be as valid and effective to all Intents and Purposes as if made in the Lifetime of the Lunatic: Provided always, that it shall not be lawful for the Court or Judge to make any such Order but within Six Years next after the Right to recover such Costs, Charges, and Expenses shall have accrued.

All future Authorities to administer Oaths or take Acknowledgments to be registered.

XXX. Every Authority granted after the passing of this Act to any Attorney to administer Oaths and take Declarations and Affirmations in Matters depending in any of the Superior Courts of Law at *Westminster*, or in the Court of the Duchy Chamber of *Lancaster* at *Westminster*, or in any of the Courts of the Counties Palatine of *Lancaster* and *Durham*, and every Authority granted after the passing of this Act to any Solicitor to administer Oaths and take Declarations, Affirmations, and Attestations of Honour in Chancery, and whether any such Authority as aforesaid be to act in *England* or to act out of *England*, and every Appointment made after the passing of this Act of any Attorney or Solicitor under Section Eighty-one of the Act of the Session holden in the Third and Fourth Years of King *William* the Fourth, "for the Abolition of Fines and Recoveries, and for the Substitution of more "simple Modes of Assurance," to be a perpetual Commissioner for taking Acknowledgments of married Women under that Act, shall before any such Authority or Appointment is acted upon, be brought to the Registrar by the Person to whom the same is granted, or some Person on his Behalf, and the Registrar shall, in Books to be kept for that Purpose, enter the Particulars of every such Authority or Appointment, and for the Entry of every such Authority or Appointment the Registrar shall be paid by or on behalf of the Person having such Authority or Appointment the Sum of One Shilling, and the Registrar shall mark such Authority or Appointment as having been entered, and with the Date of the Entry, and such Books shall at all Times be open to public Inspection during Office Hours without Fee or Reward.

Provisions for Registration of existing Authorities.

XXXI. For enabling the Registrar to form a complete Register of all such Authorities and Appointments as aforesaid, as well those granted or made before the passing of this Act as those granted or made thereafter, the Principal Secretary of the Lord Chancellor, or other the Officer having the Care and Custody of the Lists of Authorities now in force for the Purposes aforesaid, so far as they relate to the Court of Chancery, and the Clerks of the Lord Chief Justices of the Courts of Queen's Bench and Common Pleas, and of the Lord Chief Baron of the Court of Exchequer, or other the Officers having the Care and Custody of the Lists of Authorities now in force for the Purposes aforesaid, so far as they relate to such Courts respectively, and the Officers of the Court of the Duchy Chamber of *Lancaster* at *Westminster*, and the Courts of the Counties Palatine of *Lancaster* and *Durham*, having the Care and Custody of the Lists of Authorities now in force for the Purposes aforesaid, so far as they relate to such Courts respectively, and the Officer of the Court of Common Pleas with whom the Certificates of the said Acknowledgments of married Women are lodged, so far as regards all Appointments now in force for taking the said Acknowledgments, shall severally, at the Expense of the Registrar, prepare and transmit to such Registrar, with all convenient Speed after the passing of this Act, a List of the Persons having such Authorities and Appointments as aforesaid, with the Particulars thereof, and the Places of Business of such Persons, and the Registrar shall enter the Particulars of all such Authorities and Appointments now in force in Books to be kept for that Purpose, which shall be open to Inspection as aforesaid.

How Orders, &c. authorized by this Act may be made.

XXXII. All Regulations and Acts authorized by this Act to be made or done by the Chief Justices of the Courts of Queen's Bench and Common Pleas, and the Chief Baron of the Court of Exchequer, jointly with the Master of the Rolls, may be made or done by any Two of them the said Chief Justices and Chief Baron, jointly with the Master of the Rolls.

Saving Provisions enabling other than Attorneys to act.

XXXIII. Nothing in this Act shall extend to repeal, prejudice, or affect any Provision in any Act of Parliament in anywise enabling any Person other than an Attorney or Solicitor to conduct, defend, or otherwise act in relation to any Suit, Matter, or Proceeding.

Stamped Certificates not to be issued to Con-

XXXIV. From and after the Thirty-first Day of *October* next after the passing of this Act it shall not be lawful for the Commissioners of Inland Revenue, or any of their Officers, to grant or issue in any Year to any Person any such stamped Certificate as is required to be taken out by every Person who

after

after the passing of this Act shall become a Member of One of the Four Inns of Court in *England* practising under the Bar as a Conveyancer, unless and until he have left with the said Commissioners or their proper Officer an Order of the Benchers of the Inn of Court of which the Applicant is a Member, granting him Permission for that Year to take out such Certificate or a Copy of such Order certified under the Hand of their Treasurer, Sub-treasurer, or Steward: Provided always, that this Clause shall not extend or apply to any Person who at the Time of the passing of this Act shall be lawfully practising as a Certificated Conveyancer. Conveyancers under the Bar without the Benchers annual Permission.

XXXV. This Act shall only extend to *England* and *Wales*, save as herein otherwise expressly provided. Act to extend to England and Wales.

XXXVI. The first herein-before mentioned Act and this Act shall be construed together as One Act. 6 & 7 Vict. c. 73. and this Act to be as One.

SCHEDULES to which the Act refers.

SCHEDULE (A.)

FORM OF REGISTRAR'S CERTIFICATE.

PURSUANT to an Act passed in the Session of Parliament holden in the and Years of the Reign of Queen Victoria, intituled [*Title of this Act*], the Incorporated Law Society [*or the Name of the Registrar for the Time being*], the Registrar of Attorneys and Solicitors appointed under the Act of the Session holden in the Sixth and Seventh Years of Queen Victoria, "for consoli- "dating and amending several of the Laws relating to Attorneys and Solicitors practising in England "and Wales," hereby certifies, That Attorney-at-Law [*or* Solicitor in Chancery, *as the Case may be*], whose Place [*or* Places] of Business is [*or* are] at hath this Day delivered and left with the Secretary of the said Society [*or* the said, *the Name of the Registrar for the Time being*] a Declaration in Writing, signed by the said Attorney [*or* Solicitor], [*or* by his Partner, *or* by his London Agent on his Behalf, *as the Case may be*], containing his Name, and Place or Places of Business, and the Court or One of the Courts of which he is admitted an Attorney or Solicitor, together with the Term and Year in or as of which he was so admitted; and the said Society [*or* the said, *the Name of the Registrar for the Time being*] hereby further certifies, that the said Attorney [*or* Solicitor] is duly enrolled in the Court of Queen's Bench at Westminster [*or as the Case may be*], [*or* a Solicitor in the High Court of Chancery], and is entitled to practise as such Attorney or Solicitor, upon this Certificate being duly stamped as required by Law. Given under the Hand of the Secretary of the Incorporated Law Society [*or* the said, *the Name of the Registrar for the Time being*], this Day of 18 .

Signature of the Secretary of the Incorporated Law Society [*or, Signature of the Registrar for the Time being*].

SCHEDULE (B.)

FORM OF ANNUAL DECLARATION FOR OBTAINING THE REGISTRAR'S CERTIFICATE.

No.

I HEREBY declare, That I [*or A.B.*] was admitted an Attorney of the Court of in Term, in the Year and that my [*or* his] Place or Places of Business are as follow:

Dated this 18 .

A.B. [*or C.D.*, Partner (*or* London Agent) of the said *A.B.*]

To

The Registrar of Attorneys and Solicitors.

CAP. CXXVIII.

An Act to enable the Lord Chancellor and Judges of the Court of Chancery to carry into effect the Recommendations and Suggestions of the Chancery Evidence Commissioners by General Rules and Orders of the Court. [28th *August* 1860.]

'WHEREAS by Commissions under the Great Seal, dated respectively the Eighteenth Day of *August* and the Thirteenth Day of *October* One thousand eight hundred and fifty-nine, Commissioners were appointed to inquire into the Mode of taking Evidence in the High Court of Chancery and its Effects: And whereas Two Reports from the said Commissioners have since been made to Her Majesty: And whereas Doubts have been entertained whether Effect can be given to the Recommendations and Suggestions of the said Reports by General Orders of the Court without the Authority of Parliament:' Be it declared and enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Lord Chancellor and Judges may make General Rules for carrying Recommendations of Chancery Evidence Commissioners Reports into effect.

I. The Lord Chancellor, with the Advice and Assistance of the Master of the Rolls, the Lords Justices of the Court of Appeal in Chancery, and the Vice-Chancellors, or any Three of them, may from Time to Time, as the Lord Chancellor with such Advice and Assistance as aforesaid may think fit, make General Rules and Orders for carrying the said Recommendations and Suggestions of the said Reports or any of them, or any Part thereof, into effect, and in relation to all Matters consequential thereon or incidental thereto, and so far as to them shall seem expedient for varying and adding to the Course of Proceeding recommended in the said Reports in respect of the Matters to which the said Reports relate; and such Rules and Orders may from Time to Time be rescinded or altered by the like Authority; and all such Rules and Orders shall take effect as if they had been General Rules and Orders of the Court duly made.

Such General Rules and Orders to be laid before Parliament.

II. Provided always, That all such General Rules and Orders as aforesaid shall immediately after the making and issuing thereof be laid before both Houses of Parliament, if Parliament be then sitting, or if Parliament be not then sitting within Five Days after the next Meeting thereof; and if either of the Houses of Parliament shall, by any Resolution passed within Thirty-six Days after such Rules or Orders have been laid before such Houses of Parliament, resolve that the whole or any Part of such Rules or Orders ought not to continue in force, in such Case the whole or such Part thereof as shall be so included in such Resolution shall from and after such Resolution cease to be binding.

Lord Chancellor's Power to make General Orders not abridged.

III. Nothing herein contained shall be construed to abridge or affect the Powers of making General Rules and Orders which the Lord Chancellor, either alone or with such Advice and Assistance as aforesaid, might have exercised if this Act had not passed.

CAP. CXXIX.

An Act to grant Excise Duties on *British* Spirits and on Spirits imported from the *Channel Islands*. [28th *August* 1860.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of *Great Britain* and *Ireland* in Parliament assembled, towards raising the necessary Supplies to defray Your Majesty's public Expenses, and making an Addition to the Public Revenue, have freely and voluntarily resolved to give and grant unto Your Majesty the several Rates and Duties herein-after mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Duty on British Spirits.

Duty charged on British Spirits.

I. There shall be charged, collected, and paid for the Use of Her Majesty, Her Heirs and Successors, for and upon every Gallon of Spirits of the Strength of Hydrometer Proof, which on or after the several Days respectively herein-after mentioned were or shall be distilled within the United Kingdom, or which, having been distilled within the United Kingdom, were on the said several Days respectively in the Stock or Possession of any Distiller, or in any Duty-free Warehouse, or removing to such Warehouse, and were or shall be on or after the said several Days respectively taken out for Consumption within the United Kingdom, the several and respective Duties following; that is to say,

On and after the Twenty-ninth Day of *February* One thousand eight hundred and sixty, the Duty of Eight Shillings and One Penny;

And on and after the Seventeenth Day of *July* One thousand eight hundred and sixty, the Duty of Ten Shillings:

And so in proportion for any greater or less Degree of Strength, or any greater or less Quantity, in lieu of all other Duties of Excise now chargeable on such Spirits.

Duties on Channel Islands Spirits.

Duties on Channel Islands Spirits.

II. In lieu of the Duties of Excise now chargeable on Spirits manufactured or distilled in the Islands of *Guernsey*, *Jersey*, *Alderney*, and *Sark* respectively, and imported into the United Kingdom, there shall be charged, collected, and paid for the Use of Her Majesty, Her Heirs and Successors, on and after the respective Days herein-after mentioned, for and upon every Gallon of the Strength of Hydrometer Proof of all Spirits of the Nature or Quality of plain *British* Spirits manufactured or distilled in the said Islands respectively, and imported therefrom into the United Kingdom, the several and respective countervailing Duties of Excise following; that is to say,

On and after the Twenty-eighth Day of *March* One thousand eight hundred and sixty, the Duty of Eight Shillings and Sixpence;

And on and after the Seventeenth Day of *July* One thousand eight hundred and sixty, the Duty of Ten Shillings and Fivepence:

And so in proportion for any greater or less Degree of Strength or any greater or less Quantity:

All which said last-mentioned Duties shall be levied and collected by the Officers of Customs, under the Direction of the Commissioners of Customs, who shall cause a separate Account to be kept and to be furnished

furnished to the Commissioners of Inland Revenue of all such Duties collected and received, and the Amount thereof shall from Time to Time be paid over to the Account of the Receiver General of Inland Revenue at the Bank of *England*, and shall be dealt with and applied in the same Manner as other Monies arising from Duties of Inland Revenue; and all such Spirits imported from any of the said Islands shall be subject to the same Laws and Regulations as Spirits imported from Foreign Parts, and shall be dealt with by the Commissioners and Officers of Customs in all respects as if the same had been so imported under the Laws relating to the Customs.

Spirits of the Nature of plain British Spirits only to be imported from the Channel Islands.

III. No Spirits other than Spirits of the Nature or Quality of plain *British* Spirits, as the same are respectively denominated and described in the Laws of Excise, the Produce or Manufacture of any of the said Islands, shall be imported into any Part of the United Kingdom, on pain of the Forfeiture thereof, and of all Casks or other Packages, and of the Vessel or Boat used in the Removal or Importation thereof, which may be seized by any Officer of Customs or Excise; and every Person who shall import or be concerned in the Importation of any Spirits contrary hereto shall incur the Penalty of One hundred Pounds; and every such Penalty and Forfeiture respectively may be sued for, recovered, and applied as any other Penalty or Forfeiture under any of the Laws of the Customs or Excise.

Allowances.

Allowances granted to Distillers and Rectifiers on Spirits exported.

IV. In consideration of the Loss and Hindrance caused by Excise Regulations in the Distillation and Rectification of Spirits in the United Kingdom, there shall be paid to any Distiller or Proprietor of such Spirits on the Exportation thereof from a Duty-free Warehouse, or on depositing the same in a Customs Warehouse, on or after the Fifth Day of *March* One thousand eight hundred and sixty, the Allowance of Twopence *per* Gallon computed at Hydrometer Proof, and to any licensed Rectifier who on or after the said last-mentioned Day has or shall have deposited in a Customs Warehouse Spirits distilled and rectified in the United Kingdom the following Allowances; (that is to say,) on rectified Spirits of the Nature of *British* Compounds not exceeding Eleven Degrees over Proof as ascertained by *Sykes*'s Hydrometer an Allowance of Threepence *per* Gallon, and on Spirits of the Nature of Spirits of Wine an Allowance of Twopence *per* Gallon, such Gallons being computed respectively at Hydrometer Proof.

Duties, &c. to be under the Management of the Commissioners of Inland Revenue, and to be collected and paid under the Provisions of Acts relating to Excise.

V. The said several Duties and Allowances by this Act imposed and granted respectively shall be under the Management of the Commissioners of Inland Revenue, and shall be charged, raised, levied, collected, recovered, paid, and allowed respectively by the Ways, Means, and Methods provided by the several Acts in force relating to the Duties of Excise; and all such last-mentioned Acts, and all Fines, Forfeitures, and Penalties for any Offence against or in breach of any Act in force in relation to Duties of Excise, and the several Clauses, Provisions, Powers, and Directions contained in any such Act, shall (except as the same are altered, repealed, or superseded by the express Provisions of this Act) extend to and shall respectively be applied, practised, and put in execution for and in respect of the said Duties and Allowances hereby imposed and granted respectively, in as full and ample a Manner to all Intents and Purposes as if the same respectively had been repeated and re-enacted in this Act with reference to the said Duties and Allowances respectively.

Where Contracts have been made, additional Duties to be added to the Price of the Articles contracted for.

VI. 'And whereas Contracts or Agreements may have been made for the Sale or Delivery of some 'of the Goods or Commodities on which increased or additional Duties of Excise are by this Act granted 'and imposed, which Contracts or Agreements may have been made with no Reference to such addi-'tional Duties, and thereby the several Contractors may be materially affected:' For Remedy thereof be it enacted, That every Person who shall have made or entered into any such Contract or Agreement shall be and is hereby authorized and empowered, in the Case of any such Contract or Agreement, to add so much Money as will be equivalent to the increased or additional Duty hereby granted on any such Goods or Commodities respectively to the Price thereof, and shall be entitled by virtue of this Act to be paid and to sue for and recover the same accordingly.

CAP. CXXX.

An Act to enable the Secretary of State in Council of *India* to raise Money in the United Kingdom for the Service of the Government of *India*. [28th *August* 1860.]

'WHEREAS the Exigencies of the Public Service in *India* require that the Secretary of State in 'Council of *India* should be enabled to raise Money in the United Kingdom on the Credit of the 'Revenues of *India*:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Power to the Secretary of State in Council of India to raise any Sum not exceeding Three Millions.

I. It shall be lawful for the Secretary of State in Council of *India*, at any Time or Times before the Thirtieth Day of *April* One thousand eight hundred and sixty-one, or, if Parliament be then sitting, before the End of the then Session of Parliament, to raise in the United Kingdom, for the Service of the Government of *India*, any Sum or Sums of Money not exceeding in the whole Three Millions, and such Sum or Sums may be raised by the Creation and Issue of Bonds or Debentures, or Capital Stock bearing Interest, or Annuities, or partly by one of such Modes and partly by another or others.

Bonds may be issued under Hands of Two Members of Council, countersigned, &c

II. All Bonds issued under the Authority of this Act may be issued under the Hands of Two Members of the Council of *India*, and countersigned by the Secretary of State for *India* or One of his Under Secretaries, or his Assistant Under Secretary, and shall be for such respective Amounts, payable after such Notice, and at such Rate or Rates of Interest, as the said Secretary of State in Council may think fit.

Debentures may be issued.

III. All Debentures issued under the Authority of this Act may be issued under the Hands of Two Members of the Council, and countersigned as aforesaid, for such respective Amounts, and at such Rate or Rates of Interest, as the Secretary of State in Council may think fit, and shall be issued at or for such Prices and on such Terms as may be determined by the Secretary of State in Council.

As to Payment of Principal and Interest on Debentures.

IV. All Debentures issued under the Authority of this Act shall be paid off at Par at a Time or Times to be mentioned in such Debentures respectively; and the Interest on all such Debentures shall be paid half-yearly on such Days as shall be mentioned therein; and the Principal Monies and Interest secured by such Debentures shall be payable either at the Treasury of the Secretary of State in Council in *London* or at the Bank of *England*.

Debentures transferable by Delivery or Deed; Coupons by Delivery.

V. All or any Number of the Debentures issued under the Authority of this Act, and all Right to and in respect of the Principal and Interest Monies secured thereby, shall be transferable either by the Delivery of such Debentures respectively, or, at the Discretion of the Secretary of State in Council, by Deed; provided that the Coupons for Interest annexed to any Debenture issued under the Authority of this Act shall pass by Delivery.

Capital Stock and Annuities may be created and issued.

VI. Any Capital Stock created under the Authority of this Act shall bear such a Rate of Interest, and any Annuities to be created under the Authority of this Act shall be at such Rate *per Centum per Annum*, as the Secretary of State in Council may think fit; and such Capital Stock and such Annuities may be issued on such Terms as may be determined by the Secretary of State in Council; and any such Capital Stock may bear Interest during such Period, and be paid off at Par at such Time, as the Secretary of State in Council may prescribe previously to the Issue of such Capital Stock; and such Annuities may be terminable at such Period as the Secretary of State in Council may prescribe previously to the Issue of such Annuities.

Transfer Books of such Capital Stock and Annuities to be kept.

VII. In case of the Creation and Issue of any such Capital Stock or of any such Annuities, there shall be kept, either at the Office of the Secretary of State in Council in *London* or at the Bank of *England*, Books wherein Entries shall be made of the said Capital Stock and Annuities respectively, and wherein all Assignments or Transfers of the same respectively, or any Part thereof respectively, shall be entered and registered, and shall be signed by the Parties making such Assignments or Transfers, or, if such Parties be absent, by his, her, or their Attorney or Attorneys thereunto lawfully authorized by Writing under his, her, or their Hands and Seals, to be attested by Two or more credible Witnesses; and the Person or Persons to whom such Transfer or Transfers shall be made may respectively underwrite his, her, or their Acceptance thereof; and no other Mode of assigning or transferring the said Capital Stock or the said Annuities, or any Part thereof respectively, or any Interest therein respectively, shall be good and available in Law, and no Stamp Duties whatsoever shall be charged on the said Transfers or any of them.

Annuities Personal Estate.

VIII. All Annuities created and issued under the Authority of this Act shall be deemed and taken to be Personal and not Real Estate, and shall go to the Executors or Administrators of the Person or Persons dying possessed thereof, interested therein, or entitled thereto, and not to the Heir-at-Law, nor be liable to any Foreign Attachment by the Custom of *London*, or otherwise.

Amount charged on Revenue of India not to exceed Three Millions.

IX. The whole Amount of the Principal Monies to be charged on the Revenues of *India* under this Act shall not exceed Three Millions; and no Money shall be raised or secured under the Authority of this Act after the said Thirtieth Day of *April* One thousand eight hundred and sixty-one, or, if Parliament be then sitting, after the End of the then Session of Parliament, save for or upon the Repayment of Principal Monies previously secured under this Act as herein-after provided.

Power to raise Money for Payment of Principal Money.

X. Upon or for the Repayment of any Principal Money secured under the Authority of this Act, the Secretary of State in Council may at any Time borrow or raise, by all or any of the Modes aforesaid, all or any Part of the Amount of Principal Money repaid or to be repaid, and so from Time to Time as all or any Part of any Principal Money under this Act may require to be repaid, but the Amount to be charged upon the Revenues of *India* shall not in any Case exceed the Principal Money required to be repaid.

Securities, &c. to be charged on Revenues of India.

XI. All Bonds and Debentures to be issued under this Act, and the Principal Monies and Interest thereby secured, and all Capital Stock to be issued under this Act, and the Interest thereon, and all Annuities to be issued under this Act, shall be charged on and payable out of the Revenues of *India*, in like Manner as other Liabilities incurred on account of the Government of the said Territories.

Provisions as to Composition for Stamp Duties on India Bonds extended to Bonds and Debentures under this Act.

XII. The Provisions contained in Section Four of the Act of the Session holden in the Fifth and Sixth Years of King *William* the Fourth, Chapter Sixty-four, with respect to the Composition and Agreement for the Payment by the *East India* Company of an annual Sum in lieu of Stamp Duties on their Bonds, and the Exemption of their Bonds from Stamp Duties, shall be applicable with respect to the Bonds and Debentures to be issued under the Authority of this Act, as if such Provisions were here repeated and re-enacted with reference thereto.

XIII. All

XIII. All Provisions now in force in anywise relating to the Offence of forging or altering, or offering, uttering, disposing of, or putting off, knowing the same to be forged or altered, any *East India* Bond, with Intent to defraud, shall extend and be applicable to and in respect of any Debenture issued under the Authority of this Act, as well as to and in respect of any Bond issued under the same Authority. Forgery of Debentures to be punishable as Forgery of E. I. Bonds.

XIV. Provided always, That on or before the First Day of *February* in each Year the said Secretary of State in Council shall prepare or cause to be prepared a Return of all Monies raised on Loan under the Provisions of this Act; also a Return of all Stocks, Loans, Debts, and Liabilities then chargeable on the Revenues of *India*, at home and abroad, up to the latest Period of Time to which such Return can be made out: That all such Returns shall be presented to both Houses of Parliament on or before the First Day of *February* in each Year, if Parliament is then sitting, and if Parliament is not sitting, then such Returns shall be presented within Ten Days of the First Meeting of Parliament after the First Day of *February* in each Year. Returns to be annually prepared of Monies raised on Loan, &c., and presented to Parliament.

XV. This Act shall not prejudice or affect any Power of raising or borrowing Money vested in the said Secretary of State in Council at the Time of passing thereof. Saving Powers of the Secretary of State in Council.

CAP. CXXXI.

An Act to apply a Sum out of the Consolidated Fund and the Surplus of Ways and Means to the Service of the Year One thousand eight hundred and sixty, and to appropriate the Supplies granted in this Session of Parliament. [28th *August* 1860.]

§ I. There shall be applied for the Service of the Year 1860 the Sum of £21,183,089 10*s.* 8*d.* out of the Consolidated Fund.

II. The Treasury may cause £21,183,089 10*s.* 8*d.* of Exchequer Bills to be made out in manner prescribed by 48 Geo. 3. c. 1., 4 & 5 Will. 4. c. 15., and 5 & 6 Vict. c. 66.

III. The Clauses, &c. in recited Acts extended to this Act.

IV. Interest on Exchequer Bills.

V. Bank of England may advance £21,183,089 10*s.* 8*d.* on the Credit of this Act, notwithstanding 5 & 6 W. & M. c. 20.

VI. Bills prepared by virtue of this Act to be delivered to the Bank, as Security for such Advances.

VII. Monies raised by Exchequer Bills to be applied to the Services voted by the Commons.

VIII. Exchequer Bills made chargeable upon the growing Produce of the Consolidated Fund.

IX. Treasury may apply for the Service of the Year 1860 £1,710,084 9*s.* 4*d.* Surplus of Ways and Means.

X. Appropriation of Ways and Means to Services hereafter expressed.

XI. There shall be issued,

£12,836,100	0	0	For Navy Services; viz.	
3,476,757	0	0	For Wages to 85,500 Seamen and Marines, &c.	For the Year ending 31st March 1861.
1,458,087	0	0	For Victuals, &c. in the Navy	
160,280	0	0	For Salaries, &c. in Admiralty Office	
287,725	0	0	For Salaries, &c. of Coast Guard, Naval Coast Volunteers, and Naval Reserve	
64,322	0	0	For the Navy Scientific Departments	
172,778	0	0	For Naval Establishments at home	
30,953	0	0	For Naval Establishments abroad	
1,440,681	0	0	For Wages of Artificers, &c. at home	
63,686	0	0	For Wages to Artificers, &c. abroad	
3,204,434	0	0	For Naval Stores, &c.	
2,500	0	0	For Malta Harbour.	
444,049	0	0	For new Works in Naval Establishments	For the Year ending 31st March 1861.
73,000	0	0	For Medicines, &c.	
92,750	0	0	For Naval Miscellaneous Services	
679,262	0	0	For Naval Half Pay, &c.	
488,806	0	0	For Military Pensions	
173,030	0	0	For Civil Pensions	
478,000	0	0	For Freight of Ships, Victualling, and Conveyance of Troops, &c.	
12,000	0	0	For Retirement to Naval Officers	
33,000	0	0	For Grant to Officers, Seamen, &c. for Operations in China.	
XII. 407,649	0	0	For Army Services, 1858–9.	

Consolidated Fund (Appropriation).

§XIII.	£6,065,161	0	0	For Army Services, viz.:	
	865,234	0	0	For Wages of Artificers, &c.	For the Year ending 31st March 1861.
	324,000	0	0	For Clothing and Necessaries	
	1,278,377	0	0	For Provisions, Barrack Furniture, &c.	
	2,088,088	0	0	For Stores for Land and Sea Service	
	595,355	0	0	For Fortifications	
	206,500	0	0	For Works, Buildings, &c.	
	707,607	0	0	For Barracks	
	9,247,514	0	0	For other Army Services; viz.:	
	4,736,701	0	0	For Pay, &c. of Land Forces, exclusive of India	
	620,285	0	0	For Miscellaneous Charges of ditto	
	320,000	0	0	For Embodied Militia	
	68,000	0	0	For Volunteer Corps	
	196,224	0	0	For Departments of Secretary for War and Commander-in-Chief	
	374,005	0	0	For Manufacturing Departments, Military Storekeepers, &c.	
	520,129	0	0	For Disembodied Militia of Great Britain and Ireland	
	277,547	0	0	For Educational and Scientific Branches	
	25,390	0	0	For Rewards of Military Services	
	75,860	0	0	For General Officers	
	492,357	0	0	For Reduced and Retired Officers	
	184,523	0	0	For Pensions to Widows of Officers, and Compassionate List	
	44,123	0	0	For Pensions, &c. to wounded Officers	
	30,638	0	0	For In-Pensioners, &c. of Chelsea and Kilmainham Hospitals	
	1,144,895	0	0	For Out-Pensioners of Chelsea Hospital	
	136,837	0	0	For Superannuation and Retired Allowances	
XIV.	850,000	0	0	For Naval and Military Operations in China in 1859-60.	
XV.	3,356,104	0	0	For Naval and Military Operations in China, 1860-1.	
XVI.	443,896	0	0	For Repayment to India Government of Advances.	
XVII.	13,230,000	0	0	For Exchequer Bills.	
XVIII.	1,000,000	0	0	For Exchequer Bonds.	
XIX.	125,000	0	0	For Civil Contingencies	To 31st March 1861.
XX.	855,200	0	0	For Customs Department	For the Year ending 31st March 1861.
	1,490,813	0	0	For Inland Revenue Department	
	2,108,581	0	0	For Post Office, &c.	
	1,069,778	0	0	For Packet Service, &c.	
	477,838	0	0	For Superannuations, &c., Customs, Inland Revenue, and Post Office	

CIVIL SERVICES.—*Class* 1.

XXI.	44,595	0	0	For Repair of Royal Palaces	To 31st March 1861.
	118,329	0	0	For Maintenance, &c. of Public Buildings, temporary Accommodation, &c.	
	23,000	0	0	For Furniture for Public Departments	
	37,997	0	0	For New Houses of Parliament	
	100,440	0	0	For Maintenance, &c. of Royal Parks, Pleasure Grounds, &c.	
	5,000	0	0	For Probate Courts and District Registries	
	3,635	0	0	For Embassy Houses, &c. abroad	
	8,450	0	0	For new Consular Offices and Prison at Constantinople	
	160,000	0	0	For Harbours of Refuge	
	30,000	0	0	For New Packet Harbour and Harbour of Refuge at Holyhead	
	401	0	0	For Pay, &c. at Port Patrick Harbour	
	7,226	0	0	For Works, &c. of Kingstown Harbour	
	80,117	0	0	For erecting, &c. Buildings, Public Works, Ireland	

CIVIL SERVICES.—*Class* 2.

§ XXII.	£87,485	0	0	For Salaries, &c. of Houses of Parliament	To 31st March 1861.
	53,095	0	0	For the Treasury	
	25,687	0	0	For the Home Department	
	62,145	0	0	For the Foreign Department	
	29,208	0	0	For the Department of Colonies	
	18,730	0	0	For Privy Council	
	33,329	0	0	For Committee of Privy Council for Trade, &c.	
	2,720	0	0	For Lord Privy Seal	
	5,976	0	0	For Civil Service Commission	
	17,500	0	0	For Paymaster General's Department	
	6,630	0	0	For Department of Comptroller General of Exchequer	
	30,559	0	0	For Office of Commissioners of Works and Public Buildings	
	26,783	0	0	For Office of Woods, Forests, &c.	
	19,191	0	0	For Public Records Department and State Paper Office	
	222,969	0	0	For Administration of Poor Laws	
	32,513	0	0	For the Mint	
	21,140	0	0	For Salaries, &c. of Inspectors of Factories, Mines, &c.	
	6,234	0	0	For Civil Charges, &c., Scotland	
	6,431	0	0	For Officers, &c. of Lord Lieutenant of Ireland	
	16,084	0	0	For Chief Secretary, &c., Ireland	
	6,004	0	0	For Paymaster of Civil Services, Ireland	
	2,721	0	0	For Inspectors of Lunatic Asylums, Ireland	
	23,661	0	0	For Board of Public Works, Ireland	
	33,118	0	0	For Department of Commissioners for auditing Public Accounts	
	19,160	0	0	For Copyhold, Inclosure, and Tithe Commission	
	12,790	0	0	For Imprest Expenses, &c. of Copyhold, Inclosure, and Tithe Commission	
	36,400	0	0	For Salaries, &c. General Register Office, England and Wales	
	3,301	0	0	For Salaries, &c. General Register Office, Dublin	
	5,812	0	0	For Salaries, &c. Department of Registrar General of Births, &c., Edinburgh	
	14,652	0	0	For Salaries, &c. National Debt Office	
	2,800	0	0	For Salaries, &c. Public Works Loan Commission	
	1,420	0	0	For West India Islands Relief Commission	
	6,166	0	0	For Lunacy Commission, England, and Salaries, &c., Lunacy Board, Scotland	
	1,223	0	0	For General Superintendent of County Roads in South Wales	
	2,153	0	0	For Registrars of Friendly Societies, England, Scotland, and Ireland	
	32,000	0	0	For Foreign and other Secret Services	
	335,285	0	0	For Stationery, &c. for Public Departments	
	128,628	0	0	For Postage of Letters on the Public Service	

CIVIL SERVICES.—*Class* 3.

XXIII.	24,245	0	0	For Office of Solicitor to the Treasury, including Prosecutions relating to Coin, &c.	
	100,000	0	0	For Prosecutions at Assizes and Quarter Sessions	
	223,475	0	0	For Police in Counties and Boroughs in England and Wales, and Police in Scotland	
	1,220	0	0	For Crown Office, Queen's Bench	
	10,675	0	0	For Department of Registrar of the Admiralty, and Admiralty Court, Dublin	
	5,976	0	0	For Insolvent Debtors Court	
	34,280	0	0	For Court of Probate, &c.	
	200,275	0	0	For County Courts	

Consolidated Fund (Appropriation).

	£ 21,437	0	0	For Police Courts of the Metropolis	
	131,860	0	0	For Metropolitan Police	
	3,500	0	0	For Queen's Prison	
	3,342	0	0	For Lord Advocate and Solicitor General, Scotland	
	18,091	0	0	For Salaries, Court of Session, Scotland	
	11,066	0	0	For Court of Justiciary, Scotland	
	5,500	0	0	For Criminal Prosecutions by Lord Advocate	
	1,620	0	0	For certain Officers in the Exchequer in Scotland	
	43,000	0	0	For Criminal Prosecutions, &c. in Scotland	
	22,535	0	0	For Procurators Fiscal in Scotland	
	15,260	0	0	For Sheriff Clerks, Scotland	
	2,150	0	0	For Expenses in Matters of Tithes, &c.	
	15,815	0	0	For General Register House, Edinburgh	
	1,044	0	0	For Department of Commissary Clerk, Edinburgh	
	1,528	0	0	For Department of Accountant in Bankruptcy, Scotland	
	64,634	0	0	For Criminal Prosecutions, &c., Ireland	
	3,900	0	0	For Court of Chancery, Ireland	
	3,350	0	0	For Court of Queen's Bench, Ireland	
	3,131	0	0	For Court of Common Pleas, Ireland	
	12,460	0	0	For Court of Exchequer, Ireland	
	200	0	0	For Clerk to Taxing Officers for Law Courts, Ireland	
	5,632	0	0	For Registrars to Judges, Ireland	
	6,000	0	0	For Compensations to Officers of Manor Courts, Ireland	
	2,678	0	0	For Office for Registration of Judgments in Ireland	
	7,692	0	0	For Salaries, &c. of Court of Bankruptcy, &c. Ireland	
	7,380	0	0	For Court of Probate, &c., Ireland	To
	11,351	0	0	For Landed Estates Court, Ireland	31st March 1861.
	450	0	0	For Revising Barristers, Dublin	
	300	0	0	For Salary of Clerk to Court of Errors, Ireland	
	1,600	0	0	For Salaries of Police Justices, Dublin	
	46,780	0	0	For Metropolitan Police, &c. Dublin	
	707,561	0	0	For Constabulary Force, Ireland	
	2,717	0	0	For Four Courts, Marshalsea, Dublin	
	17,707	0	0	For General Superintendence of Prisons, &c.	
	408,029	0	0	For Government Prisons and Convict Establishments at home	
	159,357	0	0	For Maintenance of Prisoners and Removal of Convicts	
	20,671	0	0	For Transportation of Convicts	
	173,827	0	0	For Convict Establishments in the Colonies	
				CIVIL SERVICES.—*Class* 4.	
§ XXIV.	798,167	0	0	For Public Education, Great Britain	
	94,951	0	0	For Department of Science and Art, &c.	
	641	0	0	For Secretary, &c. of Commissioners of Education, Ireland	
	4,820	0	0	For University of London	
	7,630	0	0	For Scottish Universities	
	2,371	0	0	For Queen's University, Ireland	
	4,800	0	0	For Queen's Colleges, Ireland	
	500	0	0	For Royal Irish Academy	
	2,500	0	0	For Theological Professors, Retired Allowances, &c., Belfast	
	11,670	0	0	For Salaries, Purchase of Pictures, &c. of the National Gallery	
	4,790	0	0	For Magnetic Observations abroad, &c.	
	500	0	0	For Royal Geographical Society	
	1,000	0	0	For Experiments by Royal Society	

Consolidated Fund (Appropriation).

	£100,850	0	0	For Salaries, &c. at British Museum, including Buildings, &c.	
	270,722	*0*	*0*	*For Public Education, and Educational Commissioners, Ireland*	
				CIVIL SERVICES.—*Class 5.*	
§ XXV.	4,300	0	0	For Civil Establishment, Bermudas	
	6,628	0	0	For Ecclesiastical Establishment of British North American Provinces	
	1,600	0	0	For Indian Department, Canada	
	30,000	0	0	For British Columbia	
	24,728	0	0	For Salaries of West Indian and Colonial Governors	
	18,000	0	0	For Stipendiary Justices in West Indies and Mauritius	
	10,230	0	0	For Civil Establishments, West Coast of Africa	
	6,273	0	0	For St. Helena	
	960	0	0	For Heligoland	
	4,067	0	0	For Falkland Islands	
	6,655	0	0	For Labuan	
	11,472	0	0	For Emigration Board and Officers	
	12,000	0	0	For Support of captured Negroes and liberated Africans	
	10,750	0	0	For Mixed Commissions for suppressing the Slave Trade	
	262,229	*0*	*0*	*For Consular Establishments abroad*	
	23,320	*0*	*0*	*For Establishments in China, Japan, and Siam*	
	50,000	0	0	For extraordinary Disbursements of Embassies and Missions abroad	
				CIVIL SERVICES.—*Class 6.*	
XXVI.	177,713	0	0	For Superannuation Allowances, and Compensations, Public Service	To 31st March 1861.
	1,140	0	0	For Toulonese and Corsican Emigrants, &c.	
	325	0	0	For the Refuge for the Destitute	
	3,353	0	0	For Polish Refugees, &c.	
	4,081	0	0	For Miscellaneous Allowances formerly defrayed from Civil List, &c.	
	2,539	0	0	For Treasurers of Public Infirmaries, Ireland	
	2,600	0	0	For Westmoreland Lock Hospital, Dublin	
	700	0	0	For Rotunda Lying-in Hospital, Dublin	
	200	0	0	For Coombe Lying-in Hospital, Dublin	
	7,600	0	0	For Hospitals of House of Industry, Dublin	
	2,500	0	0	For House of Recovery and Fever Hospital, Dublin	
	600	0	0	For Meath Hospital, Dublin	
	100	0	0	For St. Mark's Ophthalmic Hospital, Dublin	
	1,300	0	0	For Dr. Steevens' Hospital, Dublin	
	265	0	0	For Board of Superintendence of Hospitals, Dublin	
	8,847	0	0	For Charitable Allowances charged on Concordatum Fund in Ireland, &c.	
	39,747	0	0	For Nonconforming, &c. Ministers in Ireland	
				CIVIL SERVICES.—*Class 7.*	
XXVII.	6,010	0	0	For Salaries, &c. of Office in London under Local Government Act	
	3,750	0	0	For Ecclesiastical Commissioners	
	17,070	0	0	For Salaries, &c. of Charity Commission in England and Wales	
	37,480	0	0	For Salaries, &c., for sundry temporary Commissions	

Consolidated Fund (Appropriation).

£28,229	0	0	For Fees, &c. under Patent Law Amendment Act	To 31st March 1861.
12,998	0	0	For Board of Fisheries, Scotland	
2,000	0	0	For Annuity to Board of Manufacturers, Scotland	
5,000	0	0	For Highland Roads and Bridges	
900	0	0	For Publication of Ancient Laws of Ireland	
58,700	0	0	For Pensions to Masters, &c. of Merchant Service	
20,000	0	0	For distressed British Seamen abroad	
4,000	0	0	For Quarantine Arrangements	
50,000	0	0	For Dues payable under Treaties of Reciprocity	
25,000	0	0	For Bounties on Slaves and Slave Vessels captured	
17,000	0	0	For Lighthouses abroad	
4,266	0	0	For Officers employed settling Orange River Territory	
27,000	0	0	For Improvement of Kaffirs, and Government of British Kaffraria	
32,442	0	0	For Expenses on account of Treasury Chest	
20,000	0	0	For Submarine Telegraph Companies	In the Year ending 31st March 1861.
7,000	0	0	For Expedition to River Niger, &c.	To 31st March 1861.
11,500	0	0	For Expedition to River Zambesi	
2,000	0	0	For Inspectors of Corn Returns	
2,060	0	0	For Registration of Joint Stock Companies	
1,703	0	0	For Registration of Designs Office	
17,850	0	0	For Revising Barristers	
2,500	0	0	For Inspection of Burial Grounds	
2,000	0	0	For Gallery of Portraits	In the Year ending 31st March 1861.
1,000	0	0	For defining Boundaries of Counties, Ireland	To 31st March 1861.
3,150	0	0	For Agricultural and Emigration Statistics, Ireland	
10,000	0	0	For Site for new Courts of Law, Four Courts, Dublin	In the Year ending 31st March 1861.
669	0	0	For Pitcairn Islanders	To 31st March 1861.
5,260	0	0	For Crinan and Caledonian Canals	
1,914	0	0	For Gun Metal for Bas-Reliefs and Tablets	In the Year ending 31st March 1861.
1,680	0	0	For Inquiry concerning Sovereignty of Fiji Islands	
2,500	0	0	For Drawings by Old Masters for British Museum	
5,000	0	0	For National Gallery, Dublin	
5,000	0	0	For Industrial Museum, Edinburgh	
2,660	0	0	For Guard Room, Windsor Castle	
15,000	0	0	For additional Accommodation in National Gallery, Trafalgar Square	
10,000	0	0	For temporary Accommodation for Department of Foreign Secretary	To 31st March 1861.
18,000	0	0	For Portion of Site for Foreign Office, &c.	In the Year ending 31st March 1861.
38,170	0	0	For new Bridge at Westminster	
80,000	0	0	For Approaches to Westminster Bridge	
1,500	0	0	For Repair of Carisbrook Castle	To 31st March 1861.
87,000	0	0	For Telegraphic Communication between Rangoon and Singapore	In the Year ending 31st March 1861.
1,000	0	0	For Grant to Prof. Hansen, of Gotha.	
5,000	0	0	Towards Court Houses for Sheriff Courts, Scotland	In the Year ending 31st March 1861.
6,300	0	0	For Capt. Palliser's Expedition, British North America	
7,000	0	0	For Reward to Capt. M'Clintock and Crew, and for Franklin Monument.	
35,000	0	0	For Local Assessments	To 31st March 1861.
17,000	0	0	For Accommodation at South Kensington Museum	

§ XXVIII. Supplies to be applied only for the Purposes aforesaid.
XXIX. Expenditure for Navy and Army Services respectively to be confined to the separate Services for which granted.
Treasury may, on Application, alter the proportionate Amounts for such separate Services, provided the total Grant to each Department be not exceeded.
XXX. Rules to be observed in the Application of the Sum appropriating Half Pay.
Not to prevent the receiving of Half Pay under any Act relating to the General or Local Militia, &c.
Paymaster General, by Permission of the Treasury, may issue Half Pay to Officers appointed to Civil Offices since July 1828.
An Account of the Number of Officers so receiving Half Pay to be laid before Parliament annually.
XXXI. Treasury may authorize Military Officers in Civil Employments to receive Half Pay in certain Cases.
XXXII. Half Pay Allowances to Chaplains of Regiments not holding Ecclesiastical Benefices derived from the Crown.
XXXIII. Widows, &c. claiming Pensions to make required Declaration.
XXXIV. Declarations to be made as specified in 5 & 6 W. 4. c. 62.

CAP. CXXXII.

An Act for raising the Sum of Two million Pounds by Exchequer Bonds or Exchequer Bills for the Service of the Year One thousand eight hundred and sixty. [28th *August* 1860.]

CAP. CXXXIII.

An Act to defray the Charge of the Pay, Clothing, and contingent and other Expenses of the Disembodied Militia in *Great Britain* and *Ireland*; to grant Allowances in certain Cases to Subaltern Officers, Adjutants, Paymasters, Quartermasters, Surgeons, Assistant Surgeons, and Surgeons Mates of the Militia; and to authorize the Employment of the Non-commissioned Officers. [28th *August* 1860.]

[*This Act is to continue in force till Sept.* 1, 1861.]

CAP. CXXXIV.

An Act to amend the Law regarding Roman Catholic Charities. [28th *August* 1860.]

'WHEREAS it is expedient that the Laws concerning Charities relating to or connected with the Roman Catholic Religion in *England* or *Wales* should be amended in the Particulars hereinafter provided for:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Charities for lawful Purposes not to be invalidated by the Addition of unlawful Trust, but the Property may be apportioned, and the whole applied to lawful Purposes.

I. No existing or future Gift or Disposition of Real or Personal Estate upon any lawful Charitable Trust for the exclusive Benefit of Persons professing the Roman Catholic Religion shall be invalidated by reason only that the same Estate has been or shall be also subjected to any Trust or Provision deemed to be superstitious, or otherwise prohibited by the Laws affecting Persons professing the same Religion, but in every such Case it shall be lawful for the High Court of Chancery, or any Judge thereof sitting at Chambers, in exercise of the Jurisdiction created by the Charitable Trusts Act, 1853, upon the Application of Her Majesty's Attorney General, or of any Person authorized for this Purpose by the Certificate of the Board of Charity Commissioners for *England* and *Wales*, or for the said Board upon the Application of the Person or Persons acting in the Administration of such Real or Personal Estate, or of a Majority of such Persons, to apportion the same Estate, or the annual Income or Benefit thereof, so that a Proportion thereof, to be fixed by such Court or Judge, or by the said Board, as the Case may require, may be exclusively subject to the lawful Charitable Trusts declared by the Donor or Settlor, and that the Residue thereof may become subject to such lawful Charitable Trusts for the Benefit of Persons professing the Roman Catholic Religion, to take effect in lieu of such superstitious or prohibited Trusts as the said Court or Judge, or the said Board, may consider under the Circumstances to be most just; and also that it shall be lawful for the Court or Judge or Board, making any such Apportionment by the same or any other Order or Orders to establish any Scheme for giving effect thereto, and to appoint Trustees for the Administration of the several Portions of such Real and Personal Estate, according to the Trusts established of the same Proportions respectively, and to vest the Estate to be so apportioned in the Trustees so to be appointed.

No Proceedings to be instituted as to Dealings with Roman Catholic Chari-

II. No Proceedings at Law or in Equity shall be brought or instituted on account or in respect of any Dealings, Transactions, Matters, or Things with or concerning any Real or Personal Estate subject to any Use, Trust, Gift, Foundation, or Disposition for any Charity relating to or connected with the Roman Catholic Religion which took place prior to the passing of the Act of the Second and Third

ties prior to 2 & 3 W. 4. c. 115.

Third Years of the Reign of King *William* the Fourth, Chapter One hundred and fifteen: Provided that nothing herein contained shall extend to sanction or exempt from such Proceedings as aforesaid the fraudulent Misapplication or Conversion of any such Real or Personal Estate to any private Use or Purpose not being charitable.

Certain Deeds for Roman Catholic Charities not to be void if enrolled within Twelve Months from passing of Act. 9 G. 2. c. 36. 9 G. 4. c. 85.

III. No Deed or other Assurance for any Charity relating to or connected with the Roman Catholic Religion made subsequently to the passing of the Act passed in the Ninth Year of the Reign of King *George* the Second, intituled *An Act to restrain the Disposition of Lands whereby the same become inalienable*, and before the passing of this Act, shall be void or voidable by reason of the same not having been made, perfected, or enrolled in the Manner directed by the first-named Act, or otherwise, under the Provisions of the said Act, if such Deed or Assurance has been or shall be, within Twelve Months after the passing of this Act, enrolled in the High Court of Chancery: Provided that every Deed or Assurance for any such Charity as aforesaid coming within the Provisions of the Act passed in the Ninth Year of the Reign of King *George* the Fourth, intituled *An Act for remedying a Defect in the Titles of Lands purchased for charitable Purposes*, shall have the Benefit thereof notwithstanding anything herein contained.

Expense of Enrolment, how to be defrayed.

IV. The Expense of the Enrolment of any Deed under the Third Section of this Act shall be defrayed out of the Property subject to the Charity to which the same may relate.

The Trusts of Charities in the Absence of Settlements may be ascertained from the Usage.

V. Where any Real or Personal Estate, subject to any Use, Trust, Gift, Foundation, or Disposition for any Charity relating to or connected with the Roman Catholic Religion, shall have been applied upon any Charitable Trusts relating to or connected with the same Religion during any continuous Period of Twenty Years, but the original Trusts of such Property shall not be ascertained by means of any written Document, the consistent Usage of the last preceding Twenty Years, or of the last Period of Twenty Years during which any consistent Usage in the Application of such Property shall have prevailed, shall be deemed to afford conclusive Evidence of the Trusts on which the same Property shall have been settled.

The Act not to prejudice past or pending Proceedings or adverse Possession.

VI. Nothing in this Act contained shall extend to give effect to any Use, Trust, Gift, Foundation, or Disposition heretofore made which has been already avoided in any Proceeding at Law or in Equity, or to prejudice any Suit at Law or in Equity commenced before the passing of this Act, or to affect any Property held or enjoyed beneficially by any Person or Persons at the Time of the passing of this Act adversely to any such Use, Trust, Gift, Foundation, or Disposition.

Nothing in this Act to repeal Provisions of 10 G. 4. c. 7.

VII. Nothing in this Act contained shall be taken to repeal or in any way alter any Provisions of an Act passed in the Tenth Year of His late Majesty King *George* the Fourth, intituled *An Act for the Relief of His Majesty's Roman Catholic Subjects*, respecting the Suppression or Prohibition of the Religious Orders or Societies of the Church of *Rome* bound by Monastic or Religious Vows.

Interpretation of "Charity."

VIII. In the Construction of this Act, except where the Context or other Provisions of this Act shall require a different Construction, the Expression "Charity" herein contained shall be construed to mean and include the same Matters and Things as the like Expression means and includes in the "Charitable Trusts Act, 1853."

Short Title.

IX. This Act may for all Purposes be cited as "The Roman Catholic Charities Act."

Extent of Act.

X. This Act shall be confined in its Operations to *England* and *Wales*.

CAP. CXXXV.

An Act for the Employment of the Metropolitan Police Force in Her Majesty's Yards and Military Stations. [28th *August* 1860.]

'WHEREAS it may be expedient to employ certain of the Constables belonging to the Metropolitan Police Force not only in Her Majesty's Yards and Arsenal within the Metropolitan Police District, but also in such Yards, and the principal Stations of the War Department, and in their Neighbourhoods, which are situate beyond the Limits of such District:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Such Number of Constables of the Metropolitan Police as the Secretary of State may direct may be employed in Her Majesty's Yards, &c.

I. It shall be lawful for the Commissioner of Police of the Metropolis from Time to Time to employ and authorize to act in Her Majesty's Yards, and in the principal Stations of the War Department, and within the Limits herein-after mentioned, such Number of the Constables belonging to the Metropolitan Police Force as One of Her Majesty's Principal Secretaries of State shall direct, and such Commissioner, subject to the Approbation of such Secretary of State, may replace such Constables by as many additional Constables as shall be from Time to Time required, and may frame such special Orders and Regulations for and in relation to the Constables to be employed under this Act, and either in addition to or in substitution for any of the Orders and Regulations for the Time being applicable to the Police Force within the Metropolitan Police District, as he shall from Time to Time deem expedient for preventing Neglect or Abuse and securing the Efficiency of the Constables so employed.

Commissioner of Metropolitan Police may

II. It shall be lawful for the Commissioner of Police of the Metropolis to administer to any Constable belonging to the Metropolitan Police Force who may be appointed or employed as aforesaid an Oath to

execute

execute the Office of Constable within all or any of Her Majesty's Yards, or of the principal Stations of the War Department, in any Part of *England* and *Wales*, and within Fifteen Miles of such Yards or Stations; and every Constable so sworn shall have the Powers and Privileges and be liable to the Duties and Responsibilities of Constable within the Yards, Stations, and Limits for which he is so sworn, as well on Seas as in Harbours and Havens, and on Rivers and other Waters as on Land, and shall act within such Yards, Stations, and Limits as fully as in any Part of the Metropolitan Police District: Provided always, that the Powers and Privileges of the Constables of the Metropolitan Police, when without the Yards, Naval and Marine Hospitals and Infirmaries, and Marine Barracks or Stations, and not on board or in any Ship, Vessel, or Boat belonging to Her Majesty or in Her Majesty's Service, shall only be used in respect of the Property of the Crown, or of Persons subject to Naval or Marine or Military Discipline.

swear Constables to act within Her Majesty's Yards, &c. and within Fifteen Miles thereof.

III. The Assistant Commissioners, and each or either of them, shall act in execution of this Act in like Manner as in execution of the Acts relating to the Police of the Metropolis.

Assistant Commissioners to act as herein stated.

IV. The Charges and Expenses which may be incurred by and in consequence of the Employment of Constables under the Provisions of this Act, and the Pay of such Constables while so employed, and a fair and reasonable proportionate Part of the general Superintendence of the Police, and of any Deficiency which there may at any Time or Times happen to be in the Metropolitan Police Superannuation Fund, and all other Charges and Expenses for carrying this Act into execution, shall be paid out of such Monies as may be provided by Parliament for this Purpose.

Charges incurred for Constables to be defrayed out of Monies provided by Parliament.

V. The Commissioner of Police of the Metropolis shall not, nor shall any Assistant Commissioner of Police of the Metropolis, or any Person belonging to the Metropolitan Police Force, during the Time he continues in such Office and is employed under this Act, or within Six Months after he has quitted his Office or ceased to be so employed, be capable of giving his Vote for the Election of a Member to serve in Parliament for any County or Division of a County, or City, Borough, or Place in which or in any Part of which he may be authorized to act under the Provisions herein contained, or by Word, Message, Writing, or in any other Manner endeavour to persuade any Elector to give or dissuade any Elector from giving his Vote for the Choice of any Person to be a Member to serve in Parliament for any such County, Division, City, or Borough, and if any such Commissioner or Assistant Commissioner of Police, or Person belonging to the Metropolitan Police Force, shall offend therein, he shall forfeit the Sum of One hundred Pounds, to be recovered by any Person who will sue for the same by Action of Debt to be commenced within Six Months after the Commission of the Offence, and one Moiety of the Sum so recovered shall be paid to the Informer, and the other Moiety thereof to the Receiver for the Metropolitan Police District, to be by him added to and applied as Part of the Funds for the Purposes of the Police under this Act: Provided always, that nothing in this Enactment contained shall subject any such Commissioner or Assistant Commissioner of Police, or Person belonging to the Metropolitan Police Force, to any Penalty for any Act done by him at or concerning any of the said Elections in the Discharge of his official Duty.

The Commissioner of Police, &c. incapacitated for voting for certain Candidates for Parliament.

VI. The Word "Yards," where mentioned in this Act, shall mean Her Majesty's Dockyards, Her Majesty's Victualling Yards, and Her Majesty's Steam Factory Yards; and the Word "Stations" shall mean only the principal Stations of Her Majesty's War Department and the Central Arsenal when the same shall be hereafter created.

The Word "Yards."

CAP. CXXXVI.

An Act to amend the Law relating to the Administration of Endowed Charities.

[28th *August* 1860.]

'WHEREAS it is expedient to provide increased and inexpensive Facilities for the Administration of Endowed Charities:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. "The Charitable Trusts Act, 1853," and "The Charitable Trusts Amendment Act, 1855," and this Act, shall be construed together as One Act, and any Provisions of the said former Acts inconsistent with this Act are hereby repealed.

Construction of the Charitable Trusts Acts.

II. The Board of Charity Commissioners for *England* and *Wales*, subject to the Restrictions and Rights of Appeal herein-after provided, shall have Power from Time to Time, upon the Application of any Person or Persons who, under the Forty-third Section of "The Charitable Trusts Act, 1853," might be authorized to apply to any Judge or Court for the like Purposes, to make such effectual Orders as may now be made by any Judge of the Court of Chancery sitting at Chambers, or by any County Court or District Court of Bankruptcy, for the Appointment or Removal of Trustees of any Charity, or for the Removal of any School Master or Mistress or other Officer thereof, or for or relating to the Assurance, Transfer, Payment, or vesting of any Real or Personal Estate belonging thereto, or entitling the Official Trustees of Charitable Funds, or any other Trustees, to call for a Transfer of and to transfer any Stock belonging to such Estate, or for the Establishment of any Scheme for the Administration of any such Charity.

Certain administrative Powers to be exerciseable by the Charity Commissioners.

III. The

Board to notify their Intention of exercising Jurisdiction.

III. The said Board, previously to making any Order under the Jurisdiction vested in them by this Act, shall notify to the Trustees or Administrators (if any) of the Charity to be affected thereby their Intention of exercising such Jurisdiction, by Notice in Writing, to be delivered to them, or sent to them by the Post at their last known Place of Abode in *Great Britain* or *Ireland*.

The Powers to be exerciseable over no Charities of which the gross Income shall exceed 50*l.* without Application of Trustees.

IV. The said Board shall not make any Order, under the Jurisdiction vested in them by this Act, with respect to any Charity of which the gross annual Income, exclusively of the yearly Value of any Buildings or Land used wholly for the Purposes thereof, and not yielding any pecuniary Income, shall amount to Fifty Pounds or upwards, except upon the Application of the Trustees or Persons acting in the Administration of the Charity, or a Majority of them, to be made to the said Board in Writing under their Hands if they shall be unincorporated, or under their Common Seal if they shall be incorporated, and the Board shall not make any Order removing any Trustee on the Ground only of his Religious Belief.

No Jurisdiction over Contentious Cases.

V. The said Board also shall not exercise the Jurisdiction hereby vested in them in any Case which, by reason of its Contentious Character, or of any special Questions of Law or of Fact which it may involve, or for other Reasons, they may consider more fit to be adjudicated on by any of the Judicial Courts.

Notices to be given of certain Orders, and Objections or Suggestions to be received.

VI. No Order appointing or removing a Trustee, or establishing a Scheme for the Administration of any Charity, shall be made by the said Board before the Expiration of One Calendar Month after public Notice of the Proposal to make such Order shall have been given, as they may consider most expedient and effectual for ensuring the Publicity thereof, in each Parish or District in which the Charity, if of a local Character, shall be applicable, or among all Persons interested therein; and no Order removing a Trustee or School Master or Mistress or other Officer of a Charity who shall have any known Place of Residence in *Great Britain or Ireland*, and who shall not be consenting to be discharged, shall be made before the Expiration of One Calendar Month after Notice of the Proposal to make such Order shall have also been delivered to him or her, or sent by the Post or otherwise to such his or her Place of Residence, and until after sufficient Hearing of the Matter before the said Board, or some Member thereof, or One of their Inspectors; and every Notice hereby required shall contain (so far as conveniently may be) sufficient Particulars of the Objects of the proposed Order, and shall prescribe a reasonable Time within which any Objections thereto or Suggestions thereon may be made or transmitted to the Board; and the said Board shall receive and consider all such Objections and Suggestions, and may withhold, suspend, or modify their proposed Order, as they shall thereupon, or in the Result of further Inquiry, or otherwise, think expedient.

Publication of definitive Orders.

VII. A Copy of every such Order when made shall, in the Case of any local Charity, be deposited for the Space of One Calendar Month in some convenient Place within the Parish or One of the Parishes or in the District in which the Charity shall be applicable, and shall be open to public Inspection there at all reasonable Hours during the same Period; and a Copy also of every such Order relating to any Charity, whether local or general, shall be kept, open to public Inspection at all reasonable Hours, at the Office of the Commissioners, during a like Period of One Calendar Month; and in each Case effectual Publicity shall be given to the making of the Order by such Means as the Board shall consider most expedient for that Purpose.

Power to appeal against Orders of Board.

VIII. The Attorney General, or any Person authorized by him or by the said Board, in the Case of any Charity, whatever may be the yearly Income of its Endowments, and any Trustee or Person acting in the Administration of or interested in any Charity of which the gross yearly Income to be calculated in manner aforesaid shall exceed Fifty Pounds, or any Two Inhabitants of any Parish or District in which the same shall be specially applicable, may, within Three Calendar Months next after the definitive Publication of any Order of the said Board appointing or removing a Trustee or Trustees, or for or relating to the Assurance, Transfer, Payment, or vesting of any Real or Personal Estate, or establishing a Scheme for the Administration of the Charity, present a Petition to the High Court of Chancery in a summary Way, appealing against such Order, and praying such Relief as the Case may require; and any Schoolmaster or Schoolmistress or other Officer removed by the Order of the Board, without the Concurrence of the Trustees or Persons acting in the Administration of the Charity, or a Majority of them, and without the Approval of a Special Visitor, if any, of the Charity, may, within Two Calendar Months (next after his or her Removal), appeal in like Manner against the Order of Removal; and the Court, upon or before the Hearing of any such Petition of Appeal as aforesaid or at any Stage of the Proceedings, may require, if it shall think fit, from the said Board, their Reasons for making the Order appealed against, or for any Part of such Order, and may remit the same to the Board for Reconsideration, with or without any Declaration in relation thereto, or may make any substitutive or other Order in relation to the Matter of the Appeal, as it shall think just; and the Court may make any Order respecting the Costs, Charges, or Expenses incident to the Appeal, and may also, before hearing or proceeding with the same, require from any Appellant, other than the Attorney General, proper Security for such Costs, Charges, and Expenses as may be eventually payable by him; but no such Petition of Appeal shall be presented by any Person, other than the Attorney General, before the Expiration of Twenty-one Days after written Notice, under the Hand of such Appellant, of his or her Intention to present such Petition, shall have been delivered to the said Board at their Office.

IX. The

Who may be the Respondent on Appeals.

IX. The Attorney General, if he shall think fit, or any Person authorized by him or by the said Board, may appear as the Respondent upon any such Appeal, and the Court may make any Order respecting the Costs, Charges, and Expenses of the Attorney General or other Defendant.

Charities to which Powers to be applicable.

X. The Jurisdiction vested by this Act in the said Board shall be exerciseable with reference to Charities vested in any Corporation Sole or Aggregate, who, either solely or jointly with any other Person or Persons, shall also be the Recipients of the Benefit thereof.

Jurisdiction of the District Courts of Bankruptcy and County Courts enlarged.

XI. The Jurisdiction vested by the Charitable Trust Act, 1853, in the District Courts of Bankruptcy and County Courts, over Charities not possessing a larger gross yearly Income than Thirty Pounds, shall be exerciseable by the said Courts respectively for the like Purposes and under the like Provisions over Charities of which the gross yearly Income for the Time being, to be calculated in manner aforesaid, shall not exceed Fifty Pounds, in the same Manner as if the last-mentioned Limit to the Jurisdiction of the said Courts had been fixed by the said former Act.

Official Trustees may be empowered to receive Arrears of Dividends.

XII. Any Court or Judge, or the said Board, having Jurisdiction to authorize the official Trustees of Charitable Funds to call for a Transfer of and to transfer any Annuities, Stock, or Securities, may empower them also to receive and recover, in trust for the Charity to which the same shall belong, all Dividends, Interest, and Income accrued from any such Annuities, Stock, or Securities respectively, and which shall for the Time being be in arrear.

Power for Magistrates to give possession of School Buildings and Property held over by Officers or Recipients of Charities.

XIII. Where any School Master or Mistress or other Officer, or any Recipient of the Benefit of a Charity, being in possession by virtue of his or her Office, or as such Recipient, of any House, Buildings, Land, or Property of the Charity, shall have been removed from or shall cease to hold such his or her Office, or his or her Place as such Recipient, but he or she, or any Person claiming under him or her, shall refuse or neglect to relinquish the Possession of such House, Buildings, Land, or Property within One Calendar Month next thereafter, to his or her Successor, or to the Trustees or Persons acting in the Administration of the Charity, or as they shall direct, it shall be lawful for any Two or more Justices of the Peace acting for the District, Division, or Place in which such House, Buildings, Land, or Property shall be situate, in Petty Sessions assembled, and they are hereby required, on the Complaint of the said Trustees or Administrators, and on the Production of an Order of the said Board certifying such School Master or Mistress or other Officer or Recipient to have been duly removed from or to have ceased to hold his or her Office or Place (which Order under the Seal of the said Commissioners shall be conclusive Evidence of the Facts thereby certified, and of the Jurisdiction of the said Commissioners to make such Order for all the Purposes of this Enactment, and shall afford a complete Indemnity to all Persons acting thereunder,) to issue a Warrant under the Hands and Seals of such Justices to any Constables or Peace Officers of the same District, Division, or Place, commanding them, within a Period to be thereby appointed, not being less than Ten or more than Twenty-one clear Days thereafter, to enter into the Premises, and deliver Possession thereof to the said Trustees or Administrators, or their Nominee or Agent, and to remove therefrom such former School Master or Mistress, or other Officer or Recipient, and all Persons claiming in his or her Right, as fully and effectually, and subject to the same Provisions, as nearly as the Case will permit, as Justices of the Peace are empowered to give Possession of any Properties to the Landlord or his Agent upon the Determination of the Tenancy thereof, under an Act passed in the First and Second Years of the Reign of Her Majesty, Chapter Seventy-four, for facilitating the Recovery of Possession of Tenements after the Determination of the Tenancy.

Masters and Mistresses of Endowed Schools to be removable.

XIV. Every School Master and Mistress appointed after the Date of this Act shall be removable from his or her Office, after reasonable Notice by the Trustees or Persons acting in the Administration of the Charity, as they shall think expedient in the Interests thereof, so nevertheless that the Removal by virtue only of this Provision of a Master or Mistress who would be otherwise irremovable from his or her Office shall be determined on by all or a Majority of such Trustees or Administrators assembled at a Meeting convened by due Notice, delivered or sent by the Post to all such Trustees or Administrators who shall have any known Place of Residence in *Great Britain* or *Ireland*, by the Space of not less than Twenty-eight Days previously, for the special Purpose of considering and determining on the Question of such Removal, and of which intended Meeting a Notice shall also be delivered or sent in like Manner to the Master or Mistress by the same previous Space, and so also that the Resolution of the Meeting for the Removal of any such last-mentioned Master or Mistress shall be forthwith certified under the Hands of the Trustees or Persons acting as aforesaid who shall have concurred therein, or under the Hand of the Chairman of the Meeting, and shall within Seven Days next thereafter be transmitted to the said Board for their Approval, and the same shall not take effect unless or until the same shall have been approved by the said Board, who may also, if they so think fit, fix the Time or any reasonable Conditions at or under which the same shall come into operation; if also there shall be any Special Visitor of the Charity who shall be resident in *Great Britain* or *Ireland*, and free from Incapacity, no Removal of any such last-mentioned Master or Mistress shall be made under the Authority only of the preceding Provision without the written Consent of such Visitor: Provided always, that this Section shall not apply to any endowed Grammar School.

Sect. 21. of 16 & 17 Vict. c. 137. extended.

XV. The Power vested in the said Board by the Twenty-first Section of "The Charitable Trusts Act, 1853," of authorizing the Application of Monies belonging to any Charity, or to be raised on the Security of the Properties thereof, to the Improvement of such Properties, shall extend to authorize the

the Application of any like Monies to any other Purpose or Object which the Board shall consider to be beneficial to the Charity or the Estate, or Objects thereof, and which shall not be inconsistent with the Trusts or Intentions of the Foundation.

A Majority of Trustees to have legal Power of dealing with the Charity Estates.

XVI. A Majority of Two Thirds of the Trustees of any Charity assembled at a Meeting of their Body duly constituted, and having Power to determine on any Sale, Exchange, Partition, Mortgage, Lease, or other Disposition of any Property of the Charity, shall also have a legal Power, on behalf of themselves and their Co-trustees, and also of the Official Trustee of Charity Lands, where his Concurrence would be otherwise required, to do, enter into, and execute all such Acts, Deeds, Contracts, and Assurances as shall be requisite for carrying any such Sale, Exchange, Partition, Mortgage, Lease, or Disposition into legal Effect, and all such Acts, Deeds, Contracts, or Assurances shall have the same legal Effect as if the same were respectively done, entered into, or executed by all the acting Trustees for the Time being, and by the said Official Trustee.

Official Trustee only accountable for Loss by his own Neglect.

XVII. No Official Trustee of Charitable Funds, appointed under or in pursuance of the first or secondly recited Act, shall be chargeable with or accountable for any Loss or Misapplication of the said Charitable Funds, or the Dividends, Interest, or Income thereof, unless the same shall have been occasioned by or through his own wilful Neglect or Default.

Accounts to be laid before Parliament.

XVIII. The Official Trustees of Charitable Funds shall lay before Parliament annually, on or before the Fourteenth Day of *February*, or as soon as practicable after Parliament shall be sitting, an Account of the total Amount of the Capital Stock, Shares, and Securities transferred to them in the Year ending the Thirty-first Day of *December* preceding, and of the total Amount of Monies, other than Dividends or Interest, paid to them or to their Account during the same Period, and of the Investment thereof, and of the Capital Stock, Shares, and Securities sold or re-transferred by them during the same Period, and of the aggregate Amount of the Capital Stock, Shares, Funds, and Securities, and the Balance of Cash, held by them on such preceding Thirty-first Day of *December*.

Power to require the Transmission of Documents belonging to Charities.

XIX. The Board may require any Person having the Custody or Control of any Deed or Document in which any Charity or Charities shall be solely interested to transmit the same to the Office of the said Commissioners for Examination; and where such Deed or Document shall not be held by any Person entitled as a Trustee or otherwise to the Custody thereof, the Board may either retain the same, for the Security thereof, in the Repository provided by them under the Sixty-third Section of "The Charitable Trusts Act, 1853," or, as they may think most advantageous to the Charity, may thereupon, or at any Time thereafter, return or issue the same to the Trustees or Persons acting in the Administration of the Charity, for the Purposes thereof.

Orders to be enforceable as under former Acts.

XX. All Orders made by the said Board under the Provisions of this Act shall be enforceable by the same Means, and shall be subject to the same Provisions, as are applicable under the Charitable Trusts Act, 1853, and the Charitable Trusts Amendment Act, 1855, respectively, to any Orders of the said Board made thereunder.

Board to make Minutes.

XXI. The said Board shall from Time to Time make such Minutes as shall be required relative to the Institution and Conduct of their Proceedings under the Jurisdiction created by this Act.

Salary of the Secretary.

XXII. There shall be paid to the Secretary for the Time being of the said Commissioners, in consideration of the Increase and Extent of his official Duties, such a Salary, not exceeding the annual Sum of Eight hundred Pounds, in lieu of the Salary payable to him under the firstly cited Act, as shall from Time to Time be allowed by the Commissioners of Her Majesty's Treasury.

Indemnity to the Bank of England and others.

XXIII. Every Order made under this Act under which any Stock, Shares, Securities, or Monies shall be transferred or paid to or deposited with the Trustees of any Charity, or the Official Trustees of Charitable Funds, shall afford a complete Indemnity to the Governor and Company of the Bank of *England*, and to all Companies and Persons by whom respectively any such Transfer, Payment, or Deposit shall be permitted or made, for permitting or making the same, and the said Governor and Company and other Companies and Persons shall be required to give effect or to conform to such Order, and it shall not be necessary for them to inquire concerning the Propriety of the same Order, or the Jurisdiction under which the same shall purport to be made.

Commissioners, &c. not to serve on Juries.

XXIV. Every Commissioner, Secretary, and Inspector acting under or employed for the Purposes of the said Acts shall be exempt from serving on Juries while he shall be so acting or employed.

Short Title.

XXV. This Act may be cited for all Purposes by the Short Title of "The Charitable Trusts Act, 1860."

CAP. CXXXVII.

An Act to make further Provision with respect to Monies received from Savings Banks and Friendly Societies. [28th *August* 1860.]

'WHEREAS by the Acts now in force relating to Savings Banks and Friendly Societies various Provisions are enacted for regulating the Mode of investing the Monies received and to be received by the Commissioners for the Reduction of the National Debt from Savings Banks and Friendly Societies: And whereas it is expedient to make further Provision for the investing of such Monies:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent

Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; that is to say,

Powers now vested in Commissioners to extend to Parliamentary Securities, &c.

I. The Powers now vested in the Commissioners for the Reduction of the National Debt in respect of all Monies remitted to them on account of Savings Banks and Friendly Societies shall extend to Parliamentary Securities, of whatsoever Kind, created or issued, or which may hereafter be created or issued, under the Authority of any Act or Acts of Parliament, for the Interest on which Provision is made by Parliament, and to any Stock or Debentures or other Securities expressly guaranteed by Authority of Parliament.

Annual Report to be laid before Parliament.

II. The Commissioners for the Reduction of the National Debt shall at the End of every Year report to the Commissioners of Her Majesty's Treasury, setting forth in Detail the whole of the several Transactions which shall have taken place during the Course of the Year in the Investment of all Monies coming into their Hands for Savings Banks and Friendly Societies, and of all the Variations, if any, which may have taken place during such Year in the Securities held by the said Commissioners for those Institutions, and Copies of such Reports shall be laid before both Houses of Parliament not later than the Fifteenth Day of *February*, if Parliament shall be then sitting, and if not then sitting then within Ten Days after the next re-assembling of Parliament.

CAP. CXXXVIII.

An Act to continue and amend the Peace Preservation (*Ireland*) Act (1856.)

[28th *August* 1860.]

'WHEREAS by the Act of the Twenty-first and Twenty-second Years of Her Majesty, Chapter Twenty-eight, "The Peace Preservation (*Ireland*) Act, 1856," was continued until the First Day of *July* in the present Year, and to the End of the present Session of Parliament; and it is expedient that the said last-mentioned Act should be amended, and further continued for a limited Time:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Printed Copies of Proclamations, &c. to be posted within the District.

I. The printed Copies of every Proclamation issued under the Provisions of the said last-mentioned Act, and a printed Abstract of such Provisions, shall be posted on or near to the Doors of all Places of Public Worship and of every Police Station and Barrack within the District named in such Proclamation by some One or more of the Constables or Sub-Constables who at the Time of posting the same shall be stationed within such District; and as soon as may be after such Constable or Sub-Constable shall have posted such printed Copies and Abstracts he shall verify such posting by a solemn Declaration, to be made before a Justice of the Peace for the County within which such District or the greater Part thereof is situated, in the Form specified in the Schedule to this Act annexed, which solemn Declaration shall be by such Justice annexed to such printed Copy and Abstract; and such printed Copy and Abstract and solemn Declaration shall be deposited by such Constable or Sub-Constable with the Clerk of the Peace for the County, County of a City, or Place within which such District or the greater Part thereof is situated, and shall thereupon be signed and dated by such Clerk of the Peace, and preserved by him amongst the Records of such County, County of a City, or Place, and the said Declaration, when produced from the Custody of such Clerk of the Peace, shall be *primâ facie* Evidence that the said Proclamation was duly posted in all Proceedings and for all Purposes whatsoever.

19 & 20 Vict. c. 36. further continued as amended by this Act.

II. The said last-mentioned Act, as the same is amended by this Act, shall continue in force until the First Day of *July* One thousand eight hundred and sixty-two.

SCHEDULE.

FORM OF SOLEMN DECLARATION.

I, *A.B.* [Constable *or* Sub-Constable] do solemnly and sincerely declare, that on the Day [*or* several Days] following, videlicet, [*here insert the Dates,*] I posted, in or near to the Doors of all Places of Public Worship, and of every Police Station and Barrack, within that Part of the District named or referred to in the within Proclamation known and called by the Name of [*here insert Name of Barony, Half Barony, Townland, &c.*], true Copies of the within Proclamation and of the within Abstract of the Provisions of "The Peace Preservation (Ireland) Act, 1856;" and I make this solemn Declaration conscientiously believing the same to be true, and by virtue of the Provisions of an Act passed in the Sixth Year of the Reign of His Majesty King William the Fourth, Chapter Sixty-two, for the Abolition of unnecessary Oaths.

Signed [*A.B.*]

Made and subscribed before me this Day of in the Year One thousand eight hundred and

Signed [*C.D.*]

CAP. CXXXIX.

An Act to amend the Law concerning the making, keeping, and Carriage of Gunpowder and Compositions of an explosive Nature, and concerning the Manufacture, Sale, and Use of Fireworks. [28th *August* 1860.]

9 & 10 W. 3. c. 7. 5 G. 2. c. 12. (I.) 12 G. 3. c. 61.

'WHEREAS an Act was passed in the Session holden in the Ninth and Tenth Years of King *William* the Third, Chapter Seven, to prevent the throwing or firing of Squibs, Serpents, and other Fireworks; and a like Act was passed by the Parliament of *Ireland* in the Fifth Year of King *George* the Second, Chapter Twelve; and an Act was passed in the Twelfth Year of King *George* the Third, Chapter Sixty-one, to regulate the making, keeping, and Carriage of Gunpowder; and it is expedient to amend the Law concerning the making, keeping, and Carriage of Gunpowder, and to regulate the making and keeping of other Compositions of an explosive Nature, and to amend the Law concerning the Manufacture, Sale, and Use of Fireworks:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Commencement of Act, and Repeal of 9 & 10 W. 3. c. 7., 5 G. 2. c. 12. (I.), and 12 G. 3. c. 61.

I. This Act shall (except where herein otherwise expressly provided) take effect from and after the Thirty-first Day of *August* One thousand eight hundred and sixty-one, and from and after that Day the said Acts of the Ninth and Tenth Years of King *William* the Third, the Fifth Year of King *George* the Second, and the Twelfth Year of King *George* the Third shall be repealed, except as to any Offence theretofore committed against the same, and any Penalty theretofore incurred, which Offence shall be dealt with and punished and such Penalty recovered as if this Act had not been passed.

Regulations as to making and keeping of Gunpowder.

II. The following Regulations shall be observed with regard to the Manufacture and keeping of Gunpowder; (that is to say,)

No such Manufacture shall be carried on except in Mills and other Places lawfully used for such Manufacture at the Time of the Commencement of this Act, or in Places licensed for that Purpose as herein-after mentioned:

The Quantity of Gunpowder or Materials to be made into Gunpowder to be at One Time under any single Pair of Mill Stones, or Rollers, or Runners, shall not exceed Fifty Pounds as respects Sporting and Government Powder, and Sixty Pounds as respects all inferior Powders, and every Incorporating Mill or Group of Incorporating Mills shall be provided with a Charge House for the Store of Mill Charges properly constructed of Stone or Brick, and situate at a safe and suitable Distance from each Incorporating Mill or Group of Incorporating Mills:

The Quantity of Gunpowder to be subjected to Pressure at One Time in any Presshouse shall not exceed Ten Hundredweight:

The Quantity of Gunpowder to be corned or granulated at One Time in any Corning or Granulating House shall not exceed Twelve Hundredweight:

The Quantity of Gunpowder to be dried at One Time in One Stove or Place used for the drying of Gunpowder shall not exceed Fifty Hundredweight:

The respective Quantities to be at any One Time in any Presshouse, or Corning or Granulating House, shall not exceed Twice the respective Quantities hereby allowed to be subjected to Pressure, and to be corned or granulated at One Time; and the Quantity to be at any One Time in any Drying House or Dusting House shall not be more than is necessary for the immediate Supply and Work of such House; and for the Purposes of this Provision any Building used with any such Presshouse, Corning or Granulating House, Drying House, or Dusting House, shall be deemed Part thereof, save only Magazines constructed with Stone or Brick, and situate Forty Yards at least from every such Presshouse or other House as aforesaid (herein-after distinguished as Expense Magazines), and save only the Stove in which the Powder which has been dried may be cooling:

Every Person keeping or using any Mill for the making of Gunpowder shall have (in addition to the Expense Magazines) a good and sufficient Magazine or Magazines at least One hundred and forty Yards distant from the Mill or Mills and every Presshouse and other House or Place used for or in the making of Gunpowder, for the receiving and safely keeping of all Gunpowder made at such Mill or Mills, as soon as such Gunpowder can from Time to Time be conveniently removed to such Magazine or Magazines, such Magazine or Magazines to be well and substantially built with Brick or Stone, and situate in such Place as may have been lawfully used or duly licensed by Justices before the Commencement of this Act or may be licensed as herein-after mentioned, which Magazine or Magazines is and are herein-after distinguished as a Store Magazine or Magazines:

Every Maker of Gunpowder shall with all due Diligence cause all finished Gunpowder made at his Mill or Mills to be removed accordingly from such Mill or Mills and the other Places used by him for or in the Manufacture of Gunpowder, or any Magazines or Storehouses used therewith, to the said Store Magazine or Magazines required by this Enactment to be distant One hundred and forty Yards as aforesaid:

Every Maker of Gunpowder shall cause to be erected or provided good and sufficient Thunder Rods or Lightning Conductors in connexion with every Store Magazine where Gunpowder is kept by him, for the Protection of such Magazine from the Effects of Lightning.

III. Provided

Power to Secretary of State on Application, and sufficient Cause shown, to sanction the Continuance or Construction of any Magazine within the prescribed Distance.

III. Provided always, That at any Time after the passing of this Act it shall be competent to the Owner or Lessee or Occupier of any Expense Magazine or any Store Magazine which shall have been erected before the Commencement of this Act, and shall be situate within the prescribed Distance of Forty Yards or One hundred and forty Yards, and also to any Owner, Lessee, or Occupier of any Mill or other Place lawfully used for the Manufacture of Gunpowder before the Commencement of this Act, who is desirous to construct any Expense Magazine or Store Magazine in or in connexion with such Mill or other Place within such prescribed Distance, to present a Memorial to One of Her Majesty's Principal Secretaries of State, setting forth that it is not necessary or required for the Public Safety, or that from the Nature of the Ground, or other sufficient Causes it is not practicable or expedient, to remove such Magazine to the prescribed Distance, or to erect such intended Magazine at or beyond such prescribed Distance, and thereupon the said Secretary of State shall refer the Matter of such Memorial to such Person as he may think fit, to report thereon, and such Person shall as soon as practicable thereafter examine the Magazine or the Site of the intended Magazine to which the Memorial refers, and the surrounding Ground, and shall make a Report in Writing thereon to the said Secretary of State, who shall transmit a Copy thereof to the Applicant; and if on Consideration of the whole Matter, and any Observations and Explanations thereupon by the Applicant, and on such further Information, if any, as the said Secretary of State may require, he shall be satisfied that it is not necessary for the Public Safety, or is impracticable or inexpedient, to remove such Magazine to or beyond the prescribed Distance, or to erect the intended Magazine at or beyond the prescribed Distance, and shall approve the Site proposed for the same, he shall certify the same in Writing under his Hand, and deliver such Certificate to the said Owner, Lessee, or Occupier, and thereupon the Magazine to which such Certificate applies, or a Magazine erected on the Site so approved, (as the Case may be,) shall for all Purposes be deemed to be at the prescribed Distance; and if the said Secretary of State shall not be satisfied that any existing Magazine to which the Memorial refers ought to remain, he shall by Writing under his Hand order the said Magazine to be removed within a Period to be therein limited, and such Order shall be notified to the Applicant or to the Occupier of the Magazine to which the Order relates: Provided also, that the Use and the Continuance of any Magazine as to which such Application is made to the said Secretary of State shall be deemed to be lawful during the Pendency of such Application, and until the Expiration of the Time mentioned in the Order for its Removal.

Penalties for making and keeping Gunpowder contrary to this Act.

IV. All Gunpowder made in any Place where under this Act it is not lawful to make Gunpowder, and all Gunpowder in any Mill, Presshouse, Corning House, Drying House, Dusting House, or other Place, exceeding the Quantity which for the Time being may lawfully be therein, shall be forfeited; and every Person making or causing to be made any Gunpowder contrary to this Act, or keeping or causing to be kept in any such Mill or Place any Gunpowder contrary to the Provisions herein-before contained, shall for so doing, in addition to such Forfeiture as aforesaid, forfeit for every such Offence any Sum not exceeding Two Shillings for every Pound of Gunpowder so forfeited:

Every Person making Gunpowder without having such Store Magazine or Magazines One hundred and forty Yards distant from any Mill and every other Place used by him for or in the Manufacture of Gunpowder, shall forfeit any Sum not exceeding Twenty-five Pounds for every Month during which such Person makes Gunpowder without having such Magazine or Magazines:

And every Person making Gunpowder who wilfully neglects or delays removing with due Diligence the finished Gunpowder made at his Mill or Mills and the other Places used by him for or in the Manufacture of Gunpowder from thence or from the Magazines or Storehouses used therewith to the Store Magazine or Magazines distant as aforesaid, shall forfeit for every Day during which such Offence continues any Sum not exceeding Five Pounds.

No Charcoal to be kept within Twenty Yards of any Mill, &c.

V. No Maker of Gunpowder shall keep or permit to be kept any Charcoal within Twenty Yards of any Mill or other Engine for making Gunpowder, or of any Presshouse, or Drying, Corning, or Dusting House, or other Place used in or for the making of Gunpowder, or any Magazine or Storehouse thereto belonging; and any Maker of Gunpowder who acts contrary to this Enactment shall forfeit any Sum not exceeding Five Pounds, or, where such Charcoal is so kept for a longer Period than a Week, any Sum not exceeding Five Pounds for every Week during which such Charcoal is so kept.

Regulations as to the making of loaded Percussion Caps and the making and keeping of Ammunition, &c.

VI. The following Regulations shall be observed with regard to the Manufacture of loaded Percussion Caps, and the Manufacture and keeping of Ammunition, Fireworks, Fulminating Mercury, or any other Preparation or Composition of an explosive Nature; (that is to say,)

No such Manufacture shall be carried on without such Licence for that Purpose as herein-after mentioned, or within the respective Distances herein-after mentioned, and set opposite to the Descriptions of the respective Articles; (that is to say,)

Percussion Caps	50 Yards,
Ammunition	100 Yards,
Fireworks	50 Yards,
Fulminating Mercury or other Preparation or Composition of equally explosive Power	100 Yards,

from any Dwelling House or any Building in which Persons not connected with the same Manufacture are employed:

No such Articles as aforesaid, except Percussion Caps, exceeding the respective Quantities hereinafter mentioned and set opposite to the Descriptions of the respective Articles, (that is to say,)

Ammunition containing Five Pounds of Gunpowder,

Fireworks containing Ten Pounds of explosive Compound,

Fulminating Mercury or other Preparation or Composition of equally explosive Power - - - - - } 1 oz. dry, or 8 oz. mixed with 25 *per Cent.* of Water,

shall be kept in any Place not licensed for that Purpose as herein-after mentioned, and no such Articles shall be kept in any Place so licensed in excess of the respective Quantities specified in the Licence in that Behalf:

The Operation of mixing the Composition for Percussion Caps shall be performed in a Building situate at a Distance not less than Twenty Yards from any other Workshop, and no greater Quantity than Five Pounds of Cap Composition shall at any One Time be in the Building where the Operation of mixing is performed:

No Fulminating Mercury, except that which is being used in the actual Preparation of the Cap Composition, shall be kept in any Building where the Operation of preparing such Composition is performed, without being mixed with at least Twenty *per Cent.* of Water:

The Operation of loading Percussion Caps shall be performed in a Building where no other explosive Material than that employed in loading Percussion Caps is used or kept, and no greater Quantity than Twenty-four Ounces of Cap Composition shall at any One Time be in the Building where the Operation of loading is performed:

The Operation of filling or charging Cartridges shall be performed in a Building situate at a Distance not less than Twenty Yards from the other Workshops connected with the Manufacture; and no greater Quantity than Fifty Pounds of Gunpowder, either loose or made up into Cartridges, or what is equivalent, as regards explosive Power, to Fifty Pounds of Gunpowder, (if other explosive Materials be used,) shall at any One Time be in any Workshop connected with the Manufacture:

The Operation of charging or filling Fireworks with explosive Materials shall be performed in a Building situate at a Distance not less than Twenty Yards from the other Workshops connected with the Manufacture; and no greater Quantity of the ordinary explosive Composition used in the Manufacture of Fireworks than Thirty Pounds, whether loose or made up, or what is equivalent, as regards explosive Power, to Thirty Pounds of the ordinary Gunpowder, shall at any One Time be in any Building where the Operation of filling or charging is performed:

The Manufacture of such Fireworks as contain Detonating Composition, or Composition which is more easily ignited by Percussion or Friction than ordinary Gunpowder, shall be conducted in a Building or Buildings situate at a Distance not less than Thirty Yards from the other Workshops, and no greater Quantity than Ten Pounds of such Composition shall at any One Time be in any Building:

Every Person keeping or using any Factory for the making of Ammunition or Fireworks shall have, at a Distance of not less than Fifty Yards from any Workshop connected with the Manufacture, a Magazine or Magazines, built with Brick or Stone, for the receiving and safely keeping the Gunpowder or other explosive Materials used in the Manufacture, and the Cartridges or Fireworks (as the Case may be) made at such Factory.

Penalties for making loaded Percussion Caps, or making or keeping Ammunition, &c., contrary to this Act.

VII. All loaded Percussion Caps made, and all Ammunition, Fireworks, Fulminating Mercury, or other explosive Preparations or Compositions made or kept, in any Place where under this Act it is not lawful to make Percussion Caps, or to make or (as the Case may be) keep Ammunition, Fireworks, Fulminating Mercury, or other explosive Preparations or Compositions, and any Quantity of Ammunition, Fireworks, Fulminating Mercury, or other explosive Preparation or Composition kept in any Place where under this Act it may be lawful to keep such Ammunition, Fireworks, Fulminating Mercury, or other explosive Preparation or Composition, exceeding the Quantity which may be lawfully kept there, shall be forfeited; and every Person making or causing to be made Percussion Caps, or making or keeping or causing to be made or kept Ammunition, Fireworks, Fulminating Mercury, or other explosive Preparation or Composition, contrary to this Act, shall for so doing, in addition to such Forfeiture as aforesaid, forfeit for every such Offence any Sum not exceeding Ten Pounds.

No Person to sell Fireworks without a Licence.

VIII. It shall not be lawful for any Person to sell or offer or expose to Sale any Firework without such Licence for that Purpose as herein-after mentioned, and no such Firework shall be sold to any Person apparently under Sixteen Years of Age, and any Person offending against this Enactment shall for every Offence forfeit any Sum not exceeding Five Pounds.

Penalty for throwing Fireworks in Thoroughfares.

IX. If any Person throw, cast, or fire, or aid or assist in throwing, casting, or firing, any Squib, Serpent, Rocket, or other Firework in or into any Thoroughfare or public Place, he shall for every such Offence forfeit any Sum not exceeding Five Pounds.

Justices to license Places for making and keeping Gunpowder.

X. It shall be lawful for the Justices of the Peace for each County or other Division, at their General Quarter Sessions, upon Application made to them by any Person, from Time to Time to license the erecting or having new Mills for making Gunpowder, with proper Presshouses and other Houses and Places to be used for or in the making of Gunpowder, and Magazines near thereto, and also the erecting or having Magazines for keeping unlimited Quantities of Gunpowder in such respective Places,

not

not being within *London* or *Westminster*, or any other Limits herein-after described, as may appear to them proper.

Justices to license Places for making Percussion Caps and Ammunition, &c.

XI. It shall be lawful for the Justices of the Peace for each County or other Division, at their General Quarter Sessions, or for the Council of any Borough, upon Application made to them by any Person, from Time to Time to license Places for the making of loaded Percussion Caps, and for the making and keeping respectively of Ammunition, Fireworks, Fulminating Mercury, or other explosive Preparations or Compositions, and to determine the Quantities of such Articles respectively to be kept in any Place so licensed, and to grant Licences to Persons to sell Fireworks.

Notice of Intention to apply for Licence.

XII. Provided always, That every Person making any Application for any such Licence as aforesaid shall give Notice in Writing of the Intention to make the same, as also of the Place or Places proposed for the Purposes aforesaid respectively, Fourteen Days before making it, as herein-after mentioned; (that is to say,) such Notice shall be given, where Application is made in *England*, to an Overseer or Churchwarden of the Parish or Place in which it is proposed to erect or make any such new Mill, with such Houses and Places as aforesaid, or any such Magazine, or to make or use any Building or Place for any of the Purposes aforesaid, or of an adjoining Parish, if the Place be extra-parochial, and have no Overseer; and where the Application is made in *Scotland*, to the Schoolmaster of the Parish, or if there be no such Schoolmaster, to the Session Clerk; and where the Application is made in *Ireland*, to the Clerk of the Union within which the Parish is included; and such Applicant shall also in every such Case cause the like Notice to be affixed on the Outside of the Door or of the Wall near the Door of every Church and Chapel in such Parish or Place, (including Places of Public Worship not belonging to the Established Church,) previously to the Commencement of Divine Service on a *Sunday* Ten Days at least before the making of such Application.

Justices may make Licences conditional on Precautions prescribed by them for preventing Danger being observed.

XIII. The Justices licensing the erecting or having of any new Mills and other Places to be used for or in making Gunpowder, or any Magazine near thereto, or any Magazine for keeping unlimited Quantities of Gunpowder, and the Justices or Council licensing any Place for the making of loaded Percussion Caps, or for the making or keeping of Ammunition, Fireworks, Fulminating Mercury, or any other explosive Preparation or Composition, may, if they see fit, grant their Licence conditionally upon such precautionary Measures being taken and maintained with regard to the structural Arrangements of every such Mill, Magazine, or Place, the Erection of Mounds or Screens to separate the same from any inhabited House, and otherwise, as they may deem proper for diminishing the Risk of Danger to Life by Explosions.

In case of Refusal of Licence, the Applicant may memorialize Secretary of State, who shall have Power notwithstanding such Refusal to grant the Licence.

XIV. If, on any Application for the licensing of any new Mill or other Place to be used for or in making Gunpowder, or any Magazine near thereto, or any Magazine for keeping unlimited Quantities of Gunpowder, the Justices shall refuse the Licence, or grant the same only on Conditions with which the Applicant shall be dissatisfied, they shall, if so required by the Applicant, certify such Refusal or Conditions, and the Grounds thereof, in Writing, to be signed by the Chairman presiding at the Hearing, and shall deliver the Certificate to the Applicant, who may thereupon, within Ten Days from the Time of the Delivery thereof, transmit the same to One of Her Majesty's Principal Secretaries of State, together with a Memorial praying that, notwithstanding such Refusal, the Licence may be granted, or that such Conditions may not be imposed, or may be altered or modified in such Manner and to such Extent as shall be set forth in such Memorial; and it shall be lawful for the said Secretary of State, if he shall so think fit, on consideration of such Memorial and Certificate, and if he shall think it necessary or desirable, after due Inquiry from and a Report by such Person as he may appoint for that Purpose, to grant the Licence prayed for, either absolutely or with such Conditions as he shall think fit, or to alter or modify the Conditions imposed by the Justices; and the Licence so granted, or altered and modified, as the Case may be, certified under the Hand of the said Secretary of State, shall be to all Intents as valid and effectual as if made and granted by the said Justices.

Owners of Mills may make Rules for their Servants and Workmen for preventing Accidents.

XV. It shall be lawful for the Owner or Occupier of any Mill, Magazine, or Place in which Gunpowder, Ammunition, Fireworks, Fulminating Mercury, or any other explosive Preparation or Composition is manufactured or kept, or loaded Percussion Caps are manufactured, from Time to Time to make such Rules as he may think fit for the Purpose of regulating the Conduct of his Servants and Workmen employed in such Mill, Magazine, or Place, so as to prevent as far as may be Accidents by Explosion, and from Time to Time to alter or rescind any such Rules, and make others, provided such Rules be not repugnant to the Laws of that Part of the United Kingdom where the same are to have Effect, or to the Provisions of this Act; and such Rules shall be signed by such Owner or Occupier, and a Copy thereof shall be given to every Servant or Workman employed in such Mill, Magazine, or Place, who may be affected thereby, and shall be affixed in the Mill, Magazine, or Place to which the same relate.

Penalty for doing any Act in any Mill, &c. tending to cause Explosion.

XVI. Any Servant or Workman of any Owner or Occupier of any Mill, Magazine, or Place in which Gunpowder, Ammunition, Fireworks, Fulminating Mercury, or any other Explosive Preparation or Composition is manufactured or kept, or loaded Percussion Caps are manufactured, who violates the Rules made as aforesaid, and any such Servant or Workman, or any other Person, who does or attempts to do any Act in, to, or about such Mill, Magazine, or Place tending to cause Explosion, or who brings into such Mill, Magazine, or Place any Thing tending to cause Explosion, shall for every such Offence be subject to a Penalty not exceeding Five Pounds, on summary Conviction before any Justice of the Peace,

Peace, or in *Scotland* before any Sheriff, Justice of the Peace, or Magistrate; and any such Servant or Workman as aforesaid, or other Person so acting, may be apprehended without a Warrant by any Peace Officer or other Officer of the Law, or the Owner or Occupier of such Mill, Magazine, or Place, or his Servant, or by any other Person authorized by such Owner or Occupier, or his Agent or Manager, and removed from the Mill or other Premises, and may be conveyed with all convenient Despatch before some Justice, or in *Scotland* before any Sheriff, Justice, or Magistrate, and such Justice, Sheriff, or Magistrate shall proceed with all convenient Despatch to the hearing and determining of the Complaint against the Offender.

Secretary of State may authorize Persons to inspect Mills, &c.

XVII. It shall be lawful for One of Her Majesty's Principal Secretaries of State to authorize, from Time to Time, such Person as he may see fit to inspect and examine any Mill, Magazine, or Place in which Gunpowder, Ammunition, Fireworks, Fulminating Mercury, or any other explosive Preparation or Composition is manufactured or kept, or supposed to be manufactured or kept, or loaded Percussion Caps are made or supposed so to be, in order to see whether or not the Regulations of this Act concerning the Manufacture and keeping of Gunpowder, and such other Matters as aforesaid, and concerning the making of loaded Percussion Caps, are complied with, and to report to such Secretary of State thereon; and every Person so authorized shall have Authority to enter, inspect, and examine any such Mill, Magazine, or Place, at all reasonable Times in the Daytime, without any previous Notice for that Purpose, and the Owner or Occupier of every such Mill, Magazine, or Place is hereby required to furnish the Means necessary for such Entry, Inspection, and Examination:

Any Owner or Occupier of any Mill, Magazine, or Place which any such Person authorized by the Secretary of State is empowered to enter, inspect, and examine, who refuses or neglects to furnish to such Person the Means necessary for making his Entry, Inspection, and Examination, and every Person who wilfully obstructs any such Person in the Execution of his Powers, shall for every such Offence forfeit Five Pounds.

Limitation of Quantities of Gunpowder to be kept by Persons other than Manufacturers.

XVIII. No Person shall have or keep at One Time, being a Dealer in Gunpowder, or Manufacturer of Cartridges, Fireworks, or Rockets, more than Two Hundred Pounds of Gunpowder, and, not being such Dealer or Manufacturer, more than Fifty Pounds of Gunpowder, in any House, Mill, Magazine, Storehouse, Warehouse, Shop, Cellar, Yard, Wharf, or other Building or Place, (and for the Purposes of this Enactment all Buildings and Places adjoining to each other, and occupied together, shall be deemed One House or Place), or on any River or other Water, (except in Carriages loading or unloading or passing on the Land, or in Ships, Boats, or Vessels, loading or unloading, or passing on any River or other Water, or detained there by the Tide or bad Weather,) within the following Limits, being the Limits within which Gunpowder Mills or Magazines may not be licensed under this Act; (that is to say,) within the City of *London* or *Westminster*, or within Three Miles of either of them; or within any Borough or Market Town, or One Mile of the same; or within Two Miles of any Palace or House of Residence of Her Majesty, Her Heirs or Successors; or within Two Miles of any Gunpowder Magazine belonging to the Crown; or within Half a Mile of any Parish Church; or in any Place beyond the Limits aforesaid, except in Mills or other Places which at the Commencement of this Act shall be lawfully used for the making of Gunpowder, and the Magazines, Storehouses, and Offices near and belonging thereto, and in the Magazines in which greater or unlimited Quantities of Gunpowder may be lawfully kept at the Commencement of this Act, and in the Places where it shall be lawful to make Gunpowder, or to keep greater or unlimited Quantities of Gunpowder, under the Provisions of this Act; and all Gunpowder kept beyond the Quantity hereby allowed, and the Barrels or Receptacles in which such Gunpowder shall be kept, shall be forfeited, and any Person keeping the same shall for every such Offence forfeit not exceeding Two Shillings for every Pound of Gunpowder kept beyond the allowed Quantity.

Gunpowder may be kept for Mines, under certain Conditions.

XIX. It shall be lawful for any Person to keep, exclusively for the Use of any Mine, Quarry, or Colliery, any Quantity of Gunpowder not exceeding Three hundred Pounds Weight at any One Time in any Magazine or Warehouse, so as such Magazine or Warehouse be within Two hundred Yards of such Mine, Quarry, or Colliery, and (unless erected and used for this Purpose before the passing of this Act) be not within Two hundred Yards from any inhabited House, without the Consent in Writing of the Occupier of such House; and it shall be also lawful for any Person to keep, exclusively for the Use of One or more Mine, Quarry, or Colliery, Mines, Quarries, or Collieries, any greater Quantity of Gunpowder not exceeding Four thousand Pounds at any One Time in any Magazine, so as such Magazine be well and substantially built of Brick or Stone, and, save where continued or erected under a Certificate of the Secretary of State as herein-after mentioned, be within Two hundred Yards of the respective Mine, Quarry, or Colliery, or One of the Mines, Quarries, or Collieries, for the Use of which such Gunpowder is kept, and not within any of the Limits herein-before particularly described, and not within Two Hundred Yards from any inhabited House, without the Consent in Writing of the Occupier of such House: Provided always, that the Owners, Lessees, or Occupiers of any Mine, Quarry, or Colliery, having for the Use thereof a Magazine not situated as prescribed by this Enactment, or being desirous of erecting a Magazine not so situated, may make Application by Memorial to One of Her Majesty's Principal Secretaries of State, in the like Manner and for the like Causes as herein-before provided in relation to the Continuance or Erection of an Expense Magazine or Store Magazine within the prescribed Distance, and the Secretary of State may, by his Certificate, authorize the Continuance or Erection of the

the Magazine to which the Application relates, either absolutely or conditionally on such precautionary Measures being taken and maintained as he may deem proper.

Not more than Thirty Barrels by Land and Five hundred by Water, to be conveyed at One Time.

XX. No Person shall have or convey at One Time more than Thirty Barrels of Gunpowder in any Waggon, Cart, or other Carriage by Land, except in a Van specially constructed for that Purpose, enclosed on every Side with Wood, and then not more than Forty Barrels, and unless such Carriage form Part of a Railway Train, and then not more than One hundred Barrels in any Carriage forming Part of such Train; and no Person shall have or convey at One Time, within the United Kingdom, more than Five hundred Barrels of Gunpowder in any Barge, Boat, or other Vessel by Water, except in Vessels with Gunpowder imported from or to be exported to any Place beyond the Sea, or going Coastwise; and all Gunpowder conveyed on Land or Water (except in such Vessels for Importation or Exportation of Gunpowder, or going Coastwise,) shall be in Barrels, close joined and hooped, or in Copper, Zinc, or Tin Cases or Canisters, enclosed in Wooden Boxes or Barrels, without any Iron about such Boxes or Barrels, and so secured that no Part of the Gunpowder be scattered in the Passage; and each Barrel shall contain no more than One hundred Pounds of Gunpowder; and every Carriage in which Gunpowder shall be conveyed by Land shall have a complete Covering of Wood, Painted Cloth, Tarpaulin, or Wadmill Tilts, over all the Gunpowder therein contained; and no Gunpowder shall be conveyed by Water in any Barge, Boat, or other Vessel not having a close Deck (except in Vessels with Gunpowder imported or to be exported in manner aforesaid, or going Coastwise); and as soon as any Gunpowder is put on board such Vessel, all such Gunpowder shall be covered with raw Hides or Tarpaulins; and where any Gunpowder conveyed by Land or Water is contained in any Receptacles hereby authorized other than Barrels, no greater Quantity shall be so conveyed than shall be equivalent to what might lawfully have been so conveyed if the same had been contained in Barrels:

And all Gunpowder which shall be carried or conveyed (except in such Vessels with Gunpowder for Importation or Exportation as aforesaid, or going Coastwise,) within any Part of the United Kingdom in greater Quantity or in other Manner than is herein-before prescribed, and the Barrels or other Receptacles in which such Gunpowder shall be, may be seized by any Person, who shall have the same Authority to remove such Gunpowder and Barrels, or Receptacles, and to use for that Purpose, during the Space of Twenty-four Hours after Seizure, the Carriage or Vessel in which such Gunpowder shall be seized, and the Tackling, Beasts, and Accoutrements belonging thereto, on the Terms of paying a Recompence for the Use thereof, and to detain such Gunpowder and Barrels or Receptacles, as is herein-after given to Persons searching under a Warrant of a Justice of the Peace, Sheriff, or Magistrate, and such Seizure shall be for the Use of the Person making the Seizure, on Conviction of the Offender or Offenders.

No Gunpowder to be loaded until that condemned be unloaded.

XXI. When any Barge, Boat, or Vessel, having stale, condemned, or returned Gunpowder on board, arrives at the Quay, Wharf, or other Place where the same is intended to be landed, no Person shall begin to unload, or shall bring down to such Wharf, Quay, or other Place with Intent to load, in such Vessel, any other Gunpowder, until the whole or Part of such stale, condemned, or returned Gunpowder be first unloaded or carried away from such Wharf, Quay, or other Place of Landing; and after such unloading and carrying away of Part of such Gunpowder no Person shall begin to load or shall so bring down with Intent to load any greater Quantity of other Gunpowder than the Part unloaded and carried away, on pain of forfeiting all Gunpowder so loaded or brought down contrary to this Enactment.

Penalty for smoking, &c. on board Vessels loaded with Gunpowder.

XXII. Any Person having the Care or Management of any Barge, Boat, or other Vessel whatsoever (except Ships or Vessels with Gunpowder on board imported from or to be exported to Places beyond Sea, or going Coastwise,) loaded with Gunpowder, or any other Person on board the same, who brings, has, or uses, or permits any Person to bring, have, or use, any Charcoal, Lucifer Matches, or other combustible Matter, or any Fire or lighted Candle, during the Time of loading or unloading, or when the Hatches are open, or smokes or wittingly permits any Person to smoke on board such Barge, Boat, or Vessel, shall for every such Offence forfeit any Sum not exceeding Five Pounds.

Penalty for undue Delay in loading or unloading Gunpowder.

XXIII. No Person having the Care of any Waggon, Cart, or other Carriage used for the Conveyance of Gunpowder by Land shall, after beginning to place or load therein any Quantity of Gunpowder, or beginning to unload the same thereout, stop or stay at any Place of loading, or in the loading or unloading suffer any longer Time to pass than with the Use of all due Diligence shall be reasonably necessary for the Purpose of loading or unloading; and no Person, having the Charge or Care of any Barge, Boat, or other Vessel used for the Conveyance of Gunpowder by Water, (except in the Case of Vessels loading for Importation or Exportation of Gunpowder to or from Places beyond Sea, or going Coastwise,) shall, after beginning to load or unload any Quantity of Gunpowder, stop or stay at any Wharf, Quay, or other Place of loading, or in the loading or unloading thereof suffer any longer Time to pass than with the Use of all due Diligence shall be reasonably necessary for the Purpose of loading or unloading, not exceeding Eighteen Hours, unless hindered by the Weather; and every Person offending against this Enactment shall for each Offence forfeit any Sum not exceeding Ten Pounds.

Provisions to extend only to Carriage of more than 100 lbs. of Gunpowder.

XXIV. None of the aforesaid Provisions, for or relative to the Conveyance of Gunpowder, or the loading or unloading thereof, shall extend to any other Waggon, Cart, or Land Carriage, or any other Boat, Barge, or Vessel, than such as shall be loaded with or employed in conveying a Quantity of Gunpowder exceeding One hundred Pounds Weight.

XXV. It

Power to Justices to issue Warrants to search.

XXV. It shall be lawful for any Justice of the Peace, and in *Scotland* for any Sheriff, Justice of the Peace, or Magistrate, within the Limits of whose Jurisdiction Gunpowder is suspected to be made, kept, or carried, contrary to this Act, on Demand made, and reasonable Cause assigned upon Oath by any Person, to issue a Warrant under his Hand and Seal, or in *Scotland* under his Hand, for searching in the Daytime any House, Mill, Magazine, Storehouse, Warehouse, Shop, Cellar, Yard, Wharf, or other Place, or any Carriage, Ship, Boat, or Vessel, in which such Gunpowder is suspected to be made, kept, or carried contrary to this Act; and all Gunpowder found to be made, kept, or carried contrary to this Act, and also the Gunpowder Barrels or other Receptacles, shall be immediately seized by the Searcher, who shall with all convenient Speed after the Seizure remove such Gunpowder, and the Barrels or other Receptacles in which it shall be, to such proper Places as he, in conformity to the Restrictions of this Act, shall think fit, and in the Case of any such Gunpowder seized in any Carriage or Vessel may use for the Purpose of Removal, during the Space of Twenty-four Hours after Seizure, such Carriage or Vessel, with the Tackling, Beasts, and Accoutrements belonging thereto, (paying afterwards to the Owner or Owners thereof a sufficient Recompence for the Use thereof, to be settled by the Justices, Sheriff, or Magistrates before whom the Complaint shall be heard, after the Seizure, and in case of Nonpayment immediately after Settlement by such Justices, Sheriff, or Magistrates, to be recoverable as in the Case of pecuniary Penalties under this Act,) and may detain such Gunpowder, and the Barrels or other Receptacles in which it shall be, till it shall be adjudged, on a Hearing before Two or more such Justices or Magistrates, or before the Sheriff, whether the same shall be forfeited; and such Searcher or Seizer shall not be liable to any Suit for such Detainer, or for any Loss of or Damage which may happen to the said Gunpowder or Barrels or other Receptacles, other than by his wilful Act or Neglect, or the wilful Act or Neglect of the Persons with whom he shall intrust the keeping thereof: Provided, that where any Gunpowder is seized under this Provision, Proceedings for the Forfeiture thereof shall be commenced within Twenty-eight Days after such Seizure.

Regulations for the Security of the Vessels in the River Thames.

XXVI. No Master or Commander of any Ship or other Vessel lying in the *Thames*, and Outward bound, shall receive or permit to be received on board any such Ship or Vessel more than Twenty-five Pounds of Gunpowder (except for the Queen's Service) before the Arrival of such Ship or Vessel at, over against, or below *Blackwall*, and the Master or Commander of every Ship or Vessel coming into the River *Thames* shall (except in the Case of Gunpowder for the Service of the Crown) put on shore in proper Places, in conformity to the Restrictions of this Act, all the Gunpowder on board such Ship or Vessel above the Quantity of Twenty-five Pounds, either before the Arrival of such Ship or Vessel at *Blackwall*, or within Twenty-four Hours (if the Weather shall permit) after coming to an Anchor there, or to the Place of unloading there, and shall not afterwards have on board more than Twenty-five Pounds of Gunpowder (except for the Service of the Crown), on pain of forfeiting for every Offence in any of the said Cases all the Gunpowder found on board above the Weight of Twenty-five Pounds, and the Barrels or other Receptacles in which such Gunpowder shall be, and also not exceeding Two Shillings for every Pound of Gunpowder above the Quantity of Twenty-five Pounds.

Conservators of the River Thames to appoint Searchers.

XXVII. The Conservators of the River *Thames* for the Time being shall from Time to Time appoint One or more of the Harbour-masters of the Port of *London*, or other Person or Persons, a Searcher or Searchers for unlawful Quantities of Gunpowder in Ships or other Vessels in the River *Thames*, which Person or Persons so appointed are hereby authorized, at any Time between Sun-rising and Sun-setting, to enter any Ship or Vessel (except Her Majesty's Ships) in the River *Thames* above *Blackwall*, and to search the same for unlawful Quantities of Gunpowder, and also shall have the same Powers of seizing, removing to proper Places, and detaining all such unlawful Quantities of Gunpowder found on board any such Ship or Vessel, and the Barrels or other Receptacles in which such Gunpowder shall be, as are herein-before given to Persons searching for unlawful Quantities of Gunpowder under a Warrant of a Justice of the Peace.

Forfeitures and Penalties recoverable summarily.

XXVIII. Any Forfeiture or Penalty, or Forfeiture and Penalty, (as the Case may be,) for any Offence against this Act, and not herein otherwise provided for, may be enforced and recovered upon summary Conviction of such Offence before any Two Justices, or in *Scotland* before any Sheriff or any Two Justices or Magistrates; and save as herein otherwise provided, one Moiety of every Forfeiture and Penalty for any Offence against this Act, or Violation of any Rules made thereunder, shall belong to Her Majesty, and the other Moiety to the Informer, anything in any Act to the contrary notwithstanding: Provided always, that if the Informer be a Person appointed under this Act by the Secretary of State, or a Servant of the Person informed against, the Moiety of the Penalty which would otherwise belong to the Informer shall be applied in such Manner and to such other Purposes as the Justices, Sheriff, or Magistrates in their Discretion think fit: Provided also, that such Forfeitures and Penalties, and the Expenses attending the Conviction, may be levied and recovered in *Scotland* by Poinding and Sale, and in default of Payment, or of sufficient Poinding, by Imprisonment for any Period not exceeding Three Months.

The Lord Lieutenant or Chief Secretary in Ireland to have the like

XXIX. Where under any of the Provisions herein-before contained Application may be made to One of Her Majesty's Principal Secretaries of State, an Application in relation to the like Matter in *Ireland* may be made, by Memorial, to the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, or his or their Chief Secretary; and such Lord Lieutenant or Chief Governor or Governors, or his or

their

their Chief Secretary, shall and may have and exercise in *Ireland*, as well in relation to the Matter of any such Application as for and in relation to the Inspection and Examination of Mills and other Places, the same Authorities and Discretion, and may grant and make Certificates, Licences, and Orders having the like Force and Effect, as herein-before provided in relation to the Secretary of State; and all the Provisions of this Act having reference to the Secretary of State shall, in relation to any Matter arising in *Ireland*, take effect as if the Lord Lieutenant or other Chief Governor or Governors, or his or their Chief Secretary, had been mentioned or referred to instead of such Secretary of State.

Authorities as are before given to the Secretary of State.

XXX. This Act shall not extend to any Mills or other Buildings erected or which may be erected for the Purpose of making Gunpowder on any Lands belonging to or held for the Service of the Crown, or to the keeping of Gunpowder at any Storehouse or Magazine belonging to or held for the Service of the Crown, or to the manufacture, loading, or keeping of Percussion Caps, Ammunition, Fireworks, or any Preparation or Compound of an explosive Nature, in any Place belonging to or held for the Service of the Crown, or to hinder the Trial of Gunpowder by Her Majesty's Officers, as is usual, for the Service of the Crown, or to the keeping of Gunpowder at the Magazines now erected for that Purpose at *Barking Creek's* Mouth in the County of *Essex* and *Erith* Level in the County of *Kent*, or to the keeping of Gunpowder at the Magazines or Storehouses now erected near the City of *Bristol*, or to the keeping of Gunpowder in Vessels moored in the River *Mersey* under the Provisions of the Act of the Session holden in the Fourteenth and Fifteenth Years of Her Majesty, Chapter Sixty-seven, or to the Carriage of Gunpowder to or from Magazines belonging to the Crown, under a special and express Order of the Secretary of State for War, such Order to contain the Quantity of Gunpowder so to be carried, and the Time for which such Order shall be in force, or to the Carriage of Gunpowder with Forces on their March, or with the Militia or Volunteer Corps during their Exercise, or which shall be sent for the Use of such Forces, Militia, or Volunteer Corps.

Act not to extend to Mills erected on Crown Lands, &c.

XXXI. This Act shall not extend to repeal or alter the Act of the Fifty-fourth Year of *George* Third, Chapter One hundred and fifty-nine, or to Gunpowder, Percussion Caps, or combustible Articles on board any Ship, Vessel, or Boat of Her Majesty or in Her Majesty's Service, or required or kept for the Use of Her Majesty's Navy, Her Majesty's Royal Marine Forces, the Royal Naval Coast Volunteers, the Royal Naval Volunteers, or any Force which is or may be under the Orders or Control of the Commissioners for executing the Office of Lord High Admiral of the United Kingdom.

Act not to affect 54 G. 3. c. 159. or to Gunpowder, &c. on board Her Majesty's Ships, &c.

XXXII. This Act shall not extend to prevent the keeping of Gunpowder in the Proof Houses of the Two Companies authorized by "The Gun Barrel Proof Act, 1855," or in Magazines connected with such Proof Houses, provided that the Quantity of Gunpowder kept at the same Time in any One such Proof House, and the Magazine (if any) connected therewith, do not exceed in the whole Five Hundredweight.

Saving for Proof Houses under 18 & 19 Vict. c. cxlviii. (*Local.*)

XXXIII. This Act shall not extend to hinder any Person or Persons from carrying or conveying an unlimited Quantity of Gunpowder, in such close-decked Vessels and Manner as herein-before is directed, from any Ships or Vessels lying below *Blackwall*, to any of the Magazines for Gunpowder so situate below *Blackwall*, or from such Magazines to any Ships or Vessels lying below *Blackwall*, and going to any Place beyond Sea or Coastwise, or from the floating Magazines in the River *Mersey* to any Ships or Vessels going to any Place beyond Seas or Coastwise, or from any Ships or Vessels arriving from any Place beyond Seas or Coastwise to the said floating Magazines.

Not to extend to hinder unlimited Quantities of Gunpowder being conveyed from Ships below Blackwall.

XXXIV. This Act shall not extend or be construed to repeal or affect the Provisions concerning Gunpowder in and near the *London Docks* in Sections One hundred and thirty-four and One hundred and thirty-five of the Act of the Ninth Year of King *George* the Fourth, Chapter One hundred and sixteen (Local and Personal).

Saving of Enactment for Protection of London Docks.

XXXV. This Act shall not extend or be construed to repeal or affect the Provisions with respect to Gunpowder Magazines, Gunpowder, or Fireworks contained in any General or Local Police Act which may be in force in any Place in the United Kingdom.

Saving for Provisions of Police Acts.

XXXVI. 'And whereas by an Act of the Session holden in the Second and Third Years of Her 'Majesty, Chapter Forty-seven, "for further improving the Police in and near the Metropolis," every 'Superintendent or Inspector belonging to the Metropolitan Police Force is empowered as therein men- 'tioned to enter any Ship, Boat, or Vessel (except Her Majesty's Ships) in the River *Thames*, and the 'Docks and Creeks adjacent thereto, and to search the same for unlawful Quantities of Gunpowder, and 'to exercise the same Powers of seizing, removing to proper Places, and detaining all such unlawful 'Quantities of Gunpowder found on board any such Ship, Boat, or Vessel, and the Barrels or other 'Packages containing such Gunpowder, as are given to Persons searching for unlawful Quantities of 'Gunpowder under the Warrant of a Justice by virtue of the said Act of the Twelfth Year of King '*George* the Third; and by an Act of the Session holden in the Ninth and Tenth Years of the Reign of 'Her Majesty, Chapter Twenty-five, "for preventing malicious Injuries to Persons and Property by Fire '"or by explosive or destructive Substances," any Justice of the Peace is empowered as therein men- 'tioned to issue a Warrant for searching in the Daytime any Place or Vessel in which Gunpowder or 'other explosive, dangerous, or noxious Substance is suspected to be made or kept for the Purpose of 'being used in committing an Offence under that Act; and it is enacted that every Person acting in the 'Execution of any such Warrant shall have, for seizing, removing to proper Places, and detaining all

2 & 3 Vict. c. 47. and 9 & 10 Vict. c. 25. to be construed as referring to this Act.

'Gunpowder, explosive, dangerous, or noxious Substances found upon such Search which he shall have 'good Cause to suspect to be intended to be used in committing an Offence under that Act, and the 'Barrels, Packages, and Cases in which the same shall be, the same Powers which are given to Persons 'searching for unlawful Quantities of Gunpowder under a Warrant of a Justice by the said Act of the 'Twelfth Year of King *George* the Third:'

All Powers given by the said Acts of the Second and Third Years and Ninth and Tenth Years of Her Majesty, or by any Act passed or to be passed in this present Session of Parliament, by reference to the said Act of the Twelfth Year of King *George* the Third, shall be construed as if this Act had been referred to in the said Acts of Her Majesty, instead of the said Act of King *George* the Third.

Meaning of the Word "Borough."

XXXVII. In the Construction of this Act the Term "Borough" shall mean and include any Place for the Time being subject to the Provisions of the Act of the Session holden in the Fifth and Sixth Years of King *William* the Fourth, Chapter Seventy-six; and in *Scotland* any Royal Burgh and any of the Burghs or Towns returning or contributing to return Members to Parliament; and in *Ireland* any Place for the Time being subject to the Provisions of the Act of the Session holden in the Third and Fourth Years of Her Majesty, Chapter One hundred and eight.

CAP. CXL.

An Act for facilitating the Acquisition by Rifle Volunteer Corps of Grounds for Rifle Practice.

[28th *August* 1860.]

'WHEREAS it is expedient that Facilities should be given for the Acquisition by Rifle Volunteer 'Corps of fit Ground for Rifle Practice:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Preliminary.

Short Title.

I. This Act may be cited for all Purposes as "The Rifle Volunteer Grounds Act, 1860."

Not to apply to Ireland.

II. This Act shall not apply to *Ireland*.

Definition of Rifle Corps.

III. The Expression "Rifle Volunteer Corps" as herein used shall mean any Rifle Volunteer Corps of which Her Majesty has accepted the Offer of Service, in pursuance of the several Acts of Parliament in that Behalf provided.

Power to purchase Land.

Power for Rifle Corps to purchase Land.

IV. Any Rifle Volunteer Corps may purchase or acquire by such Grants as are herein-after mentioned any Land for Rifle Practice, and for the Erection of Butts and other Accommodations for the Use of the Corps when practising with Rifles, subject to the following Restriction:

That the Assent of Her Majesty's Principal Secretary of State for the War Department for the Time being, herein-after called the said Principal Secretary, shall be obtained to the Purchase of any Land under the Powers of this Act, or to the Grant of any Land by any Person or Body of Persons, in pursuance of the Powers herein-after given.

Vesting of Lands acquired by Rifle Corps.

V. All Lands acquired by any Rifle Volunteer Corps under the Powers and Provisions of this Act shall vest in the Commanding Officer of the Corps for the Time being, and his Successors in Office, with Power for such Officer and his Successors to sue and be sued, to make Contracts, and to do other Things relating to such Land, under the official Name of the Commanding Officer for the Time being of the Corps to which he belongs.

Assent of Secretary for War.

Mode of obtaining Assent of Secretary for War.

VI. In order to obtain the Assent of the said Principal Secretary to the Purchase of Land under this Act, the Corps shall make an Application to him in such Manner as he may direct, describing the Land intended to be purchased, and adding such Particulars as to the Circumstances of the Corps, and as to the Amount of Purchase Money, and as to other Matters as he may require.

Secretary for War to make Inquiries.

VII. Previously to giving his Assent, the said Principal Secretary shall send an Inspector to the Land for the Purpose of ascertaining the Capabilities of such Land to be converted into a Rifle Practice Ground with due Regard to the Safety and Convenience of the Public.

Power of Secretary for War to give or withhold Assent.

VIII. Upon the Receipt of the Report of the Inspector, the said Principal Secretary may give or withhold his Assent, either with or without Modification, and may annex to such Assent, if given, any Conditions or Regulations he thinks fit, and the Decision of the said Principal Secretary shall in all Cases be conclusive.

Incorporation of Acts.

8 & 9 Vict. cc. 18. & 19. incorporated.

IX. For the Purpose of facilitating the Purchase of Lands in pursuance of the Powers given by this Act, "The Lands Clauses Consolidation Act, 1845," and "The Lands Clauses Consolidation (*Scotland*) Act, 1845," shall be incorporated with this Act, with the Exception of the Provisions that relate to the Purchase of Lands otherwise than by Agreement.

X. In

X. In the Construction of this Act and the said incorporated Acts, this Act shall be deemed to be the Special Act; and the Rifle Volunteer Corps desirous of purchasing Land shall be deemed to be the Promoters of the Undertaking; and under the Term "Land," a permanent Right of Shooting and Drilling or any other Easement in Land shall be held to be included, and may be alone conveyed while the Fee Simple or other Interest in such Lands may be reserved. Construction of Acts hereby incorporated.

Grants to Rifle Corps.

XI. Any Person seised in Fee Simple, Fee Tail, or for Life of any Manor or Lands of Freehold, Copyhold, or Customary Tenure, and having the beneficial Interest therein, or in *Scotland* being the Proprietor in Fee Simple or under Entail, and in possession for the Time being, may grant, convey, or enfranchise by way of Gift in Fee Simple or for a Term of Years any Quantity not exceeding Four Acres of such Land, or any limited Right as aforesaid over Land to any Extent exceeding Twenty Acres, to any Rifle Volunteer Corps: Provided always, that no such Grant, Conveyance, or Enfranchisement made by any Person seised only for Life of any such Manor or Lands shall be valid unless the Person next entitled in Remainder, in Fee Simple, or Fee Tail (if legally competent) is a Party to and join in such Grant: Provided also, that upon its being proved in manner herein-after mentioned that any Land granted, conveyed, or enfranchised as aforesaid, or any Part thereof, has ceased to be used for the Purposes of this Act, the same shall thereupon immediately revert to and become a Portion of the Estate of which it formed a Part before the Grant was made. Landlords empowered to convey Lands to be used as Rifle Ground.

XII. The Chief Commissioner of Her Majesty's Works and Public Buildings for the Time being may grant to any Rifle Volunteer Corps the Right to use for the Purposes of this Act any Portion of such Royal Parks, Gardens, and Possessions as are under his Management, upon such Terms, for such Time, not exceeding Twenty-one Years, and subject to such other Conditions, as he thinks fit; provided always, that any such Grant shall be at all Times revocable by the Crown. Power to grant Right of shooting in Royal Parks, &c.

XIII. The Commissioners of Her Majesty's Woods, Forests, and Land Revenues, or either of them, on behalf of Her Majesty, Her Heirs and Successors, may, with the Consent of the Commissioners of Her Majesty's Treasury, grant any Licence for the Use, during any Term not exceeding Twenty-one Years, of any Part of the Possessions or Land Revenues of the Crown under their Management, not exceeding Four Acres, to any Rifle Volunteer Corps, for the Purposes of this Act, upon such Terms and Conditions as to the said Commissioners or Commissioner may seem meet, and, subject to this Proviso, that in the event of its being proved as herein-after mentioned that the Land in respect of which any such Licence has been so granted as aforesaid, or any Part thereof, has ceased to be used for the Purposes of this Act, such Licence shall thereupon cease and determine; and any Licence to be so granted may be renewed from Time to Time. Power for Commissioners of Her Majesty's Woods, &c. to grant Lands.

XIV. The Chancellor and Council of Her Majesty's Duchy of *Lancaster* for the Time being may, by any Deed under the Hand and Seal of the Chancellor of the said Duchy for the Time being, attested by the Clerk of the Council of the said Duchy for the Time being, for and in the Name of Her Majesty, Her Heirs and Successors, grant any Licence for the Use during any Term not exceeding Twenty-one Years to any Rifle Volunteer Corps to be used by them for the Purposes of this Act of any Lands forming Part of the Possessions of the said Duchy, not exceeding in the whole Four Acres, upon such Terms and Conditions as to the said Chancellor and Council seem meet, subject to this Proviso, that, in the event of its being proved in manner herein-after mentioned that the Land in respect of which any Licence has been so granted, or any Part thereof, has ceased to be used for the Purposes of this Act, such Licence shall thereupon cease and determine; and any Licence so granted as aforesaid may be renewed from Time to Time. Chancellor and Council of the Duchy of Lancaster empowered to grant Lands to Rifle Corps.

XV. Any Two or more of the principal Officers of the Duchy of *Cornwall* may, with the Consent of the Commissioners of Her Majesty's Treasury, under the Authority of a Warrant issued for that Purpose under the Hands of any Three or more of the Special Commissioners for the Time being for managing the Affairs of the Duchy of *Cornwall*, or under the Hands of any Three or more of the Persons who may hereafter for the Time being have the immediate Management of the said Duchy, if the said Duchy is then vested in the Crown, or if the said Duchy is vested in a Duke of *Cornwall*, then under the Privy Seal of such Duke of *Cornwall*, or under the Hands of any Three or more of the Persons for the Time being having the immediate Management of the said Duchy, by Deed under the Privy Seal of such Duke, grant any Licence for the Use during any Term not exceeding Twenty-one Years to any Rifle Volunteer Corps, to be used by them for the Purposes of this Act, of any Lands forming Part of the Possessions of the said Duchy of *Cornwall*, not exceeding on the whole Four Acres, upon such Terms and Conditions as to the said Special Commissioners, or to the said Duke, or such other Persons as aforesaid seem meet, subject to this Proviso, that in the event of its being proved in manner herein-after mentioned that the Land in respect of which any Licence has been so granted, or any Part thereof, has ceased to be used for the Purposes of this Act, such Licence shall thereupon cease and determine; and any Licence to be so granted as aforesaid may be renewed from Time to Time. Officers of the Duchy of Cornwall empowered upon sufficient Authority to grant Lands to Rifle Corps.

XVI. Any Corporation, Ecclesiastical or Lay, Sole or Aggregate, any Officer, Justices of the Peace, Trustees, or Commissioners holding Land for public, ecclesiastical, or parochial Purposes, may grant any such Licence for the Use, during any Term not exceeding Twenty-one Years, to any Rifle Volunteer Corps, Corporations, Justices, Trustees, &c. empowered to

convey Lands for the Purposes of this Act.

Corps, to be used by them for the Purposes of this Act, of any Quantity of Land not exceeding Four Acres, that may be vested in such Corporation, Officers, Justices, Trustees, or Commissioners, subject to the following Provisions:

(1.) That no Ecclesiastical Corporation Sole below the Dignity of a Bishop shall make such Grant without the Consent, in Writing, of the Bishop of the Diocese to whose Jurisdiction he is subject, and of the Patron of the Preferment to which the Land belongs or the Guardians or Trustees of such Patron:

(2.) That no Parochial Property shall be granted for such Purposes without the Consent of the Majority of the Ratepayers and Owners of Property in the Parish to which the same belongs, assembled at a Meeting to be convened according to the Mode pointed out by the Act passed in the Sixth Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to facilitate the Conveyance of Workhouses and other Property of Parishes, and of Incorporations or Unions of Parishes, in* England *and* Wales, nor without the Consent of the Poor Law Commissioners, to be testified by their Seal being affixed to the Deed of Conveyance, and of the Guardians of the Poor of the Union within which the said Parish may be comprised, or of the Guardians of the Poor of the said Parish where the Administration of the Relief of the Poor therein shall be subject to a Board of Guardians, testified by such Guardians being the Parties to convey the same:

(3.) That where any Officers, Trustees, or Commissioners other than Parochial Trustees make any such Grant it shall be sufficient if a Majority or Quorum authorized to act of such Officers, Trustees, or Commissioners assembled at a Meeting duly convened, assent to such Grant and execute the Deed of Conveyance, although they do not constitute a Majority of the actual Body of such Officers, Trustees, or Commissioners:

(4.) That the Justices of the Peace may give their Consent to the making any Grant of Land or Premises belonging to any County, Riding, or Division by Vote at their General Quarter Sessions, and may direct the same to be made in the Manner directed to be pursued on the Sale of the Sites of Gaols by an Act passed in the Seventh Year of the Reign of His late Majesty *George* the Fourth, intituled *An Act to authorize the Disposal of unnecessary Prisons in* England:

(5.) That, in the event of its being proved in manner herein-after mentioned that any Land granted under this Section, or any Part thereof, has ceased to be used for the Purposes of this Act, it shall thereupon revert and belong to the Person or Body of Persons to whom it belonged previously to the Grant being made.

Miscellaneous.

Power to stop Footpaths.

XVII. Where any Footpath crosses any Lands purchased or acquired for the Purposes of this Act, such Footpath may, with the Consent of the Vestry of the Parish in which the same is situate, and upon the Certificate of Two Justices that the Footpath to be substituted is convenient for the Public, be stopped up or diverted: All Proceedings to obtain such Certificate, and to stop up or divert such Footpath, shall be taken in the same Manner in which Proceedings are directed to be taken by the Act passed in the Session holden in the Fifth and Sixth Years of His late Majesty King *William* the Fourth, Chapter Fifty, in Cases where a Party other than the Inhabitants in Vestry is desirous of stopping up, diverting, or turning a Highway, or as near thereto as Circumstances admit; with this Exception, that the Certificate of the Justices shall be conclusive in Cases where it states the Fact of their having viewed the Footpath to be stopped up or diverted, and that the proposed new Footpath is convenient for the Public.

Power of Secretary for War to make Byelaws.

XVIII. The said Principal Secretary, with a view to the Service, Safety, and Convenience of the Public, may make Byelaws for the Regulation of Rifle Shooting on Grounds acquired or used by any Rifle Volunteer Corps under the Provisions of this Act.

Proof of Cesser of Land to be used for Purposes of Act.

XIX. Any Land acquired or for the Use of which any Licence has been granted under this Act shall be deemed to have ceased to be used for the Purposes thereof where no such Use by the Corps to which the same was granted has taken place for a Period of One Year, and a Certificate shall have been given by the said Principal Secretary of the Fact of such Non-user; and such Certificate shall be conclusive Evidence of such Fact as against all Persons and in all Courts of Justice.

CAP. CXLI.

An Act to amend an Act passed in the Thirteenth Year of Her Majesty, to restrain Party Processions in *Ireland*. [28th *August* 1860.]

13 & 14 Vict. c. 2.

WHEREAS an Act was passed in the Thirteenth Year of Her Majesty, Chapter Two, to restrain Party Processions in *Ireland*, and it is expedient that the said Act should be amended: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Exhibition of Banners, &c. calculated to

I. Any Person who shall in *Ireland* wilfully and knowingly do any of the Acts herein-after mentioned in such a Manner as may be calculated or tend to provoke Animosity between different Classes

of

of Her Majesty's Subjects, and lead to a Breach of the public Peace, shall be guilty of a Misdemeanor; that is to say, the publicly exhibiting or displaying upon any Building or Place, or the wilfully permitting or suffering to be publicly exhibited or displayed upon any Building or Place, any Banner, Flag, or Party Emblem or Symbol, or the publicly meeting and parading with other Persons, or the playing of any Music, or discharging any Cannon or Firearm in any Public Street, Road, or Place. provoke Animosity to be a Misdemeanor.

II. It shall be lawful for any Justice of the Peace, on Information duly sworn before him that such Exhibition is likely to lead to a Breach of the Peace, by Warrant under his Hand, to authorize and empower any County or Sub-Inspector of Constabulary, Head or other Constable, to enter any Building or Place upon which any such Banner, Flag, or Party Emblem, or Symbol shall be exhibited, in manner hereby prohibited, and to remove and detain such Banner, Flag, or Party Emblem, or Symbol. Any Justice may authorize Removal of Banners, &c.

III. Provided always, That this Act shall continue and be in force for the Period of Five Years from the passing thereof. Act to continue for Five Years.

CAP. CXLII.

An Act to make better Provision for the Union of contiguous Benefices in Cities, Towns, and Boroughs. [28th *August* 1860.]

'WHEREAS an Act was passed in the Second Year of Her Majesty's Reign, intituled *An Act to abridge the holding of Benefices in Plurality, and to make better Provision for the Residence of the Clergy;* and in such Act Provision is contained authorizing the Union by Order of Her Majesty in Council, after such Inquiry and Notice and with such Consent and upon such Certificate as is therein mentioned, of Two or more Benefices, or One or more Benefice or Benefices and One or more Spiritual Sinecure Rectory or Rectories, Vicarage or Vicarages, in the same Parish or contiguous to each other, of which the aggregate Population should not exceed One thousand five hundred Persons, and the aggregate yearly Value should not exceed Five hundred Pounds: And whereas another Act was passed in the Fourteenth Year of Her Majesty's Reign, intituled *An Act to amend the Law relating to the holding of Benefices in Plurality*, by which Act the Provision herein-before referred to was extended so as to be applicable to and for the Union of Benefices, Sinecure Rectories, and Vicarages, in the same Parishes or contiguous to each other, and of which the aggregate Population should not exceed One thousand five hundred Persons, notwithstanding the aggregate yearly Value should exceed Five hundred Pounds: And whereas another Act was passed in the Eighteenth and Nineteenth Years of Her Majesty's Reign for making better Provision for the Union of contiguous Benefices, which Act will expire on the Fourteenth Day of *August* in the present Year: And whereas it is expedient to extend the Provisions of the said Two first-recited Acts, so as to make better Proisvion for the Union of contiguous Benefices in the Metropolis:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: 1 & 2 Vict. c. 106. 13 & 14 Vict. c. 98. 18 & 19 Vict. c. 127.

I. After the passing of this Act, Two or more contiguous Benefices within the Metropolis as defined by an Act passed in the Session of Parliament which sat in the Nineteenth and Twentieth Years of the Reign of Her Majesty, intituled *An Act for the better Local Management of the Metropolis*, may from Time to Time be united, or a Benefice or contiguous Benefices and One or more Spiritual Sinecure Rectory or Rectories, Vicarage or Vicarages, contiguous to such Benefice or Benefices, and situate in the Metropolis, may from Time to Time be united without regard in any Case to aggregate Population or aggregate yearly Value, and without Limitation as to the same, and every such Union shall be effected in the Manner herein-after provided. Contiguous Benefices within the Metropolis as defined by 18 & 19 Vict. c. 120. may be united.

II. The Expression "Union of Benefices" shall throughout this Act (unless there shall be something in the Context repugnant to such Construction) mean such an Union of Two or more contiguous Benefices with one another, or such an Union of a Benefice or Benefices with a Spiritual Sinecure Rectory or Spiritual Sinecure Rectories, Vicarage or Vicarages, as is specified in the preceding Section of this Act; and the Expression "united Parish" shall mean the Parishes which in consequence of an Union of Benefices shall have become united for Ecclesiastical Purposes under this Act. Interpretation of Terms.

III. Whenever it shall appear to the Bishop of the Diocese of *London* or of *Winchester*, as the Case may be, that an Union of Benefices may with Advantage to the Interests of Religion be effected within his Diocese, he may cause a Commission to be issued under his Hand and Seal, addressed to Five Persons, to be nominated as after mentioned, authorizing and requiring them to inquire into and report upon the Expediency of the proposed Union, and such Commissioners shall and may inquire into all such Matters in anywise affecting such Union or connected therewith as they may deem necessary, and the Commissioners shall make their Return to the Commission within Six Calendar Months from the issuing of the Commission, or within such enlarged Time as the Bishop shall, by Writing under his Hand, from Time to Time direct, and Notice of the issuing of a Commission shall be sent by the Bishop to the Vestry Clerk of each Parish proposed to be united, and Notice thereof shall be published by such Vestry Clerk by affixing it upon the Door of the Parish Church. Power to Bishops of London or Winchester to issue Commissions.

IV. Three

Commission how to be nominated.

IV. Three of the Commissioners shall be beneficed Clergymen residing within the Diocese, of whom One shall be nominated by the Dean and Chapter of the Cathedral Church of *Saint Paul*, and Two by the Bishop of the Diocese, and the remaining Two shall be Lay Members of the Church of *England*, and shall be nominated to the Bishop by the Corporation of the City of *London*; and no Commissioner shall be entitled to claim or shall receive any Salary or Payment for performing the Duties imposed on him as such Commissioner.

The Number to constitute a Quorum, their Powers, and the Return to the Commission.

V. Three of the Commissioners, of whom One shall be a Lay Commissioner, shall constitute a Quorum; and the Commissioners shall have Power at their Discretion to call for the Production before them of any Documents not affecting private Interests which they may deem necessary for the Purposes of the Commission, and the Persons having the Care or Custody of such Documents shall be bound to produce them to the Commissioners upon the Requisition in Writing of any Two Commissioners; and the Commissioners may examine on Oath all Persons desirous or willing to be examined by them touching any Matter relating to the Object of the Commission, and may administer the Oaths necessary for that Purpose, and the Churchwardens of the Parishes proposed to be united shall have Notice of the Sittings of such Commission, and shall be entitled, with their Vestry Clerk, to attend thereat; and the Commissioners shall in their Return to the Commission certify all such Matters and Things as shall appear to them material, together with their Opinion as to the Expediency or otherwise of the proposed Union, and if they, or any Three of them competent to constitute a Quorum, shall deem the Union expedient, shall recommend the Terms on which in their Opinion the same ought to be effected.

Disqualification of Commissioners, and the issuing a fresh Commission.

VI. If before the Return to the Commission any Commissioner shall die, or become incapable of acting by Removal from the Diocese or otherwise, the Commission shall continue in full Force, unless there shall not be sufficient Commissioners remaining to constitute a Quorum; and notwithstanding the Death or Disqualification of any One or more of the Commissioners the qualified Commissioners for the Time being shall continue to exercise the Powers given to the Commissioners by this Act until such Vacancy or Vacancies shall have been filled up, but if there shall not be a sufficient Quorum, the Bishop may, either before or after the Time limited for the Return to the Commission, issue a fresh Commission under the Provisions of this Act in lieu of the original Commission, and the Commissioners under such substituted Commission shall have all the Powers of the original Commission, and may adopt the Evidence taken under it.

Bishop to prepare and transmit Proposals for a Scheme to Churchwardens and Vestry.

VII. If the Return to the Commission shall recommend an Union, the Bishop shall cause Proposals for a Scheme, based upon the Terms recommended, to be prepared for effecting the Union, which Proposals, with the Consent thereto in Writing of the Patron or Patrons of each of the Benefices affected, shall be transmitted by the Bishop to the Churchwardens of each Parish proposed to be united, in order that the same may be considered by the Inhabitants in Vestry assembled; and all such Proposals shall have especial Regard to the Residence of the Incumbent on the Benefice proposed to be constituted the united Benefice, and shall contain all necessary Provisions conducing to such Residence.

Vestry to notify Assent or Objections and Bishop to transmit final Proposals to Ecclesiastical Commissioners, to prepare Scheme, and certify same to the Queen in Council.

VIII. The Vestry of each Parish shall, by the Vestry Clerk or other Officer, notify to the Bishop, within Two Calendar Months after the Receipt of the Proposals, their Assent or their Objections to or any Suggestions for the Modification of the same, and the Bishop shall give full Consideration to every such Notification of Vestry, and shall make such Alterations in the Proposals as he may think right; and the Bishop shall cause such Proposals, as finally approved by him and assented to by the Patrons, and by the Vestries of the Parishes to be affected thereby, to be transmitted to the Ecclesiastical Commissioners for *England*, who shall thereupon cause to be prepared a Scheme for carrying out the proposed Union, which Scheme may, with the Assent of the Bishop and Patrons, and the Vestries of the Parishes to be affected thereby, embody any Modifications of the Proposals, and shall send Drafts of such proposed Scheme to the Churchwardens of the Parishes to be respectively affected by the Scheme, with Notice that they or any of them may, within Two Calendar Months, show Cause to the Ecclesiastical Commissioners against the proposed Union or any Part or Parts of the Scheme relating thereto, and if within such Period of Two Calendar Months no Cause be shown, the Ecclesiastical Commissioners shall certify the Scheme, and the Consent thereto in Writing of the Bishop and of the Patron, and of the Vestries of the Parishes to be affected thereby, to Her Majesty in Council, and thereupon it shall be lawful for Her Majesty in Council to make and issue any Order or Orders for effecting the Union, and for uniting the Parishes of the united Benefices into One Parish for Ecclesiastical Purposes, and for such other Purposes as are herein provided: Provided always, that if any Petition or Statement is lodged by way of Protest, or any Appeal is made against the Scheme or any Part thereof, as hereinafter is provided, no such Order or Orders in Council shall be made or issued until such Petition or Statement has been duly considered, or the Parties to such Appeal have been duly heard.

What the Commissioners shall insert in the Scheme.

IX. It shall be lawful for the Ecclesiastical Commissioners to insert in any Scheme to be prepared by them all proper Directions for the Appointment of the First Incumbent of the united Benefice, and for regulating the Course and Succession in which the Patrons, if there be more than One Patron, shall present or nominate to such united Benefice from Time to Time as the same shall become vacant, and they shall have Power to insert in any Scheme all such Provisions in addition to those hereby expressly authorized as may in their Opinion be necessary for effectually carrying out the particular Measures proposed

proposed by the Scheme, including any Provisions which may be found necessary for the Compensation of any of the Incumbents of the Benefices to be united who may be willing to retire therefrom; and the Ecclesiastical Commissioners shall and may, for the Purposes of this Act, exercise all Powers and Privileges now or for the Time being exerciseable by them under the Acts of Parliament relating to their Commission, or under the Church Building Acts, particularly as regards the Purchase of Sites and the Erection of Churches.

Part of a Benefice or united Benefice may be severed and included in Scheme.

X. Whenever it shall be deemed expedient to unite Part only of a Benefice with some other contiguous Benefice or Benefices, any Portion of a Benefice or Benefices, or any Portion of Two or more Benefices, which shall have been united under the Provisions of this or of any other Act or in any other Manner and either prior to or subsequently to the passing of this Act, may in the Manner prescribed by this Act be severed from the remaining Portion, and thereupon such a Portion of the Parish or united Parishes to which the Benefice shall belong as shall be determined by the Scheme effecting the Severance shall become disunited for Ecclesiastical Purposes; and the Portion of Benefice and Parish so severed shall, for the Purposes of an Union of Benefices under this Act, be deemed to be a separate Benefice and Parish respectively, and may by the same Scheme and Order in Council under which such Severance shall be effected, or by any supplemental Scheme, be united to any other contiguous Benefice or Benefices; and in such original or supplemental Scheme Provisions may be inserted for annexing to the severed Portion a Proportion of the Real and Personal Property of the Parish or united Parishes from which such Severance shall have been made, and for the dealing with and Application of the Property (if any) to be so annexed, and for defining and determining the Rights of the Parishioners of the severed Portion in regard to the joint Vestry of the newly united Parish with which the severed Portion shall be incorporated, and as to the Manner of exercising such Rights, and all such other Provisions as may seem to the Ecclesiastical Commissioners necessary or expedient in lieu of any Provisions contained in this Act not applicable to an united Benefice or Parish of which a severed Portion of a Benefice or Parish shall constitute Part, and after the Severance the remaining Portion of the Benefice or Parish from which the Severance shall have been made shall continue One Benefice or Parish or united Benefice or Parish, and shall not be otherwise affected by such Severance; and whenever in this Act the Consent of the Patron of a Benefice shall be required for carrying the same into effect, the Patron whose Consent shall be requisite in the Case of any such severed Portion shall be the Patron of the Benefice or united Benefice from which such Severance shall be intended.

Surplus Revenue of united Benefice may be annexed as an Endowment to any other Benefice in the Metropolis or its Vicinity.

XI. Whenever it shall appear to the Ecclesiastical Commissioners that the total Revenue of any Benefices proposed to be united would be more than sufficient for the due Maintenance and Support of the Incumbent of the Benefice proposed to be constituted an united Benefice, and of such Assistant Curate or Curates as may be needed for the same, and that some specified Part or Parts of the permanent Endowments belonging to the Benefices proposed to be united, or any of them, might with Advantage to the Interests of Religion be made subject to a certain annual Rentcharge in perpetuity in favour of some other specified Benefice in the Metropolis or in the Vicinity thereof, or might be excepted out of such Union, and transferred and annexed to such other specified Benefice, having no Provision or no competent Provision belonging thereto, as an Endowment or a further Endowment for the same, the Ecclesiastical Commissioners, with the Consent of the Patron or Patrons of the Benefices proposed to be united, and of the Vestries of the Parishes to be affected thereby, and of the Bishop of the Diocese within which such Benefices shall be situate, may prepare and submit to Her Majesty in Council a Scheme for providing such Rentcharge, or for effecting such Transfer or Annexation, and thereupon it shall be lawful for Her Majesty in Council to make and issue an Order or Orders for giving effect to the said Scheme of the Commissioners, and in the Scheme there shall be inserted all such Powers for recovering the Rentcharge (if any) by Distress upon or Perception of the Rents and Profits of the Hereditaments to be charged therewith or otherwise, and for the immediate or prospective Apportionment of such Rentcharge or otherwise in relation thereto, as to the Ecclesiastical Commissioners shall seem reasonable and proper; and upon the Order or Orders directing such Provision, Transfer, or Annexation coming into operation the Rentcharge or other permanent Endowments to be provided, transferred, or annexed shall, without any further Deed, Transfer, or other Assurance, become and be for ever annexed to such Benefice, and the same and all Powers for recovering the Rentcharge (if any), or relating thereto, shall be vested in and held and enjoyed and be exerciseable by the Incumbent thereof for the Time being as the Endowment or a Part of the Endowment thereof, subject and without Prejudice nevertheless to all Leases, Grants, Rents, Charges, and Incumbrances existing at the Time of such Provision, Transfer, and Annexation legally affecting the same, but the Ecclesiastical Commissioners may, in their Discretion, appropriate any Part not exceeding One equal Fifth Part of the annual Income arising from any such Endowment during the whole or any Part of the first Five Years next after the Scheme shall come into operation as a Fund in augmentation of the Fund herein-after provided for the Payment of the Costs, Charges, and Expenses of carrying the Provisions of this Act into effect: Provided that the Amount of such Rentcharge leviable under such Scheme in any Parish proposed to be united, and not included in the Eleventh Chapter of the Statute of the Twenty-second Year of the Reign of King *Charles* the Second, shall not exceed the average annual Amount levied and paid to the Incumbent of such Parish in the Seven Years immediately preceding the passing of this Act.

XII. If

Patronage of Benefices may be exchanged for facilitating Unions.

XII. If for the Purpose of more conveniently carrying the Provisions of this Act into execution it shall appear to the Ecclesiastical Commissioners to be desirable, in any Case of a proposed Union of Benefices, that an Exchange should be made of the Patronage of all or any of the Benefices proposed to be united for the Patronage of any other Benefice, an Exchange may (with the Consent of the Patrons of the Benefices in respect whereof such Exchange shall be intended, and with the Approval of the Ecclesiastical Commissioners,) be made by any Person with any other Person or Corporation, or by any Corporation with any other Corporation or Person, of the Patronage or any Rights of Presentation to any Benefice, whether the whole Patronage of such Benefice be vested in One Person or Corporation or in different Persons or Corporations by way of alternate Presentation or otherwise; and every such Exchange shall be effected by the Scheme for the proposed Union of Benefices; and after such Exchange the Patronage taken by each Party by way of Exchange shall be discharged from all prior Title relating thereto; and the Title to the Patronage given by each Party by way of Exchange shall shift and attach to the Patronage given to such Party, which shall become subject to the same Uses, Trusts, Powers, Limitations, and Provisions in every respect as the Patronage so given would have been subject to if such Exchange had not been made.

Orders in Council when published in the Gazette and registered to have Force of Law.

XIII. The Order or Orders in Council affirming any Scheme or directing any Union, Severance, or Annexation shall, as soon as may be after the making thereof by Her Majesty in Council, be inserted and published in the *London Gazette*, and shall be registered in the Registry of the Diocese, and the Registrar of the Diocese is hereby required to make such Registry, and such Order in Council, so soon as the same shall have been gazetted, shall (but subject and without Prejudice to the Rights of any Incumbent affected thereby who shall not assent thereto) have full Force and Effect of Law in all respects and as to all Things therein contained.

Scheme may provide for Erection of new Church or Parsonage, Removal of old Church or Parsonage, Sale of Site, &c.

XIV. Any Scheme may (but subject to Objection and Protest as after mentioned, and subject to the Restrictions herein contained,) provide for the Erection of any new Church or Parsonage House, for the pulling down or Removal of any existing Church, except as herein-after provided, or Parsonage House of any Benefices proposed to be united, and for the Appropriation or Sale of the Materials and Site of the same respectively, and of the Ground annexed thereto and necessary for the Use and Enjoyment thereof, for the Appropriation of any Plate or other Furniture held in trust for any Church to be pulled down, for the Disposal of any Organ in such Church, for the Transfer of any Lectureships attached to such Church, but not so as to affect the Right of Appointment to any Lectureship, or for Sale or Exchange of any Parsonage or Glebe Houses or Buildings, or the Sites thereof, with their Appurtenances, for Compensation to Parish Clerks or other Officers, or for Arrangement with respect to Fees or Vestry Rooms; but the Font, Communion Table, and Plate used for the Purposes of the Holy Communion shall not be sold, but shall be transferred to the Church of the united Benefice, or if such Font, Communion Table, and Plate be not needed for such Church, then to any other Church or Chapel, or Churches or Chapels, within the Diocese which the Bishop may select: Provided always, that nothing in this Act contained shall authorize the pulling down the Churches of *Saint Stephen's Walbrook*, *Saint Martin Ludgate*, *Saint Peter Cornhill*, and *Saint Swithin Cannon Street*; provided also, that the Scheme for the Removal of any Church or Parsonage shall provide for the Erection of another Church or Parsonage within the Limits of the Metropolis.

Schemes to be laid before Parliament, &c.

XV. Provided always, That no such Scheme shall be submitted to Her Majesty in Council until it has been laid before both Houses of Parliament for the Space of Two Calendar Months.

Judicial Committee to consider Protest against Scheme.

XVI. Any Person interested who may have shown Cause to the Ecclesiastical Commissioners against the proposed Union of any Benefices, or against subjecting the Endowments or Revenues thereof, or any Part of them, to any Rentcharge or Transfer, or Annexation, or against any Part or Parts of any Scheme certified by them to Her Majesty in Council, may appeal to Her Majesty in Council against such Scheme or any Part thereof in the usual Manner, or may, at his Option, state in Writing by way of Protest his Objections to such Union or any Part or Parts thereof, and the Ecclesiastical Commissioners shall annex such written Statement or Protest to their Certificate to the Queen in Council, and Her Majesty in Council may order and direct that such Objections shall be considered by the Judicial Committee of the Privy Council, and the said Judicial Committee shall make report to Her Majesty in Council thereupon, and may propose to Her Majesty in Council to affirm, vary, or dismiss the Scheme certified by the Commissioners, or to return the same to the said Commissioners for Alteration or Amendment, and Her Majesty in Council may affirm, vary, or dismiss the Scheme accordingly, or return the same to the Commissioners to be reconsidered as to any Parts thereof.

Site of Church pulled down not to be sold or let without certain Consents.

XVII. Nothing in this Act contained shall legalize the Sale or Letting or Appropriation of the Site of any Church unless with the Consents in Writing of the Archbishop of the Province, the Bishop of the Diocese, the Archdeacon, and the Secretary of State for the Home Department, and the Site shall be dealt with subject to such Directions and Restrictions as to the Removal of the Remains of Persons deposited under the Church to be pulled down, and as to the not disturbing and finally closing such Vaults or Graves, as to such Secretary of State shall seem meet; but nothing in this Act contained shall legalize the Sale or Letting of any Churchyard or Burial Ground; and no Sale or Letting shall be made of the Site of any Church wherein any Bodies are known to be interred until after the Remains of the Persons deposited under such Church shall have been properly removed at the Cost of the

Ecclesiastical

Ecclesiastical Commissioners, to be paid out of the Fund herein-after provided, into some consecrated Churchyard or Burial Ground, or to such Portion of the Vaults of the same Church as may be separated and set apart for a Burial Place; and Notice shall be given by the Churchwardens, or One of them, to the Heirs, Executors, or Administrators of any Persons interred in or under any such Church, where they can be ascertained, of the Intention to remove such Remains; and a Certificate in Writing under the Hand of One of the Churchwardens of the united Parish that such Removal has been duly made, and that such Notice has been given, or that such Heirs, Executors, or Administrators cannot be ascertained, shall be conclusive Evidence of the Provisions of this Act in regard to such Removal having been complied with; and as to any Tablets or Monuments in such Church, the same, if not removed by the Heirs, Executors, Administrators, Relatives, or Friends of the Person, or of some or one of the Persons, to whose Memory the same shall have been erected, shall, at the Cost of the Ecclesiastical Commissioners, to be paid out of the Fund herein-after provided, be carefully removed and fixed in some convenient Part of the Church to be constituted the Church of the united Parishes; but every such Removal of Tablets or Monuments may be made without the Necessity of a Faculty from the Bishop's Court, and shall be free from the Payment of any Fees to the Incumbent of such Church, or to any Officer of the same or of the Parish thereof: Provided always, that it shall be lawful for the Heirs, Executors, Administrators, Relations, or Friends of any Persons who shall be interred or deposited in or under any such Church, or in any such first-mentioned Churchyard or Burial Ground, under proper Direction, to remove the Remains of such Persons, and also the Tablets or Monuments erected to their Memory, to any Place they may think proper; and the Expenses of such Removal, not exceeding Ten Pounds in each Case, shall be paid by the Ecclesiastical Commissioners out of the said Fund.

After Union of Benefices Parishes to become united for Ecclesiastical Purposes, and Scheme to determine which Church to be Parish Church.

XVIII. After an Union of Benefices, the Parishes whereof the Benefices shall be united shall become and continue united, but for Ecclesiastical Purposes only, and in case there shall be only One Church left standing and remaining within such united Parish, such Church shall be the Church of the united Parish, but in case more than One Church shall be left standing then the Scheme shall determine which of the Churches so left standing shall be the Church of the united Parish, and the Vestry Room of the Church so constituted the Parish Church shall be held to be the Vestry Room of the united Parish for the Use of the Parishioners thereof, and also the Vestry Room for secular Purposes for the Parishioners of each of the Parishes forming the united Parish, and for the Care and Preservation of the Deeds, Muniments, and Records belonging to the same, unless otherwise provided by the Scheme.

Bishop may allow additional Church left standing to be used for certain Services.

XIX. In case any Church shall be left standing within the Limits of any united Parish other than the Parish Church, it shall be lawful for the Bishop of the Diocese, by an Instrument in Writing under his Hand and Seal, deposited in the Registry of the Diocese, to allow the same to be used for the performance of Divine Service, according to the Rites and Ceremonies of the United Church of *England* and *Ireland*, in the *Welsh* or *Irish* or in any Foreign Language, or for the Purposes of a School or Schools in connexion with the said United Church: Provided always, that nothing herein contained shall authorize any Person to officiate in any such Church, according to the Rites and Ceremonies of the United Church of *England* and *Ireland*, except with the Licence of the Bishop; and that before the Grant of any Permission by the Bishop for the Use of any such Church for any of the Purposes hereby authorized such Bishop shall require proper Provision to be made for the Repair and Sustentation of the Fabric of the Church so to be used, and for the Preservation and Care of the Monuments and Tablets therein.

Estates of Parishes united to remain distinct as before Union, except as affected by this Act.

XX. Notwithstanding any Union of Parishes under this Act, the Parishes to become united shall, as to all Estates and other Property, and all Rates, Taxes, Parochial Rights, and all Privileges, Liberties, and Respects whatsoever, other than such as are affected by this Act, continue and remain distinct, in the same Manner as they were before such Union; and the Parishioners of such Parishes shall continue severally to elect Churchwardens and other Parish Officers for the said Parishes in the same Manner as they could have done before such Union, and the Churchwardens so to be elected in each of the said Parishes shall together be Churchwardens of the Church of the united Parish; and the Vestries of the united Parish shall together form One joint Vestry for all Ecclesiastical Purposes; but whenever a Parish or Parishes shall be represented by a Select Vestry (unless all the Parishes to be united shall be so represented), the Persons to form the joint Vestry shall consist of the Select Vestry for the Time being of such Parish or Parishes and of Parishioners, the Number whereof shall be determined by the Scheme of the other Parish or Parishes, and the Mode of electing and maintaining the Representation at the joint Vestry of the Parish or Parishes not represented by a Select Vestry shall be determined by the Scheme; and in the Scheme may be inserted all such other Provisions for the Maintenance and Regulation of the joint Vestry, and for defining the Proportions in which each Parish shall contribute towards the Sustentation of the Fabric of the Church of the united Parish, and for the Maintenance of the Services therein, and for other Ecclesiastical Purposes, as the Ecclesiastical Commissioners, having regard to the Circumstances of each particular Case, may deem necessary.

Property belonging to separate Parishes how to be applied.

XXI. No Union of Benefices under the Provisions of this Act shall affect the Estates or Property, Donations, Charities, and Benefactions heretofore given to or for the Benefit of the Parishioners, or any of the Parishioners of any particular Parish, or held upon any special Trusts, or applicable by Law or Usage for or towards the Maintenance of the Poor, but the same shall remain and continue to be applicable

applicable to the Purposes to which the same have or ought to have been heretofore applied, except that where Attendance, or the Performance of Divine Service, or any other Act is required at any Church within the united Parish other than the Parish Church of the united Parish, the Parish Church shall, so far as regards any such Attendance, Performance of Divine Service, or other Act, be deemed to be such other or original Church; and all Property which, if such Union had not been effected, would have been vested in any Incumbent for the Time being of any Benefice proposed to be affected by such Union, either solely, or jointly with the Churchwardens or any other Person or Corporation, upon any special Trusts, the Incumbent for the Time being of the united Benefice shall be substituted for and represent the Incumbent of such separate Parish; and the Trust Property shall vest in such Incumbent, solely or jointly with such Churchwardens or other Person or Corporation (as the Case may be), and such Incumbent shall have the same Powers as the Incumbent whom he shall represent would have had in regard thereto if such Union of Benefices had not been effected; and if any such Property shall have been vested in a Corporation of which the Incumbent of the separate Parish shall have been a Member, the Corporation shall not be affected by the Union, but the Incumbent for the Time being of the united Benefice shall become a Member of such Corporation in lieu of the Incumbent of the separate Parish.

Providing Fund for Payment of Expenses of carrying Act into execution.

XXII. All Expenses which shall be incurred by or under the Sanction or Direction and on behalf of any Bishop or the Ecclesiastical Commissioners in promoting any Union of Benefices, and in otherwise carrying the Provisions of this Act into execution, and of the Scheme under which any Union shall be effected, including all preliminary Expenses so incurred, shall be paid by the Ecclesiastical Commissioners, out of a Fund to be provided by them, in manner following (that is to say): They shall on the First Sale by them of Property or Materials in pursuance of any Scheme and Order under this Act appropriate the whole or such Portion as they may think sufficient of the Produce of such Sale as a Fund, which shall be applied by them in Payment of the Expenses incurred and to be incurred in relation to all the Proposals and Schemes for the Union of Benefices, and the same Fund shall from Time to Time be augmented by the said Commissioners from the Produce of similar Sales of Property as there may be occasion; and out of the Fund so to be created the said Commissioners shall defray all the Expenses incurred in relation or incidental to any Commission to be issued under this Act having reference to any Union or proposed Union of Benefices, and to all Inquiries, Proposals, and Schemes which shall be made and prepared in consequence of any such Commission (including all preliminary Costs and Expenses, whether incurred prior or subsequently to the Creation of such Fund), and whether such Inquiries, Proposals, and Schemes shall result in an Order in Council or not, and after providing a sufficient Fund for the Payment of all such Expenses, and after providing and appropriating a Portion of such Fund sufficient in the Opinion of the Ecclesiastical Commissioners to meet the probable preliminary Expenses of any future Commission to be issued under this Act, having reference to the Union of Benefices, the Surplus of the Monies so set apart shall be applied by them, with the Consent in Writing of the Bishop, for the Benefit of any Benefice or Benefices in the Metropolis, to whose Benefit the said Commissioners may, with such Consent, think fit to apply the same.

Scheme to be valid notwithstanding Informalities or Omissions.

XXIII. After any Scheme for an Union of Benefices or any supplemental Scheme shall have been sanctioned by an Order in Council, such Scheme shall be valid and of full Force and Effect, notwithstanding any previous Non-compliance with any of the Requirements of this Act, and notwithstanding any Omission in regard thereto or Non-observance thereof, and notwithstanding any Variation between such Scheme and the Proposals originating the same.

As to Consents of Patrons and Vestries to Schemes.

XXIV. In order to give Validity to any such Scheme or supplemental Scheme, the Consent of the Vestry of any Parish shall be signified in Writing under the Hand of the Chairman of such Vestry, stating that in a Vestry duly convened for the Purpose of giving such Consent a Resolution for giving such Consent had been duly carried; and whenever under the Provisions of this Act the Consent of the Patron of any Benefice is made necessary to any Proposals, Scheme, or Union, or to any Exchange of Patronage or other Act, the Consent of the Person or Persons or Corporation who in case such Benefice were vacant would be entitled to present thereto shall be sufficient; but if the Right to present to such Benefice shall be vested in different Persons or Corporations by way of alternate Presentations, the Consent of each other Person or Corporation in whom the expectant alternate Right of Presentation shall for the Time being be vested shall be necessary, and the One hundred and twenty-sixth, One hundred and twenty-seventh, and One hundred and twenty-eighth Clauses of the Act of Parliament of the First and Second *Victoria*, Chapter One hundred and six, as regards the Consent of Patrons to the Exercise of the Powers given by that Act, shall be applicable to the Consent of Patrons under this Act, in the same Manner as if the same Clauses were here repeated and made applicable thereto; and if in any Case it shall in the Opinion of the Ecclesiastical Commissioners be doubtful what Person ought to consent as or on behalf of the Patron of any such Benefice under the Provisions of this Act, it shall be lawful for the Ecclesiastical Commissioners to specify the Person or Corporation by whom such Consent ought to be given, and the Consent of the Person or Corporation so specified shall be sufficient for all the Purposes of this Act.

Supplemental Orders may be made.

XXV. Her Majesty in Council may, at any Time after the issuing of any Order for the Union of Benefices, make a supplemental Order, founded upon any Scheme to be proposed to Her Majesty in Council by the Ecclesiastical Commissioners, for remedying any Defects or for supplying any Omissions which

which in the Opinion of the Ecclesiastical Commissioners shall appear to exist in the Provisions of the Order or Orders effecting any such Union, and for making any Corrections and Alterations in relation thereto which may be found necessary, and every such supplemental Order shall have the same Force and Effect as if it had formed Part of the original Order made under the Provisions of this Act, but the same Consents shall be necessary to such proposed supplemental Scheme as would under the Provisions of this Act have been necessary to such supplemental Scheme if the same had been an original Scheme.

Bishop may prepare a Scheme as to Lectures customarily preached in Churches to be pulled down.

XXVI. In the Case of endowed Lectureships, when the Lectures have been customarily preached in a Church which may be taken down, or which may cease to be a Parish Church under the Provisions of this Act, such Lectures shall be preached in the Church which shall have been or may be selected as the Church of the Parish of which the Church may have been taken down, or the Bishop of the Diocese for the Time being may, in order to avoid Difficulties, prepare from Time to Time under his Hand a Scheme or Schemes for transferring such Lectures to other Churches, to be preached therein at such Times as to the said Bishop may appear convenient, but not so as to affect the Right of electing or nominating any Lecturer, and such Scheme shall be submitted by the said Bishop to the Charity Commissioners under the "Charitable Trusts Act, 1853," and such Scheme, if approved of by them, and by the Vestries of the Parishes affected thereby, or subject to such Alterations therein as may appear to the said Commissioners advisable, and as shall be approved of by the said Bishop, and by the Vestries of the Parishes affected thereby, and if assented to in Writing by the Incumbent of the Church to which it may be proposed to transfer the Lectures, shall be valid for effecting the Purposes therein mentioned, and shall be registered in the Registry of the Diocese; but nothing in this Act contained shall give the Bishop any Power to license a Lecturer without the Consent of the Incumbent of the Church in which such Lecturer is to officiate.

Bishop of Diocese may direct Churches to be reseated, and Seats to be apportioned for the Accommodation of Parishioners.

XXVII. If any Commissioners appointed under this Act shall report that it is not expedient to carry any proposed Union into effect, but that it would be expedient to afford improved Accommodation in One or more of the Churches referred to in such Report for casual Residents in the City or Town, and others not being Parishioners, the Bishop of the Diocese may, in any such Case in which the Funds for the Alteration of the Seats in the Manner recommended in such Report shall within Two Years from the Date of such Report be provided by local or public Subscription, direct such Church to be reseated accordingly; and in such reseating due Provision shall be made for the Appropriation of such Number of Seats as may be required for the Accommodation of all Parishioners attending Divine Worship in such Church, and the Churchwardens shall have Power to alter from Time to Time the Appropriation of such Seats, and to appropriate to the Use of Parishioners such further Number of Seats as may be required by them, and all the Seats both appropriated and free under any new Arrangement made under this present Provision shall be made as near as possible of the same Size and general Appearance.

Appropriation of Seats in Church of united Parish.

XXVIII. Upon any Union of Benefices the Bishop of the Diocese under his Hand and Seal shall and he is hereby authorized, by Faculty from his Court, to alter and re-adjust the Seats, and the Appropriation thereof, in the Church of the united Parish, so that not less than One Half of the Sittings in such Church shall be left unappropriated, and the Remainder shall be placed at the Disposal of the Churchwardens of such Church, under the Control and Direction of the Bishop, for the Use of the Parishioners of such united Parish discharged from all prescriptive and other pre-existing Rights; and the Bishop of the Diocese, either upon an Union of Benefices, or at any Time, and from Time to Time afterwards, may cause the Church of the united Parish to be reseated, and may adjust and appropriate or re-adjust and re-appropriate the Sittings in the some Church; and all Monies expended and required for such Purposes, and not provided by voluntary Donation or in any other Manner, shall be deemed Expenses incurred by the Bishop in carrying the Provisions of this Act into execution, and shall be defrayed accordingly.

Property to be sold to vest in Ecclesiastical Commissioners.

XXIX. Upon any Order in Council under this Act coming into full Operation all Churches, Houses, Buildings, Land, and Hereditaments which shall be authorized by such Order to be pulled down or sold shall, without any Conveyance or other Form of Law, be and become absolutely vested in the Ecclesiastical Commissioners, in trust to deal with or dispose of the same, and the Proceeds and Produce thereof as directed by this Act, and the Freehold of the Parish Church of the united Parish, and the Freehold of all such other Lands and Hereditaments previously vested in the respective Incumbents of the Parishes constituting the united Parish as shall not be vested in the Ecclesiastical Commissioners, shall become vested in the Incumbent for the Time being of the united Parish; and the said Commissioners shall have Power to make all necessary Conveyances of the Hereditaments so vested in them, and to make sale and dispose of the same, at such Times, and at such Prices, and in such Manner in all respects as to them shall seem expedient; and the Receipt in Writing of the Treasurers for the Time being of the said Ecclesiastical Commissioners for the Purchase Monies, Rents, and Profits of such Hereditaments shall effectually discharge the Purchasers thereof and other Persons paying the same from the same Purchase Monies, Rents, and Profits, and from all Liability in respect thereof.

Extending Provisions of 1 & 2 Vict. c. 106. and 18 & 19 Vict. c. 127.

XXX. The Provisions contained in the Act One and Two *Victoria*, Chapter One hundred and six, in relation to the Disunion of united Benefices, shall apply to all Benefices which shall have been united under the Provisions of this Act; and the Provisions of the Act Eighteen and Nineteen *Victoria*, Chapter One hundred and twenty-seven, shall continue in full Force as to every Case in which

Proceedings shall have been commenced and shall be pending at the Time of the passing of this Act, notwithstanding the Period of Five Years limited by the same Act shall have expired.

Act not to interfere with Powers of 1 & 2 Vict. c. 106., &c.

XXXI. This Act shall not abridge or interfere with the Powers contained in the Act of the First and Second Years of Her present Majesty, Chapter One hundred and six, or in any other Act of Parliament now in force in regard to the Union of Benefices, but all such Powers and the Powers conferred by this Act may be exercised independently of one another or concurrently.

As to Nomination of Clerical Commissioners in certain Cases.

XXXII. Where the proposed Union is within the City of *Westminster*, One Clerical Commissioner shall be nominated by the Dean and Chapter of *Westminster*, instead of being nominated by the Dean and Chapter of *Saint Paul's*; and where the proposed Union is not within the City of *London* or the Liberties thereof, the Lay Commissioners shall be nominated to the Bishop by the Vestries of the Parishes respectively proposed to be affected by the Union, instead of being nominated by the Corporation of the City of *London*.

CAP. CXLIII.

An Act to extend certain Provisions of the Titles to Land (*Scotland*) Act, 1858, to Titles to Land held by Burgage Tenure; and to amend the said Act. [28th *August* 1860.]

21 & 22 Vict. c. 76.

'WHEREAS it is expedient to extend certain Provisions of "The Titles to Land (*Scotland*) Act, 1858," to Titles to Land held by Burgage Tenure, and also to amend the said Act:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title.

I. This Act may be cited for all Purposes as "The Titles to Land (*Scotland*) Act, 1860."

Interpretation of Terms.

II. The following Words in this and the recited Act, and in the Schedules hereunto and to the recited Act annexed, shall have the several Meanings hereby and in the recited Act assigned to them, unless there be something in the Subject or Context repugnant to such Construction; that is to say, the Word "Deed" and the Word "Conveyance" shall extend to and include original Charters, Charters and Writs and Procuratories of Resignation, Charters of Adjudication and Sale, Dispositions, Bonds and Dispositions in Security, Bonds of Annuity and of Annual Rent, and other Heritable Bonds, Feu Contracts, Contracts of Ground Annual, Decrees of Adjudication, Decrees of Sale (whether such Decrees of Adjudication or Decrees of Sale contain Warrant for Infeftment or not), Decrees of Special Service, Precepts from Chancery, Precepts and Writs of Clare constat, Writs of Acknowledgment, Contracts of Excambion, and other Deeds and Decrees by which Lands are conveyed, or Rights in Lands, either absolute or redeemable or in Security, are constituted or conveyed; and official Extracts of any such Deeds, Conveyances, and Decrees, and all Codicils, Deeds of Nomination, Decrees of Declarator, and other Writings bearing Reference to Conveyances separately granted, and naming or appointing Persons to exercise or enjoy the Rights or Powers conferred by such Conveyances, shall be deemed and taken, for the Purposes of this Act, to be Parts of the Conveyances to which they separately bear reference; the Word "Lands" shall extend to and include all Heritable Subjects, Securities, and Rights; the Words "by Burgage Tenure" and the Words "held Burgage" shall extend to and include any Mode of Tenure known and effectual in Law similar to Burgage Tenure.

Instruments of Sasine, and of Resignation and Sasine, no longer necessary, and Conveyances may be recorded.

III. It shall not be necessary to expede and record an Instrument of Sasine, or of Resignation and Sasine, on any Conveyance of Lands held Burgage, according to the present Law and Practice; but it shall be competent and sufficient for the Person in whose Favour the Conveyance is granted, instead of expeding and recording such Instrument to record the Conveyance itself in the Register of Sasines applicable to the Lands therein contained; and the Conveyance shall be presented for Registration, with a Warrant of Registration thereon, in or as nearly as may be in the Form No. 1. of Schedule (A.) to this Act annexed, specifying the Person on whose Behalf it is presented, and signed by such Person, or his Agent; and such Conveyance, being so presented, and recorded along with such Warrant, shall have the same legal Force and Effect in all respects as if Resignation of such Lands had taken place in due Form, and as if the Conveyance had been followed by an Instrument of Sasine or of Resignation and Sasine duly expede and recorded at the Date of recording the Conveyance, according to the present Law and Practice, in favour of the Person on whose Behalf the Conveyance is presented for Registration.

Not necessary to record the whole Conveyance.

IV. Where a Conveyance of Lands held Burgage is contained in a Deed granted for further Purposes and Objects, such as a Marriage Contract, Deed of Trust, or Deed of Settlement, it shall not be necessary to record the whole of such Deed, but it shall be competent and sufficient to expede a Notarial Instrument, setting forth generally the Nature of the Deed, and containing at length those Portions of the Deed by which such Lands are conveyed, and by which Real Burdens, Conditions, or Limitations are imposed, and to record such Instrument in the appropriate Register of Sasines; and where a Deed conveys separate Lands, or separate Interests in the same Lands, to the same or different Persons, it shall not be necessary to record the whole of such Deed, but it shall be competent and sufficient to expede and record as aforesaid a Notarial Instrument, setting forth generally the Nature of the Deed, and containing at length the Part or Parts of the Deed by which particular Lands are conveyed to the Person in whose Favour the Notarial Instrument is expede, and the Part of the Deed which specifies the Nature

and

and Extent of the Right and Interest of such Person, with the Real Burdens, Conditions, and Limitations, if any; and such Notarial Instrument shall be in or as nearly as may be in the Form of Schedule (B.) to this Act annexed.

Clause directing Part of Conveyance to be recorded.

V. Immediately before the Testing Clause of any Conveyance of Lands held Burgage, it shall be competent to insert a Clause of Direction, in or as nearly as may be in the Form of Schedule (C.) to this Act annexed, specifying the Part or Parts of the Conveyance which the Granter thereof desires to be recorded in the Register of Sasines, and when such Clause is so inserted, and Reference made thereto in the Warrant of Registration to be endorsed thereon in Terms of this Act, the Keeper of the appropriate Register of Sasines shall record such Part or Parts only, together with the Clause of Direction and the Testing Clause; and the recording of such Part or Parts of the Conveyance, together with the Clause of Direction and the Testing Clause, and the Warrant of Registration, as before provided, shall have the same legal Effect as if a Notarial Instrument, containing such Part or Parts of the Conveyance, had been duly expede and recorded in favour of the Person on whose Behalf the Conveyance is presented: Provided that, notwithstanding such Clause of Direction, it shall be competent for the Person entitled to present the Conveyance for Registration, to record the whole Conveyance, or to expede and record a Notarial Instrument, as herein-before provided, in the same Manner as if the Conveyance had contained no such Clause of Direction; and where a Notarial Instrument shall be expede, as herein-before provided, no Part or Parts of the Conveyance directed to be recorded shall be omitted from such Instrument.

Clauses not necessary in Conveyances.

VI. It shall not be necessary to insert in any Conveyance of Lands held Burgage a Clause of Obligation to infeft, or a Procuratory or Clause of Resignation.

Heir in Burgage Subjects may make up Title by Writ of Clare constat or by Special Service.

VII. It shall be competent for the Heir of any Person who died last vest and seised in any Lands held Burgage, to obtain from the Magistrates of the Burgh within which such Lands are situate a Writ of Clare constat in or as nearly as may be in the Form of Schedule (D.) to this Act annexed; or, in his Option, it shall be competent to such Heir to apply for and obtain Decree of Special Service by the Sheriff of Chancery, or by the Sheriff of the County within which such Burgh is situate, in the same Manner in all respects as if such Lands were not held Burgage; and such Writ of Clare constat or Decree of Special Service may be recorded in the appropriate Register of Sasines, and when so recorded, with Warrant of Registration thereon, shall have the same Effect in all respects as if Cognition and Entry of such Heir had taken place in due Form, and an Instrument of Cognition and Sasine in regard to such Lands, and in favour of such Heir, had been duly expede and recorded, according to the present Law and Practice.

Notarial Instruments in favour of General Disponees authorized.

VIII. When any Person shall have granted or shall grant a general Conveyance comprehending Lands held Burgage, whether by Deed *mortis causâ* or *inter vivos*, it shall be competent to the Disponee under such Conveyance, or to any other Person who shall have acquired Right to such Conveyance, in whole or in part, to expede and record as aforesaid a Notarial Instrument in or as nearly as may be in the Form of Schedule (E.) to this Act annexed; and such Notarial Instrument, being duly recorded in the appropriate Register of Sasines, shall be equivalent to an Instrument of Resignation and Sasine duly expede and recorded, following on a Disposition of the Lands and Resignation thereof in due Form; and when Heritable Securities are contained in such Notarial Instrument, the Instrument so expede and recorded shall, along with its Warrants, be equivalent to an Assignation of such Heritable Securities executed by the Granter of the general Conveyance, and duly recorded in the appropriate Register of Sasines: Provided that where such Notarial Instrument shall be expede by a Person other than the original Disponee under such general Conveyance, the Notarial Instrument shall set forth the Title, or Series of Titles, by which the Person in whose Favour the Instrument is expede acquired Right to such Conveyance, and the Nature and Extent of his Right.

Forms of Assignations to unrecorded Conveyances.

IX. It shall be competent to any Person, in right of an unrecorded Conveyance of Lands held Burgage, to assign the Conveyance in or as nearly as may be in the Form No. 1. of Schedule (F.) to this Act annexed, and the Assignation, or in the event of there being more than One, the successive Assignations, may be recorded in the appropriate Register of Sasines, along with the Conveyance itself, and a Warrant of Registration thereon, in or as nearly as may be in the Form No. 2. of Schedule (A.); and it shall be competent to write the Assignation or Assignations on the Conveyance itself in or as nearly as may be in the Form No. 2. of Schedule (F.), in which Case the Assignation or Assignations and the Conveyance may be recorded along with the Warrant of Registration thereon, which shall be in or as nearly as may be in the Form No. 1. of Schedule (A.); and the Conveyance, with the Warrant of Registration, and the Assignation or Assignations, separate from or written upon the Conveyance, being so recorded, shall operate in favour of the Assignee on whose Behalf they are presented for Registration, as fully and effectually as if the Lands contained in the Assignation, or, if there be more than One, in the last Assignation, had been disponed by the original Conveyance in favour of such Assignee, and the Conveyance, with the Warrant of Registration, had been recorded in the Manner herein-before provided of the Date of recording such Conveyance and Assignation or Assignations.

Notarial Instruments in favour of Persons acquiring Rights to unrecorded

X. When any Person shall have acquired Right by General Conveyance, Service, Assignation, Adjudication, or otherwise, to an unrecorded Conveyance of Lands held Burgage granted in favour of another Person, it shall be competent to such first-mentioned Person to expede, as aforesaid, a Notarial Instrument, in or as nearly as may be in the Form of Schedule (G.) to this Act annexed, setting forth the

Conveyances authorized.

the Conveyance and the Title or Series of Titles by which he acquired Right to the same, and the Nature and Extent of his Right, and to record the Conveyance along with the Notarial Instrument in the appropriate Register of Sasines; or where it is not desired to record the whole of the Conveyance, it shall be competent to expede, as aforesaid, a Notarial Instrument, in or as nearly as may be in the Form of Schedule (B.), setting forth generally the Nature of the Deed, and containing at length those Portions of the Deed by which the Lands in regard to which the said Instrument is expede are conveyed, and by which real Burdens, Conditions, or Limitations are imposed, and also setting forth the Title or Series of Titles by which the Party acquired Right to the Conveyance, and the Nature and Extent of his Right; and to record such Notarial Instrument in the appropriate Register of Sasines; and the Conveyance, with a Warrant of Registration thereon, along with such Notarial Instrument in the Form of Schedule (G.), or such Notarial Instrument in the Form of Schedule (B.), being so recorded, shall be equivalent to a Conveyance in favour of the Person expeding the Instrument, duly recorded along with a Warrant of Registration in the Manner herein-before provided.

Destinations in Entails may be referred to.

XI. When any Lands held Burgage are or shall hereafter be held under a Deed of Entail, it shall not be necessary to repeat the Destination contained in such Entail at length in the Conveyances, Instruments of Sasine or of Resignation and Sasine or of Cognition and Sasine, Instruments of Cognition, Notarial Instruments, or other Deeds necessary to transmit, renew, or complete a Title under such Entail; but it shall be sufficient to refer to the Destination as set forth at full Length in the Deed of Entail recorded in the Register of Tailzies, if the same shall have been so recorded, or as set forth at full Length in any Conveyance, Instrument of Sasine, or of Resignation and Sasine, or of Cognition and Sasine, Instrument of Cognition, Notarial Instrument, or other Deed containing such Lands duly recorded in the appropriate Register of Sasines, and forming Part of the Progress of Title Deeds of the Lands comprehended under such Entail, such Reference being made in the Terms, or as nearly as may be in the Terms, set forth in No. 2. of Schedule (H.); and the Reference so made to such Destination shall be equivalent to the full Insertion thereof, and shall to all Intents and in all Questions whatever have the same legal Effect as if the Destination in the recorded Conveyance, Instrument, or other Deed referred to had been inserted at length, notwithstanding any Law or Practice to the contrary, or any Injunction to the contrary contained in such Deed of Entail, and notwithstanding any Enactments or Provisions to the contrary contained in any Act or Acts of Parliament now in force, all which are hereby repealed, so far as inconsistent herewith, but no farther.

Certain Clauses in Entails no longer necessary.

XII. When a Deed of Entail comprehending any Lands held Burgage contains an express Clause authorizing Registration of the Deed in the Register of Tailzies, it shall not be necessary to insert Clauses of Prohibition against Alienation, contracting Debt, and altering the Order of Succession, but such Clause of Registration shall have in every respect the same Operation and Effect as if such Clauses of Prohibition had been inserted according to the present Law and Practice, and duly fenced with irritant and resolutive Clauses.

Recording of Conveyances in the Register of Sasines authorized.

XIII. All Conveyances, with Warrants of Registration written thereon, Instruments of Cognition, and other Notarial Instruments, hereby authorized to be recorded in the Register of Sasines, may be recorded at any Time in the Life of the Person on whose Behalf the same shall be presented for Registration, in the same Manner as Instruments of Sasine, or of Resignation and Sasine, or of Cognition and Sasine, and the Keepers of such Register are hereby authorized and required to record the same accordingly, when presented for that Purpose; and the Date of Entry in the Minute Book shall be held to be the Date of Registration; and the Date of Registration of all such Conveyances, Instruments of Cognition, and other Notarial Instruments, shall be equivalent to the Date of Registration of Instruments of Sasine, of Resignation and Sasine, and of Cognition and Sasine, according to the existing Law and Practice; and Extracts of all such Conveyances, Warrants of Registration, Instruments of Cognition, and other Notarial Instruments, so recorded, shall make Faith in all Cases as the recorded Conveyances, Warrants, and Instruments themselves would have done, except where any such Conveyance, Warrant, or Instrument so recorded shall be offered to be improven.

Present Forms may be used.

XIV. Nothing contained in this Act shall prevent the Constitution, Transmission, or Completion of Rights to Lands held Burgage by the Forms in use prior to the passing of this Act.

Mode of completing Title by a Trustee in Sequestration, and by Liquidators of Joint Stock Companies.

XV. It shall be competent to a Trustee on a sequestrated Estate, or to Liquidators, official or voluntary, appointed for the Purpose of winding up a Joint Stock Company, who shall desire to complete a Title to any Lands held Burgage, to expede, in the Manner aforesaid, a Notarial Instrument setting forth the Act and Warrant of Confirmation in favour of such Trustee, or the Appointment of such Liquidators, official or voluntary, respectively, and specifying the Lands belonging to the Bankrupt or Company to which a Title is to be completed, and the Title by which such Lands are held by the Bankrupt or Company, in or as nearly as may be in the Form of Schedule (I.) to this Act annexed, and to record such Notarial Instrument in the appropriate Register of Sasines; and such Notarial Instrument being so recorded shall be equivalent to an Instrument of Sasine or of Resignation and Sasine in favour of the Trustee or Liquidators, duly expede and recorded, following on a Conveyance by the Bankrupt or Company, and Resignation of the Lands in due Form; and when Heritable Securities are contained in such Notarial Instrument, the Instrument when recorded in the appropriate Register of Sasines shall, along with its Warrants, be equivalent to an Assignation of such Heritable

Securities

Securities granted in favour of such Trustee by the Bankrupt, or in favour of such Liquidators by the Company, and duly recorded in the said Register.

Diligence against Apparent Heirs.

XVI. In Actions of Constitution and Adjudication against an Apparent Heir on account of his Ancestor's Debt or Obligation, for the Purpose of attaching Lands held Burgage, forming Part of the Ancestor's Heritable Estate, it shall not be necessary to raise separate Summonses of Constitution and Adjudication, but both Actions may be combined in One Summons, whether the Heir renounce the Succession or not; and Actions of Constitution, and Actions of Constitution and Adjudication, against an Apparent Heir, on account of his Ancestor's Debt or Obligation, for the Purpose of attaching the Ancestor's Heritable Estate, and Actions of Adjudication against such Heir on account of his own Debt or Obligation for the Purpose of attaching such Estate, may be insisted in at any Time after the Lapse of Six Months from the Date of his becoming Apparent Heir, any Law or Practice to the contrary notwithstanding; and in all such Cases a Decree of Adjudication shall be held equivalent to a Conveyance from such Ancestor of all Lands adjudged in favour of the Adjudger.

Certain Obligations to be inserted in Notarial Instruments.

XVII. When any Obligation, Burden, Condition, Qualification, or other Matter has been or shall be appointed to be inserted or referred to in the Instruments of Sasine, or of Resignation and Sasine, or of Cognition and Sasine, applicable to any Lands held Burgage, the same shall be inserted or referred to in any Instrument of Cognition or other Notarial Instrument applicable to such Lands to be expede in virtue of this Act.

Power to record Conveyance or Instrument of new with original or new Warrant of Registration.

XVIII. In case of any Error or Defect in any Notarial Instrument expede or to be expede in virtue of the Act of the Eighth and Ninth Years of the Reign of Her present Majesty, Chapter Thirty-one, or in the recording of any such Instrument, or of any Error or Defect in any Instrument of Cognition, or other Notarial Instrument, to be expede in virtue of this Act, or in the recording of any such Instrument, or in the recording of any Conveyance or Warrant of Registration, to be recorded in the Register of Sasines in virtue of this Act, it shall be competent of new to make and record a Notarial Instrument, or of new to record the Conveyance with the original, or a new Warrant of Registration, as the Case may require; and such new Notarial Instrument so expede and recorded, or such Conveyance so of new recorded with the original, or new Warrant of Registration, shall, from the Date of recording thereof, have the same Effect as if no previous Notarial Instrument had been expede or recorded, or as if such Conveyance and original Warrant of Registration had not been previously recorded.

Recorded Instruments not to be challenged on the ground of Erasures.

XIX. The Act of the Sixth and Seventh Years of the Reign of His late Majesty King *William* the Fourth, Chapter Thirty-three, intituled *An Act to amend and regulate the Law of* Scotland *as to Erasures in Instruments of Sasine and of Resignation* ad remanentiam, shall extend and be applicable to Instruments of Cognition and Notarial Instruments authorized by this Act, and to Notarial Instruments expede and to be expede under the Act Eighth and Ninth *Victoria*, Chapter Thirty-one.

Deeds and Instruments may be partly written and partly printed or engraved.

XX. All Deeds, Writs, and Instruments whatever, mentioned or not mentioned in this Act, having a Testing Clause, may be partly written and partly printed or engraved: Provided that, in the Testing Clause, the Date, if any, and the Names and Designations of the Witnesses, and the Number of the Pages of the Deed, Writ, or Instrument, if the Number be specified, and the Name and Designation of the Writer of the written Portions of the Body of the Deed, Writ, or Instrument, and of the written Portions of the Testing Clause, shall be expressed at length in Writing; and such Deeds, Writs, and Instruments shall be as valid and effectual as if they had been wholly in Writing.

Fees of existing Town Clerks reserved; but no future Town Clerks to have Claims for Compensation for Loss of Fees, &c.

XXI. No Town Clerk of any Royal or other Burgh in *Scotland* who has been or shall be appointed subsequent to the Eighth Day of *March* One thousand eight hundred and sixty shall have any exclusive Right or Privilege of preparing or expeding any Conveyance, Instrument, or other Writ applicable to Land, or shall have any Right to Compensation in respect of any Alterations affecting the Rights, Duties, or Emoluments of Town Clerks, which may be made by this Act or any Act which may hereafter be passed: Provided always, that existing Town Clerks, whether sole or joint, who, according to the present Law and Practice, are exclusively entitled to prepare Instruments of Sasine or of Resignation and Sasine in Burgage Subjects, shall, each during the Period to which his Rights shall extend under any legal Appointment or Agreement existing at the foresaid Date, but no longer, be entitled to claim and receive from the Person presenting for Registration in the Burgh Register of Sasines kept by such Town Clerk any Conveyance, which, when recorded, will operate the Effect of a recorded Instrument of Sasine, or of Resignation and Sasine, such, but no other, Fees as he would have had Right to draw, and to appropriate to his own Use and Benefit, in respect of the Preparation and recording of the Instrument of Sasine or of Resignation and Sasine which, if this Act had not been passed, must have been recorded in the Burgh Register of Sasines, in order to operate the like Effect as the recording therein of such Conveyance; and the Person recording such Conveyance in the said Register of Sasines shall be bound to pay such, but no other, Fees to such Town Clerk in respect thereof: Provided always, that in estimating the said Fees such Instruments of Sasine or of Resignation and Sasine shall not be computed as of greater Length than the Writings actually recorded whereby such Instruments of Sasine or of Resignation and Sasine have been rendered unnecessary.

Provision for Lands held Burgage where

XXII. From and after the passing of this Act, and during the Period to which the Rights of any existing Town Clerk in any Burgh in which Lands are held Burgage, and no Register of Sasines is kept,

no Burgh Register of Sasines is kept.

kept, extend under legal Appointment, and no longer, no Conveyance, Writ, or Instrument applicable to Lands in such Burgh held Burgage, and which under the Provisions of this Act shall come in place of any Writ or Instrument which such Town Clerk would by Law have been exclusively entitled to prepare had this Act not been passed, shall, as regards such Lands, be validly recorded in any Register of Sasines, unless the Warrant of Registration of such Conveyance, Writ, or Instrument shall be subscribed, or where no such Warrant is required, such Conveyance, Writ, or Instrument itself shall be subscribed or endorsed with the Signature of such Town Clerk, which Signature he shall be bound to attach or endorse on Receipt in respect thereof of One Half of the Fees which would have been chargeable by him for the Preparation of the Writ or Instrument which he would have been entitled to prepare as aforesaid, and of no other Fees; but if the said Conveyance, Writ, or Instrument be prepared by him, he shall not be entitled, in respect of his Signature as aforesaid, to any other beyond the ordinary Fees for preparing such Conveyance, Writ, or Instrument: Provided always, that in estimating the said Fees the said Writ or Instrument shall not be computed as of any greater Length than the Conveyance, Writ, or Instrument signed by such Town Clerk.

Provision for Lands in the Burgh of Paisley held by Booking Tenure.

XXIII. All the Provisions of this Act applicable to Lands held by the ordinary Burgage Tenure shall be applicable also to Lands in the Burgh of *Paisley* held by the peculiar Tenure of Booking; and all the Provisions of this Act applicable to Resignation, and to Instruments of Sasine, and of Resignation and Sasine, and of Cognition and Sasine, and Registers of Sasines, respectively, of Lands held Burgage shall be applicable also to Booking, and to Instruments of Resignation and Booking, and to Extract Bookings, and to the Register of Booking, respectively, of Lands in said Burgh of *Paisley* held by said Tenure of Booking: Provided always, that nothing in this Act contained shall prevent the Constitution, Transmission, or Completion of Rights to Lands held by the said Tenure of Booking by the Forms in use prior to the passing of this Act.

Court of Session may fix and regulate Fees.

XXIV. It shall be lawful for the Court of Session from Time to Time to pass Acts of Sederunt fixing and regulating the Fees payable to Town Clerks and Keepers of Registers of Sasines for and with respect to all Instruments and Proceedings under this Act, and the recording of all Deeds and Instruments made and executed under the Provisions thereof; and the said Court may either make a general Table of Fees which shall be applicable to all the Burghs in *Scotland*, or may make special Tables of Fees which shall be applicable to any One or more of such Burghs, as they think fit; and the Tables of Fees applicable to each Burgh shall come into operation on the Death, Resignation, or Removal of the existing Town Clerk of such Burgh; and it shall not be lawful for any Town Clerk or the Keeper of the Register of Sasines of any Burgh who shall be appointed after the passing of this Act, to demand or receive any higher Fees for or in respect of any Instruments or Proceedings under this Act, or the recording of any Deeds or Instruments made and executed under the Provisions thereof, than the Fees specified in the Table which for the Time shall be applicable to such Burgh; and the said Court may meet for the Purpose of passing and pass such Acts of Sederunt either during Session or Vacation, and may from Time to Time repeal or alter such Acts and Tables of Fees: Provided, that all Acts of Sederunt passed under the Authority of this Act shall, within One Month after the Date thereof, be transmitted by the Lord President of the said Court to One of Her Majesty's Principal Secretaries of State, that the same may be laid before both Houses of Parliament.

Clauses of Direction to be referred to in Warrants of Registration.

XXV. Every Deed containing a Clause of Direction in Terms of the recited Act or this Act, presented for Registration in any Register of Sasines, shall, if such Clause of Direction is intended to be acted on, bear express Reference thereto in the Warrant of Registration, if any, which, in Terms of the recited Act or this Act, is otherwise required to be endorsed on such Deed, or in a separate Warrant of Registration in the Form as nearly as may be of the Schedule (K.) to this Act annexed, and in the Absence of such express Reference in such Warrant of Registration as aforesaid, such Deed shall be engrossed in the Register as if it had contained no Clause of Direction.

Official Acts of Town Clerks and Keepers of Registers of Sasines not to be affected by their personal Interest in recorded Writs.

XXVI. It shall be competent for the Town Clerk of any Burgh to expede and record, and for the Keeper of any Burgh or other Register of Sasines, Reversions, &c. to record, any Instrument of Sasine or of Cognition and Sasine, or any Notarial Instrument, or Conveyance or other Writ, in which such Town Clerk or Keeper may be personally interested, either individually or as Trustee for another or otherwise; and no Instrument of Sasine or of Cognition and Sasine, Notarial Instrument, Conveyance or other Writ, expede or recorded prior to the Date of the passing of this Act, or which may hereafter be expede or recorded, shall be challengeable or in any way affected by reason of personal Interest in the Town Clerk or Keeper of the Register by whom the same has been expede or recorded as aforesaid: Provided, that this Enactment shall not prejudice or affect any Action or Proceeding which may have been instituted prior to the passing of this Act.

Conditions of Entail, &c. may, in Excambions of Entailed Lands, be inserted by Reference merely.

XXVII. In Excambions of Entailed Lands, whether held Burgage or not, it shall not be necessary to insert at Length in the Conveyances of the Lands obtained in exchange for such Entailed Lands, or in the Instruments of Sasine, Notarial Instruments, or other Writs, which may follow upon such Conveyances, the Destination of Heirs, or the Conditions, Prohibitions, Declarations, Limitations, Restrictions, Clauses irritant and resolutive, or Clauses authorizing Registration in the Register of Tailzies, contained in such Deed of Entail, but in such Conveyances, and in all other Conveyances of Entailed Lands, and in all Notarial Instruments applicable thereto, it shall be competent and sufficient to refer to

such

such Destination, and to such Conditions, Prohibitions, Declarations, Limitations, Restrictions, Clauses irritant and resolutive, and Clause authorizing Registration in the Register of Tailzies, as set forth in the Deed of Entail recorded in the Register of Tailzies, if the same shall have been so recorded, or as set forth in any Conveyance, Instrument of Sasine, or other Writ duly recorded in the appropriate Register of Sasines, and forming Part of the Progress of Title Deeds following on such Deed of Entail, such Reference being made as nearly as may be in the Terms set forth in Schedule (L.) to this Act annexed, and the Reference so made to such Destination, and to such Conditions, Prohibitions, Declarations, Limitations, Restrictions, Clauses irritant and resolutive, and Clause authorizing Registration in the Register of Tailzies, shall be equivalent to the full Insertion thereof, notwithstanding any Law or Practice to the contrary or any Injunction to the contrary contained in such Deed of Entail, or any Enactments or Provisions to the contrary contained in any Act of Parliament, all which are hereby repealed to the Extent of making this Enactment operative, but no further.

Debts affecting Lands exchanged for other Lands to affect such other Lands in lieu thereof.

XXVIII. When any Lands, whether held Burgage or not, disponed, under the Authority of an Act of Parliament, in excambion for other Lands, are burdened with Debts, the Lands so disponed shall, from and after the Date of Registration in the appropriate Register of Sasines of the Contract or Deed of Excambion of such Lands, be freed and disburdened of such Debts so far as previously affecting the same, and shall be burdened with the Debts, if any, which previously affected the Lands acquired in exchange for the same, in the Order of Preference in which such Debts were a Burden upon such last-mentioned Lands: Provided always, that before any such Excambion is authorized (in addition to such Procedure as may be prescribed by such Act) such Intimation as the Court of Session may consider necessary shall be made to all Creditors having Interest, and such Creditors shall be entitled to state any Objections thereto, of which the Court shall judge: Provided also, that in such Contract or Deed of Excambion, or in a Schedule subscribed as relative thereto, and declared to be Part thereof, and recorded therewith, there shall be set forth as to each of the said Debts the following Particulars; namely, the Amount of the Debt, the Date of recording the Writ by which its Constitution was originally published, the Register in which the same was so published, the Name and Designation of the original Creditor, and if the Debt has been transferred the Name and Designation of the Creditor understood to be in right thereof for the Time, and the Date of recording the Writ whereby his Right was published, and the Register in which the same was so published; provided further, that in such Contract or Deed of Excambion such Debts shall be expressly declared to burden the Lands to which the same are transferred as aforesaid.

Entailer's Debts, &c. may be charged on entailed Estate by Bond and Disposition in Security.

XXIX. In all Cases where there are or shall be Entailer's or other Debts or Sums of Money which might lawfully be made chargeable, by Adjudication or otherwise, upon the Fee of an Entailed Estate, the Heir of Entail in possession of such Estate for the Time being shall have all the like Powers of charging the Fee and Rents of such Estate, or any Portion thereof, other than the Mansion House, Offices, and Policies thereof, with such Debts or Sums of Money, and of granting, with the Authority of the Court of Session, Bonds and Dispositions in Security for the Amount of such Debts and Sums of Money, as by the Act Eleventh and Twelfth *Victoria*, Chapter Thirty-six, and the Act Sixteenth and Seventeenth *Victoria*, Chapter Ninety-four, are conferred with reference to Provisions to younger Children, and such Bonds and Dispositions in Security may be granted in favour of any Parties in the Right of such Debts or Sums of Money at the Date when such Bonds and Dispositions in Security are executed.

Short Clauses of Consent to Registration may be used in any Deed.

XXX. The short Clauses of Consent to Registration for Preservation, and for Preservation and Execution, set forth in the Schedule (A.) annexed to the Act Tenth and Eleventh *Victoria*, Chapter Forty-eight, shall, when occurring in any Deed or Writing whatever, have the like Meaning and Import as by the said Act is attributed to them when occurring in any Disposition, Conveyance, Deed, or Instrument referred to in the First Section of the said Act.

Real Burdens may be referred to as already in any Conveyance recorded in any Register of Sasines.

XXXI. With reference to the First Section of the "Titles to Land (*Scotland*) Act, 1858," it is declared and enacted, that in all and each of the Cases set forth in the Sixth Section of the Act Tenth and Eleventh *Victoria*, Chapter Forty-seven, or in the Fifth Section of the Act Tenth and Eleventh *Victoria*, Chapter Forty-eight, or in the Fourth Section of the Act Tenth and Eleventh *Victoria*, Chapter Forty-nine, or in the Fourth Section of the Act Tenth and Eleventh *Victoria*, Chapter Fifty, or in the Twenty-seventh Section of the Act Tenth and Eleventh *Victoria*, Chapter Fifty-one, it is and shall be lawful to refer, as in the said Acts of the Tenth and Eleventh *Victoria* is provided, to such Real Burdens or Conditions or Limitations as are therein specified, as set forth at full Length in any Conveyance or Notarial Instrument recorded in the appropriate Register of Sasines of the Lands to which such Burdens or Conditions or Limitations apply; and that such Reference is and shall be equivalent to the full Insertion in the Disposition, Conveyance, Procuratory, Charter, Precept of Clare constat, Decree of Adjudication, Instrument of Sasine, or other Deed or Instrument in which such Reference occurs of such real Burdens or Conditions, or Limitations, and has and shall have all the legal Effects assigned by the said Provisions of the said Statutes, or any or either of them, to any Reference to such Real Burdens or Conditions, or Limitations, as set forth at length in any recorded Instrument of Sasine, or recorded Instrument of Resignation *ad remanentiam*.

Extension of Provisions of 13 & 14 Vict. c. 13. to Trusts for the Maintenance of Churches, Schools, &c.

XXXII. The Provisions of the Act of the Thirteenth Year of *Victoria*, Chapter Thirteen, intituled *An Act to render more simple and effectual the Titles by which Congregations or Societies associated for Purposes of Religious Worship or Education in* Scotland *hold Real Property required for such Purposes*, shall apply to all Trusts for the Maintenance, Support, or Endowment of Ministers of Religion, Missionaries, or Schoolmasters, or for the Maintenance of the Fabric of Churches, Chapels, Meeting Houses, or other Places of Worship, or of Manses or Dwelling Houses or Offices, for Ministers of the Gospel, or of Schoolhouses, or Schoolmasters Houses, or other like Buildings; and shall also apply to Feu Duties and other Heritable Property as well as to Lands and Houses and Money invested on Heritable Security; and it is hereby declared and enacted, that the Societies or Bodies of Men specified in the said Act include and shall be deemed to include the General Assemblies, Synods, and Presbyteries of the Established Church of *Scotland*, and of all other Presbyterian Churches in *Scotland*.

Recording Deed with Writ of Resignation thereon not to operate Sasine on such Deed.

XXXIII. The last Proviso to the Ninth Section of the "Titles to Land (*Scotland*) Act, 1858," expressed in the following Terms, *viz.*, "Provided always, that the recording of such Deed along with "such Writ shall have the Effect of an Instrument of Sasine following on such Deed," is hereby repealed; and in lieu thereof, when a Deed which is the Warrant for Resignation, with a Writ of Resignation written thereon, has been or shall be recorded in the appropriate Register of Sasines, the recording of such Deed along with such Writ shall not have the Effect of an Instrument of Sasine following on such Deed.

Description of Lands contained in recorded Deeds may be inserted in subsequent Writs by Reference merely.

XXXIV. The Fifteenth Section of the recited Act is hereby repealed; and in lieu thereof be it enacted, That where any Lands held or not held Burgage have been particularly described in any prior Conveyance, Discharge, or other Deed or Instrument duly recorded in the appropriate Register of Sasines, it shall not be necessary in any subsequent Conveyance, Discharge, or other Deed or Instrument containing or referring to the whole or any Part of such Lands, to repeat the particular Description of the Lands at length, but it shall be sufficient to specify the Name of the County, and where the Lands are held Burgage, the Name of the Burgh and County in which they are situated, and to refer to the particular Description contained in the prior Conveyance, Discharge, or other Deed or Instrument so recorded, in or as nearly as may be in the Manner set forth in No. 1. of Schedule (H.) to this Act annexed; and the Specification and Reference so made shall be held to be equivalent to the full Insertion of the particular Description contained in such prior Conveyance, Discharge, or other Deed or Instrument so recorded, and shall have the same Effect as if the particular Description had been inserted exactly as it is set forth in such prior Conveyance, Discharge, or other Deed or Instrument.

Conveyances and Instruments may be recorded of new.

XXXV. The Thirty-first Section of the "Titles to Land (*Scotland*) Act, 1858," is hereby repealed; and in lieu thereof be it enacted, That in case of any Error or Defect in any Notarial Instrument expede or to be expede in virtue of the said Act, or of the Act Eighth and Ninth *Victoria*, Chapter Thirty-one, or in the recording of any such Instrument, or of any Instrument of Resignation *ad remanentiam*, or in the recording of any Conveyance, or Procuratory of Resignation *ad remanentiam*, or Warrant of Registration, recorded or to be recorded in the Register of Sasines in virtue of the said Titles to Land Act, it shall be competent of new to make and record a Notarial Instrument, or Instrument of Resignation, or of new to record the Conveyance, or Procuratory of Resignation, with the original or a new Warrant of Registration, as the Case may require; and such new Notarial Instrument or Instrument of Resignation, so expede and recorded, or such Conveyance or Procuratory of Resignation, so of new recorded, with the original or new Warrant of Registration, as the Case may require, shall, from the Date of recording thereof, have the same Effect as if no previous Notarial Instrument or Instrument of Resignation had been expede or recorded, or as if such Conveyance, or Procuratory of Resignation, and original Warrant of Registration had not been previously recorded.

Meaning of certain Words in Titles to Land Act, 1858, declared.

XXXVI. The Words "to be holden in the same Manner in which the Grantor of the Conveyance "held or might have held the same," in the Fifth Section of the "Titles to Land (*Scotland*) Act, 1858," and the Words of the same or similar Import in the Twelfth, Twenty-first, Twenty-second, and Twenty-seventh Sections of the said Act relative to the Manner in which the Lands mentioned in the said Sections are to be held, are hereby declared and shall be construed to mean that the Lands are to be held *a me vel de me*, where the Investiture of Lands contains no Prohibition against Subinfeudation or against an alternative holding, and *a me* only where the Investiture contains such Prohibition: Provided always, that where the Investiture contains such Prohibition, the Conveyance or Instrument shall, if an Entry in the Lands therein specified or thereby conveyed be expede with the Superior within Twelve Months from the Date of such Conveyance or Instrument, have the same Preference in all respects from the Date of recording in the appropriate Register of Sasines the Conveyance or Instrument, as if the same contained an *a me vel de me* Holding, and the Investiture did not contain any Prohibition against Subinfeudation or against an alternative Holding.

Amendment of 21 & 22 Vict. c. 76. s. 33.

XXXVII. The Thirty-third Section of the Titles to Land (*Scotland*) Act, 1858, shall be read and construed as if the Word "Resignation" were substituted for the Word "Registration" occurring in the said Section.

Mode of completing Title by a Judicial Fac-

XXXVIII. Where a Judicial Factor shall apply by Petition for Authority to complete a Title to any Lands held or not held Burgage forming Part of the Estate under his Management, and where the Petition shall specify the Lands to which such Title is to be completed, the Warrant granted for completing

completing such Title shall also specify the Lands to which such Title is to be completed, and such Warrant shall be held to be a Disposition of the Lands, and an Assignation of any Heritable Securities contained in such Warrant in due and usual Form, in favour of such Judicial Factor by the Person, whether in Life or deceased, whose Estate is under Judicial Management, and, where such Judicial Factor has been appointed on a Trust Estate which shall have been vested in a Trustee or former Judicial Factor by such Trustee or former Factor, whether in Life or deceased, for the Purposes of such Trust: Provided always, that for enabling the Person in whom such Lands were last vested, or his Representatives, or other Parties interested, to bring forward competent Objections against such Warrant being granted, or Claims upon the Estate, the Court shall order such Intimation and Service of the Petition as to them shall seem proper. for on a Trust Estate, &c.

XXXIX. Charters of Resignation or Adjudication or Sale shall operate as a Confirmation of the whole Deeds and Instruments necessary to be confirmed in order to complete the Investiture of the Party in whose Favour such Charter may be or may have been granted. Charters, &c. to operate Confirmation.

XL. Writs of Confirmation and Writs of Resignation and Writs of Clare constat granted in Terms of the Titles to Land (*Scotland*) Act, 1858, by Subjects Superiors, shall be authenticated in the Form required by the Law of *Scotland* in the Case of ordinary Deeds. Writs of Confirmation, &c. to be tested.

XLI. The Stamp Duty chargeable on Writs of Confirmation, Writs of Resignation, Writs of Clare constat, and Writs of Investiture, granted or to be granted in virtue of the said Act, and on Writs of Acknowledgment under "The Registration of Leases (*Scotland*) Act," shall be the same as that now chargeable on Charters of Confirmation, Charters of Resignation, and Precepts of Clare constat. Stamp Duty on Writs of Confirmation, &c.

XLII. The Fees to be drawn from and after the passing of this Act in the Office of the Register of Deeds, Probative Writs, and Protests shall be applied in the first instance to Payment of the Principal Keeper to the Extent of a Sum of Five hundred Pounds annually, and of each of the Two Assistant Keepers to the Extent of Three hundred and fifty Pounds annually, and any Surplus of the said Fees shall be disposed of according to the existing Law and Practice. Application of Fees.

XLIII. This Act shall take effect from and after the First Day of *October* One thousand eight hundred and sixty. Commencement of Act.

SCHEDULES referred to in the foregoing Act.

SCHEDULE (A.)

No. 1.

Warrant of Registration to be written on a Conveyance when presented without Assignation apart or Notarial Instrument.

REGISTER on behalf of *A.B.* (*insert Designation*) [*or* Register, *&c.*, along with Assignation (*or* Assignations) hereon] (*or otherwise, as the Case may be*).

(Signed) *A.B.*
[*or*] *C.D.*, W.S., Edinburgh,
[*or, as the Case may be,*] Agent of the said *A.B.*

No. 2.

Warrant of Registration to be written on a Conveyance when presented with Assignation apart or Notarial Instrument.

REGISTER on behalf of *A.B.* (*insert Designation*) along with the Assignation [*or* Assignations *or* Notarial Instrument] docqueted with reference hereto (*or otherwise, as the Case may be*).

(Signed) *A.B.*
[*or*] *C.D.*, W.S., Edinburgh,
[*or, as the Case may be,*] Agent of the said *A.B.*

SCHEDULE (B.)

Notarial Instrument in favour of Disponee or his Assignee, &c.

AT there was by [*or* on behalf] of *A.B.* of *Z.* Esquire, presented to me, Notary Public subscribing, a Disposition [*or other Deed, or* an Extract of a Deed, *as the Case may be*], granted by *C.D.* of *Y.* Esquire, and bearing Date [*insert the Date*], by which Disposition the said *C.D.* sold, alienated, and disponed to the said *A.B.* [*or* gave, granted, and disponed, *or otherwise, as the Case may be,* to the said *A.B.*] [*or* to *E.F.*], and his Heirs and Assignees [*insert the Destination, if any, so far as may be necessary*], heritably and irredeemably [*or* redeemably *or* in Life-rent, *or otherwise, as the Case may be,*] all and whole [*insert the Description of the Subjects conveyed; and if the Deed be granted under the Burden of a Real Lien or Servitude, or any other Incumbrance, Condition, or Qualification of the Right, or under Redemption, add here*], but always under

under the Burden of a Real Lien, &c. [*as the Case may be*]. [*If the Person expeding the Instrument be other than the original Disponee, add*] As also there was presented to me [*here specify the Title or Series of Titles by which such Person acquired Right, and the Nature and Extent of his Right*]. Whereupon this Instrument is taken in my Hands, in Terms of The Titles to Land (Scotland) Act, 1860. In witness whereof [*insert a Testing Clause as in Instrument of Resignation and Sasine authorized by the Act* 10 & 11 *Vict., Cap.* 49.]

I.K., Witness. (Signed) *G.H.*
L.M., Witness. Notary Public.

SCHEDULE (C.)

Clause of Direction specifying Part of Deed which Granter desires to be recorded.

And I direct to be recorded in the Register of Sasines the Part of this Deed from its Commencement to the Words (*insert Words*) on the Line of the Page [and also the Part from the Words (*insert Words*) on the Line of the Page to the Words (*insert Words*) on the Line of the Page] [*or* I direct the whole of this Deed to be recorded in the Register of Sasines with the Exception of the Part] [*or* Parts, *as the Case may be, specifying the Part or Parts excepted, as above.*]

SCHEDULE (D.)

Writ of Clare constat in Burgage Subjects.

We [*specify Granters*]. Whereas it clearly appears that *C.D.*, [*insert Name and Designation of the Ancestor*] died last vest and seised in [*describe Lands; and then insert any necessary Clauses as in Writs of Clare constat applicable to feudal Property*]; and that conform to Instrument of Cognition and Sasine [*or as the Case may be*] in favour of the said *C.D.*, recorded in the Register of Sasines of [*insert the Title of the Register*], the Day of in the Year . And that *A.B.* [*insert Name and Designation of Heir*] is eldest Son and nearest and lawful Heir of the said *C.D.* [*or as the Case may be*]. Therefore we hereby declare the said *A.B.* to have Right to the said Lands as Heir foresaid. In witness whereof [*to be tested and signed in common Form*].

SCHEDULE (E.)

Notarial Instrument in favour of a general Disponee, or his Assignee, &c.

At there was by [*or* on behalf of] *A.B.* of *Z.*, presented to me, Notary Public subscribing, a Disposition [*or other Deed or Instrument*], recorded in the [*specify Register of Sasines and Date of recording*], by which recorded Disposition [*or other Deed or Instrument*] *C.D.* of *Y.* was vested in all and whole [*describe the Lands or other Subjects, as the Case may be*]; as also there was presented to me a general Disposition [*or other Deed, or an Extract of a Deed*], granted by the said *C.D.*, and bearing Date [*insert Date*], by which general Disposition the said *C.D.* gave, granted, and disponed [*or otherwise, as the Case may be*], to the said *A.B.*, and his Heirs and Assignees, [*or otherwise, as the Case may be*], heritably and irredeemably [*or* in Life-Rent, *or otherwise, as the Case may be*], all and sundry the whole Heritable Estate of which he was [*or* might die] possessed. [*If the Deed be granted under any Real Burden, or Condition or Qualification, add here,* but always under the Burden of the Real Lien, &c.; *and if the Deed be granted in trust, or for specific Purposes, add,* but always in trust *or* for the Uses and Purposes mentioned in said Deed. *If the Person expeding the Instrument be other than the original Disponee, add,* as also there was presented to me (*specify the Title or Series of Titles by which such Person acquired Right, and the Nature and Extent of his Right.*)] Whereupon, &c., *as in Schedule* (*B.*)

SCHEDULE (F.)

No. 1.

Assignation of an unrecorded Conveyance.

I, *A.B.*, in consideration of, &c. [*or otherwise, as the Case may be*], hereby assign to *C.D.* and his Heirs and Assignees [*or otherwise, as the Case may be*], the Disposition [*or other Deed, specifying the Nature of the Deed,*] granted by *E.F.*, dated, &c., by which he conveyed the Lands of *X.*, as therein described, to me [*or otherwise, as the Case may be, specifying the connecting Title, and the Nature and Extent of the Right conveyed. State the Term of the Assignee's Entry; and other Particulars, if any, ought to be specified*]. In witness whereof [*insert a Testing Clause in the usual Form*].

No. 2.

Assignation of an unrecorded Conveyance written upon the Conveyance,

I, *A.B.*, in consideration of, &c. [*or otherwise, as the Case may be*], hereby assign to *C.D.* and his Heirs and Assignees [*or otherwise, as the Case may be*], the foregoing Disposition of the Lands of *X.*, as therein described, granted in my Favour [*or otherwise, as the Case may be, specifying the connecting Title,*

Title, and the Nature and Extent of the Right conveyed. State the Term of the Assignee's Entry; and other Particulars, if any, ought to be specified]. In witness whereof [*insert a Testing Clause in the usual Form*].

SCHEDULE (G.)

Notarial Instrument in favour of an Assignee to an unrecorded Conveyance to be recorded along with the Conveyance.

At there was by [*or* on behalf of] *A.B.* of *Z.*, presented to me, Notary Public subscribing, a Disposition [*or other Deed, as the Case may be, specifying the Nature of the Deed*], granted by *C.D.* of *Y.*, and bearing Date [*insert Date*]; by which Disposition the said *C.D.* conveyed to *E.F.* the Lands of *X.*, as therein described, and which Disposition is to be recorded along with this Instrument; as also there was presented to me [*specify the Title or Series of Titles by which A.B. acquired Right, and the Nature and Extent of his Right*]. Whereupon, *&c. as in Schedule (B.)*

(Signed) *G.H.*,
Notary Public.

I.K., Witness.
L.M., Witness.

SCHEDULE (H.)

No. 1.

Clause of Reference to particular Description contained in a prior Deed.

The Lands [*or* Subjects] and others [*or* the Lands delineated and coloured on a Copy of the Ordnance Survey Map hereto annexed, and signed as relative hereto,] [*or* the Lands of *A.* and others,] [*or* the House No. 10, Street, and others,] [*or other like short Description,*] in the County of , [*or* in the Burgh of and County of *as the Case may be*], being the Lands [*or* Subjects] particularly described in the Disposition [*or other Deed, as the Case may be*], granted by *C.D.*, and bearing Date [*insert Date*], and recorded in the [*specify Register of Sasines*] on the Day of in the Year , [*or* as particularly described in the Instrument of Sasine or Notarial Instrument recorded, *&c., or as the Case may be*]. [*If Part only of Lands is conveyed, describe such Part as above, and add,* being Part of the Lands particularly described, *&c.*; *or thus,* being the Lands [*or* Subjects] as particularly described, *&c.*, with the Exception of, *and describe the Part excepted*].

No. 2.

Clause of Reference to Destinations in Entails.

[*After inserting such Part of the Destination as may be thought necessary, add*] and to the other Heirs specified and contained in a Disposition and Deed of Entail of the said Lands executed by the Deceased *E.F.*, bearing Date the Day of in the Year , and recorded in the Register of Tailzies on the Day of in the Year , [*or* in the said Disposition and Deed of Entail dated and recorded as aforesaid, *or* in a Deed [*or* Instrument] recorded [*specify Register of Sasines*] upon the Day of in the Year].

SCHEDULE (I.)

Notarial Instrument in favour of a Trustee in a Sequestration, or of Liquidators of Joint Stock Companies.

At there was, by [*or* on behalf of] *A.B.*, as Trustee on the sequestrated Estate of *C.D.*, [*or* as Liquidator for winding up the (*specify Name of Company*)], presented to me, Notary Public subscribing, a Disposition [*or other Deed or Instrument*] [*insert Date*] recorded in the [*specify Register and Date of recording*], by which [*&c. specify the Title or Series of Titles by which the Bankrupt held the Lands*]; as also there was presented to me an Extract Act and Warrant of Confirmation in favour of the said *A.B.*, dated [*insert Date*] [*or here specify the Appointment of the Liquidator or Liquidators, and the Date thereof*]. Whereupon, *&c., as in Schedule (B.)*

SCHEDULE (K.)

Register, in Terms of Clause of Direction, on behalf of *A.B.* [*insert Designation, and, where necessary, add* along with Assignation hereon (*or* Assignations hereon) (*or* Writ of Resignation hereon) (*or* the Assignation *or* Assignations *or* Notarial Instrument docqueted with reference hereto) (*or otherwise, as the Case may be*)].

(Signed) *A.B.*

[*or, C.D.*, W.S., Edinburgh,]
[*or, as the Case may be*] Agent of the said *A.B.*

SCHE-

SCHEDULE (L.)

Clause of Reference to Conditions of Entail, &c.

[*After the Description of the Lands insert*] But always with and under the Conditions, Prohibitions, Declarations, Limitations, and Restrictions, and Clauses irritant and resolutive, [*or* Clause authorizing Registration in the Register of Tailzies, *as the Case may be*,] contained in a Disposition and Deed of Entail of the Lands of *X.* [*specify leading Name merely*], and others, executed by the Deceased *E.F.*, bearing Date the Day of in the Year and recorded in the Register of Tailzies on the Day of in the Year [*or* in the said Disposition and Deed of Entail dated and recorded as aforesaid] [*or* in (*specify Writ*) recorded in the General Register of Sasines (*or as the Case may be*) upon the Day of in the Year].

CAP. CXLIV.

An Act to amend the Procedure and Powers of the Court for Divorce and Matrimonial Causes.

[28th *August* 1860.]

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Powers of Judge Ordinary.

I. It shall be lawful for the Judge Ordinary of the Court for Divorce and Matrimonial Causes alone to hear and determine all Matters arising in the said Court, and to exercise all Powers and Authority whatever which may now be heard and determined and exercised respectively by the full Court or by Three or more Judges of the said Court, the Judge Ordinary being One, or where the Judge Ordinary shall deem it expedient, in relation to any Matter which he might hear and determine alone by virtue of this Act, to have the Assistance of One other Judge of the said Court, it shall be lawful for the Judge Ordinary to sit and act with such One other Judge accordingly, and, in conjunction with such other Judge, to exercise all the Jurisdiction, Powers, and Authority of the said Court.

Judge Ordinary may call in the Assistance of One of the other Judges.

Judge may direct any Matter to be heard by the full Court.

Appeal to the full Court.

II. Provided always, That the Judge Ordinary may, where he shall deem it expedient, direct that any such Matter as aforesaid shall be heard and determined by the full Court; and in addition to the Cases in which an Appeal to the full Court now lies from the Decision of the Judge Ordinary, either Party dissatisfied with the Decision of such Judge sitting alone in granting or refusing any Application for a new Trial which by virtue of this Act he is empowered to hear and determine may, within Fourteen Days after the pronouncing thereof, appeal to the full Court, whose Decision shall be final.

Appeal to the House of Lords.

III. Where there is a Right of Appeal to the House of Lords from the Decision of the full Court there shall be the like Right of Appeal to the said House from the Decision of the Judge Ordinary alone, or with any other Judge, under this Act.

Regulation of the Sittings of the full Court.

IV. The Sittings of the full Court shall be holden during the Seventh and Five following Days of Sitting in each Term, and on such other Days as the Judge Ordinary, with the Assent of the Lord Chief Justice of the Court of Queen's Bench, the Lord Chief Justice of the Court of Common Pleas, and the Lord Chief Baron of the Court of Exchequer, shall from Time to Time appoint; and the Judges of the Courts of Queen's Bench, Common Pleas, and Exchequer shall, by a Rota or otherwise, as they deem most convenient, make Provision for the Attendance of the requisite Number of such Judges to make with the Judge Ordinary a full Court during such Sittings; and Section Two of the Act of the last Session of Parliament, Chapter Sixty-one, shall be repealed.

22 & 23 Vict. c. 61. s. 2. repealed.

Court may, where One Party only appears, require Counsel to be appointed to argue on the other Side.

V. In every Case of a Petition for a Dissolution of Marriage it shall be lawful for the Court, if it shall see fit, to direct all necessary Papers in the Matter to be sent to Her Majesty's Proctor, who shall, under the Directions of the Attorney General, instruct Counsel to argue before the Court any Question in relation to such Matter, and which the Court may deem it necessary or expedient to have fully argued; and Her Majesty's Proctor shall be entitled to charge and be reimbursed the Costs of such Proceeding as Part of the Expense of his Office.

20 & 21 Vict. c. 85. s. 45. amended.

VI. And whereas by Section Forty-five of the Act of the Session holden in the Twentieth and Twenty-first Years of Her Majesty, Chapter Eighty-five, it was enacted, that "In any Case in which "the Court should pronounce a Sentence of Divorce or Judicial Separation for Adultery of the Wife, "if it should be made appear to the Court that the Wife was entitled to any Property, either in posses- "sion or reversion, it should be lawful for the Court, if it should think proper, to order such Settlement "as it should think reasonable to be made of such Property, or any Part thereof, for the Benefit of the "innocent Party and of the Children of the Marriage, or either of them:" Be it further enacted, That any Instrument executed pursuant to any Order of the Court made under the said Enactment before or after the passing of this Act, at the Time of or after the pronouncing of a final Decree of Divorce or Judicial Separation, shall be deemed valid and effectual in the Law, notwithstanding the Existence of the Disability of Coverture at the Time of the Execution thereof.

Decrees.

VII. Every Decree for a Divorce shall in the first instance be a Decree Nisi, not to be made absolute till after the Expiration of such Time, not less than Three Months from the pronouncing thereof, as the Court shall by General or Special Order from Time to Time direct; and during that Period any Person shall

shall be at liberty, in such Manner as the Court shall by General or Special Order in that Behalf from Time to Time direct, to show Cause why the said Decree should not be made absolute by reason of the same having been obtained by Collusion or by reason of material Facts not brought before the Court; and, on Cause being so shown, the Court shall deal with the Case by making the Decree absolute, or by reversing the Decree Nisi, or by requiring further Inquiry, or otherwise as Justice may require; and at any Time during the Progress of the Cause or before the Decree is made absolute any Person may give Information to Her Majesty's Proctor of any Matter material to the due Decision of the Case, who may thereupon take such Steps as the Attorney General may deem necessary or expedient; and if from any such Information or otherwise the said Proctor shall suspect that any Parties to the Suit are or have been acting in collusion for the Purpose of obtaining a Divorce contrary to the Justice of the Case, he may, under the Direction of the Attorney General, and by Leave of the Court, intervene in the Suit, alleging such Case of Collusion, and retain Counsel and subpœna Witnesses to prove it; and it shall be lawful for the Court to order the Costs of such Counsel and Witnesses, and otherwise, arising from such Intervention, to be paid by the Parties or such of them as it shall see fit, including a Wife if she have separate Property; and in case the said Proctor shall not thereby be fully satisfied his reasonable Costs, he shall be entitled to charge and be reimbursed the Difference as Part of the Expense of his Office. Collusion.

VIII. This Act shall continue in force until the Thirty-first Day of *July* One thousand eight hundred and sixty-two, and no longer. Continuance of Act.

CAP. CXLV.

An Act to give to Trustees, Mortgagees, and others certain Powers now commonly inserted in Settlements, Mortgages, and Wills. [28th *August* 1860.]

'WHEREAS it is expedient that certain Powers and Provisions which it is now usual to insert in Settlements, Mortgages, Wills, and other Instruments, should be made incident to the Estates of the Persons interested, so as to dispense with the Necessity of inserting the same in Terms in every such Instrument:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

PART I.

Powers of Trustees for Sale, &c., and Trustees of renewable Leaseholds.

I. In all Cases where by any Will, Deed, or other Instrument of Settlement it is expressly declared that Trustees or other Persons therein named or indicated shall have a Power of Sale, either generally, or in any particular Event, over any Hereditaments named or referred to in or from Time to Time subject to the Uses or Trusts of such Will, Deed, or other Instrument, it shall be lawful for such Trustees or other Persons, whether such Hereditaments be vested in them or not, to exercise such Power of Sale by selling such Hereditaments, either together or in Lots, and either by Auction or Private Contract, and either at one Time or at several Times, and (in case the Power shall expressly authorize an Exchange) to exchange any Hereditaments which for the Time being shall be subject to the Uses or Trusts aforesaid for any other Hereditaments in *England* or *Wales* or in *Ireland* (as the Case may be), and upon such Exchange to give or receive any Money for Equality of Exchange. Trustees empowered to sell may sell in Lots, and either by Auction or private Contract.

II. It shall be lawful for the Persons making any such Sale or Exchange to insert any such special or other Stipulations, either as to Title or Evidence of Title, or otherwise, in any Conditions of Sale, or Contract for Sale or Exchange, as they shall think fit, and also to buy in the Hereditaments or any Part thereof at any Sale by Auction, and to rescind or vary any Contract for Sale or Exchange, and to re-sell the Hereditaments which shall be so bought in, or as to which the Contract shall be so rescinded, without being responsible for any Loss which may be occasioned thereby, and no Purchaser under any such Sale shall be bound to inquire whether the Persons making the same may or may not have in contemplation any particular Re-investment of the Purchase Money in the Purchase of any other Hereditaments or otherwise. Sale may be made under special Conditions, and Trustees may buy in, &c.

III. For the Purpose of completing any such Sale or Exchange as aforesaid, the Persons empowered to sell or exchange as aforesaid shall have full Power to convey or otherwise dispose of the Hereditaments in question either by way of Revocation and Appointment of the Use, or otherwise, as may be necessary. Trustees exercising Power of Sale, &c. empowered to convey.

IV. The Money so received upon any such Sale or for Equality of Exchange as aforesaid shall be laid out in the Manner indicated in that Behalf in the Will, Deed, or Instrument containing the Power of Sale or Exchange, or if no such Indication be therein contained as to all or any Part of such Money, then the same shall with all convenient Speed be laid out in the Purchase of other Hereditaments in Fee Simple in possession to be situate in *England* or *Wales* or in *Ireland* (as the Case may be), or of Lands of a Leasehold or Copyhold or Customary Tenure which, in the Opinion of the Persons making the Purchase, are convenient to be held therewith or with any other Hereditaments for the Time being, subject to the subsisting Uses or Trusts of the same Will, Deed, or other Instrument of Settlement in which Monies arising from Sales, &c. to be laid out in other Lands;

which the Power of Sale or Exchange was contained; and all such Hereditaments so to be purchased or taken in Exchange as aforesaid as shall be Freeholds of Inheritance shall be settled and assured to the Uses, upon and for the Trusts, Intents, and Purposes, and with, under, and subject to the Powers, Provisoes, and Declarations, to which the Hereditaments sold or given in Exchange were or would have been subject, or as near thereto as the Deaths of Parties and other intervening Accidents will admit of, but not so as to increase or multiply Charges; and all such Hereditaments so to be purchased or taken in Exchange as aforesaid as shall be of Leasehold or Copyhold or Customary Tenure shall be settled and assured upon and for such Trusts, Intents, and Purposes, and with, under, and subject to such Powers, Provisoes, and Declarations, as shall as nearly as may be correspond with and be similar to the aforesaid Uses, Trusts, Intents, and Purposes, Powers, Provisoes, and Declarations, but not so as to increase or multiply Charges, and so that if any of the Hereditaments so to be purchased shall be held by Lease for Years the same shall not vest absolutely in any Tenant in Tail by Purchase who shall not attain the Age of Twenty-one Years; and any such Purchase as aforesaid may be made subject to any special Conditions as to Title or otherwise: Provided that no Leasehold Tenement shall be purchased under the Powers herein-before contained which is held for a less Period than Sixty Years.

or in Payment of Incumbrances.

V. Provided nevertheless, That it shall be lawful for the Persons exercising any such Power as aforesaid, if they shall think fit, to apply any Money to be received upon any Sale or for Equality of Exchange as aforesaid, or any Part thereof, in lieu of purchasing Lands therewith, in or towards paying off or discharging any Mortgage or other Charge or Incumbrance which shall or may affect all or any of the Hereditaments which shall then be subject to the same Uses or Trusts as those to which the Hereditaments sold or given in Exchange were or was subject.

Money arising from Sales, &c. to be laid out, and Lands exchanged in the Country in which Lands sold or exchanged are situated.

VI. No Money arising from any such Sale or Exchange of Lands or Hereditaments in *England* or *Wales* shall be laid out in the Purchase of Lands or Hereditaments situate elsewhere than in *England* or *Wales*, and no Lands situate in *England* or *Wales* shall, under any such Power as aforesaid, be exchanged for any Lands or Hereditaments situate elsewhere than in *England* or *Wales*; and no Money arising from any such Sale or Exchange of Lands in *Ireland* shall be laid out in the Purchase of Lands or Hereditaments situate elsewhere than in *Ireland*, and no Lands or Hereditaments situate in *Ireland* shall, under any such Power as aforesaid, be exchanged for any Lands or Hereditaments situate elsewhere than in *Ireland*.

Until Purchase of Lands, &c. Money to be invested at Interest.

VII. Until the Money to be received upon any Sale or for Equality of Exchange as aforesaid shall be disposed of in the Manner herein mentioned, the same shall be invested at Interest for the Benefit of the same Parties who would be entitled to the Hereditaments to be purchased therewith as aforesaid, and the Rents and Profits thereof in case such Purchase and Settlement as aforesaid were then actually made.

Trustees of renewable Leaseholds may renew.

VIII. It shall be lawful for any Trustees of any Leaseholds for Lives or Years which are renewable from Time to Time, either under any Covenant or Contract or by Custom or usual Practice, if they shall in their Discretion think fit, and it shall be the Duty of such Trustees, if thereunto required by any Person having any beneficial Interest, present or future or contingent, in such Leaseholds, to use their best Endeavours to obtain from Time to Time a renewed Lease of the same Hereditaments on the accustomed and reasonable Terms, and for that Purpose it shall be lawful for any such Trustees from Time to Time to make or concur in making such Surrender of the Lease for the Time being subsisting, and to do all such other Acts as shall be requisite in that Behalf; but this Section is not to apply to any Case where by the Terms of the Settlement or Will the Person in possession for his Life or other limited Interest is entitled to enjoy the same without any Obligation to renew the Lease or to contribute to the Expense of renewing the same.

Money for Equality of Exchange and for Renewal of Leases may be raised by Mortgage, &c.

IX. In case any Money shall be required for the Purpose of paying for Equality of Exchange as aforesaid, or for Renewal of any Lease as aforesaid, it shall be lawful for the Persons effecting such Exchange or Renewal to pay the same out of any Money which may then be in their Hands in trust for the Persons beneficially interested in the Lands to be taken in Exchange, or comprised in the renewed Lease, whether arising by any of the Ways and Means herein-before mentioned or otherwise, and notwithstanding the Provisions for the Application of Money arising from Sales or Exchanges herein-before contained; and if they shall not have in their Hands as aforesaid sufficient Money for the Purposes aforesaid, it shall be lawful for such Persons to raise the Money required by Mortgage of the Hereditaments to be received in Exchange or contained in the renewed Lease (as the Case may be), or of any other Hereditaments for the Time being subject to the subsisting Uses or Trusts to which the Hereditaments taken in Exchange or comprised in the renewed Lease (as the Case may be) shall be subject, and for the Purpose of effecting such Mortgage such Persons shall have the same Powers of conveying or otherwise assuring as are herein contained with reference to a Conveyance on Sale; and no Mortgagee advancing Money upon such Mortgage purporting to be made under this Power shall be bound to see that such Money is wanted, or that no more is raised than is wanted for the Purposes aforesaid.

No Sale, &c. to be made without Consent of Tenant for Life, &c.

X. No such Sale or Exchange as aforesaid, and no Purchase of Hereditaments out of Money received on any such Sale or Exchange as aforesaid, shall be made without the Consent of the Person appointed to consent by the Will, Deed, or other Instrument, or if no such Person be appointed, then of the Person entitled in possession to the Receipt of the Rents and Profits of such Hereditaments, if there be such a Person

Person under no Disability; but this Clause shall not be taken to require the Consent of any Person where it appears from the Will, Deed, or other Instrument to have been intended that such Sale, Exchange, or Purchase should be made by the Person or Persons making the same without the Consent of any other Person.

PART II.

Powers of Mortgagees.

Powers incident to Mortgages.

XI. Where any Principal Money is secured or charged by Deed on any Hereditaments of any Tenure, or on any Interest therein, the Person to whom such Money shall for the Time being be payable, his Executors, Administrators, and Assigns, shall, at any Time after the Expiration of One Year from the Time when such Principal Money shall have become payable, according to the Terms of the Deed, or after any Interest on such Principal Money shall have been in arrear for Six Months, or after any Omission to pay any Premium on any Insurance which by the Terms of the Deed ought to be paid by the Person entitled to the Property subject to the Charge, have the following Powers, to the same Extent (but no more) as if they had been in Terms conferred by the Person creating the Charge; namely,

1st. A Power to sell or concur with any other Person in selling the whole or any Part of the Property by Public Auction or Private Contract, subject to any reasonable Conditions he may think fit to make, and to rescind or vary Contracts for Sale, or buy in and re-sell the Property, from Time to Time, in like Manner:

2d. A Power to insure and keep insured from Loss or Damage by Fire the whole or any Part of the Property (whether affixed to the Freehold or not) which is in its Nature insurable, and to add the Premiums paid for any such Insurance to the Principal Money secured at the same Rate of Interest:

3d. A Power to appoint or obtain the Appointment of a Receiver of the Rents and Profits of the whole or any Part of the Property in manner herein-after mentioned.

Receipts for Purchase Money sufficient Discharges.

XII. Receipts for Purchase Money given by the Person or Persons exercising the Power of Sale hereby conferred shall be sufficient Discharges to the Purchasers, who shall not be bound to see to the Application of such Purchase Money.

Notice to be given before Sale; but Purchaser relieved from Inquiry as to Circumstances of Sale.

XIII. No such Sale as aforesaid shall be made until after Six Months Notice in Writing given to the Person or one of the Persons entitled to the Property subject to the Charge, or affixed on some conspicuous Part of such Property; but when a Sale has been effected in professed Exercise of the Powers hereby conferred, the Title of the Purchaser shall not be liable to be impeached on the Ground that no Case had arisen to authorize the Exercise of such Power, or that no such Notice as aforesaid had been given; but any Person damnified by any such unauthorized Exercise of such Power shall have his Remedy in Damages against the Person selling.

Application of Purchase Money.

XIV. The Money arising by any Sale effected as aforesaid shall be applied by the Person receiving the same as follows; first, in Payment of all the Expenses incident to the Sale or incurred in any attempted Sale; secondly, in discharge of all Interest and Costs then due in respect of the Charge in consequence whereof the Sale was made; and, thirdly, in discharge of all the Principal Monies then due in respect of such Charge; and the Residue of such Money shall be paid to the Person entitled to the Property subject to the Charge, his Heirs, Executors, Administrators, or Assigns, as the Case may be.

Conveyance to the Purchaser.

XV. The Person exercising the Power of Sale hereby conferred shall have Power by Deed to convey or assign to and vest in the Purchaser the Property sold, for all the Estate and Interest therein, which the Person who created the Charge had Power to dispose of, except that in the Case of Copyhold Hereditaments the beneficial Interest only shall be conveyed to and vested in the Purchaser by such Deed.

Owner of Charge may call for Title Deeds and Conveyance of legal Estate.

XVI. At any Time after the Power of Sale hereby conferred shall have become exerciseable, the Person entitled to exercise the same shall be entitled to demand and recover, from the Person entitled to the Property subject to the Charge, all the Deeds and Documents in his Possession or Power relating to the same Property, or to the Title thereto, which he would have been entitled to demand and recover if the same Property had been conveyed, appointed, surrendered, or assigned to and were then vested in him for all the Estate and Interest which the Person creating the Charge had Power to dispose of, and where the legal Estate shall be outstanding in a Trustee the Person entitled to a Charge created by a Person equitably entitled, or any Purchaser from such Person, shall be entitled to call for a Conveyance of the legal Estate to the same Extent as the Person creating the Charge could have called for such a Conveyance if the Charge had not been made.

Appointment of Receiver.

XVII. Any Person entitled to appoint or obtain the Appointment of a Receiver as aforesaid may from Time to Time, if any Person or Persons has or have been named in the Deed of Charge for that Purpose, appoint such Person or any one of such Persons to be Receiver, or if no Person be so named, then may, by Writing delivered to the Person or any one of the Persons entitled to the Property subject to the Charge, or affixed on some conspicuous Part of the Property, require such last-mentioned Person or Persons to appoint a fit and proper Person as Receiver, and if no such Appointment be made within Ten Days after such Requisition, then may in Writing appoint any Person he may think fit.

Receiver deemed to be the Agent of the Mortgagor.

XVIII. Every Receiver appointed as aforesaid shall be deemed to be the Agent of the Person entitled to the Property subject to the Charge, who shall be solely responsible for his Acts or Defaults, unless otherwise provided for in the Charge.

Powers of Receiver.

XIX. Every Receiver appointed as aforesaid shall have Power to demand and recover and give effectual Receipts for all the Rents, Issues, and Profits of the Property of which he is appointed Receiver by Action, Suit, Distress, or otherwise, in the Name either of the Person entitled to the Property subject to the Charge, or of the Person entitled to the Money secured by the Charge, to the full Extent of the Estate or Interest which the Person who created the Charge had Power to dispose of.

Receiver may be removed.

XX. Every Receiver appointed as aforesaid may be removed by the like Authority or on the like Requisition as before provided with respect to the original Appointment of a Receiver, and new Receivers may be appointed from Time to Time.

Receiver to receive a Commission not exceeding Five per Cent.

XXI. Every Receiver appointed as aforesaid shall be entitled to retain out of any Money received by him, in lieu of all Costs, Charges, and Expenses whatsoever, such a Commission, not exceeding Five *per Centum* on the gross Amount of all Money received, as shall be specified in his Appointment, and if no Amount shall be so specified, then Five *per Centum* on such gross Amount.

Receiver to insure, if required.

XXII. Every Receiver appointed as aforesaid shall, if so directed in Writing by the Person entitled to the Money secured by the Charge, insure and keep insured from Loss or Damage by Fire, out of the Money received by him, the whole or any Part of the Property included in the Charge (whether affixed to the Freehold or not) which is in its Nature insurable.

Application of Monies received by him.

XXIII. Every Receiver appointed as aforesaid shall pay and apply all the Money received by him in the first place in discharge of all Taxes, Rates, and Assessments whatsoever, and in Payment of his Commission as aforesaid, and of the Premiums on the Insurances, if any, and in the next place in Payment of all the Interest accruing due in respect of any Principal Money then charged on the Property over which he is Receiver, or on any Part thereof, and, subject as aforesaid, shall pay all the Residue of such Money to the Person for the Time being entitled to the Property subject to the Charge, his Executors, Administrators, or Assigns.

This Part to relate to Charges by way of Mortgage only.

XXIV. The Powers and Provisions contained in this Part of this Act relate only to Mortgages or Charges made to secure Money advanced or to be advanced by way of Loan, or to secure an existing or future Debt.

PART III.

Provisions as to Investment of Trust Funds, Appointment and Powers of Trustees and Executors, &c.

On what Securities Trust Funds may be invested.

XXV. Trustees having Trust Money in their Hands which it is their Duty to invest at Interest shall be at liberty, at their Discretion, to invest the same in any of the Parliamentary Stocks or Public Funds, or in Government Securities, and such Trustees shall also be at liberty, at their Discretion, to call in any Trust Funds invested in any other Securities than as aforesaid, and to invest the same on any such Securities as aforesaid, and also from Time to Time, at their Discretion, to vary any such Investments as aforesaid for others of the same Nature: Provided always, that no such original Investment as aforesaid (except in the Three *per Cent.* Consolidated Bank Annuities), and no such Change of Investment as aforesaid, shall be made where there is a Person under no Disability entitled in possession to receive the Income of the Trust Fund for his Life or for a Term of Years determinable with his Life, or for any greater Estate without the Consent in Writing of such Person.

Trustees may apply Income of Property of Infants, &c. for their Maintenance.

XXVI. In all Cases where any Property is held by Trustees in trust for an Infant, either absolutely, or contingently on his attaining the Age of Twenty-one Years, or on the Occurrence of any Event previously to his attaining that Age, it shall be lawful for such Trustees, at their sole Discretion, to pay to the Guardians (if any) of such Infant, or otherwise to apply for or towards the Maintenance or Education of such Infant, the whole or any Part of the Income to which such Infant may be entitled in respect of such Property, whether there be any other Fund applicable to the same Purpose, or any other Person bound by Law to provide for such Maintenance or Education, or not; and such Trustees shall accumulate all the Residue of such Income, by way of Compound Interest, by investing the same and the resulting Income thereof from Time to Time in proper Securities, for the Benefit of the Person who shall ultimately become entitled to the Property from which such Accumulation shall have arisen: Provided always, that it shall be lawful for such Trustees at any Time, if it shall appear to them expedient, to apply the whole or any Part of such Accumulations as if the same were Part of the Income arising in the then current Year.

Provisions for Appointment of new Trustees on Death, &c.

XXVII. Whenever any Trustee, either original or substituted, and whether appointed by the Court of Chancery or otherwise, shall die, or desire to be discharged from or refuse or become unfit or incapable to act in the Trusts or Powers in him reposed, before the same shall have been fully discharged and performed, it shall be lawful for the Person or Persons nominated for that Purpose by the Deed, Will, or other Instrument creating the Trust (if any), or if there be no such Person, or no such Person able and willing to act, then for the surviving or continuing Trustees or Trustee for the Time being, or the acting Executors or Executor or Administrators or Administrator of the last surviving and continuing Trustee, or for the last retiring Trustee, by Writing, to appoint any other Person or Persons to be a Trustee or Trustees in the Place of the Trustee or Trustees so dying, or desiring to be discharged, or refusing

refusing or becoming unfit or incapable to act as aforesaid; and so often as any new Trustee or Trustees shall be so appointed as aforesaid all the Trust Property (if any) which for the Time being shall be vested in the surviving or continuing Trustees or Trustee, or in the Heirs, Executors, or Administrators of any Trustee, shall with all convenient Speed be conveyed, assigned, and transferred so that the same may be legally and effectually vested in such new Trustee or Trustees, either solely, or jointly with the surviving or continuing Trustees or Trustee, as the Case may require; and every new Trustee or Trustees to be appointed as aforesaid, as well before as after such Conveyance or Assignment as aforesaid, and also every Trustee appointed by the Court of Chancery either before or after the passing of this Act, shall have the same Powers, Authorities, and Discretions, and shall in all respects act, as if he had been originally nominated a Trustee by the Deed, Will, or other Instrument creating the Trust.

Appointment of new Trustees.

XXVIII. The Power of appointing new Trustees herein-before contained may be exercised in Cases where a Trustee nominated in a Will has died in the Lifetime of the Testator.

Trustees Receipts to be Discharges.

XXIX. The Receipts in Writing of any Trustees or Trustee for any Money payable to them or him by reason or in the Exercise of any Trusts or Powers reposed or vested in them or him shall be sufficient Discharges for the Money therein expressed to be received, and shall effectually exonerate the Persons paying such Money from seeing to the Application thereof, or from being answerable for any Loss or Misapplication thereof.

Executors may compound, &c.

XXX. It shall be lawful for any Executors to pay any Debts or Claims upon any Evidence that they may think sufficient, and to accept any Composition, or any Security, Real or Personal, for any Debts due to the Deceased, and to allow any Time for Payment of any such Debts as they shall think fit, and also to compromise, compound, or submit to Arbitration all Debts, Accounts, Claims, and Things whatsoever relating to the Estate of the Deceased, and for any of the Purposes aforesaid to enter into, give, and execute such Agreements, Instruments of Composition, Releases, and other Things as they shall think expedient, without being responsible for any Loss to be occasioned thereby.

PART IV.

General Provisions.

Tenants for Life, &c. may execute Powers, notwithstanding Incumbrances.

XXXI. For the Purposes of this Act, a Person shall be deemed to be entitled to the Possession or to the Receipt of the Rents and Income of Land or Personal Property, although his Estate may be charged or incumbered, either by himself or by any former Owner, or otherwise howsoever to any Extent; but the Estates or Interests of the Parties entitled to any such Charge or Incumbrance shall not be affected by the Acts of the Person entitled to the Possession or to the Receipt of the Rents and Income, as aforesaid, unless they shall concur therein.

Powers, &c. hereby given may be negatived by express Declaration.

XXXII. None of the Powers or Incidents hereby conferred or annexed to particular Offices, Estates, or Circumstances shall take effect or be exerciseable if it is declared in the Deed, Will, or other Instrument creating such Offices, Estates, or Circumstances that they shall not take effect; and where there is no such Declaration, then if any Variations or Limitations of any of the Powers or Incidents hereby conferred or annexed are contained in such Deed, Will, or other Instrument, such Powers or Incidents shall be exerciseable or shall take effect only subject to such Variations or Limitations.

No Persons other than those entitled under the Settlement &c. to be affected.

XXXIII. Nothing in this Act contained shall be deemed to empower any Trustees or other Persons to deal with or affect the Estates or Rights of any Persons soever, except to the Extent to which they might have dealt with or affected the Estates or Rights of such Persons if the Deed, Will, or other Instrument under which such Trustees or other Persons are empowered to act had contained express Powers for such Trustees or other Persons so to deal with or affect such Estates or Rights.

Commencement of Act.

XXXIV. The Provisions contained in this Act shall, except as herein-before otherwise provided, extend only to Persons entitled or acting under a Deed, Will, Codicil, or other Instrument executed after the passing of this Act, or under a Will or Codicil confirmed or revived by a Codicil executed after that Date.

Extent of Act.

XXXV. This Act shall not extend to *Scotland*.

CAP. CXLVI.

An Act to amend the Act for regulating Measures used in Sales of Gas. [28th *August* 1860.]

22 & 23 Vict. c. 66.

'WHEREAS Delays have occurred in preparing the Models of Measures, according to the Provisions of an Act passed in the last Session of Parliament, intituled *An Act for regulating Measures used in Sales of Gas*, and it is expedient to defer the Time when several of the Provisions of the said Act come into operation, and further to amend the same:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Calculation of Time specified in recited Act.

I. Except as to Things done before the passing of this Act under the Authority of the said Act, where in the said Act anything is required to be done within a specified Time after the passing of the same,

same, such Time shall be calculated as if the Thirteenth Day of *October* One thousand eight hundred and sixty had been the Date of the passing of the said Act: Provided always, that, notwithstanding anything in the said Act contained, the said Act shall not come into operation in any County of *England* until the Magistrates of such County in Quarter Sessions, or in any County in *Scotland* until the Commissioners of Supply of such County, or in any County of *Ireland* until the Grand Jury of such County, shall have resolved to bring such County under the Operation of the Act.

Construction of Acts, and Recovery of Penalties.

II. This Act and the recited Act shall be construed together as One Act; and all Penalties and Forfeitures incurred under the Provisions of either Act shall be sued for and recoverable in all Counties, Ridings, or Divisions in *England* and *Ireland* before Two or more Justices of the Peace at Petty Sessions, or before the Mayor or other Chief Magistrate of any City, Borough, Town, or Place.

CAP. CXLVII.

An Act to amend the Seventh and Eighth *Victoria*, Chapter Seventy. [28th *August* 1860.]

FOR removing Doubts which have arisen upon the Act of the Seventh and Eighth Years of Her Majesty, Chapter Seventy, be it declared and enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Certain Provisions of 7 & 8 Vict. c. 70. extended.

I. Any Debtor actually in Custody may petition, and his Petition shall be proceeded in, according to the Provisions of the said Act, and all those Provisions touching the Consent of Creditors, the Meetings of Creditors, and the Authority of the Commissioners, shall be applied to the Case of such Debtor Petitioner which have heretofore been applied to the Petitions of Debtors not in actual Custody.

Construction of Terms in this and recited Acts.

II. This Act and the said Act shall be construed together as One Act, and in Section Six of the said Act, after the Words "shall indorse on such Certificate his Protection of such petitioning Debtor from "Arrest," the Words "or his Discharge from Custody" shall be added; and in Section Seven, after the Words "a temporary and limited Protection from Arrest," the Words "or Discharge from "Custody" shall be added, so that in every Case of a Petition by a Debtor in Custody by virtue of this Act, the Commissioner may be empowered to discharge the Petitioner from Custody wherever such Petitioner, if not in Custody, would have been entitled by virtue of the said Act to obtain Protection from Arrest.

CAP. CXLVIII.

An Act to continue the Powers of the Poor Law Commissioners in *Ireland*. [28th *August* 1860.]

10 & 11 Vict. c. 90.

14 & 15 Vict. c. 68.

'WHEREAS the Provisions of an Act of the Tenth and Eleventh Years of Her Majesty, Chapter Ninety, relating to the Constitution and Appointment of Commissioners for administering the 'Laws for the Relief of the Poor in *Ireland*, Secretaries, Inspectors, and other Officers were continued 'from Time to Time, and by an Act passed in the Seventeenth and Eighteenth Years of Her Majesty, 'Chapter Sixty-three, such Provisions were further continued until the Twenty-third Day of *July* One 'thousand eight hundred and fifty-nine, and thenceforth until the End of the present Session of 'Parliament, and it is expedient that the Commission for administering the Laws for the Relief of the 'Poor in *Ireland*, as constituted under the said Act and an Act of the Fourteenth and Fifteenth Years 'of the Reign of Her Majesty, Chapter Sixty-eight, should be further continued for a limited Time:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Irish Poor Law Commission further continued.

I. The Commissioners appointed by Her Majesty, or to be appointed by Her Majesty, Her Heirs and Successors, under the Authority of the said last-mentioned Acts or either of them, together with every Person by the said Acts or either of them constituted by virtue of his Office such Commissioner, and every Inspector and other Officer and Person appointed or to be appointed by the Commissioners, under the Provisions of the said recited Act of the Tenth and Eleventh Years of the Reign of Her Majesty, Chapter Ninety, now in force, shall, unless he shall previously resign or be removed, or otherwise cease to hold his Office, be empowered to hold his Office, and exercise the Powers thereof, under the said last-mentioned Acts or either of them until the Twenty-third Day of *July* One thousand eight hundred and sixty-one, and thenceforth until the End of the then next Session of Parliament, and until the Expiration of the said Period it shall be lawful for Her Majesty, Her Heirs and Successors, from Time to Time, at pleasure, to remove the Commissioner or Commissioners for the Time being appointed by Her Majesty, or to be appointed by Her Majesty, Her Heirs and Successors, under the said Acts or either of them, and upon every Vacancy in the Office of the Commissioner or Commissioners so appointed or to be appointed, either by Removal, Death, Resignation, or otherwise, to appoint, as in the said Acts or either of them is described, some other fit Person to the said Office.

CAP.

Court of Chancery.

CAP. CXLIX.

An Act to make better Provision for the Relief of Prisoners in Contempt of the High Court of Chancery, and Pauper Defendants; and for the more efficient Despatch of Business in the said Court. [28th *August* 1860.]

'WHEREAS by an Act passed in the Session of Parliament holden in the Eleventh Year of the Reign of His late Majesty King *George* the Fourth and the First Year of the Reign of His late Majesty King *William* the Fourth, Chapter Thirty-six, intituled *An Act for altering and amending the Law regarding Commitments by Courts of Equity for Contempt and taking Bills* pro confesso, it was enacted, amongst other things, that the Rules and Regulations therein-after provided and contained should be adopted by the High Court of Chancery, and should from thenceforth become Orders and Rules of the said Court of Chancery, and be observed and enforced in and by the said Court; and it was by the Sixth of such Rules directed that if a Defendant, upon being brought before the Court upon an Habeas corpus, should make Oath (which should be administered to him by the Registrar, and he should be examined in open Court,) that he was unable, by reason of Poverty, to employ a Solicitor to put in his Answer, the Court should thereupon refer it to a Master in Rotation to inquire into the Truth of that Allegation, and to report thereon to the Court forthwith, and thereupon the Court might make such Order as upon other Reports of the like Nature under the Provisions therein-after contained; and by the Seventh of such Rules it was directed that on the Thirtieth Day of *January*, the Thirtieth Day of *April*, the Thirtieth Day of *July*, and the Thirtieth Day of *October* in every Year, or if any of those Days should happen on a *Sunday* then on the following Day, One of the Masters of the Court of Chancery, to be named by the Court, should visit the Fleet Prison and examine the Prisoners confined there for Contempt, and should report his Opinion on their respective Cases to the Court, and thereupon it should be lawful for the Court to make such Order as therein mentioned: And whereas by an Act passed in the Session of Parliament holden in the Fifth and Sixth Years of the Reign of Her Majesty, Chapter Twenty-two, intituled *An Act for consolidating the Queen's Bench, Fleet, and Marshalsea Prisons, and for regulating the Queen's Prison*, it was enacted, amongst other things, that the Prison to be called the Queen's Prison should be the only Prison for all Persons who before the passing of that Act might lawfully have been imprisoned in the Fleet Prison and other Prisons therein named: And whereas by an Act passed in the Session of Parliament holden in the Fifteenth and Sixteenth Years of the Reign of Her Majesty, Chapter Eighty, intituled *An Act to abolish the Office of Master in Ordinary of the High Court of Chancery, and to make Provision for the more speedy and efficient Despatch of Business in the said Court*, the Office of Master in Ordinary of the High Court of Chancery was abolished, but reserving and subject to the Execution by the then Masters in Ordinary of the said Court of the Duties therein-after provided for, and until they were released under the same Act they were for the Performance of such Duties to continue to have all the Powers conferred upon them by any Act of Parliament or otherwise vested in them; and it was enacted that, on the First Day of *Michaelmas* Term One thousand eight hundred and fifty-two, Two of the said Masters should be released, and that as often as in the Judgment of the Lord Chancellor any other Master or Masters could be spared it should be lawful for the Lord Chancellor to release any such Master or Masters, and that when the Lord Chancellor should be of opinion that the Services of none of the Masters were any longer necessary for the due Execution of the Business of the said Court, it should be lawful for him to release every remaining Master: And whereas since the passing of the last-mentioned Act One of the Masters in Ordinary of the said Court has died, and all the others have been released except Three, Two of whom are quite incapable from Ill-health of performing the Duties of their Office, and the other of whom is of advanced Age and very infirm, and has held the Office of Master in the Court of Exchequer and the Court of Chancery for the Period of Thirty-nine Years and upwards: And whereas it has been considered desirable for the better Discharge of the Business of the said Court that the Causes and Matters now remaining in the Offices of the said Masters should be transferred to the Judges Chambers, and accordingly the Lord Chancellor, with the Advice and Assistance of all the Judges of the Court, has, by Order bearing Date the Twenty-third Day of *August* One thousand eight hundred and sixty, ordered and directed that all Causes, Matters, and Things now depending before the Masters shall be proceeded with and prosecuted before the respective Judges of the Court: And whereas the only Duty now remaining to be performed by the Masters is that of visiting the Prison as required by the first-recited Act, and it is expedient that they should be relieved from such Duty, and that some other Provision should be made for the Performance thereof: And whereas it is also expedient that some further Provision should be made for the Relief of Prisoners in Custody for Contempt of the said Court: And whereas since the Date of the first herein-before recited Act various Alterations have been made in the Practice and Procedure of the said Court, by reason whereof several of the Rules and Regulations contained in the same Act may require to be varied, and it is expedient that the Lord Chancellor should have Power to make such General Orders as may from Time to Time be necessary in that Behalf:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

11 G. 4. & 1 W. 4. c. 36.

5 & 6 Vict. c. 22.

15 & 16 Vict. c. 80.

I. The

Masters discharged from certain Duties.

I. The Masters in Ordinary of the High Court of Chancery shall be and they are hereby discharged from the several Duties imposed on them by the said first-recited Act.

The Queen's Prison to be visited quarterly.

II. In the last Week in *January*, in the last Week in *April*, in the last Week in *July*, and in the last Week in *October* in every Year, the present Solicitor to the Suitors Fund, or in case of his Illness or unavoidable Absence, some Officer of the Court of Chancery to be appointed by the Lord Chancellor from Time to Time during such Illness or Absence, and after the Death or Retirement of the present Solicitor to the Suitors Fund, the Solicitor to the Suitors Fund for the Time being, or some other Officer of the Court of Chancery to be appointed by the Lord Chancellor from Time to Time, shall visit the Queen's Prison, and examine the Prisoners confined there for Contempt, and shall report his Opinion on their respective Cases to the Lord Chancellor, and thereupon it shall be lawful for the Lord Chancellor, if he shall think fit, to assign a Solicitor to any such Prisoner, not only for defending him *in formâ pauperis*, but generally for taking such Steps on his Behalf as the Nature of the Case may require, and to make all or any such Orders as the Lord Chancellor was empowered to make after the like Report of a Master under the Seventh Rule of the said first herein-before recited Act, and all the Provisions of the same Rule shall apply to the Reports hereby directed, and the Orders to be made thereunder.

Prisoners and other Persons may be examined on Oath.

III. It shall be lawful for the Solicitor to the Suitors Fund or other Officer visiting the Prison as aforesaid to examine the Prisoners and all other Persons whom he may think it proper to examine upon Oath, and to administer an Oath or Oaths to any such Prisoner and other Persons accordingly, and to cause any Officers, Clerks, and Ministers of any Court of Law or Equity to bring and produce upon Oath before him any Records, Orders, Books, Papers, or other Writings belonging to the said Courts, or to any of the Officers within the same, as such Officers.

Court may direct Reference as to Poverty of Prisoners.

IV. In all Cases where, in pursuance of the said Sixth Rule contained in the first herein-before recited Act, a Defendant shall be brought to the Bar of the Court, and shall make Oath that he is unable by reason of Poverty to employ a Solicitor to put in his Answer, the Court, if not satisfied of the Truth of that Allegation, may direct an Inquiry as to the Truth thereof, and may appoint a Solicitor to conduct such Inquiry on the Behalf of such Defendant, and if it is ascertained by means of such Inquiry, or if the Court is satisfied without such Inquiry, that such Defendant is unable by reason of Poverty to employ a Solicitor to put in his Answer, the Court may thereupon make such Order as is authorized by the said Sixth Rule after a Report by a Master.

Gaolers to make Reports to Lord Chancellor of all Chancery Prisoners.

V. When any Person shall be committed to any Prison other than the Queen's Prison under any Writ or Order of the Court of Chancery, the Gaoler or Keeper of the Prison in which such Person shall be confined shall, within Fourteen Days after such Person shall have been in the Custody of such Gaoler or Keeper, make a Report to the Lord Chancellor, containing the Name and Description of such Prisoner, with the Cause and Date of his Commitment, and a Copy of the Writ or Order under which he was committed; and if such Prisoner shall make Oath before One of the Visiting Justices of such Gaol, or a Commissioner for taking Oaths in the Court of Chancery, that he is unable by reason of Poverty to employ a Solicitor, the Report shall contain a Statement to that Effect, and it shall thereupon be lawful for the Lord Chancellor to direct the Solicitor to the Suitors Fund to ascertain the Truth of such Statement, and if true to take such Steps on behalf of any such Prisoner as the Nature of the Case may require; and the Lord Chancellor may thereupon, if he shall see fit, make such Order or Orders as he is empowered to make under the Second Section of this Act.

Expenses incurred for Prisoners and Pauper Defendants to be paid out of Suitors Fund.

VI. The Solicitor to the Suitors Fund shall make the necessary and proper Payments out of Pocket which may be requisite in the Proceedings taken on behalf of the Prisoners and Defendants under the Order of the said Court, and shall be allowed the same as Part of his Disbursements in respect of the Suitors Fund: Provided that if any such Prisoner or Defendant shall be or become entitled to any Funds in the Cause, such Funds shall be applied in the Repayment to the Suitors Fund of the Sums expended on his Behalf as aforesaid: Provided also, that in case any Prisoner or Defendant shall become entitled to any Costs in any such Suit or Proceeding, such Costs shall be received by the Solicitor to the Suitors Fund, and paid by him into the Suitors Fund.

Additional Salary to Solicitor to Suitors Fund.

VII. In consequence of the additional Duties under the Authority of this Act imposed on the Solicitor to the Suitors Fund, there shall be paid to him such additional yearly Salary as the Lord Chancellor shall from Time to Time direct, not exceeding the net yearly Salary of Three hundred Pounds, such additional Salary to be payable out of the same Funds and in the same Manner as his present Salary is payable.

Power to make General Orders.

VIII. It shall be lawful for the Lord Chancellor, with the Advice and Assistance of the Master of the Rolls, the Lords Justices of the Court of Appeal in Chancery, and the Vice-Chancellors, or any Three of them, from Time to Time to make such General Rules and Orders for regulating the Mode of Procedure regarding Commitments by the Court of Chancery for Contempt and taking Bills *pro confesso*, and for doing and effectuating any Acts or Proceedings which may heretofore have been required to be done by or under the Direction or through the Intervention of any of the Masters of the said Court, the doing and effectuating of which has not been already provided for, and generally for carrying the Purposes of this Act into effect, as may be found expedient.

IX. The

Custody of Deeds under the Care of late Masters.

IX. The Deeds, Books, Documents, and Papers belonging to the Suitors in the said Court which have been heretofore under the Custody of the said Masters in Ordinary shall be transferred to the Custody of the Clerks of Records and Writs of the said Court, and *William Worden*, the present Office Keeper at the Offices in *Southampton Buildings, Chancery Lane*, where such Deeds, Books, Documents, and Papers are deposited, shall have the Care of the same, and shall, so far as relates thereto, be considered the Officer of the Clerks of Records and Writs, and shall hold such Office at the Pleasure of the Master of the Rolls; and the said *William Worden* shall receive in respect of the Duties imposed upon him by this Act such additional yearly Salary as the Lord Chancellor shall from Time to Time direct, not exceeding the net yearly Salary of Eighty Pounds in addition to his present Emoluments as such Office Keeper, such additional Salary to be payable on the Third Day of *February*, the Third Day of *May*, the Third Day of *August*, and the Third Day of *November* in every Year, out of the Fund standing in the Name of the Accountant General of the Court of Chancery, intituled "The Suitors Fee Fund Account," and on the Death, Retirement, or Removal of the said *William Worden* it shall be lawful for the Master of the Rolls to appoint a Person to have the Care of such Deeds, Books, Documents, and Papers at a yearly Salary not exceeding One hundred Pounds, to be payable out of the Fund and at the Times last aforesaid, and on any Vacancy in such Office to supply such Vacancy.

Appointment of additional Chief Clerk to the Master of the Rolls.

X. 'And whereas in consequence of the Amount of Business transacted in the Chambers of the Master 'of the Rolls, it has been found expedient for Three Years last past to obtain the Assistance of 'Mr. *John Arthur Buckley*, late Chief Clerk in the Office of One of the Masters in Ordinary: And 'whereas, having regard to the Business transferred to the Office of the Master of the Rolls by reason 'of the final Discharge of the Masters, it is expedient that such Assistance should be continued:' Be it therefore enacted, That Mr. *John Arthur Buckley* shall be continued as an additional Clerk in the Office of the Master of the Rolls, with the Salary he now receives, during such Time as the Lord Chancellor shall think fit; and it shall be lawful for the Lord Chancellor to transfer the said Mr. *Buckley* as an additional Clerk to the Office of any One of the Vice-Chancellors during such Time as he shall think fit: Provided, that if the Lord Chancellor shall be of opinion at any Time that the State of Business no longer requires the Services of Mr. *Buckley*, and he shall be discharged, he the said Mr. *Buckley* shall not be entitled to any Compensation: Provided always, that in case a new Judge shall be appointed in the Court of Chancery, the said Mr. *Buckley* shall be transferred to and become One of the Clerks of such new Judge.

The Junior Clerk to the late Master Blunt empowered to seek Compensation.

XI. 'And whereas, under the said Act for abolishing the Office of the said Masters in Ordinary, any 'Person who on the First Day of *Hilary* Term One thousand eight hundred and fifty-two held the 'Office of Junior Clerk to any Master in Ordinary who should be released under the Authority of such 'Act was empowered to make a Claim for Compensation to the Commissioners of Her Majesty's Treasury 'at any Time after the Master in whose Office he should have been employed should have been released: 'And whereas at the Time when such Act was passed *John Elijah Blunt* Esquire was One of the said 'Masters in Ordinary, and *Edward King* held the Office of his Junior Clerk: And whereas the said '*John Elijah Blunt* died in the Year One thousand eight hundred and fifty-six, without having been 'released under the Authority of such Act, by reason whereof the said *Edward King* is not entitled to 'make any Claim for Compensation, as he would have been in case the said *John Elijah Blunt* had not 'died, but had been released as aforesaid:' Be it therefore enacted, That it shall be lawful for the said *Edward King* to make his Claim for Compensation to the Commissioners of Her Majesty's Treasury, who are hereby empowered to receive and deal with the same in the same Manner in all respects as if the said *John Elijah Blunt* had been released under the Authority of the said last-mentioned Act.

Chief Clerks (appointed since 2d Nov. 1855) Salary.

XII. As regards the Chief Clerks of all the Judges of the said Court appointed since the Second Day of *November* One thousand eight hundred and fifty-five, and those to be hereafter appointed, it shall be lawful for the Lord Chancellor, if he shall so think fit, upon the Certificate mentioned in the Forty-fourth Section of the said Act of the Fifteenth and Sixteenth Years of Her Majesty, Chapter Eighty, to order and direct their Salaries respectively to be increased to the full Amount authorized by such Act at any One Period.

By whom Orders under this Act are to be made.

XIII. Where the Lord Chancellor is empowered by this Act to make Orders or to give Directions with respect to Prisoners in Contempt and Pauper Defendants, such Orders and Directions are to be made or given by the Lord Chancellor, Lord Keeper or Lords Commissioners for the Custody of the Great Seal of the United Kingdom, or the Lords Justices of the Court of Appeal in Chancery only; and where the Court of Chancery is empowered by this Act to make such Orders or to give such Directions, they may be made or given by any Judge of the said Court.

Increased Salary may be paid to Two Junior Clerks to each Chief Clerk.

XIV. Instead of the Salaries directed to be paid by the said Act for abolishing the Office of the said Masters in Ordinary, and by the Act of the Eighteenth and Nineteenth Years of the Reign of Her Majesty, Chapter One hundred and thirty-four, to the Two Junior Clerks thereby respectively authorized to be appointed to each Chief Clerk, it shall be lawful for the Lord Chancellor, if he shall so think fit, to order and direct that every such Junior Clerk shall receive a Salary of Four hundred Pounds *per Annum*.

CAP. CL.

An Act further to amend certain Acts relating to the Temporalities of the Church in *Ireland*. [28th *August* 1860.]

'WHEREAS it is expedient to amend the Laws relating to the Temporalities of the Church in *Ireland*:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

The Term Episcopal Commissioner whom to include.

I. The Term Episcopal Commissioner, in Section Seven of the said Act of the Third and Fourth Years of King *William* the Fourth, Chapter Thirty-seven, shall be held to include, not only any Archbishop or Bishop acting as an Ecclesiastical Commissioner under the said Act or this Act, but also any Commissioner appointed by the said Lord Primate and Lord Archbishop of *Dublin* in manner in the said Act or herein provided.

Commissioners may request Attendance of Bishop, &c.

II. In any Case in which the said Commissioners shall have under Consideration Matters specially affecting the Interests or Property of any Bishop, Dean, or Chapter of *Ireland*, such Commissioners may, if they think fit, request the Attendance at any Meeting at which such Matters are to be taken into consideration of any Bishop, Dean, or Member or Members of a Chapter whose Interests or Property such Matters shall or may affect, and he or they shall be at liberty to attend at any such Meeting, and to assist the said Commissioners with Information and Advice, but shall not vote, or, except as aforesaid, take any Part in the Proceedings of the said Commissioners.

If Two Commissioners appointed, One only to be paid.

III. If after the passing of this Act Her Majesty or Her Successors shall under the Powers of Section Two of the Act of the Third and Fourth Years of King *William* the Fourth, Chapter Thirty-seven, appoint Two Ecclesiastical Commissioners, One only of the said Commissioners shall be a paid Commissioner.

As to Entries of Proceedings at Meetings of the Board.

IV. From and after the passing of this Act the Entry of the Proceedings at each Meeting of the said Commissioners shall and may, in the event of its not being signed by the Chairman of such Meeting, be signed by the Chairman of the Meeting of the said Commissioners next succeeding that at which such Proceedings were had or taken and such Entry made.

Appointment of Solicitor.

V. It shall be lawful for the Ecclesiastical Commissioners to pay to the Solicitor or Attorney employed by them, in addition to any Disbursements or Expenses properly made and incurred by him in or about the Affairs and Business of the said Commissioners and by their Authority and Direction, such annual Salary not exceeding the Sum of Five hundred Pounds as they shall from Time to Time, with the Consent of the Lord Lieutenant testified in Writing under his Hand, think fit to allow; and such annual Salary so fixed as aforesaid shall be paid to the said Solicitor or Attorney for his personal Services, and such Sum not exceeding the Sum of Three hundred Pounds *per Annum* as the said Commissioners shall from Time to Time, with the like Consent as aforesaid, think fit to allow for the Expenses of his Office, and also in lieu of all Costs, Charges, Fees, and Emoluments whatsoever now payable or authorized by Law to be paid to such Solicitor or Attorney, any Act or Acts to the contrary notwithstanding: Provided always, that no Sum shall be paid to such Solicitor or Attorney on account of any Disbursements or Expenses as aforesaid unless approved by the Lords Commissioners of Her Majesty's Treasury, before whom the Particulars of all such Disbursements or Expenses shall be laid.

Power to grant Superannuation Allowance under the Authority of the Treasury.

VI. It shall and may be lawful for the Lords Commissioners of Her Majesty's Treasury, if they shall so think fit, on an Application for that Purpose under the Common Seal of the Ecclesiastical Commissioners for *Ireland*, and signed by at least Three of the said Commissioners assembled at a Board held in pursuance of a Notice specially given for such Purpose, to grant to any of the said Ecclesiastical Commissioners receiving or who shall hereafter receive a Salary for his Services as such Commissioner, or to any Clerk or Officer of the said Ecclesiastical Commissioners who shall have been or who shall hereafter be duly appointed by the said Ecclesiastical Commissioners, such Superannuation Allowance as the said Lords Commissioners of Her Majesty's Treasury shall think proper to direct: Provided always, that such Commissioner, Clerk, or Officer shall have faithfully and diligently discharged the Duties of such Commissionership, Clerkship, or Office for a Period of not less than Twenty Years, or shall, from Age or Infirmity of Body or Mind, be permanently disabled from further discharging such Duties; provided also, that in ascertaining and awarding the Amount of such Superannuation Allowance for any Clerk or Officer the said Lords Commissioners of Her Majesty's Treasury shall take into their Consideration the entire Period during which any such Clerk or Officer shall have been employed under the said Ecclesiastical Commissioners, whether such Employment shall have been in any One or more Office or Offices, and all such Allowances as shall be so awarded and granted under the Authority aforesaid shall be paid and payable by the said Ecclesiastical Commissioners for the Time being out of the Funds by Law vested in them, and shall be charged and chargeable thereon and payable thereout during the Term of the natural Life of the Commissioner, Clerk, or Officer to whom the same shall be granted, or during such shorter Term as the said Lords Commissioners of Her Majesty's Treasury shall at the Time of awarding the same direct.

VII. Whenever

Ecclesiastical Commissioners empowered to advance Funds for providing licensed Places of Worship.

VII. Whenever any Application shall be made to the Ecclesiastical Commissioners for *Ireland*, for the building or rebuilding of any Parochial Church, or any Parochial Chapel of Ease, or District Church or Chapel, in any Parish or Parochial District, wherein the Number of Inhabitants being Members of the United Church of *England* and *Ireland* shall not in the Judgment of the said Commissioners be such as to require such Church or Chapel to be immediately built or rebuilt, or the then existing State of the Funds at the Disposal of said Commissioners shall render it impracticable or inexpedient, according to their Judgment, to appropriate a Sum sufficient for the Erection of such Church or Chapel, then and in any such Case it shall and may be lawful for the said Commissioners, out of the Funds in their Hands or at their Disposal, to expend such Sum as may be necessary for the Erection or Alteration and Repairs of any House or other Building in the said Parish or Parochial District, as the Case may be, which the said Commissioners may deem sufficient and proper for the Accommodation of the Persons likely to attend Divine Worship therein, or to hire, purchase, or otherwise obtain the Use of any such House or other Building until the Funds in the Hands or at the Disposal of the said Commissioners shall be sufficient to enable them to erect a suitable Church or Chapel in such Parish or Parochial District, as the Case may be, and also to expend such Sums as shall be necessary for fitting-up, furnishing, and keeping in repair such House or other Building, and to supply the several Matters and Things requisite for the Performance of Divine Worship therein, in like Manner as the said Ecclesiastical Commissioners are now empowered and required to do in relation to Churches and Chapels: Provided always, that previous to the Expenditure of any of the Funds at the Disposal of the said Commissioners for the Erection or Alteration and Repairs of any such Building as aforesaid, or for the Purchase, Hire, or fitting-up and furnishing of any such Building, the said Commissioners shall obtain the Consent and Approbation in Writing under the Hand of the Bishop or Ordinary of the Diocese in which such Building is proposed to be erected or fitted-up and used for the Celebration of Divine Service therein; and that without such Consent and Approbation first had and obtained, no such Building as aforesaid shall be erected or used for the Celebration of Divine Worship by or under the Authority of the said Commissioners.

Consent and Approbation of the Ordinary to be obtained.

Commissioners empowered to enter Churches for the Purposes of Repairs.

VIII. It shall be lawful for the Ecclesiastical Commissioners for *Ireland*, their Architect or Architects, or any Person or Persons employed by them, by and with the Consent in Writing of the Bishop of the Diocese in which any Church, Chapel, or Churchyard shall be situate, or of his Commissary, at all convenient Times to enter any Church, Chapel, or Churchyard for the Purpose of executing any Works for building, rebuilding, enlarging, or repairing such Church or Chapel, or fencing or maintaining such Churchyard, or for the Purpose of inspecting and ascertaining the State of the Fabric of such Church or Chapel, as well previous to the Commencement of such Works as during their Progress, and with such Consent as aforesaid to make and execute such Alterations and Repairs in any such Church, Chapel, or Churchyard as may appear to said Commissioners to be necessary or expedient; and the Incumbent and Church Wardens or Chapel Wardens of any such Church or Chapel shall and they are hereby required, upon the Application of the said Commissioners having such Consent as aforesaid, to permit the said Commissioners and their Architects, or any Person or Persons employed by them, to enter such Church, Chapel, or Churchyard for any of the Purposes aforesaid at all such Times as they shall require.

Commissioners may recover Compensation for malicious Injuries to Churches by Grand Jury Presentment.

IX. From and after the passing of this Act the Provisions of the Act of the Third and Fourth Years of King *William* the Fourth, Chapter Thirty-seven, and of the Fourth and Fifth Years of the said Reign, Chapter Ninety, relating to the Recovery of Satisfaction and Amends for any malicious or wanton Demolition, Burning, Firing, or Injury or Damage to any Church, Chapel, or other Building used for Religious Worship according to the Usage of the United Church of *England* and *Ireland*, are and shall be deemed and taken to be of full Force and Effect, anything in the Act of the Sixth and Seventh Years of the said Reign, Chapter One hundred and sixteen, or any other Act or Acts, to the contrary notwithstanding.

Furniture of Churches vested in Commissioners.

X. In any Indictment, Information, Action, Suit, or Proceeding, whether Criminal or Civil, relating to Furniture, Lamps, Sconces, Fittings, Cushions, Bibles, Prayer Books, or any other Matter required for the Celebration of Divine Service in any Church or Chapel in *Ireland*, for the Supply of which the Funds vested in the Ecclesiastical Commissioners for *Ireland* are or shall be applicable, by virtue of any Law or Statute now in force, or hereafter to be made, it shall be sufficient to describe the same as the Property, Goods, and Chattels of the Ecclesiastical Commissioners for *Ireland*.

Fabric of Churches, &c. built by the Commissioners, not to be altered without Consent of the Bishop, &c.

XI. It shall not be lawful for any Person or Persons to alter the Form or Structure of any Parochial Church or Chapel in *Ireland*, or of any other Church or Chapel which has been or shall be hereafter built or maintained by or out of the Funds vested in the Ecclesiastical Commissioners for *Ireland*, or to remove, take down, destroy, or alter the Position of the Reading Desk, Pulpit, or Pewing of any such Church or Chapel as aforesaid, or the Walls or Fences of any Churchyard belonging thereto, without the previous Consent in Writing of the said Ecclesiastical Commissioners and of the Bishop of the Diocese in which such Church or Chapel is or shall be situate, or of his Commissary.

Commissioners may apply old Materials of

XII. In every Case in which it shall become necessary and lawful for the Ecclesiastical Commissioners for *Ireland* to rebuild, alter, or repair any Church or Chapel or Churchyard, or any Part thereof, and for that Purpose to take down or remove any Part of the Fabric or Materials of the Church or Chapel,

Church to effect Repairs.

or the Walls or Fences of the Churchyard, it shall be lawful for the said Ecclesiastical Commissioners to use and employ and otherwise to make available such of the old Materials of the said Church or Chapel, or of the Walls or Fences of the said Churchyard, as may be fit and proper for the Purpose of such Rebuilding, Alteration, or Repair, and to remove, convert, and sell, or otherwise dispose of the Remainder of such Materials, and such Parts thereof as may be useless for the Purposes aforesaid, as in their Judgment shall seem best, and in case of the Sale of the said Materials, to apply the Produce of the same towards reimbursing the Expenses of such Rebuilding, Alteration, or Repair.

Burial of Dead Bodies within any Church or Chapel, or within 12 Feet of the outer Walls thereof, unlawful.

Burial in arched Vaults under Church or Chapel, &c. lawful.

XIII. From and after the passing of this Act it shall not be lawful for any Person or Persons to bury any Dead Body within the Walls of any Church or Chapel in *Ireland*, or of any Church, Aisle, Room, or Place belonging to and under the same Roof with such Church or Chapel, or within Twelve Feet of the Outside of the Walls of any Church or Chapel; and it shall not be lawful for any Ecclesiastical Person to perform the Burial Service at the Interment of any Dead Body which shall be buried within the Walls of any Church or Chapel in *Ireland*, or of any Church, Aisle, Room, or Place thereunto belonging, or within Twelve Feet of the Outside of the Walls of any Church or Chapel in *Ireland*: Provided always, that nothing herein contained shall prevent the burying in any arched Vault built under any Church or Chapel, or under any Chancel, Aisle, Room, or Place thereunto belonging, where the only Door to such Vault opens on the Outside of the Walls of such Church or Chapel, or of such Chancel, Aisle, Room, or Place thereunto belonging; and any Person who shall, contrary to the Provisions of this Act, bury any Dead Body within the Walls of any Church or Chapel, or of any Chancel, Aisle, Room, or Place belonging to and under the same Roof with such Church or Chapel, or within Twelve Feet of the Outside of the Walls of any Church or Chapel, and every Ecclesiastical Person who shall perform the Burial Service at the Interment of any Dead Body which shall be buried within the said Limits, shall forfeit for every such Offence the Sum of Ten Pounds, to be recovered by Civil Bill by the Ecclesiastical Commissioners for *Ireland*.

Mines.

XIV. From and after the passing of this Act whenever Application shall be made by a Tenant holding any Lands or Premises by Lease or Contract from any Archbishop, Bishop, or other Sole Ecclesiastical Corporation in *Ireland*, or from the said Ecclesiastical Commissioners for the Purchase of the Fee Simple and Inheritance of such Lands or Premises, pursuant to the Provisions of the Acts relating to the Temporalities of the Church in *Ireland*, or any of them, it shall be lawful for the said Ecclesiastical Commissioners, and they are hereby required, in addition to the several other Matters which they are by the Provisions of the Acts now in force authorized or required to ascertain previous to the Conveyance of such Fee Simple and Inheritance, also to ascertain whether any Mines or any Quarries of Marble or Slate shall have been opened or discovered within or under the said Lands or Premises; and if any such Mines or Quarries shall have been opened or discovered, then to ascertain whether the same shall have been demised to any Person or Persons, or comprised in or made the Subject of any Contract for a Lease or Demise thereof.

Where Mines have been demised.

XV. If it shall be ascertained that any such Mines or Quarries have been demised to any Person or Persons, or made the Subject of any Contract for a Demise thereof, then it shall not be lawful for the said Ecclesiastical Commissioners to execute or affix their Common Seal to any Conveyance of the Fee Simple and Inheritance of the Lands or Premises comprised in the Application of such Tenant as aforesaid, on, within, or under which such Mines or Quarries as aforesaid shall have been opened or discovered, unless the said Mines or Quarries, together with all Minerals, Marbles, or Slates, and all other Issues, Profits, or Advantages to be derived therefrom, shall be first excepted out of the said Conveyance, and the usual and necessary Clauses inserted therein for securing to the Archbishop, Bishop, or other Ecclesiastical Corporation Sole, or to the said Ecclesiastical Commissioners, as the Case may be, and their respective Agents, Lessees, Workmen, and all other Persons to be appointed by them respectively, full Powers to enter and work said Mines or Quarries, and take and carry away the Produce and Profits thereof.

Where Mines have not been demised.

XVI. If, in case of any Application by any such Tenant as aforesaid, it shall be ascertained that no such Mines or Quarries shall have been opened or discovered within, on, or under any Portion of the Lands or Premises comprised in such Application, or that such Mines or Quarries shall have been opened or discovered, but that the same shall not have been demised to any Person or Persons, or made subject to any Contract for a Demise thereof, then it shall be lawful for the said Ecclesiastical Commissioners, save as herein-after provided, to include such Mines or Quarries in the Grant or Conveyance of the said Lands or Premises.

Additional Rent to be reserved.

XVII. It shall not be lawful for the said Commissioners to execute or affix their Common Seal to such Grant or Conveyance as last aforesaid, unless there be a proper Clause or Clauses inserted therein, providing that (over and above the Rent which under the Provisions of the Acts herein-before mentioned, or any of them, is required to be reserved) an additional Rent shall become payable to the Archbishop, Bishop, or other Ecclesiastical Corporation Sole, or to the said Ecclesiastical Commissioners, as the Case may be, in the event of such Mines or Quarries being at any future Time opened and worked, or any Profit or Produce being derived therefrom, and which Rent shall be equivalent to one Moiety of any Royalty or other Rent which shall be reserved by or under any Contract or Lease which the Tenant of said Lands and Premises, his Heirs or Assigns, shall at any Time or from Time to Time hereafter make

or

or execute with or to any Person or Persons who shall undertake the opening or working of such Mines or Quarries; and in case such Tenant, his Heirs or Assigns, shall not make or execute any such Contract or Lease as aforesaid, but shall by himself or themselves, and his or their Agents or Workmen, open and work the said Mines or Quarries, then the said additional Rent shall be equivalent to One Moiety of the Royalty Rent heretofore usually reserved by the said Ecclesiastical Commissioners in Leases of Mines or Quarries of a like Nature and under like Circumstances, and shall be subject to be increased or diminished at the Expiration of Twenty-one Years from the Time when the same shall first become payable as aforesaid, according to the Increase or Diminution of the Net Profits or Produce which shall be derived from the Working of such Mines or Quarries, and shall be subject to a like Variation at the Expiration of each successive Period of Twenty-one Years.

Arbitrators to be appointed in case of Dispute.

XVIII. In case any Difference or Dispute shall at any Time arise between such Tenant, his Heirs or Assigns, and such Archbishop, Bishop, or other Ecclesiastical Corporation Sole, or the said Ecclesiastical Commissioners, as the Case may be, in relation to such additional Rent or the Variation thereof, such Difference or Dispute shall be settled by the Three Arbitrators, to be appointed in like Manner and subject to the like Provisions and Regulations as are contained in the Act of the Third and Fourth Years of King *William* the Fourth, Chapter Thirty-seven, in relation to Arbitrators to be appointed for the Adjustment of Differences between the said Ecclesiastical Commissioners and Tenants or Lessees applying for the Purchase of Perpetuities under the said Act, and with the like Powers and Authorities so far as the same are applicable; and the Determination of such Arbitrators as to the Amount of such additional Rent or the Variation thereof, and all Matters incident thereto, shall be conclusive and binding on all Persons, and the Expense of such Arbitration shall be borne and defrayed by such Person or Persons and in such Manner as such Arbitrators shall direct.

Estate held by Lease, &c. under Commissioners to be deemed equivalent to an Estate of Inheritance, &c.

XIX. From and after the passing of this Act, every Estate held by Lease or Demise immediately from or under the said Ecclesiastical Commissioners, either of Lands or Premises now vested in them under the Provisions of any Act of Parliament heretofore made, or of Lands or Premises which may hereafter become vested in the said Ecclesiastical Commissioners under or by virtue of any Act of Parliament heretofore made, or of any Act of Parliament which may hereafter be made, or otherwise howsoever, shall, for all Purposes relating to the Rentcharge created in lieu of Tithes or Composition for Tithes, be deemed and taken to be equivalent to a perpetual Estate or Interest.

Empowering the Renewal of Leases of Lands, &c. disappropriated from Ecclesiastical Dignities.

XX. In all Cases where Tithes or Portions of Tithes heretofore held jointly with Lands by Leases, renewed from Time to Time, and now in full Force and Effect, and which have been or shall at any Time hereafter under the Provisions of any Acts be disappropriated and united in the whole or in part to any Rectory, Vicarage, Incumbency, or Perpetual Curacy, or transferred to the said Ecclesiastical Commissioners for *Ireland*, it shall and may be lawful for the Incumbent of such Parish or Benefice to which said Tithes and Lands so disappropriated have been or shall be united, and for the Ecclesiastical Commissioners for *Ireland*, and he and they are hereby required, on the Application of the respective Lessees, Assignees, or Tenants of such Tithes, and Lands, Tenements, or Hereditaments, to accept a Surrender of the subsisting Lease of the same, and to demise anew the said Tithes and Lands, Tenements, or Hereditaments therein comprised for such like Term or Interest as shall have been granted therein by the Lease so surrendered, or as the Archbishop, Bishop, or other Ecclesiastical Person who formerly held the same, shall have had the Power of granting or demising previously to such Disappropriation, reserving by such new Lease the annual Rent or Rents theretofore reserved out of said Tithes, Lands, Tenements, or Hereditaments by the Lease so surrendered, and receiving for and in consideration of making such new Lease Payment of such Fine as may be equal to the average Amount of Renewal Fines theretofore paid or payable for the Renewal of the Lease or Interest in such Tithes, Lands, Tenements, or Hereditaments; such annual Rent or Rents and average Amount of Renewal Fines to be ascertained by such and the like Means as by the said recited Acts provided in Cases of Renewals made by the said Ecclesiastical Commissioners for *Ireland* of Leases of Lands theretofore belonging to a Bishopric, and subject to the like Provisions, Restrictions, and Limitations as in the said Acts contained in relation to such last-mentioned Renewals of Lands by said Commissioners; and it shall and may be lawful for the respective Tenants, Lessees, or Under-tenants of any such Tithes, Lands, Tenements, or Hereditaments so disappropriated to apply to the Incumbent of the Benefice to which same shall have been so united, and also to the Ecclesiastical Commissioners for *Ireland*, for the Purchase of a Perpetual Estate or Interest in any such Tithes, Lands, Tenements, or Hereditaments theretofore leased, in like Manner as such Tenants, Lessees, or Under-tenants respectively could or might have applied to the Bishop of the Diocese and to the Ecclesiastical Commissioners, by virtue of the said Acts relating to Temporalities of the Church in *Ireland*, or any of them, in Cases of Lands, Tenements, or Hereditaments; and in case of such Application, all such and the like Proceedings shall be had for the Purchase of a Perpetual Estate and Interest in such Tithes, Lands, Tenements, or Hereditaments so disappropriated as aforesaid as by the said Acts, or any of them, are prescribed in case of an Application for the Purchase of the Fee Simple and Inheritance of and in any Lands belonging to any Bishopric, save that in such Case the Incumbent of the respective Benefices to which such Tithes, Lands, Tenements, or Hereditaments shall have been so united shall, in all such Proceedings, be substituted

stituted for and in the Place of the Bishop of the Diocese from which said Tithes, Lands, Tenements, or Hereditaments shall have been disappropriated.

Further Division of Rents to follow that of Lands.

XXI. Whenever any Division of Lands or Premises has taken place or shall hereafter take place, and the yearly Rent or Rents have been or shall be divided and apportioned under the Provisions of the Act of the Third and Fourth *William* the Fourth, Chapter Thirty-seven, and a further Division of any Part of such Lands and Premises shall take place, it shall be lawful for the said Ecclesiastical Commissioners, if they see fit so to do, to make a further Division and Apportionment of the Rent so previously apportioned upon such Part of the said Lands and Premises, in the same Manner and subject to the same Terms and Conditions as those upon and under which the former Division and Apportionment was made.

Sub-tenants empowered to purchase Perpetuities required to furnish Copies of Valuations, &c.

XXII. From and after the passing of this Act, whenever any Under-tenant of any Lands or Premises held by Lease from any Archbishop, Bishop, or other Ecclesiastical Corporation Sole in *Ireland*, or from the Ecclesiastical Commissioners for *Ireland*, shall be authorized under the Provisions of the Act of the Fourth and Fifth Years of King *William* the Fourth, Chapter Ninety, to apply for the Purchase of the Fee Simple and Inheritance of the Lands and Premises held by such Under-tenant, and shall make Application therefor in manner therein prescribed, then and in every such Case, in addition to the Notice in Writing which such Under-tenant is now, under the Provisions of the said Act, obliged to serve on the said Ecclesiastical Commissioners, notifying his Desire to purchase the Fee Simple and Inheritance of the said Lands and Premises, and the other Notices by the said Act required to be served, he shall furnish the said Commissioners with an Extract or Extracts from the Valuation now in progress or being made under the several Acts relating to the Valuation of Rateable Property in *Ireland*, provided such Valuation shall have been then extended to the Lands and Premises held by such Under-tenant as aforesaid, showing the annual Value and other Particulars therein contained relative to the Lands and Premises held by such Under-tenant as aforesaid, and also the annual Value and other Particulars in the said Valuation contained relative to the whole of the Lands and Premises held by the first or immediate Tenant through or under whom such Under-tenant shall hold, either mediately or immediately, and also the annual Value or other Particulars in the said Valuation contained relative to the several Portions of the said Lands and Premises held by any other Tenants or Tenant intermediate between such first or immediate Tenant as aforesaid and such Under-tenant applying to purchase the Fee Simple of the Lands and Premises held by him as aforesaid.

No Purchase to take place without Valuation being furnished.

XXIII. Unless and until such Extracts from the said Valuation shall be furnished to or left at the Office of the said Ecclesiastical Commissioners in the City of *Dublin*, by the Under-tenant applying for the Purchase of the Fee Simple and Inheritance of any such Lands and Premises as aforesaid, in any Case where such Valuation shall have been extended to the said Lands and Premises, it shall not be lawful for the said Ecclesiastical Commissioners to treat, contract, or agree with such Under-tenant for the Purchase of such Fee Simple and Inheritance; nor shall any Application for such Purchase be deemed or taken as having any Preference or Priority over a subsequent Application by any other Under-tenant of such Lands and Premises, but shall be deemed and taken to be null and void to all Intents and Purposes as if the same had never been made.

Surveyors employed by Ecclesiastical Commissioners empowered to enter upon Lands and Premises.

XXIV. Whenever any Application for such Purchase as aforesaid shall be made to the said Ecclesiastical Commissioners by any Under-tenant entitled as aforesaid to make the same, and who shall also furnish to the said Commissioners, or leave at their Office in the City of *Dublin*, such Extract or Extracts from the said Valuation as aforesaid, then it shall and may be lawful for any Valuator, Surveyor, or other Person or Persons who shall be employed by the said Ecclesiastical Commissioners for the Purpose of ascertaining the several Matters and Things necessary to be ascertained for the Completion of the Purchase of the Fee Simple and Inheritance of the Lands and Premises so held by such Under-tenant as aforesaid, and who shall be duly authorized by the said Ecclesiastical Commissioners so to do in Writing, under the Hand of their Secretary, to enter into and upon all or any Part of the Lands and Premises held by such Under-tenant, or of the Lands and Premises comprised in the Lease of the First or immediate Tenant through or under whom such Under-tenant shall hold as aforesaid, at all reasonable and convenient Times, and to do all Things necessary for the Purpose of making a Valuation of such Lands and Premises, and ascertaining the several Matters and Things necessary to be ascertained in order to enable the said Ecclesiastical Commissioners to determine the Amount of the Purchase Money to be paid for such Fee Simple and Inheritance as aforesaid, and the Amount of the perpetual annual Rent and Rentcharge or Rentcharges subject to which the same is to be conveyed.

Ecclesiastical Commissioners may serve Notices upon Sub-tenants applying for Purchase, and upon the immediate Tenant and any intervening Tenant.

XXV. It shall and may be lawful for the said Ecclesiastical Commissioners to serve Notice in Writing upon an Under-tenant making such Application as aforesaid, and upon the First or immediate Tenant through or under whom such Under-tenant shall hold as aforesaid, and also upon any other Tenant or Tenants intervening between the First or immediate Tenant and such Under-tenant applying to purchase the Fee Simple and Inheritance of the Lands and Premises held by him as aforesaid, requiring such Under-tenant and such intervening Tenant or Tenants respectively to furnish to the said Commissioners, or deliver at their Office in the City of *Dublin*, within a reasonable Time to be mentioned in such Notice, Copies of the respective Leases under which they hold, or such Extracts or Particulars therefrom as shall be specified or required by such Notice; and thereupon each

such Tenant or Under-tenant having any such Lease or Copy thereof in his Custody, Power, or Procurement, shall and they are hereby required to furnish such Copies, Extracts, or Particulars as the Case may be, in pursuance of such Notice; and in case of any such Tenant or Under-tenant neglecting so to do for the Space of Two Months after the Time mentioned in such Notice, it shall be lawful for the Court of Queen's Bench in *Ireland* to direct a Writ of Mandamus, or any other Writ that may be necessary, to any such Tenant or Under-tenant, to enforce Compliance with the said Notice, and compel the Production of such Copies, Extracts, or Particulars as aforesaid, and such Tenant or Under-tenant shall pay all the Costs and Expenses incurred by the said Ecclesiastical Commissioners in such Proceedings.

Sections 160 & 161 of 3 & 4 W. 4. c. 37. repealed.

XXVI. From and after the passing of this Act the Enactments contained in the One hundred and sixtieth and One hundred and sixty-first Sections of the Act passed in the Third and Fourth Years of the Reign of King *William* the Fourth, Chapter Thirty-seven, shall be and the same are hereby repealed; and it shall and may be lawful for the said Ecclesiastical Commissioners, and they are hereby required, so soon as conveniently may be after the passing of this Act, in respect of all Lands and Premises now vested in them under the Provisions of the Acts relating to the Temporalities of the Church in *Ireland*, or any of them, and in respect of all Lands and Premises hereafter to become vested in them under the Provisions of the said Acts or any of them, or of any Act which shall be hereafter made, within Six Calendar Months from the Time or Times when such Lands and Premises or the Reversion thereof shall have become vested in the said Commissioners, to fix and determine at what Periods or Intervals all and every the respective Leases or Instruments of Demise whereby any such Lands and Premises are or shall be held immediately from and under them the said Ecclesiastical Commissioners (being a Lease or Instrument theretofore usually and customarily renewed and renewable) shall from thenceforth be renewable and renewed, and the said Ecclesiastical Commissioners shall cause Notice in Writing to be served upon the several and respective Tenants holding under or by virtue of any such Lease or Instrument either personally or by sending the same by Post addressed to such Tenant or Tenants at his or their present or last known Place of Residence, or by delivering the same to the known Agent or Agents of such respective Tenants, or by sending it by Post addressed to the present or last known Place of Abode of such Agent, stating thereby the Periods or Intervals at which such Leases or Instruments respectively are thereafter to be renewable and renewed.

Notice of Period at which Leases are renewable to be served on Tenant.

After Service of Notice Renewal of Lease to be made on Application from Tenant.

XXVII. After the Service of such Notice, in case any Tenant holding, or who shall at any Time hereafter hold, immediately from and under the said Ecclesiastical Commissioners, any Lands or Premises by virtue of any Lease which shall have been theretofore usually or customarily renewed, shall be desirous of obtaining any Renewal of such Lease for the like Term as shall have been thereby granted, and at and under the like Rent as therein reserved, it shall and may be lawful for such Tenant at any Time within the Period so fixed or determined as aforesaid, or within Six Calendar Months from the Expiration of such Period, to apply to the said Ecclesiastical Commissioners for a Renewal of such Lease, and thereupon the said Ecclesiastical Commissioners shall and they are hereby required to grant to the respective Tenants so applying for the same a Renewal of such Lease for the like Term and at the like Rent for and at which the said Lands or Premises were demised by such Lease; but nevertheless, upon Payment by such respective Tenants to the said Ecclesiastical Commissioners as well of all Arrears of Rent reserved by such Lease as of such a Fine as may be equal to the average Amount of the Renewal Fines theretofore paid or agreed to be paid, or customarily paid or payable for Renewal of the Lease or Interest in said Lands and Premises, such average Amount of Renewal Fines to be ascertained by all such and the like Means as in the said Act of the Third and Fourth Years of the Reign of King *William* the Fourth, Chapter Thirty-seven, are provided for ascertaining the same in Cases of Application for Purchase of Perpetuities under the said Act, and to be ascertained as if One Year only of such Lease had elapsed, and the Calculation of a Sum to be paid as a Fine for whatever Term may at the Time of such Application for a Renewal have elapsed of the existing Lease, to be made upon the Basis of such annual Renewal Fine, and to be computed according to the usual Custom in relation to the Renewal of Leases under Ecclesiastical Landlords.

Commissioners to fix and demand Renewal Fines in certain Cases.

XXVIII. In case any such Tenant shall at any Time after the Service of such Notice omit or neglect to make Application to the said Ecclesiastical Commissioners for a Renewal of such Lease within the Period so fixed and determined by said Commissioners as aforesaid, or within Six Calendar Months after such Period, or shall not pay to the said Ecclesiastical Commissioners all such Fine or Fines for Renewal as shall be ascertained by the said Ecclesiastical Commissioners, and also all Rent and Arrears of Rent due and payable to the said Ecclesiastical Commissioners out of such Lands and Premises within One Calendar Month after the Amount of the Fine or Fines so ascertained shall have been notified by the said Ecclesiastical Commissioners to such Tenant, or his or her Agent, then and in every such Case it shall and may be lawful for the said Ecclesiastical Commissioners to procure a Valuation of the said Lands and Premises, to be made previous to the Grant of any Renewal or new Lease thereof, and to demand and require such Renewal Fine as they shall think reasonable, having regard to such Valuation.

Application for Renewal to be signed by the

XXIX. No Application to the said Ecclesiastical Commissioners for a Renewal of any Lease or Demise shall be valid or effectual within the Meaning of this Act, unless the same shall be in Writing, signed

Person entitled to such Renewal, and specify his Residence in Ireland, and Post Town.

signed by the Person or Persons entitled to such Renewal, or his, her, or their Agent or Agents, and unless the same shall specify some House or Place in *Ireland*, together with the Post Town thereof, as the House or Place to which all Notifications and Communications which may become necessary to be made or sent by or on behalf of the said Commissioners in relation to such Renewal may be addressed; and every Notification of the Fine or Fines for Renewal to be paid to the said Ecclesiastical Commissioners for any such Renewal which shall be delivered at any such House or Place, or shall be addressed to the Person or Persons by whom such Application shall be signed, at such House or Place, and Post Town so specified as aforesaid, and transmitted so addressed through the General Post Office, shall thereupon be deemed and taken to be a due Notification thereof pursuant to this Act.

Commissioners may lend Money out of the Perpetuity Purchase Fund for building Glebe Houses.

XXX. It shall be lawful for the said Ecclesiastical Commissioners for *Ireland*, out of the Funds and Monies from Time to Time in their Hands arising from the Sale of Perpetuities in any Lands, Tenements, and Hereditaments belonging or formerly belonging to any Archbishop, Bishop, or any other Ecclesiastical Corporation Sole, in case they shall think it fit and expedient so to do, to advance, by way of Loan, any Sum or Sums of Money for the Purpose of enabling any Rector, Vicar, or Perpetual Curate of any Parish or District Parish having no suitable House or Place of Residence, to build, improve, or purchase a suitable Residence within such Rectory, Vicarage, or District, or to discharge any Debt previously incurred by such Rector, Vicar, or Perpetual Curate for such Purpose, and secured by Mortgage, under the Act of the Fourteenth and Fifteenth Years of Her Majesty, Chapter Seventy-three, such Money to be secured by Mortgage of the Glebe Lands, Tithes, Rents, Rentcharge, and other Profits and Emoluments of such Rectory, Vicarage, or Perpetual Curacy, according to the Provisions of the last-mentioned Act: Provided always, that no Sum so to be advanced shall in any Case, together with the Sum already charged (if any) on the Benefice, and recoverable against the next Successor, exceed the Amount of Two Years net Income of such Rectory, Vicarage, or Curacy, in estimating which Income the annual Instalment only (if any) payable to the Ecclesiastical Commissioners on Foot of any Loan from the late Board of First Fruits shall be deducted; and that the Rate of Interest for the Loan of any such Sum shall not be less than Four Pounds Sterling *per Centum per Annum*; and the Instalments or annual Sum payable to the said Commissioners, or other Mortgagee under the said Act, by such Rector, Vicar, or Perpetual Curate, and his Successors, on Foot of such Loan, shall be allowed by the said Ecclesiastical Commissioners in the Valuation of such Rectory, Vicarage, or Curacy, for the Purposes of the Tax payable under the Provisions of the Act of the Third and Fourth Years of King *William* the Fourth, Chapter Thirty-seven.

Instalments payable on Foot of Loan to be allowed in Valuation of Rectory, &c. for the Purpose of Tax.

Commissioners may forego Collection of Loans by Commissioners of First Fruits.

XXXI. It shall be lawful for the said Commissioners, if they shall think fit, to reduce the Amount or forego the Collection of any Instalments due by any Rector, Vicar, or Perpetual Curate on Foot of any Loan made to the Predecessors of such Rector, Vicar, or Perpetual Curate, by the Trustees and Commissioners of First Fruits in *Ireland*, for purchasing, building, repairing, or enlarging any Glebe House of which such Rector, Vicar, or Perpetual Curate shall not be in actual Possession or Occupation.

Power to apply any Part of the Funds vested in them (except Boulter's and Robinson's) to augment small Benefices.

XXXII. From and after the passing of this Act it shall be lawful for the said Ecclesiastical Commissioners, if they shall think fit, out of any of the Funds or Properties now vested, or which may hereafter become vested in them by virtue of any Act heretofore passed or which may hereafter be passed, or out of the Interest, Dividends, or Proceeds of such Funds or Properties as aforesaid (save and except the Properties and Funds respectively bequeathed by Doctor *Hugh Boulter* and Doctor *Richard Robinson*, and formerly vested in the Trustees and Commissioners of First Fruits in *Ireland*, and the Interest, Dividends, and Proceeds thereof respectively, and also save and except such other Funds and Properties as have been heretofore or may be hereafter bequeathed to and vested in the said Ecclesiastical Commissioners for any special Purposes), after due and reasonable Provision shall have been made for the several Objects and Purposes specified in the Sixty-third and Seventy-first Sections of the Act of the Third and Fourth Years of His Majesty King *William* the Fourth, Chapter Thirty-seven, and not sooner, to augment any Benefice with Cure of Souls, Living, or Curacy, appropriate or impropriate, or to increase the Maintenance of any Parson, Vicar, Curate, or Minister officiating in any Church or Chapel or licensed Place of Worship in *Ireland*, where the Liturgy and Rites of the United Church of *England* and *Ireland*, as now by Law established, are or shall be used and observed, and which shall appear to them to be under the clear yearly Value of Two hundred Pounds (after allowing the Deductions mentioned in the said Act of the Third and Fourth Years of His Majesty King *William* the Fourth, Chapter Thirty-seven,) either by the Purchase of Glebes or other Lands or Composition for Tithes, or both, or by granting to the Incumbent of such Benefice or Living, or to such Parson, Vicar, Curate, or Minister, an annual Salary to be paid out of the Rents, Issues, and Profits of the several Lands or Tenements, and the Interests or Dividends of the several Monies and Properties by the said Act vested in such Commissioners as aforesaid, or in any other Manner as to the said Commissioners shall seem fit: Provided always, that the Value of such Benefice, Living, Maintenance, or Curacy, together with such Augmentation as aforesaid, shall not in the whole exceed the Value of Two hundred Pounds by the Year; and provided also, that nothing herein contained shall be deemed or taken to alter or affect any of the Provisions or Enactments contained in the Sections Ninety-four to One hundred and five of the said Act.

XXXIII. From

XXXIII. From and after the passing of this Act, a distinct and separate Account shall be opened and kept in the Books of the Ecclesiastical Commissioners of all Sums which shall from Time to Time be granted or applied from or out of the Funds or Property vested in them as aforesaid, or out of the Interest, Dividends, or Proceeds thereof, for the Augmentation of any Benefice with Cure of Souls, Living or Curacy, appropriate or impropriate, or for the Maintenance of any Parson, Vicar, Curate, or Minister officiating in any Church, Chapel, or licensed Place of Worship in *Ireland*, showing thereby the particular Fund or Property from which each such Sum shall be so granted or applied. Distinct Accounts to be kept in Books of Commissioners of all Sums applicable for Augmentation Purposes.

XXXIV. From and after the passing of this Act, all Mortgages of Lands or Premises held under any Archbishop, Bishop, or other Ecclesiastical Corporation Sole in *Ireland*, or under the Ecclesiastical Commissioners, which shall be made by any Tenant or Lessee thereof, or by any Under-tenant thereof, in lieu of Payment of the Purchase Money for any Perpetuity, Grant, or Conveyance made under the Provisions of the Act of the Third and Fourth Years of His Majesty King *William* the Fourth, Chapter Thirty-seven, or of any Act or Acts passed for altering or amending the same, shall be made and executed to and to the Use of the said Ecclesiastical Commissioners for *Ireland*, and their Successors and Assigns. Mortgages to be made to Commissioners.

XXXV. No Mortgage made or executed under this Act, nor any Mortgage heretofore made or executed to the said Commissioners for securing the Payment of the Purchase Money for any Perpetuity granted under the said Acts herein-before mentioned, or any of them, or any Portion of such Purchase Money, shall in any Manner prejudice or affect the Rights or Remedies at Law or in Equity of the said Ecclesiastical Commissioners, in respect of the Rent or Rents reserved by any Perpetuity Grant made or executed under the Acts relating to the Temporalities of the Church in *Ireland*, or any of them, but the said Commissioners shall have and enjoy all the same Rights, Remedies, and Powers of suing or proceeding in any Court of Law or Equity for Recovery of the Rent or Rents reserved or payable under any such Perpetuity Grant as aforesaid, as if such Mortgage had not been made and executed to the said Commissioners, and as if the legal Estate in the Lands or Premises comprised in any such Perpetuity Grant as aforesaid were at the Time of any such Suit or Proceeding for Recovery of such Rent or Rents vested in the Tenant, Lessee, or Under-tenant (as the Case may be) to whom such Perpetuity Grant shall have been made, or in the Heirs or Assigns of such Tenant, Lessee, or Under-tenant, as the Case may be. Mortgages not to affect Rights reserved.

XXXVI. From and after the passing of this Act, it shall be lawful for the Ecclesiastical Commissioners to contribute to the Repair of the Cathedral Church of the *Holy Trinity* of *Down*, though non-parochial; and the several Provisions in the Acts of the Third and Fourth Years of King *William* the Fourth, Chapter Thirty-seven, and of the Sixth and Seventh Years of the same Reign, Chapter Ninety-nine, shall apply to such Cathedral Church. Power to repair Cathedral Church of the Holy Trinity, Down.

XXXVII. 'Whereas it is expedient to make further and better Provision for the Spiritual Wants of 'Portions of the Union of *Monkstown* in the County and Diocese of *Dublin*, and for the more convenient 'Celebration of Divine Service therein: And whereas it is for that Purpose proposed and intended to 'erect and assign the Parish of *Tullow* and the Parish of *Kill*, within the said Union, into separate 'particular Parochial Districts, or Portions of particular Parochial Districts, pursuant to the Provisions 'of the Act of the Fourteenth and Fifteenth Years of Her Majesty, Chapter Seventy-two:' Be it enacted, That whenever the Parishes of *Tullow* and *Kill*, or either of them, shall be erected into a particular Parochial District, or Portions of particular Parochial Districts, it shall or may be lawful for the Ecclesiastical Commissioners of *Ireland*, and their Successors, to pay from Time to Time, out of the Funds in their Hands, to such Persons as shall from Time to Time be duly nominated and appointed to the Perpetual Curacy of such Parish or Parochial District, and licensed by his Grace the Archbishop of *Dublin* (and so long as such Person shall hold the Cure of Souls within such Parochial District), an annual Sum not exceeding One hundred Pounds. Ecclesiastical Commissioners empowered to pay Perpetual Curates for the Parish of Monkstown.

CAP. CLI.

An Act for the Regulation and Inspection of Mines. [28th *August* 1860.]

'WHEREAS an Act was passed in the Session holden in the Fifth and Sixth Years of Her Majesty, Chapter Ninety-nine, "to prohibit the Employment of Women and Girls in Mines and Collieries, '"to regulate the Employment of Boys, and to make other Provisions relating to Persons working '"therein:" And whereas an Act was passed in the Session holden in the Eighteenth and Nineteenth 'Years of Her Majesty, Chapter One hundred and eight, "to amend the Law for the Inspection of Coal '"Mines in *Great Britain*:" And whereas it is expedient that the Provisions of the said Two several 'Acts should be amended, and that the Provisions for Inspection now applicable to Coal Mines only 'should be extended to certain Mines of Ironstone of the Coal Measures:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: 5 & 6 Vict. c. 99. 18 & 19 Vict. c. 108.

I.—*Provisions applicable to all Mines.*

I. After the First Day of *July* One thousand eight hundred and sixty-one, it shall not be lawful for the Owner of any Mine or Colliery to employ any Male Person under the Age of Twelve Years within such No Boy under Twelve Years

of Age to be employed in Mines.

such Mine or Colliery, or to permit any such Male Person to work or be therein for the Purpose of working therein other than such as at the passing of this Act shall have attained the Age of Ten Years, and were at or before the passing of this Act employed within the same or some other Mine or Colliery; and the said Act of the Fifth and Sixth Years of Her Majesty, and all the Provisions and Penalties thereof, shall be construed and take effect as if the Age of Twelve Years had been mentioned in Section Two of the said Act instead of the Age of Ten Years, subject to the Proviso herein-after contained.

Exception for Boys between Ten and Twelve who have Certificates as to Education and School Attendance.

II. Provided, That a Boy above the Age of Ten Years and under the Age of Twelve Years may be employed in a Mine or Colliery upon either of the following Conditions; that is to say,

That before any such Boy is so employed the Owner of the Mine shall, after the First of *July* One thousand eight hundred and sixty-one, obtain a Certificate under the Hand of a competent Schoolmaster that such Boy is able to read and write:

Or, That in the Second and every subsequent Lunar Month during which such Boy is employed in such Mine or Colliery the Owner shall obtain a Certificate under the Hand of a competent Schoolmaster that such Boy has attended School for not less than Three Hours a Day for Two Days in each Week during the Lunar Month immediately preceding, exclusive of any Attendance on *Sundays*:

And the Owner shall file and preserve such Certificates as aforesaid so long as such Boy shall continue in the Employment, and during Six Months after the Termination of such Employment, and shall produce during such Time such Certificates to any Inspector under the said Act of the Fifth and Sixth Years of Her Majesty, or to any Inspector of Coal Mines and Ironstone Mines, when required so to do by any such Inspector.

Penalty on Grant of false Certificates.

III. Every Person giving a false Certificate for the Purposes of this Act shall for every such Offence forfeit a Sum not more than Ten Pounds nor less than Five Pounds; and such Offence shall be dealt with as an Offence against the said Act of the Fifth and Sixth Years of Her Majesty.

Recital of Sect. 8. of 5 & 6 Vict. c. 99.

IV. 'And whereas by Section Eight of the said Act of the Fifth and Sixth Years of Her Majesty it 'is provided, that where there shall be any Entrance to a Mine or Colliery by means of a Vertical Shaft 'or Pit or Inclined Plane, or where there shall be any Communication within any Part of a Mine or 'Colliery to any other Part thereof by a Vertical Shaft or Pit or Inclined Plane, then it shall not be 'lawful for any Owner of any such Mine or Colliery to allow any Person or Persons, other than a Male 'of the Age of Fifteen Years and upwards, to have Charge of any Steam Engine or other Engine, 'Windlass, or Gin (whether driven or worked by manual Labour or any other Power whatsoever), or 'to have Charge of any Part of the Machinery, Ropes, Chains, or other Tackle of any such Engine, by 'or by means of which Engine, Machinery, Ropes, Chains, or other Tackle, Persons are brought up or 'passed down any such Vertical Shaft or Pit or Inclined Plane:'

Steam Engines in certain Cases not to be under the Charge of Persons under Eighteen.

It shall not be lawful in any such Case as in the said Provision mentioned for the Owner of the Mine or Colliery to allow any Person, other than a Male of the Age of Eighteen Years or upwards, to have Charge of any Steam Engine or of any Part of the Machinery, Ropes, Chains, or other Tackle of any such Engine, by or by means of which Engine, Machinery, Ropes, Chains, or other Tackle, Persons are brought up or passed down any such Vertical Shaft, or Pit, or Inclined Plane; and any Person offending against this Enactment shall be subject to the Penalty imposed by the recited Provision for offending against the same.

Provisions to be construed with 5 & 6 Vict. c. 99.

V. The foregoing Provisions of this Act shall extend to all Mines in *Great Britain*, and shall be construed with the said Act of the Fifth and Sixth Years of Her Majesty as One Act.

Provision for Inspection and Regulation of Coal Mines and Ironstone Mines.

18 & 19 Vict. c. 108. repealed.

VI. The said Act of the Eighteenth and Nineteenth Years of Her Majesty shall be repealed: Provided always, that the Inspectors of Coal Mines appointed under such Act shall continue to be Inspectors under this Act of the Mines to which the Provisions herein-after contained extend, subject nevertheless to Removal by One of Her Majesty's Principal Secretaries of State, and subject to all other the same Provisions, and with the same Powers as if appointed under this Act; provided also, that all Penalties incurred under the said Act before the Repeal thereof may be proceeded for and applied as if this Act had not been passed.

Mines to which Part 2. of this Act is to extend.

Interpretation of Terms.

VII. The Provisions herein-after contained shall extend to all Coal Mines and Collieries and Mines of Ironstone of the Coal Measures and worked in connexion with Coal or with any disused or exhausted Coal Mines; and in the Construction of such Provisions the Terms "Coal Mine or Colliery or Ironstone Mine" shall mean every such Mine and Colliery as aforesaid, and every Shaft in the course of being sunk, and every Level or Inclined Plane in the course of being driven for commencing or opening any such Mine, and all the Works belonging thereto respectively; the Term "Owner" shall mean the immediate Proprietor, Lessee, or Occupier of a Coal Mine or Colliery or Ironstone Mine, or of any Part thereof; and the Term "Agent" of a Coal Mine or Colliery or Ironstone Mine shall mean any Person having on behalf of the Owner the Care or Direction thereof; and the Term "Inspector" or "Inspectors" shall respectively mean an Inspector or Inspectors of Coal Mines and Ironstone Mines appointed or continued under this Act; and the Term "District" shall mean the Portion of *Great Britain*

Britain assigned or which shall be assigned to any One of such Inspectors; and the Word Sheriff shall include Sheriff Substitute.

Power to Secretary of State to appoint Inspectors of Mines.

VIII. It shall be lawful for One of Her Majesty's Principal Secretaries of State from Time to Time to appoint any fit Person or Persons to be an Inspector or Inspectors of Coal Mines and Ironstone Mines under this Act, and from Time to Time to remove any such Inspector or Inspectors; and Notice of the Appointment of every such Inspector shall be published in the *London Gazette*.

No Land Agent, &c. to act as Inspector.

IX. No Person who shall act or practise as a Land Agent or as a Manager, Viewer, or Agent, or Mining Engineer, or Valuer of Mines, or Arbitrator in any Matters of Dispute arising between Owners of Mines, or be otherwise employed in any Mine, shall act as an Inspector of Mines under this Act.

General Rules to be observed in Coal and Ironstone Mines.

X. The following Rules (herein-after referred to as the General Rules) shall be observed in every Colliery or Coal Mine and Ironstone Mine by the Owner and Agent thereof:

1. An adequate Amount of Ventilation shall be constantly produced in all Coal Mines or Collieries and Ironstone Mines to dilute and render harmless noxious Gases to such an Extent that the Working-places of the Pits, Levels, and Workings of every such Colliery and Mine, and the travelling Roads to and from such Working-places, shall, under ordinary Circumstances, be in a fit State for working and passing therein:
2. All Entrances to any Place not in actual course of working and Extension, and suspected to contain dangerous Gas of any Kind, shall be properly fenced off so as to prevent Access thereto:
3. Whenever Safety Lamps are required to be used, they shall be first examined and securely locked by a Person or Persons duly authorized for this Purpose:
4. Every Shaft or Pit which is out of Use, or used only as an Airpit, shall be securely fenced:
5. Every working and pumping Pit or Shaft shall be properly fenced, when Operations shall have ceased or been suspended:
6. Every working and pumping Pit or Shaft where the natural Strata, under ordinary Circumstances, are not safe, shall be securely cased or lined or otherwise made secure:
7. Every working Pit or Shaft shall be provided with some proper Means of communicating distinct and definite Signals from the Bottom of the Shaft to the Surface, and from the Surface to the Bottom of the Shaft:
8. All underground self-acting and Engine Planes on which Persons travel are to be provided with some proper Means of signalling between the Stopping-places and the Ends of the Planes, and with sufficient Places of Refuge at the Sides of such Planes at Intervals of not more than Twenty Yards:
9. A sufficient Cover overhead shall be used when lowering or raising Persons in every working Pit or Shaft where required by the Inspectors:
10. No single-linked Chain shall be used for lowering or raising Persons in any working Pit or Shaft, except the short Coupling Chain attached to the Cage or Load:
11. Flanges or Horns of sufficient Length or Diameter shall be attached to the Drum of every Machine used for lowering or raising Persons:
12. A proper Indicator to show the Position of the Load in the Pit or Shaft, and also an adequate Break, shall be attached to every Machine, worked by Steam or Water Power, used for lowering or raising Persons:
13. Every Steam Boiler shall be provided with a proper Steam Gauge, Water Gauge, and Safety Valve:
14. The Fly Wheel of every Engine shall be securely fenced:
15. Sufficient Bore Holes shall be kept in advance, and, if necessary, on both Sides to prevent Inundations in every Working approaching a Place likely to contain a dangerous Accumulation of Water.

Special Rules to be also established.

XI. In addition to the General Rules, there shall be established and observed in every Coal Mine, Colliery, or Ironstone Mine such other Rules (herein-after referred to as Special Rules) for the Conduct and Guidance of the Persons acting in the Management of such Coal Mine, Colliery, or Ironstone Mine, and of all Persons employed in or about the same, as under the particular State and Circumstances of such Coal Mine, Colliery, or Ironstone Mine may appear best calculated to prevent dangerous Accidents.

Present Special Rules to continue in force.

XII. The Special Rules now established and in force under the Act hereby repealed, in any Coal Mine or Colliery, shall remain and be the Special Rules therein, and be of the same Force and subject to be amended by the same Authority and in like Manner as if established under this Act.

New Special Rules how to be established.

XIII. The Owner of every Ironstone Mine and of every Coal Mine or Colliery, in which Special Rules are not now established and in force as aforesaid, shall frame and transmit to One of Her Majesty's Principal Secretaries of State Special Rules for such Ironstone Mine and Coal Mine or Colliery respectively; provided always, that such Special Rules shall be hung up in the Manner provided in the Fifteenth Section of this Act for the Period of Fourteen Days before the same are transmitted to the Secretary of State; such Special Rules for every such Mine or Colliery in work at the Commencement of this Act to be framed and transmitted as aforesaid within Three Months after such Commencement, and for every such Mine or Colliery not then in work to be so framed and transmitted within Three Months

Months after the working of such Mine or Colliery shall be commenced or renewed; and such Rules, if not objected to by such Secretary of State within Forty Days from the Day upon which they are received by him, shall be established:

If such Secretary of State be of opinion that such Rules, or any of them, do not sufficiently provide for the Safety of the Persons employed in or about such Mine or Colliery, he may within such Forty Days propose any Alterations in or Additions to such Special Rules, or the Substitution of any other Rules for such Special Rules or any of them:

If such Owner within Twenty Days object to any such Alterations or Additions or Rules by way of Substitution proposed as aforesaid, he may within Fourteen Days after he has so objected nominate Five or more practical Mining Engineers or other competent Persons of Experience, and who shall not be interested in or employed in the Management of such Mine or Colliery, of whom such Secretary of State shall appoint One or more to be an Arbitrator or Arbitrators, to determine the Matters in difference, and to decide what Special Rules shall be established in such Mine or Colliery, and the Determination of such Arbitrator, or of such Arbitrators or the Majority of them, if more than One, shall be final, and the Special Rules shall be established accordingly:

If such Owner do not within such Fourteen Days nominate such Mining Engineers or other competent Persons as aforesaid, then Two such Mining Engineers or other competent Persons as aforesaid, shall be appointed Arbitrators, One of whom shall be named by such Owner and the other by the Inspector of the District:

The said Arbitrators so appointed shall, before they proceed in the Arbitration, appoint a Third Person being such Mining Engineer, or other competent Person as aforesaid, to be their Umpire in case of Difference of Opinion between them, and in case such Arbitrators so appointed refuse or neglect to appoint such Umpire as aforesaid for the Space of Seven Days after their Appointment, or of the Appointment of such One of them as was last appointed, the Chairman of the General or Quarter Sessions of the Peace in and for the County, Riding, or Division where such Mine or Colliery may be situate in *England*, and the Sheriff of the County or Division of the County where such Mine or Colliery may be situate in *Scotland*, upon the Application in Writing by or on behalf of such Owner, or the Inspector of the District, shall appoint such Umpire; and the Determination of such Arbitrators and the said Umpire, or of any Two of them, shall be final, and the Special Rules shall be established accordingly:

In case of the Death, Incapacity, or Refusal or Neglect to act of any Arbitrator appointed under this Act, another Arbitrator shall be appointed in his Place in manner following; (that is to say,) in case the Place to be supplied be that of an Arbitrator appointed from among the Nominees of the Owner of a Mine or Colliery, then another Arbitrator shall be appointed by the Secretary of State from among such of the said Nominees as may not have been appointed as herein-before mentioned an Arbitrator or Arbitrators, or in case of Notice to that Effect from the Secretary of State to such Owner, shall be appointed by the Secretary of State from among Five competent Persons to be, within Fourteen Days after Receipt of such Notice, nominated by such Owner to the Secretary of State; and in case the Vacancy be that of an Arbitrator appointed by the Owner or the Inspector of the District, such Vacancy shall be supplied by such Owner or the Inspector of the District, as the Case may require; and in case of the Death, Incapacity, or Refusal or Neglect to act of any Umpire appointed as aforesaid, or of the Death, Incapacity, or Refusal or Neglect to act of either of the Arbitrators originally appointed before the Appointment of an Umpire, the Provisions herein contained concerning the Appointment of an Umpire by such Arbitrators, and concerning the Appointment of an Umpire in default of such Appointment by such Arbitrators, shall respectively be applicable to authorize the Appointment of such Umpire by the Arbitrators for the Time being, and to the Case of Default by them to make such Appointment within Seven Days after Notice in Writing from either of the Arbitrators to the other of them of the Death, Incapacity, or Refusal or Neglect to act of the Umpire, and to the Case of Default by the Arbitrators for the Time being to appoint an Umpire within Seven Days after their Appointment, or of the Appointment of such One of them as was last appointed:

If such Owner do not within Twenty Days from the Day on which such Alterations or Additions or such Rules by way of Substitution are proposed to him object to the same, or (not having made such Nomination to the Secretary of State as herein provided) do not within Fourteen Days after having objected as aforesaid appoint an Arbitrator, and give Notice in Writing of such Appointment to the Inspector of the District, or in case of the Death, Incapacity, or Refusal or Neglect to act of any Arbitrator appointed from among Nominees of such Owner, do not, within Fourteen Days after Receipt of such Notice from the Secretary of State as aforesaid, nominate Five competent Persons to the Secretary of State as aforesaid, or do not within the like Period after Notice to such Owner by the Inspector of the District of the Death, Incapacity, or Refusal or Neglect to act of any Arbitrator appointed by such Owner, appoint an Arbitrator, and give Notice in Writing of such Appointment to the Inspector of the District, the Special Rules framed by such Owner as altered, added to, or modified by the Secretary of State shall be established:

The Amount of Payment to be made to the Arbitrator or Arbitrators and Umpire (if any) for his or their Services shall be fixed by the Secretary of State, and paid in equal Moieties by the Owner of the

Mine

Mine or Colliery to which the Arbitration relates, and the Commissioners of Her Majesty's Treasury, who are hereby authorized to make such Payment accordingly out of any Monies provided by Parliament for that Purpose.

Special Rules may be amended from Time to Time

XIV. Provided that after such Special Rules are established it shall be lawful for the Owner of the Mine or Colliery to propose from Time to Time in Writing to One of Her Majesty's Principal Secretaries of State any Amendment of such Rules, and the Provisions in relation to the original Special Rules framed by the Owner, and Proposals in relation thereto by the Secretary of State, and the first Establishment of Special Rules, shall apply to the Amendments so proposed; and the Secretary of State may from Time to Time propose in Writing to the Owner of a Mine or Colliery any Amendments to the Special Rules thereof; and the Provisions in relation to Alterations or the Substitution of other Rules proposed by the Secretary of State where original Special Rules are transmitted to him, and the Establishment of Rules or Modifications of Rules proposed by him, shall apply to the Amendments so proposed by him under this Enactment.

Publication of Rules.

XV. For the Purpose of making known the General Rules and Special Rules to all Persons employed in or about each Coal Mine, Colliery, or Ironstone Mine, the Owner or Agent thereof shall cause the General Rules and the Special Rules for such Coal Mine, Colliery, or Ironstone Mine to be painted on a Board or printed upon Paper to be pasted thereon, and shall cause such Board to be hung up or affixed on some conspicuous Part of the principal Office or Place of Business at the Coal Mine, Colliery, or Ironstone Mine, and at the Place where the Workmen are paid; and the General Rules and Special Rules so painted or printed and hung up shall be renewed and restored with all reasonable Despatch as often as the same or any Part thereof may be defaced, obliterated, or destroyed; and a printed Copy of such General and Special Rules shall be supplied to all Persons employed in and about the same who shall apply for such Copy.

Powers and Duties of Inspectors.

XVI. It shall be lawful for any Inspector to enter, inspect, and examine any Coal Mine, Colliery, or Ironstone Mine, and the Works and Machinery belonging thereto, at all reasonable Times, by Day or Night, but so as not to impede or obstruct the working of the said Coal Mine, Colliery, or Ironstone Mine, and to make Inquiry into and touching the State and Condition of such Coal Mine, Colliery, or Ironstone Mine, Works, and Machinery, and the Ventilation of such Coal Mine, Colliery, or Ironstone Mine, and the Mode of lighting or using Lights in the same, and into all Matters and Things connected with or relating to the Safety of the Persons employed in or about the same, and especially to make Inquiry whether the Provisions of this Act are complied with in relation to such Coal Mine, Colliery, or Ironstone Mine; and the Owner or Agent of such Coal Mine, Colliery, or Ironstone Mine is hereby required to furnish the Means necessary for such Entry, Inspection, Examination, and Inquiry.

Inspector to give Notice of Causes of Danger not provided for by the Rules.

XVII. If any Inspector find on any such Inspection, Examination, or Inquiry, any Mine or Colliery, or the Works or Machinery belonging thereto, or any Matter, Thing, or Practice in or connected with such Mine or Colliery, to be (otherwise than as provided against by any express Provision of this Act, or the General or Special Rules thereunder,) dangerous or defective, so as in his Opinion to threaten or tend to the bodily Injury of any Person, such Inspector shall give Notice in Writing to the Owner or Agent of such Mine or Colliery of the particular Grounds on which such Inspector is of Opinion that the said Mine or Colliery, or any Part thereof, or any other of the Particulars aforesaid, is dangerous or defective, and shall also report the same to One of Her Majesty's Principal Secretaries of State:

If the Owner or Agent object to remove or remedy the Danger or Defect which is the Subject of such Notice, he may within Twenty Days after the Receipt of such Notice give Notice in Writing of the Objections of such Owner or Agent, and of the Grounds thereof, to the said Inspector and to One of Her Majesty's Principal Secretaries of State, and nominate to such Secretary of State Five or more practical Mining Engineers or other competent Persons of Experience who shall not be interested in or employed in the Management of such Mine or Colliery, of whom the Secretary of State shall appoint One or more to be an Arbitrator or Arbitrators, and thereupon further Proceedings shall be had for the Determination of the Matters in difference by Arbitration, as herein provided in the Case of the Special Rules:

If such Owner or Agent do not give such Notice and make such Nomination as aforesaid within the Time aforesaid, the Owner of such Mine or Colliery shall be liable to a Penalty of One Pound for every Day beyond the said Twenty Days during which he neglects to take proper and active Measures for removing or remedying the Danger or Defect which is the Subject of the said Notice given by the Inspector:

If the said Owner or Agent give such Notice and make such Nomination as aforesaid within the Time aforesaid, and the Matters in difference be determined by Arbitration, then if, after the said Owner or Agent has been furnished with a Copy of the Award attested by the Inspector for the District, the said Owner or Agent neglect forthwith to take proper and active Measures for removing or remedying any Danger or Defect which according to such Award ought to be removed or remedied, the Owner of such Mine or Colliery shall be liable to a Penalty of One Pound for every Day after the Receipt by the said Owner or Agent of such Copy of the Award during which the said Owner or Agent so neglects.

Owners of Mines to produce Maps or Plans of Mines to Inspector.

If Owner do not produce Maps, &c., Inspector may require them to be made.

XVIII. The Owner or Agent of every Coal Mine, Colliery, or Ironstone Mine shall, on the Occasion and for the Purpose of the Inspection and Examination thereof, produce and submit for Examination to any such Inspector as aforesaid at the Mine which is to be inspected an accurate Map or Plan of the Workings of such Coal Mine, Colliery, or Ironstone Mine; and if such Owner or Agent do not produce and submit for Examination as aforesaid such a Map or Plan as aforesaid, or if any such Inspector as aforesaid find that any Portion of any Map or Plan is withheld, or any Part of the Workings of any such Coal Mine, Colliery, or Ironstone Mine is concealed from his Inspection, or if he find, on examining and verifying any Map or Plan, that the same is imperfect or inaccurate, he is hereby empowered to require that an accurate Map or Plan of the actual Workings of such Coal Mine, Colliery, or Ironstone Mine be made within a reasonable Time by and at the Expense of the Owner of such Coal Mine, Colliery, or Ironstone Mine, on a Scale of not less than Two Chains to One Inch, or on such other Scale as the Plan then used in the Mine is constructed on; and every such Map or Plan as aforesaid shall show the Workings of the Mine up to within Six Months of the Time of Inspection; and the Owner or Agent of the Coal Mine, Colliery, or Ironstone Mine shall, if required so to do by any such Inspector as aforesaid, mark or cause to be marked on such Map or Plan the Progress of the Workings of the Coal Mine, Colliery, or Ironstone Mine up to the Time of his Inspection thereof: Provided that nothing herein contained shall be construed to authorize any Inspector to make a Copy of the whole or any Part of a Map or Plan which shall be produced or made.

Notice of Accidents in Mines to be given to Secretary of State.

XIX. If and when Loss of Life or any personal Injury to any Person employed in or about any Coal Mine, Colliery, or Ironstone Mine occurs by reason of any Explosion, and if and when Loss of Life or serious personal Injury to any Person so employed occurs by reason of any other Accident whatever within such Coal Mine, Colliery, or Ironstone Mine, or any Pits or Shafts thereof, or any Works or Machinery connected with such Pits or Shafts, the Owner or Agent of such Coal Mine, Colliery, or Ironstone Mine shall, within Twenty-four Hours next after such Accident, send Notice of such Accident, and the Loss of Life or personal Injury occasioned thereby, under the Hand of such Owner or Agent, in *England* to One of Her Majesty's Principal Secretaries of State, in *Scotland* to the Lord Advocate, and in all Cases to the Inspector of the District within which such Accident shall occur, and shall specify in such Notice the probable Cause of such Accident; and such Notice may be sent through the Post Office by Letter addressed to such Secretary of State or Lord Advocate, and to the Inspector of the District at his usual Place of Residence; and every Owner or Agent who neglects to send or cause to be sent such Notice as aforesaid within the Time aforesaid shall for such Offence be liable to a Penalty not exceeding Twenty Pounds.

Provision for Adjournment of Inquests on Deaths from Accidents in Mines in certain Cases.

XX. Every Coroner holding an Inquest upon the Body of any Person whose Death may have been caused by any such Accident as aforesaid shall, unless the Inspector of the District or some Person on behalf of the Secretary of State be present to watch the Proceedings at such Inquest, adjourn such Inquest, and by Letter sent through the Post Office, Four Days at the least before holding such adjourned Inquest, addressed to the Inspector of the District, give Notice to such Inspector of the Time and Place of holding the same; provided that such Coroner may before the Adjournment of any such Inquest take Evidence to identify the Body, and may order the Interment thereof; provided also, that if the Accident has not occasioned more than One Death, and Notice of the Inquest has been given by the Coroner to the Inspector of the District by Letter sent through the Post Office not less than Forty-eight Hours before the Time of holding the Inquest, it shall not be imperative on the Coroner to adjourn such Inquest as aforesaid, in case the Majority of the Jury think it unnecessary so to adjourn; and the Inspector shall be at liberty to examine any Witness at any such Inquest, subject to the Order of the Coroner.

Notice to be given to Inspector of the Abandonment and Opening of Mines.

XXI. Where any Coal Mine, Colliery, or Ironstone Mine is abandoned, or the Working thereof discontinued, or where the Working thereof is recommenced after Abandonment or Discontinuance, for a Period exceeding Two Months, or where any Workings are commenced for the Purpose of opening a new Coal Mine or Ironstone Mine, the Owner or Agent of the respective Mine or Working shall in every such Case give Notice thereof to the Inspector of the District, by Letter sent through the Post Office, within Two Months after such Abandonment, Discontinuance, Recommencement, or Commencement of working, as the Case may be; and where any such Mine or Colliery is abandoned, or the working thereof discontinued, the Owner thereof shall cause the same to be, and to be kept, securely fenced, for the Prevention of Accidents.

Penalties for Offences against this Act.

XXII. If any Coal Mine, Colliery, or Ironstone Mine be worked, and through the Default of the Owner or Agent thereof, Special Rules have not been established for the same, according to the Provisions of this Act, or the General Rules, or the Special Rules for such Coal Mine, Colliery, or Ironstone Mine, by this Act required to be established, have not been hung up or affixed, or have not, after Obliteration or Destruction, been renewed or restored, as required by this Act, or any of such General Rules or Special Rules, Provisions of which ought to be observed by the Owner and principal Agent or Viewer of such Coal Mine, Colliery, or Ironstone Mine, be neglected or wilfully violated by any such Owner, Agent, or Viewer, such Person shall be liable to a Penalty of not exceeding Twenty Pounds; and also, in case the Default or Neglect be not remedied with all reasonable Despatch, after Notice in Writing thereof given by an Inspector to the Owner or Agent of such Coal Mine, Colliery, or Ironstone Mine, to a further Penalty of One Pound for every Day during which the Offence continues after such Notice; and every Person,

other

other than aforesaid, employed in or about a Coal Mine, Colliery, or Ironstone Mine, who neglects or wilfully violates any of the Special Rules established for such Coal Mine, Colliery, or Ironstone Mine, shall for every such Offence be liable, upon a summary Conviction for the same before Two Justices of the Peace, or in *Scotland* before the Sheriff having Jurisdiction in the County or Place where the Offence is committed, to a Penalty not exceeding Two Pounds, or to be imprisoned, with or without Hard Labour, in the Common Gaol or House of Correction for any Period not exceeding Three Calendar Months: Provided always, that no Justice of the Peace being the Owner of the Mine, or the Father, Son, Brother, or Agent of any Owner of the Mine, in which the Offence set forth in the Complaint shall have been committed, shall, at the Hearing of any Complaint or Charge, act as a Justice of the Peace for the Purposes of Conviction or Adjudication in any Cases of Dispute or Difference between Persons employed in working Mines and their Employers in which Justices of the Peace have Jurisdiction.

Penalty for obstructing Inspectors.

XXIII. Every Person who wilfully obstructs any Inspector in the Execution of this Act, and every Owner or Agent of any Coal Mine, Colliery, or Ironstone Mine who refuses or neglects to produce, as herein-before required, a Map or Plan of the Workings of the Mine to any Inspector, or to furnish to such Inspector the Means necessary for making any Entry, Inspection, Examination, or Inquiry under this Act, or who neglects or wilfully violates any Provision of this Act for the Neglect or Violation of which no other Penalty is hereby imposed, shall for every such Offence be liable to a Penalty not exceeding Ten Pounds.

Penalty for defacing Notices.

XXIV. Every Person who pulls down, injures, or defaces any Notice hung up or affixed as required by this Act shall for every such Offence be liable to a Penalty of not exceeding Forty Shillings.

Penalties, how recoverable.

XXV. All Penalties imposed by this Act may be recovered in a summary Manner before Two Justices of the Peace, or in *Scotland* before the Sheriff having Jurisdiction in the County or Place where the Offence is committed, in the Manner prescribed by the Law in that Behalf, the Information to be laid, or Action raised, within Three Months after the Commission of the Offence; and it shall be lawful for One of Her Majesty's Principal Secretaries of State to direct that any Penalty imposed for neglecting to send or cause to be sent Notice of any Accident, as required by this Act, or for any Offence against this Act which may have occasioned Loss of Life or personal Injury, shall be paid to or among any of the Family or Relatives of any Person or Persons whose Death may have been occasioned by such Accident or Offence, and not being a Person or Persons who occasioned or contributed to occasion the Accident, or to any Person or Persons, not being the Offender or Offenders, who may have sustained personal Injury occasioned by such Accident or Offence, as he may think fit; and, save as aforesaid, all Penalties imposed by this Act shall, when recovered, be paid into the Receipt of Her Majesty's Exchequer in such Manner as the Commissioners of Her Majesty's Treasury may direct, and shall be carried to and form Part of the Consolidated Fund of the United Kingdom.

Certified Copy of Special Rules to be Evidence.

XXVI. A Copy of the Special Rules for the Time being established in any Coal Mine, Colliery, or Ironstone Mine, certified under the Hands of One of the Inspectors to be a Copy of the Special Rules established in such Coal Mine, Colliery, or Ironstone Mine, shall be Evidence of such Special Rules, and of their being duly established under this Act, without further Proof, and such Inspector shall certify such Copy when required.

Reports of Inspectors to be laid before Parliament.

XXVII. Every Inspector shall on or before the First Day of *March* in every Year make a separate and distinct Report in Writing of his Proceedings during the preceding Year, and shall transmit the same to One of Her Majesty's Principal Secretaries of State, and a Copy of such Report shall be laid before both Houses of Parliament.

Wages to be paid to Person employed in Mines, or his Representative, in Money.

XXVIII. The Wages of each and every Person employed in any Coal Mine, Colliery, or Ironstone Mine shall be paid to him or his Representative authorized or deputed to that Effect by his immediate Employer in Money at an Office to be appointed for that Purpose in the Special Rules for such Mine or Colliery, and such Office shall not be contiguous to any House where Spirits, Wine, Beer, or other Spirituous Liquors are sold; and every Owner or Agent, or such Employer, who shall pay or permit any Wages to be paid contrary to the Provisions of this Act, shall for every such Offence be liable to a Penalty not exceeding Ten Pounds.

Where Payment of Persons employed in Mines is by Weight, &c. an Account may be taken.

XXIX. Where the Persons employed in any Coal Mine, Colliery, or Ironstone Mine are paid by the Weight, Measure, or Gauge of the Coal, Ironstone, or other Material gotten by them, such Coal, Ironstone, or other Material shall be truly weighed, measured, or gauged accordingly; and it shall be lawful for such Persons, at their own Cost, to station a Person (being One of the Persons for the Time being employed in such Coal Mine, Colliery, or Ironstone Mine,) at the Place appointed for such weighing, measuring, or gauging, in order to take an Account thereof, and to take an Account of the Weight, Measure, or Gauge used therein on behalf of such Persons by whom he is so employed; but such Person so employed shall not be authorized in any way to impede or interrupt the working of the Coal Mine, Colliery, or Ironstone Mine, or to interfere with the weighing, measuring, or gauging, but shall only be authorized to take such Account as aforesaid; and the Absence of such Person shall not be a Reason for delaying or interrupting such weighing, measuring, or gauging.

Extent of Act.

XXX. This Act shall not extend to *Ireland*.

Commencement of Act.

XXXI. This Act shall commence from the Thirty-first Day of *December* One thousand eight hundred and sixty.

CAP.

CAP. CLII.

An Act to facilitate internal Communication in *Ireland* by means of Tramroads or Tramways.

[28th *August* 1860.]

'WHEREAS it would be of great public and local Advantage if Powers were given to Persons 'desirous to promote the Construction of Tramways in *Ireland* to make use for that Purpose, 'under proper Control, of public Roads, Post Roads, and common Highways, where the same can be 'done without Injury to public Interests, and to purchase and hold such Lands contiguous to such Roads 'and Highways, or agreed to be sold by the Owners, as shall be found useful and necessary for the 'Completion of such Undertakings, and to use such Tramways for the Conveyance of Passengers, 'Produce, Minerals, Merchandise, and other Goods, in Carriages, Waggons, and Trucks moved by 'Animal Power:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Notice by Advertisement as in Sched. (A.) Part I.

I. Any Persons intending to apply under this Act for Authority to make and maintain a Tramway, which Persons are herein-after called the Promoters, shall in the Months of *April* and *May*, or either of them, immediately preceding the Application, publish Notice of their Intention by Advertisement, according to the Regulations contained in Schedule (A.) to this Act, Part I.: Provided always, that it shall not be competent to make Application for a Tramway or Tramways under the Provisions of this Act to unite Places between which Statutory Powers for making a Railway or Railways for directly connecting the same shall have been granted and be in force.

Deposit of Plan, Section, &c. as in Sched. (A.) Part II.

II. On or before the First Day of *May* in the same Year, the Promoters shall deposit with the Secretary of the Grand Jury of any County within which the Tramway is proposed to be made—

1. A Copy of the Advertisement published by them;
2. A published Map to a Scale of not less than a Quarter of an Inch to a Mile, with the Line of the proposed Tramway delineated thereon, so as to show its general Course and Direction;
3. A Plan, Book of Reference, and Section, prepared according to the Regulations contained in Schedule (A.) to this Act, Part II.;

and with the County Surveyor and the Clerk of each Union through which the Tramway is proposed to be made a Copy of each of the same Documents.

Notice to Owners of Lands as in Sched. (A.) Part III.

III. On or before the Second Day of the same Month of *May*, the Promoters shall give to the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers, of all Lands which the Promoters intend to apply for Power to take, Notice of their Intention, according to the Regulations contained in Schedule (A.) to this Act, Part III.

Deposit of Memorial and Estimate, and Lists as in Sched. (A.) Part IV.

IV. On or before the Twelfth Day of the same Month of *May*, the Promoters shall deposit with the Secretary of the said Grand Jury—

1. A Memorial of the Promoters, signed by them or some or One of them, addressed to the Lord Lieutenant in Council, praying for an Order in Council authorizing the making of the Tramway, with a Draft of the proposed Order scheduled to the Memorial;
2. An Estimate of the Expense of the Undertaking, signed by the Person making the same;
3. Lists of the Owners and others to whom the Promoters have given such Notice as is herein-before required, prepared according to the Regulations contained in Schedule (A.) to this Act, Part IV.;

and with the County Surveyor a Duplicate of each of the same Documents.

Preliminary Inquiry by Grand Jury at Summer Assizes.

V. At the Summer Assizes of the same Year the said Grand Jury shall, on the Application of the Promoters, inquire whether or not the Requirements contained in the foregoing Enactments have been complied with (for which Purpose they shall have Power to summon Witnesses, and require the Production of Documents, and take Evidence on Oath or otherwise), and shall hear any Person interested in contending that such Requirements have not been complied with who shall lodge with the Secretary of the Grand Jury a Memorial complaining of Noncompliance in some Particular specifically stated in such Memorial, and shall then proceed to inquire generally into the *primâ facie* Merits of the Undertaking. With reference thereto the Grand Jury shall take into consideration the Report of the County Surveyor on the Undertaking, (who is hereby required to make a Report thereon to the Grand Jury, and to deliver a Copy thereof to the Promoters Three clear Days at least before the Inquiry by the Grand Jury,) and shall hear in opposition to the Application any Owner, Lessee, or Occupier of any Lands proposed to be taken for the Purposes of the Undertaking, or alleged to be injuriously affected thereby, and any Railway or other Company or Person desiring to be heard in opposition on the Ground of Competition, or any Part of whose Rails, Trams, Stations, Works, or Accommodations is proposed to be taken or in any Manner used or interfered with for the Purposes of the Undertaking, and the Inhabitants of any Town, Place, or District alleged to be injuriously affected by the Undertaking. The Grand Jury shall then approve provisionally or disapprove, as they may think fit, of the Undertaking, with or without Modification, having regard to the Compliance or Noncompliance of the Promoters with the Requirements aforesaid, and to the *primâ facie* Merits of the Undertaking, in engineering, financial, and other respects; and such provisional Approval or such Disapproval (with, in case of Disapproval, the Grounds thereof,) shall be certified in Writing under the Hand of the Secretary of the Grand Jury; and in all

Cases

Cases where the proposed Undertaking is provisionally approved of by any Grand Jury or Grand Juries, it shall be lawful for any Railway Company or Owner of Land who may have opposed the Application for the same to appeal against any such provisional Approval to the Lord Lieutenant in Council, who shall, as soon as may be, inquire into the Grounds of such provisional Approval, and allow or disallow the Appeal.

Tramway not wholly in One County.

VI. Where the proposed Tramway does not lie wholly within One County, the foregoing Enactments shall apply equally to every County within which any Part of it lies, except that the Promoters may, if they think fit, deposit with the Secretary of the Grand Jury, and the Surveyor of any County, and the Clerk of any Union, such Plan, Book of Reference, Section, Estimate, and Lists only as relate to so much of the proposed Tramway as lies within that particular County,

Appeal to Lord Lieutenant in Council against Disapproval.

VII. Where the proposed Tramway does not lie wholly within One County, and the Undertaking is provisionally approved of by any One of the Grand Juries before whom the Application comes, but is disapproved of by any other or others of such Grand Juries, it shall be lawful for the Promoters to appeal against such Disapproval to the Lord Lieutenant in Council, who shall, as soon as may be, inquire into the Grounds of Disapproval, and allow or disallow the Appeal.

On Disapproval, &c., Application deemed to have failed.

VIII. Where the proposed Tramway lies wholly within One County, and the Grand Jury of that County disapproves of the Undertaking, and also where the proposed Tramway does not lie wholly within One County, and either the Grand Juries of all the several Counties disapprove of the Undertaking, or any One of them disapproves of it, and no Appeal is brought against such Disapproval, or any Appeal brought is disallowed, then and in every such Case the Application of the Promoters shall be deemed to have wholly failed.

On Approval, local public Inquiry by Board of Works as in Sched. (A.) Part V.

IX. In every other Case the Commissioners of Public Works, herein-after called the Board of Works, as soon as may be after such provisional Approval or such Allowance of Appeal as aforesaid, on the Application of the Promoters, and on being furnished by them with Duplicates of all such Plans and other Documents as are herein-before required to be deposited, and with all such other Plans and Documents and all such other Information as the Board of Works may require, shall, by such fit Persons or Person as they shall appoint for the Purpose, make public Inquiry concerning the Merits of the Undertaking (to be held on or near some Part of the Lands proposed to be taken for the Tramway, and according to the Regulations contained in Schedule (A.) to this Act, Part V.), and shall report their Opinion thereon, and by such Report recommend, if they think fit, any such Modification of the Undertaking, in an engineering or financial or other respect, as may seem to them of public or local Advantage.

At Spring Assizes definitive Approval or Disapproval.

X. At the Spring Assizes next after the said Summer Assizes the Grand Jury of each County within which any Part of the proposed Tramway lies, shall on the Application of the Promoters take into consideration the Report of the Board of Works, and also the further Report of the County Surveyor on the Undertaking, (who is hereby required to make a further Report thereon to the Grand Jury, and to deliver a Copy thereof to the Promoters Three clear Days at least before the Inquiry by the Grand Jury,) and shall hear in opposition to the Application any such Owner, Lessee, Occupier, Company, Person, or Inhabitants as aforesaid. The Grand Jury shall then definitively approve or disapprove, as they may think fit, of the Undertaking, with or without Modification, having regard to the Merits of the Undertaking in engineering, financial, and other respects, which definitive Approval or Disapproval (with, in case of Disapproval, the Grounds thereof,) shall be certified in Writing under the Hand of the Secretary of the Grand Jury.

Appeal, &c. as before.

XI. On the Conclusion of such Proceedings at the Spring Assizes, the Promoters shall have the like Right of Appeal as is herein-before given to them in respect of Proceedings at the Summer Assizes, and on definitive Disapproval or on Disallowance of Appeal (as the Case may be) the Application of the Promoters shall be deemed to have wholly failed.

Notice, &c. of Appeal.

XII. On the Promoters bringing an Appeal they shall give Notice thereof by Advertisement inserted in the *Dublin Gazette* and in the same Newspaper or Newspapers in which the Advertisement required by Section I. of this Act was inserted by them. On any such Appeal the Lord Lieutenant in Council shall, as far as may be requisite, take into consideration all such Reports and Documents and other Things relative to the Undertaking as were before the Grand Jury whose Disapproval is appealed from, and shall hear in opposition to the Appeal any such Owner, Lessee, Occupier, Company, Person, or Inhabitants as aforesaid.

On definitive Approval, Lord Lieutenant in Council to make Order.

XIII. Where the Undertaking is definitively approved of by the only Grand Jury or by all the Grand Juries before whom the Application comes, or all Appeals against the Disapproval of it are allowed, then and in every such Case the Lord Lieutenant in Council shall settle and make an Order in Council, authorizing the making and maintaining of the Tramway, subject and according to the Provisions of this Act, by such Persons or Person or Body Corporate or Company, in such Manner, subject to such Restrictions and Provisions, and on such Terms and Conditions as shall be therein specified.

Order to be confirmed by Act of Parliament.

XIV. Thereupon, and on the Promoters doing everything required to be done by them by any Provision for securing the Completion of the Tramway applicable in their Case, the Lord Lieutenant in Council shall, as soon as conveniently may be, procure all necessary Steps to be taken for the Confirmation of such Order in Council by Act of Parliament, and until such Confirmation the Order shall have no Effect whatever. The Bill for any such Act shall be introduced on or before the First of *June*, and

treated

treated in all respects as a Public Bill. The Order to be confirmed by the Bill shall be specified in a Schedule to it, but shall not be set out at length therein. The Promoters shall deposit, for the Use of the Members of the Houses of Parliament respectively, so many Copies of the Order in such Offices of the Houses respectively as the Clerk of the Parliaments and the Speaker of the House of Commons respectively may from Time to Time direct.

If desired by Promoters, Company to be constituted by the Order.

XV. Where the Promoters desire that a Joint Stock Company shall be constituted for the Execution of the Undertaking, the Order authorizing the making of the Tramway shall contain proper Provisions, with apt Terms, for uniting into a Company for that Purpose such Persons as shall be named or referred to therein, being Subscribers to the Undertaking, and for incorporating them into a Company, by an appropriate Name, with perpetual Succession and a Common Seal, and with Power to purchase and hold Land for the Purpose of the Undertaking, subject and according to the Restrictions of this Act and of the Order.

Order to prescribe Capital, &c.

XVI. Every such Order shall prescribe the Amount of the Share Capital of the Company (the same and every Part thereof to be applied only in carrying into execution the Objects and Purposes of the Order), the Number of the Shares into which the Capital shall be divided, the Amount of each Share, the Amount and Intervals of Calls, and the maximum aggregate Amount to be called within a certain Time.

Order may empower Company to borrow, under Restrictions.

XVII. Any such Order may (where it seems to the Lord Lieutenant in Council expedient) empower the Company to borrow on Mortgage or Bond such Money as in the Order shall be specified (the same and every Part thereof to be applied only in carrying into execution the Objects and Purposes of the Order), and may provide, in such Manner as may seem fit, for the Payment of Interest on and the Discharge of the Principal Money borrowed, and for the Appointment of a Receiver on behalf of Mortgagees: Provided always, that no such Order shall empower the Company to borrow more Money in the whole than One Third of the Amount of their Share Capital, or to borrow any Money whatever until the whole of their Share Capital is subscribed for, and One Half of it is actually paid up, and they prove to the Justice who is to certify, under the Provisions contained in the Fortieth Section of the Companies Clauses Consolidation Act, 1845, that all such Capital has been subscribed for *bonâ fide*, and is held by Subscribers or their Assigns, and for which such Subscribers or their Assigns are legally liable.

Order to prescribe for Management, &c. of Company.

XVIII. Every such Order shall prescribe the Time within which the First General Meeting of the Shareholders shall be held, and may prescribe or provide for any such Thing relating to the Constitution, Management, Rights, Powers, or Duties of the Company as is ordinarily prescribed or provided for in a Special Act authorizing the Construction of a Railway and incorporating a Company for that Purpose.

Railways Clauses Consolidation Act and others incorporated with Order in Council.

XIX. Every such Company, and no other, shall be deemed to be a Tramway Company within the Meaning of this Act, and (subject to the other Provisions of this Act) the Companies Clauses Consolidation Act, 1845, shall apply to every Tramway Company, and shall be incorporated with the Order constituting it, and (subject as aforesaid) the Lands Clauses Consolidation Act, 1845, the Railways Clauses Consolidation Act, 1845, and the Railways Act (*Ireland*), 1851, shall apply to every Tramway authorized by any Order (whether a Tramway Company is thereby constituted or not), and shall be incorporated with every such Order.

Construction of incorporated Acts with Order in Council.

XX. In the Construction of the said Acts in connexion with any such Order—

The Expression "the Special Act," used in the said Acts, shall be taken to mean or apply to any such Order as and when confirmed by Act of Parliament;

The Expressions "the Undertaking" and "the Railway," used in the said Acts, shall be respectively taken to mean or apply to the Tramway and Works by such Order authorized;

The Expression "the Company," used in the said Acts, shall be taken to mean, as to the Companies Clauses Consolidation Act, 1845, a Tramway Company, and as to the said other Acts, the Persons or Person or Body Corporate or Company authorized by any such Order to make a Tramway;

and the said Acts shall be read as if the Board of Works were therein named instead of "the Board of Trade," and as if *Dublin* were therein named instead of *London*.

Plan, &c. of Alterations to be deposited before Tramway is begun.

XXI. It shall not be lawful for the Persons authorized to make a Tramway under this Act to begin to make the same without first depositing in like Manner as a Plan and a Section are herein-before required to be deposited a Plan and a Section (prepared in like Manner as the original Plan and Section) of all such Alterations from the original Plan and Section as shall be authorized by the Order in Council, and without also first furnishing a Duplicate thereof to the Board of Works.

Plan and Section furnished to Board of Works to be sufficient for Purposes of 14 & 15 Vict. c. 70.

XXII. For the Purposes of the Application of the Railways Act (*Ireland*), 1851, to a Tramway under this Act, any Map, Plan, Book of Reference, and Section furnished to the Board of Works under this Act shall be sufficient, and the same shall be used and proceeded on in lieu of the Maps or Plans and Schedules of Lands, Works, and Names by the last-mentioned Act required. Such Estimates, and such Draft Award, and Copies thereof and of Parts thereof, as are by the same Act required, shall be deposited in like Manner as Plans and other Documents are herein-before required to be deposited, and not otherwise, and the Terms of Notice of Deposit to be published under that Act shall be altered accordingly.

Some Provisions of incor-

XXIII. The Provisions of the said Acts directing Deposits to be made with Clerks of the Peace (except the Provisions relative to Access to the Special Act) and with Clerks of Poor Law Unions and Postmasters,

Postmasters, and the Provisions with respect to the crossing of Roads and other Interferences therewith (other than the Provisions of the Railways Clauses Consolidation Act, 1845, Sections LXV., LXVI., LXVII.), and the Provisions with respect to the Use of Locomotive Engines or other Moving Power, not being Animal Power, shall be excepted out of the Incorporation herein-before made; and it shall be lawful for the Lord Lieutenant in Council, in and by any such Order, if the Circumstances of the Case appear so to require, to vary or except any of the Provisions of any of the said Acts. porated Acts excepted.

XXIV. Every Tramway made under this Act shall be worked by Animal Power only, and shall (unless in any Case the Order in Council otherwise provides) be constructed with Iron Rails or Trams, and on the Gauge of Five Feet Three Inches. Any such Tramway may be authorized to be constructed wholly or partly along or across any Post Road, Road now or formerly a Turnpike Road, public Highway, Street, Square, Market Place, Court, Lane, Alley, Bridge, or Quay, or other public Thoroughfare, Passage, or Place whatsoever, on the Level. Construction and Gauge.

XXV. Any such Order in Council may prescribe the maximum Tolls and Rates of Charge to be taken and made for Passengers, Animals, and Things conveyed on the Tramway, not exceeding the Tolls and Rates of Charge specified in Schedule (B.) to this Act, and may make Regulations for the Calculation and charging thereof; and in the Absence in any Case of any special Provisions for those Purposes, or so far as any such special Provisions shall not extend, the maximum Tolls and Rates of Charge, and the Regulations, shall be those specified in the same Schedule. Maximum Tolls and Rates of Charge, with Regulations, in Sched. (B.)

XXVI. It shall be lawful for the Lord Lieutenant in Council, on the like Proceedings and Inquiry as are herein-before specified being taken and made, to make an Order authorizing the varying, extending, or enlarging of any Tramway already authorized, and the Maintenance of the Tramway, as and when so varied, extended, or enlarged. No such Order shall have any Effect until confirmed by an Act of Parliament, Proceedings for the obtaining of which shall be taken in manner herein-before provided with respect to an original Order for the making of a Tramway. Tramway may be varied, enlarged, &c.

XXVII. It shall be lawful for the Lord Lieutenant in Council, by Order, when the Circumstances of any Case appear to render it expedient, to extend the Time limited for the Completion of a Tramway, or to authorize the Abandonment of all or any Part of a Tramway: Provided always, that it shall not be lawful for the Lord Lieutenant in Council to make any such Order without Notice being given to the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers of the Lands in which the Work or the Part thereof intended to be abandoned is situate, or without Notice being given to such other Persons or Authorities as the Lord Lieutenant in Council may think fit, or without hearing any Person or Authority concerned and desiring to be heard. No such Order shall have any Effect until confirmed by an Act of Parliament, Proceedings for the obtaining of which shall be taken in manner herein-before provided with respect to an original Order for the making of a Tramway. Time for Completion may be extended, or Abandonment may be authorized.

XXVIII. Provided always, That any Order in Council authorizing the Abandonment of a Tramway, or any Part thereof, shall be made and take effect subject to the following Restrictions and Conditions: On Abandonment, Damage to be made good, and Land taken to be used for Highway Purposes, or to go back to original Owner.

1. The Order shall contain such Provisions as may appear expedient for compelling the Owners of the Tramway to make good any Damage that may have been caused to any Post Road, Turnpike Road, public Highway, Street, Square, Market Place, Court, Lane, Alley, Bridge, or Quay, or other public Thoroughfare, Passage, or Place, by or in consequence of the making of the Tramway, or of the Part thereof authorized to be abandoned (as the Case may be):
2. If, on the Application for the Order, it is shown to the Lord Lieutenant in Council that all or any Lands acquired by the Owners of the Tramway for the Purposes thereof, or of the Part thereof authorized to be abandoned (as the Case may be), may with Advantage be dedicated for Highway Purposes to the Use of the Public, and to that End be placed under the Control of the Grand Jury, Municipal Corporation, Body of Commissioners, or other Body having the Control of the Public Roads in the County, City, Borough, Town Corporate, Place, or District where the Lands are situate, the Order in Council shall contain such Provisions in that Behalf as may appear expedient:
3. In the Absence of any such Provisions, and so far as all or any such Provisions shall not extend, the Lands acquired by the Owners of the Tramway for the Purposes thereof, or of the Part thereof authorized to be abandoned (as the Case may be), shall go to and vest in the Person or Persons from whom the same were acquired, his or their respective Heirs, Successors, Executors, Administrators, or Assigns, (according to the Tenure of the Lands,) discharged from all Estates, Interests, and Claims of the Owners of the Tramway, or any Person claiming under them, and as if any Order authorizing the making of the Tramway had never been made or confirmed, or as near thereto as Circumstances will admit.

XXIX. Where the Promoters are not an existing Tramway Company, and a Tramway Company is constituted by the Order in Council authorizing the Undertaking, and also where the Promoters are an existing Tramway Company, but are not possessed of a Tramway actually open for Traffic, then and in every such Case the Promoters shall give Security for the Completion of the proposed Tramway as follows: Deposit as Security for Completion by a Company.

1. Within Forty-eight Hours after the making of the Order they shall, with the Privity of the Accountant General of the Court of Chancery, either pay in his Name into the Bank of *Ireland* a Sum of Money equal to One Twentieth Part of the estimated Cost of the Undertaking, or deposit in his Name in the Bank of *Ireland*, or transfer into his Name there, Exchequer Bills or other Government Securities equivalent to that Sum at the Price at which such Bills or Securities were originally purchased by the Promoters (to be proved by the Broker's Certificate of such Purchase):

2. Before making any such Payment, Deposit, or Transfer, they shall obtain from the Clerk of Her Majesty's Privy Council in *Ireland* a Warrant under his Hand authorizing the same, and stating the Title of the Account to which such Money, Bills, or Securities, shall be placed, which Warrant shall be sufficient Authority to the said Accountant General for permitting such Payment, Deposit, or Transfer: Provided always, that in case of the Accountant General's Office being closed at the Time when any such Payment, Deposit, or Transfer is required, the same may be made and shall be received and acted on by the Bank of *Ireland* without his actual Privity:

3. The Court of Chancery, on the Petition in a summary Way of the Persons or Person making such Payment, Deposit, or Transfer, or the Majority of such Persons, or the Survivors or Survivor of them, herein-after called the Depositors or Depositor, may order that any Money so paid, or any Interest or Dividend accrued on any Bills or Securities so deposited or transferred, be invested in any such Securities as the Depositors or Depositor may desire and the Court approve:

4. In the following Cases, and not otherwise, the Court of Chancery, on the Petition in a summary Way of the Depositors or Depositor, shall order the Money, Bills, or Securities, so paid, deposited, or transferred, and any Securities in which any Investment may be made as aforesaid, and any Interest or Dividend accrued thereon respectively, to be paid or transferred to or into the Names or Name of the Depositors or Depositor; namely,

   (1.) If an Act of Parliament confirming the Order in Council with respect to which such Payment, Deposit, or Transfer is made does not pass in the Session current at the Date of the Order, or, if Parliament be not then sitting, then in the Session beginning next after that Date:

   (2.) If such an Act does so pass, and within the Time limited for the Completion of the Tramway the Company open it for Traffic, or prove to the Board of Works that they have paid up One Half of their Share Capital, and have expended for the Purposes of the Order a Sum equal to such Half, or else execute a Bond in twice the Amount paid into the Bank, or represented by the Deposit or Transfer aforesaid, conditioned for Payment to Her Majesty, Her Heirs or Successors, of that Amount, in the event of their failing either to open the Tramway for Traffic, or to give such Proof as aforesaid, within the Time limited for the Completion of the Tramway (such Bond to be prepared to the Satisfaction of and deposited with the Board of Works, and to be made with a Surety or Sureties approved of by the Board of Works):

5. If an Act confirming the Order passes as aforesaid, and the Time limited for Completion of the Tramway expires before it is opened for Traffic, or before such Proof as aforesaid is given, then the Money, Bills, or Securities paid, deposited, or transferred, and any Securities in which any Investment may have been made as aforesaid, and any Interest or Dividend accrued thereon respectively, or the Monies secured by any Bond given as aforesaid, (as the Case may be,) shall, immediately on the Expiration of the Time so limited, be forfeited to Her Majesty, and be paid or transferred, by the Officer or Person in whose Name the same shall then be standing, or by whom the same may be recovered and received, to the Account of Her Majesty's Exchequer, and shall then be carried to and form Part of the Consolidated Fund of the United Kingdom:

6. The Certificate of the Board of Works that a confirming Act of Parliament has or has not passed as aforesaid, or that the Tramway has or has not been opened for Traffic, or that such Proof or such Bond as aforesaid has or has not been given, shall be conclusive Evidence thereof.

Deposit, where Time extended.

XXX. Where an Order in Council authorizes an existing Tramway Company, being possessed of a Tramway actually open for Traffic, to make another Tramway, or extends the Time limited for the Completion by a Tramway Company of their Tramway, then and in every such Case the Order shall provide that after the Expiration of a Time thereby limited (not exceeding in the former Case Five and in the latter Case Three Years from the passing of the confirming Act) the Payment of Dividend on the Company's ordinary Capital shall be suspended until the Tramway to which the Order relates is open for Traffic.

In other Cases other Security for Completion to be taken.

XXXI. Where the Provisions of either of the Two last preceding Sections are not applicable, the Lord Lieutenant in Council shall make such other Provision as may seem fit for securing the Completion of the Tramway within the Time limited.

XXXII. All

Expenses to be paid by Promoters.

XXXII. All Costs, Charges, and Expenses necessarily incurred in connexion with the making of any such Order in Council, or any Proceeding preliminary thereto, shall be paid by the Promoters, and all other Costs, Charges, and Expenses shall be in the Discretion of the Lord Lieutenant in Council.

Power to Promoters and County Surveyor to enter and survey.

XXXIII. For the Purposes of any Application made or intended to be made under this Act, it shall be lawful for the County Surveyor, his Assistants, Servants, and Workmen, and also for the Promoters, their Engineers, Surveyors, Agents, Servants, and Workmen, at all reasonable Times, and causing as little Inconvenience as may be, to enter on any Lands in or near the Line of the proposed Tramway, (not being Lands which cannot be authorized to be taken under this Act for the Purposes of a Tramway, without the Consent in Writing of the Owner thereof,) and to survey or otherwise examine the same, and to dig or bore therein; provided that he or they first obtain Authority so to do in Writing under the Hand of a Justice of the Peace at Petty Sessions in and for the District where the Lands are situate, such Justice not having any pecuniary Interest in the Undertaking. The Promoters shall also make full Compensation for any Damage caused under this Provision, the Amount of such Compensation to be fixed by Two or more Justices of the Peace at Petty Sessions in and for the same District (whose Order shall be conclusive), and to be recovered as any Compensation Money for Lands taken by the Promoters is recoverable.

Rules as to Deposits.

XXXIV. No Deposit required by this Act shall be of any Effect if made on a *Sunday*; and any Deposit made after Eight o'Clock in the Evening of any Week Day but *Saturday* shall be deemed to be made on the following Day, and if made after that Hour on a *Saturday* shall be deemed to be made on the following *Monday*.

Secretary of Grand Jury, &c. to permit Inspection, &c.

XXXV. The Secretary of a Grand Jury and Clerk of Union shall make a Memorandum in Writing on every Document deposited with him under this Act, showing the Time of Deposit, and shall permit any Person to inspect and examine the same at all reasonable Hours and during a reasonable Time, and to make Copies of or Extracts from it.

Proceedings of Grand Jury to be Part of Fiscal Business.

XXXVI. Everything required to be done under this Act by the Grand Jury of a County shall be deemed to be a Part of their Fiscal Business; and all Enactments for the Time being in force respecting the Fiscal Concerns of a County, or the Fiscal Business to be transacted by a Grand Jury, before or at any Assizes, shall apply to everything done by a Grand Jury under this Act, so far as the same Enactments shall be applicable thereto.

Counties of Dublin and of City of Dublin

XXXVII. With respect to the County of *Dublin* and the County of the City of *Dublin*, for the Purposes of this Act, Two successive Presenting Terms for those Counties respectively shall be in the Place of the Summer and Spring Assizes for other Counties, and the Times at which Notices shall be given, Deposits made, and other Proceedings taken shall be from Time to Time regulated by General Rules made in manner herein-after provided.

Tramway in City or Town.

XXXVIII. Where a proposed Tramway lies wholly or partly in a City, Borough, or Town Corporate, or other Place or District in which the public Roads are not under the Control of the Grand Jury of the County within which such City, Borough, Town Corporate, Place, or District is locally situate, then and in every such Case, for the Purposes of this Act, the Grand Jury of the County of the City or County of the Town, Municipal Corporation, Town or other Commissioners having the Control of the public Roads in such City, Borough, Town Corporate, Place, or District, or other Body having such Control, or in case all such public Roads are not under the Control of any One such Body then each such Body as to the public Roads under its Control, shall be in the Place of the Grand Jury of the County, with all the like Rights, Powers, and Duties; and the Secretary, Town Clerk, Clerk, or other like Officer of any such Body shall be in the Place of the Secretary of the Grand Jury of a County, with all the like Rights, Powers, and Duties; and (except as to the County of the City of *Dublin* which is herein-before provided for) Meetings of each such Body shall be held for the Purposes of this Act at Times as nearly as may be corresponding with the respective Times of the Summer and Spring Assizes for the County within which such City, Borough, Town Corporate, Place, or District is locally situate:

Provided always, that the Power of any such Body (including the Municipal Corporation of the City of *Dublin*) to approve or disapprove of any Undertaking shall be subject to the following Restrictions:

1. Such Approval or Disapproval shall have no Effect unless it is determined on by a Majority of not less than Two Thirds of such Members of the Body as shall be present at a Meeting of the Body specially summoned by Notice in Writing, specifying the Time and Place and Object of the Meeting, delivered at the usual or last known Place of Abode of each Member of the Body Seven clear Days at least before the Day of the Meeting:
2. Any Five Members of the Body dissenting from the Approval of any Undertaking may, within One Month after such Approval, appeal against the same to the Lord Lieutenant in Council, and on any such Appeal being brought such Notice shall be given by Advertisement or otherwise, and such Persons shall be heard in support of and in opposition to the Appeal, as shall be from Time to Time directed by General Rules made in manner herein-after provided:

Provided also, that where in any such City, Borough, Town Corporate, Place, or District the public Roads or any of them shall, by virtue of any special Agreement or by Usage or otherwise, be in fact

under the Control of a Body not being the Body in Law having or entitled to have such Control, then and in every such Case, for the Purposes of this Act, the Body in fact having such Control shall be deemed to be the Body to which the present Provision applies.

As to altering Level of Streets when Tramways pass through Towns.

XXXIX. Where any Tramway shall be made through any City or Town, it shall not be lawful to alter the Level of any Street therein without the Consent of Two Thirds of the Owners of the Houses adjoining the same, or in such a Manner as to prevent convenient Access to all the Houses adjoining such Street, and in no Case shall the Level be altered more than Four Feet; and when any Street shall be so raised or sunk, the whole of the Surface of the Roadway of such Street shall be brought by the Promoters to the same Level, unless it shall appear to the Board of Works that such Alteration is objectionable.

Persons interested in Tramways not to vote, but not to be disqualified.

XL. If any Member of a Grand Jury, Municipal Corporation, or Body of Commissioners, or other Body having the Control of the public Roads in any County, City, Borough, Town Corporate, Place, or District, shall be also the Promoter or Owner or One of the Promoters or Owners, or a Member or Shareholder of a Tramway Company being the Owners, of a Tramway lying wholly or in part within such County, City, Borough, Town Corporate, Place, or District, it shall not be lawful for him to vote on or otherwise act in relation to any Question directly or indirectly concerning such Tramway or Tramway Company; but no Member or Shareholder of a Tramway Company shall be disqualified from being a Member of any such Municipal Corporation, Body of Commissioners, or other Body as aforesaid by reason of any Contract entered into between the Tramway Company and such Municipal Corporation, Body of Commissioners, or other Body: Provided always, that nothing herein-before contained shall be deemed to render invalid any Resolution or Act of a Grand Jury, Municipal Corporation, Body of Commissioners, or other Body as aforesaid on or in relation to which any Person shall be found to have voted or acted contrary to this Enactment.

Promoters of Tramways on tidal Lands to deposit Map at the Admiralty.

XLI. Where any Part of a Tramway is proposed to be made on tidal Lands within the Flow of ordinary Spring Tides, the Promoters shall, on or before the First Day of *May* in the Year in which their Application is begun, deposit with the Secretary of the Lord High Admiral of the United Kingdom, or the Commissioners for executing the Office of Lord High Admiral, a Copy of so much of the Plan and Section aforesaid as relates to such tidal Lands. The Board of Works, in the course of their public Inquiry, shall inquire whether or not the last-mentioned Requirement has been complied with, and shall take into consideration any Communication that the Lord High Admiral or Commissioners may think fit to make to the Board of Works respecting such tidal Lands, and shall in their Report respecting the Undertaking refer to such Communication, and state any Recommendation that they may think fit to make in consequence thereof. The Preliminary Inquiries Act, 1851, shall apply, *mutatis mutandis*, in respect of any Application for an Order in Council under this Act, as if the same were an Application to Parliament for such a Bill as is in that Act mentioned.

Lands not to be taken without Consent, unless adjoining public Roads.

XLII. Nothing in this Act, or in any Order under it, shall be deemed to authorize any Lands to be taken for the Purposes of the Undertaking without the Consent in Writing of the Owner thereof, except such Lands as may be not more than Thirty Feet distant at any Point on a Line drawn horizontally from the Centre of some Post Road, Turnpike Road, public Highway, Bridge, or Quay.

Demesnes, &c. not to be taken without Owner's Consent.

XLIII. Nothing in this Act, or in any Order under it, shall be deemed to authorize to be taken for the Purposes of the Undertaking any Mansion House, or House wholly built of Stone or Brick, with Lime, or any of the Outbuildings or Offices thereof, or any Part of any Yard, Haggard, Garden, Orchard, or Plantation attached or belonging thereto, or any Part of any Deer Park or other Park or Demesne, or planted or ornamental Walk, Drive, Approach, or Avenue, or of any Ground ornamentally planted, or of any Lawn or Bleach Green, without the Consent in Writing of the Owner thereof respectively, although the same may lie within such limited Distance as in the last preceding Section is mentioned.

Owners of Sewers, &c. not to be impeded from Access.

XLIV. Nothing in this Act, or in any Order under it, shall be deemed to empower the Owners or Promoters of a Tramway to impede, at any Time, the Owners of any Sewer, Drain, Main, or Pipe from having Access to the same for the Purpose of cleansing, repairing, removing, adding to, or amending it, or to give the Owners or Promoters of a Tramway any Claim for Compensation or Damages for or by reason of any unavoidable Injury to or for any temporary Stoppage of the Tramway that may be necessary for or in the Execution of any such Cleansing, Repair, Removal, Addition, or Amendment.

Lord Lieutenant in Council may make General Rules for Execution of this Act.

XLV. It shall be lawful for the Lord Lieutenant in Council, by Order, to make from Time to Time such General Rules as may seem fit for the effectual Execution of this Act, and the Regulation of the Procedure on Appeals, and on Inquiries by the Board of Works, and generally of all Proceedings under this Act, and also for fixing the Amount of any Fees, and the Allowance, Taxation, and Payment of any Costs, Charges, and Expenses to be taken, allowed, and paid under this Act, and for the Remuneration of any County Surveyor, Engineer, Surveyor, or other Person employed in the Execution of this Act under the Direction or Authority of a Grand Jury or of the Board of Works or otherwise, and from Time to Time to revoke or amend any such Rules; but no such Rules shall have any Effect until the Expiration of One Month after the same shall have been published in the *Dublin Gazette*, and laid before both Houses of Parliament.

XLVI. The

General Railway Acts in Schedule (C.) to apply to Tramways.

XLVI. The Acts specified in Schedule (C.) to this Act shall, as far as Circumstances will admit, and as far as those Acts are not inconsistent with this Act, apply to Tramways under this Act. For the Purposes of those Acts, a Tramway under this Act shall be deemed to be a Railway (although the Moving Power is Animal only), and the Word "Company" in any of those Acts shall be deemed to mean the Owners of a Tramway under this Act (whether a Company or not), and the Board of Works shall be deemed to be in the Place of the Lords of the Committee of Her Majesty's Privy Council appointed for Trade and Foreign Plantations, and with respect to the Constabulary, the Inspector General of Constabulary shall be deemed to be in the Place of the Secretary-at-War, in any of those Acts mentioned; Provided always, that with respect to Tramways under this Act, such Rates of Speed as the Board of Works may from Time to Time direct shall be deemed to be substituted in Sections VI. and XI. of the Act fourthly in the same Schedule specified for the Rates therein respectively mentioned or referred to.

Tramways not exempted from future General Acts.

XLVII. Nothing in this Act or in any Order under it, shall be deemed to exempt any Tramway from the Provisions of any future General Act relating to Tramways or Tramway Companies, or their Accounts, or from any future Revision or Alteration, under Authority of Parliament, of the maximum Tolls or Rates of Charge authorized by this Act, or any Order under it.

Order in Council may apply amended Standing Orders.

XLVIII. Provided always, That if at any Time it shall appear to the Lord Lieutenant in Council to be expedient that any Provisions that may be hereafter adopted in the Standing Orders of either House of Parliament relative to Private Bills should be applied to Tramways or Proceedings under this Act, it shall be lawful for the Lord Lieutenant in Council, by Order, to apply such Provision accordingly in such Manner as may seem fit, notwithstanding that the same may be inconsistent with any of the Regulations contained in the Schedules to this Act, and from Time to Time to revoke or amend any such Order; but no such Order shall have any Effect until the Expiration of One Month after the same shall have been published in the *Dublin Gazette*, and laid before both Houses of Parliament.

Interpretation of Terms.

XLIX. In this Act—

The Expression "the Lord Lieutenant in Council" means the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, by and with the Advice of Her Majesty's Privy Council in *Ireland*;

The Word "County" includes any Riding or Division of a County for which Riding or Division separate Assizes are held, but not a County of a City or County of a Town;

The Word "Lands" includes Lands, Houses, Buildings, and Hereditaments of any Tenure;

The Word "Owner," used with reference to Lands, means any Person who, under the Provisions of any Order in Council made under this Act, is enabled to sell and convey Lands to the Owners of a Tramway;

And the Words "Persons" and "Person" shall (unless there be something repugnant in the Subject or Context) be construed to include a Body Corporate or a Company.

Extent of Act. Short Title.

L. This Act shall extend to *Ireland* only, and may be cited as "The Tramways (*Ireland*) Act, 1860."

SCHEDULES.

SCHEDULE (A.)

PART I.

Notices by Advertisement.

1. Every Advertisement shall state—
   (1.) The Objects of the intended Application:
   (2.) The Description of the Termini, with the Names of the Parishes, Townlands, Townships, and Extra-parochial Places from, through, or into which the Tramway is intended to be made:
   (3.) The Times and Places at which the Deposit required by Section II. of this Act will be made:
   (4.) The Intention of the Promoters (if they intend) to apply for Powers for the compulsory Purchase of Lands.

2. The whole Notice shall be included in One Advertisement, which shall be headed with a short Title descriptive of the Undertaking.

3. The Advertisement shall be inserted in Three successive Weeks in some one and the same Newspaper of the County in which the Lands to which the Application relates are situate, or if there be none then in a Newspaper of some adjoining or neighbouring County. Where the Application relates to Lands situate in more than One County, the Advertisement shall be inserted once in each of Three successive Weeks in a Newspaper published at least Twice a Week in Dublin, and in a Newspaper of the County in which is the principal Office of the Promoters, and in a Newspaper of every County in which any new Work is proposed to be executed, or in which any Lands are situate in respect of which any new or further Powers for the Completion of Works already authorized are intended to be applied for.

4. The Advertisement shall in all Cases be also inserted once in the Dublin Gazette.

PART II.

Form in which Plans, Books of Reference, Sections and Cross Sections, shall be prepared.

Plan.

1. Every Plan required to be deposited shall be drawn to a Scale of not less than Four Inches to a Mile, and shall describe the Line or Situation of the whole of the Work (no alternative Line or Work being in any Case permitted), and the Lands in or through which it is to be made, maintained, varied, extended, or enlarged, or through which every Communication to or from the Work shall be made; and where it is the Intention of the Parties to apply for Powers to make any lateral Deviation from the Line of the proposed Work, the Limits of such Deviation shall be defined upon the Plan, and all Lands included within such Limits shall be marked thereon; and unless the whole of such Plan shall be upon a Scale of not less than a Quarter of an Inch to every One hundred Feet an enlarged Plan shall be added of any Building, Yard, Courtyard, or Land within the Curtilage of any Building, or of any Ground cultivated as a Garden either in the Line of the proposed Work or included within the Limits of the said Deviation, upon a Scale of not less than a Quarter of an Inch to every One hundred Feet.

2. The Plan shall exhibit thereon the Distances in Miles and Furlongs from One of the Termini; and a Memorandum of the Radius of every Curve, not exceeding One Mile in Length, shall be noted on the Plan in Furlongs and Chains; and where tunnelling, as a Substitute for open cutting, is intended, such tunnelling shall be marked by a dotted Line on the Plan.

3. If it be intended to divert, widen, or narrow any Turnpike Road, public Carriage Road, Navigable River, Canal, Tramway, or Railway, the Course of such Diversion, and the Extent of such widening or narrowing, shall be marked on the Plan.

Book of Reference.

4. The Book of Reference to every such Plan shall contain the Names of the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers of all Lands in the Line of the proposed Work, or within the Limits of Deviation as defined upon the Plan, and shall describe such Lands.

Section.

5. The Section shall be drawn to the same horizontal Scale as the Plan, and to a vertical Scale of not less than One Inch to One hundred Feet, and shall show the Surface of the Ground marked on the Plan, the intended Level of the proposed Work, the Height of every Embankment and the Depth of every Cutting, and a Datum horizontal Line, which shall be the same throughout the whole Length of the Work or any Branch thereof respectively, and shall be referred to some fixed Point (stated in Writing on the Section) near either of the Termini.

6. The Line of the Tramway marked on the Section shall correspond with the Upper Surface of the Trams.

7. Distances on the Datum Line shall be marked in Miles and Furlongs to correspond with those on the Plan; a vertical Measure from the Datum Line to the Line of the Tramway shall be marked in Feet and Inches or decimal Parts of a Foot, at each Change of the Gradient or Inclination; and the Proportion or Rate of Inclination between each such Change shall also be marked.

8. Wherever the Line of the Tramway is intended to cross any Turnpike Road, public Carriage Road, navigable River, Canal, Tramway, or Railway, the Height of the Tramway over or Depth under the Surface thereof, and the Height and Span of every Arch of all Bridges and Viaducts by which the Tramway will be carried over the same, shall be marked in Figures at every Crossing thereof; and where the Tramway will be carried across any such Turnpike Road, public Carriage Road, Tramway, or Railway on the Level thereof, such Crossing shall be so described on the Section, and it shall also be stated if such Level will be unaltered.

9. If any Alteration be intended in the Water Level of any Canal, or in the Level or Rate of Inclination of any Turnpike Road, public Carriage Road, Tramway, or Railway, which will be crossed by the Line of Tramway, then the same shall be stated on the Section, and each Alteration shall be numbered; and Cross Sections, in reference to the said Numbers, on a horizontal Scale of not less than One Inch to every Three hundred and thirty Feet, and on a vertical Scale of not less than One Inch to every Forty Feet, shall be added, which shall show the present Surface of such Canal, Road, Tramway, or Railway, and the intended Surface thereof when altered; and the greatest of the present and intended Rates of Inclination of such Road, Tramway, or Railway shall also be marked in Figures thereon; and where any public Carriage Road is crossed on the Level, a Cross Section of such Road shall also be added, and all such Cross Sections shall extend for Two hundred Yards on each Side of the Centre Line of the Tramway.

10. Wherever the extreme Height of any Embankment or the extreme Depth of any Cutting shall exceed Five Feet, the extreme Height over or Depth under the Surface of the Ground shall be marked

in

in Figures upon the Section; and if any Bridge or Viaduct of more than Three Arches shall intervene in any Embankment, or if any Tunnel shall intervene in any Cutting, the extreme Height or Depth shall be marked in Figures on each of the Parts into which such Embankment or Cutting shall be divided by such Bridge, Viaduct, or Tunnel.

11. Where tunnelling, as a Substitute for open cutting, or a Viaduct as a Substitute for solid Embankment, is intended, the same shall be marked on the Section.

12. Every Plan and Section shall be signed by the Engineer of the Promoters.

PART III.

Notices to Owners, Lessees, and Occupiers of Lands.

1. The Notice required to be given by Section III. of this Act shall be given in respect of all Lands intended to be taken, or which may be taken as being within the Limits of Deviation defined upon the Plan, and shall be as nearly as may be in the Form set forth in the Appendix marked (A.)

2. Such Notice shall be given by being delivered personally to every Person to whom the same is to be given, or by being left at his usual or last known Place of Abode, or, in his Absence from the United Kingdom, with his Agent, on or before the First Day of May, or by being forwarded by Post in a registered Letter, addressed with a sufficient Direction to his usual Place of Abode, and posted on or before the Twenty-eighth Day of April at the Chief Post Office in Dublin, Belfast, Cork, or Athlone, at such Hours and according to such Regulations as Her Majesty's Postmaster General shall from Time to Time appoint for the Posting and Registration of such Letters.

3. In all Cases the written Acknowledgment of the Person applied to shall, in the Absence of other Proof, be sufficient Evidence of a Notice having been given, and in case of a Notice having been forwarded by Post in a registered Letter, the Production of the Post Office Receipt for such Letter, duly stamped, in such Form as the Postmaster General shall appoint, shall be sufficient Evidence of the due Delivery of such Letter; provided it appear that the same was properly and sufficiently directed, and was not returned by the Post Office as undelivered.

4. Except in the Case of Delivery of Letters by Post, a Notice served on a Sunday shall be of no Effect, and a Notice served after Eight o'clock in the Evening of any Week Day but Saturday shall be deemed to be served on the following Day, and if served after that Hour on a Saturday shall be deemed to be served on the following Monday.

APPENDIX (A.) to Part III.

[*Form referred to in Regulation* 1.]

No. _____ .

Sir,

WE beg to inform you, that Application is intended to be made to the Lord Lieutenant in Council, through the [Grand Jury of the County of , *or as the Case may be,*] at the ensuing [Summer Assizes, *or as the Case may be,*] for an Order in Council [*here insert a short Statement of the Objects of the proposed Order*], and that the Property mentioned in the annexed Schedule, or some Part thereof, in which we understand you are interested as therein stated, will be required for the Purposes of the said Undertaking, according to the Line thereof as at present laid out, or may be required to be taken under the usual Powers of Deviation to the Extent of Yards on either Side of the said Line which will be applied for, and will be passed through in the Manner mentioned in such Schedule.

We also beg to inform you, that a Plan and Section of the said Undertaking, with a Book of Reference thereto, have been or will be deposited with the [Secretary of the Grand Jury of the said County, *or as the Case may be*], on or before the of , on which Plan your Property is designated by the Numbers set forth in the annexed Schedule.

As we are required to report whether you assent to or dissent from the proposed Undertaking, or whether you are neuter in respect thereto, you will oblige us by writing your Answer of Assent, Dissent, or Neutrality in the Form left herewith, and returning the same to us with your Signature on or before the Day of next; and if there should be any Error or Mis-description in the annexed Schedule, we shall feel obliged by your informing us thereof, at your earliest Convenience, that we may correct the same without Delay.

We are, Sir,
Your most obedient Servants,

To

Note.—If the Application be forwarded by Post, the Words "Parliamentary Notice" are to be printed or written on the Cover.

SCHE-

SCHEDULE referred to in the foregoing Notice, describing the Property therein alluded to, and the Manner in which the Line of the proposed Work, as delineated upon the Plan and Section, will affect the same.

—	Parish, Township, Townland, or Extra-parochial Place.	Number on Plan.	Description.	Owner.	Lessee.	Occupier.	Description of the Section of the Line deposited, showing the greatest Height of Embankment and Depth of Cutting where the Property is intersected by the centre Line of the proposed Work.
Property in the Line of the proposed Work, as at present laid out (including Property any Part of which is within Eleven Yards, or thereabouts, of the centre Line of such proposed Work, as delineated upon the Plan).							
—	Parish, Township, Townland, or Extra-parochial Place.	Number on Plan.	Description.	Owner.	Lessee.	Occupier.	
Property within the Limits of the Deviation intended to be applied for.							

Note.—Where the Property is not intersected by the centre Line, the Description of the Section is not given in the last Column.

PART IV.

Lists of Owners, &c. assenting, dissenting, and neuter.

Separate Lists shall be made of the Names of the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers, to whom Notice has been given, distinguishing those who have assented, dissented, or are neuter in respect of such Notice, or who have returned no Answer thereto; and where no written Acknowledgment has been returned to a Notice sent by Post, or where a Notice by Post has been returned as undelivered, the Direction of the Letter in which the Notice was sent shall be inserted in the Lists.

PART V.

Public Inquiry by Board of Works.

1. The Board of Works shall direct their Attention especially to the following Heads of Inquiry, and shall require Evidence from the Promoters thereon; namely,—

(1.) The Financial Arrangements made or proposed by the Promoters:

(2.) Where the Promoters propose that a Company should be incorporated by Order in Council for the Execution of the Undertaking, the Number and Amount of Shares actually subscribed for or agreed to be taken, and the Amount of Share Capital and of Loans proposed to be authorized:

(3.) The Sufficiency of the Estimate for the Works:

4. The

(4.) The Merits, in an engineering point of view, of the proposed Tramway; the Character of the Gradients and Curves; the Number and Extent of the Tunnels, if any; the Crossings or other User of public Roads on the Level; and any peculiar engineering Difficulties, with the Modes proposed for overcoming them:

(5.) The Degree of Favour or Objection with which the Project is regarded by the Landowners and others in the Neighbourhood of the proposed Tramway.

2. The Board of Works shall hear in opposition to the Undertaking any such Owner, Lessee, Occupier, Company, Person, or Inhabitants as is or are entitled to be heard under the Provisions of this Act before a Grand Jury.

3. The Board of Works may call for the Production of any Documents in the Possession or Power of the Promoters, or of any Company or Person admitted to be heard in opposition to the Undertaking, which the Board of Works may think necessary, and may examine any such Person and his Witnesses, and the Witnesses for any such Company and for the Promoters, on Oath or otherwise, and administer any Oath or Declaration necessary for that Purpose.

SCHEDULE (B.)

Maximum Tolls and Rates of Charge, with Regulations.

Passengers.

1. The maximum Rates of Charge to be made by the Owners of the Tramway for the Conveyance of Passengers thereon, including the Tolls for the Use of the Tramway and of Carriages, and Cost of Moving Power, and every other Expense connected with such Conveyance, shall be—

For every Passenger conveyed in a First-class Carriage, the Sum of Twopence per Mile:

For every Passenger conveyed in a Carriage of inferior Class, the Sum of One Penny Halfpenny per Mile.

2. The foregoing Restrictions shall not extend to any Special Trains that may be required to run on the Tramway, but shall apply only to the Express and Ordinary Trains appointed from Time to Time by the Owners for the Conveyance of Passengers and Goods on the Tramway.

3. Every Passenger travelling on the Tramway may take with him his ordinary Luggage, not exceeding One hundred Pounds in Weight for First-class Passengers and Sixty Pounds in Weight for Passengers of inferior Class, without any Charge being made for the Carriage thereof.

Goods.

4. Subject to the Provisions herein-after contained respecting small Parcels and single Articles of great Weight, the Tolls to be taken by the Owners of the Tramway in respect of the Tonnage of all Articles conveyed in Carriages thereon, or on any Part thereof, shall be—

(*Class* 1.)

For Dung, and all sorts of Manure, Chalk, and all undressed Materials for the Repair of Roads or Highways:

For all Coals, Coke, Culm, Ironstone, and Iron Ore:

For all Charcoal, Limestone, Stones for building, pitching, and paving, Bricks, Tiles, Slates, Clay, and Sand:

For all Iron, Lead, Tin, and Tin Plates (except Nails, Utensils, or other Articles of Merchandise):

Not exceeding for the Use of the Tramway One Penny per Ton per Mile:

If conveyed in Carriages provided by the Owners of the Tramway, an additional Sum per Ton per Mile not exceeding One Eighth of a Penny:

If drawn or propelled by Power provided by the Owners of the Tramway, a further Sum per Ton per Mile not exceeding Three Eighths of a Penny.

(*Class* 2.)

For all other Goods, Wares, Merchandise, Articles, Matters, or Things (except Carriages, herein-after otherwise provided for), not exceeding for the Use of the Tramway Twopence per Ton per Mile:

If conveyed in Carriages provided by the Owners of the Tramway, a further Sum per Ton per Mile not exceeding One Halfpenny:

If drawn or propelled by Power provided by the Owners of the Tramway, a further Sum per Ton per Mile not exceeding One Halfpenny.

(*Class* 3.)

For every Carriage, of whatever Description (not being a Carriage adapted and used for travelling on a Tramway, and not weighing more than One Ton), not exceeding for the Use of the Tramway Sixpence per Ton per Mile, and the Sum of Twopence per Mile for every additional Quarter of a Ton or fractional Part of a Quarter of a Ton above One Ton which any such Carriage may weigh:

If any such Carriage be conveyed on a Truck or Platform provided by the Owners of the Tramway, an additional Sum per Mile not exceeding Twopence:

If drawn or propelled by Power provided by the Owners of the Tramway, a further Sum per Mile not exceeding Twopence.

ANIMALS.

5. The Tolls to be taken by the Owners of the Tramway in respect of Animals conveyed in Carriages on the Tramway shall be,—

(*Class* 4.)

For every Horse, Mule, Ass, or other Beast of Draught or Burden, Ox, Cow, Bull, or Head of Neat Cattle, conveyed in or upon any such Carriage, not exceeding for the Use of the Tramway Threepence per Mile:

If conveyed in or upon any Carriage provided by the Owners of the Tramway, an additional Sum per Mile not exceeding One Penny:

If such Carriage be drawn or propelled by Power provided by the Owners of the Tramway, an additional Sum per Mile not exceeding Twopence.

(*Class* 5.)

For ever Calf, Pig, Sheep, Lamb, or other small Animal conveyed in or upon any such Carriage, not exceeding for the Use of the Tramway One Penny per Mile:

If conveyed in any Carriage provided by the Owners of the Tramway, an additional Sum per Mile not exceeding One Farthing:

If such Carriage be drawn or propelled by Power provided by the Owners of the Tramway, an additional Sum per Mile not exceeding Twopence.

6. The maximum Rate of Charge to be made by the Owners of the Tramway for the Conveyance of Animals, Articles, Matters, or Things respectively included in the Classes before mentioned, including the Tolls for the Use of the Tramway, and of Carriages, and Cost of Moving Power, and every other Expense connected with such Conveyance, shall not exceed the Amounts following:

For the Matters mentioned in Class 1., not exceeding One Penny Halfpenny per Ton per Mile:

For the Matters mentioned in Class 2., not exceeding Threepence per Ton per Mile:

For any Carriage mentioned in Class 3., not weighing more than One Ton, not exceeding Tenpence per Mile, and if weighing more than One Ton, not exceeding Twopence per Mile for every Quarter of a Ton or fractional Part of a Quarter of a Ton additional:

For everything mentioned in Class 4., not exceeding Sixpence per Mile:

For everything mentioned in Class 5., not exceeding Threepence Farthing per Mile:

Provided always, that it shall be lawful for the Owners of the Tramway to demand and take, in addition to the Tolls and Rates of Charge herein-before authorized, a reasonable Sum for the Delivery and Collection of Goods and other Services incidental to the Business of a Carrier where such Services respectively shall be performed by the Owners of the Tramway otherwise than on the Premises of the Tramway.

7. The following Provisions and Regulations shall be applicable to the Calculation of the Tolls:

For Passengers, Animals, or Things conveyed on the Tramway for a less Distance than Four Miles the Company may demand Tolls as for Four Miles:

For a Fraction of a Mile beyond Four Miles or beyond any greater Number of Miles the Company may demand Tolls on Merchandise for such Fraction in proportion to the Number of Quarters of a Mile contained therein, and if there be a Fraction of a Quarter of a Mile such Fraction shall be deemed a Quarter of a Mile; and in respect of Passengers every Fraction of a Mile beyond an integral Number of Miles shall be deemed a Mile:

For a Fraction of a Ton the Company may demand Toll according to the Number of Quarters of a Ton in the Fraction, and if there be a Fraction of a Ton the Fraction shall be deemed a Quarter of a Ton:

With respect to all Things, except Stone and Timber, the Weight shall be determined according to the usual Avoirdupois Weight:

With respect to Stone and Timber, Fourteen Cubic Feet of Stone, Forty Cubic Feet of Oak, Mahogany, Teak, Beech, or Ash, and Fifty Cubic Feet of any other Timber, shall be deemed One Ton Weight, and so in proportion for any smaller Quantity.

8. With respect to small Parcels and single Articles of great Weight, the Owners of the Tramway may lawfully demand for the Carriage thereof on the whole or any Part of the Line the Tolls following:

SMALL PARCELS.

For any Parcel not exceeding Seven Pounds in Weight, Sixpence:

For any Parcel exceeding Seven Pounds in Weight but not exceeding Fourteen Pounds in Weight, Ninepence:

For any Parcel exceeding Fourteen Pounds in Weight but not exceeding Twenty-eight Pounds in Weight, One Shilling:

For

For any Parcel exceeding Twenty-eight Pounds in Weight but not exceeding Fifty-six Pounds in Weight, One Shilling and Sixpence:

For Parcels exceeding Fifty-six Pounds in Weight but not exceeding Five hundred Pounds in Weight, such reasonable Sum as the Owners of the Tramway may think fit:

Provided always, that Articles sent in large aggregate Quantities, although made up of separate Parcels, such as Bags of Sugar, Coffee, Meal, and the like, shall not be deemed small Parcels, but that Term shall apply only to single Parcels in separate Packages.

SINGLE ARTICLES OF GREAT WEIGHT.

For the Carriage of any One Boiler or Cylinder, or any One Piece of Machinery, or single Piece of Timber or Stone, or other single Article, the Weight of which, including the Carriage, shall exceed Three Tons, the Owners of the Tramway may demand such Sum as they think fit.

9. Nothing herein contained shall be held to prevent the Owners of the Tramway from taking any increased Charge, over and above the Charges herein-before limited, for the Conveyance of Goods of any Description, by Agreement with the Owners of and Persons in charge of such Goods, either in respect of the Conveyance of such Goods, except small Parcels, by Passenger or other Trains, or by reason of any other special Service performed by the Owners of the Tramway in relation to such Goods.

SCHEDULE (C.)

General Acts relating to Railways by this Act made applicable to Tramways.

—	Session and Chapter.	Title.
1	1 & 2 Vict. c. 98.* - -	An Act to provide for the Conveyance of the Mails by Railways.
2	3 & 4 Vict. c. 97. - -	An Act for regulating Railways.
3	5 & 6 Vict. c. 55. - -	An Act for the better Regulation of Railways, and for the Conveyance of Troops.
4	7 & 8 Vict. c. 85. - -	An Act to attach certain Conditions to the Construction of future Railways authorized or to be authorized by any Act of the present or succeeding Sessions of Parliament, and for other Purposes in relation to Railways.
5	17 & 18 Vict. c. 31. - -	The Railway and Canal Traffic Act, 1854.

* As amended by 10 & 11 Vict. c. 85. s. 16.

CAP. CLIII.

An Act to amend the Law relating to the Tenure and Improvement of Land in *Ireland*.

[28th *August* 1860.]

WHEREAS it is expedient that Provision should be made for facilitating Improvements of Landed Property in *Ireland*:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

PRELIMINARY.

I. This Act may be cited for all Purposes as "The Landed Property (*Ireland*) Improvement Act, 1860." Short Title.

II. This Act shall apply to *Ireland* only. Application of Act.

III. This Act shall come into operation on the Second Day of *November* One thousand eight hundred and sixty. Commencement of Act.

IV. The Expression "the Clerk of the Peace" as herein-after used shall mean the Clerk of the Peace of the County where any Lands in respect of which any Matter arises are situate, and if the Lands in question are situate not wholly in One County, the same Expression shall be construed to mean the Clerk of the Peace of any County where any Part of such Lands are situate, and it shall include any Deputy of any such Clerk of the Peace. "Clerk of the Peace."

V. The Expression "Chairman" as herein-after used shall mean the Chairman of the Quarter Sessions of the County where the Matter requiring the Cognizance of any such Chairman arises, and where such Matter arises in respect of Lands situate not wholly in any One County, it shall mean the Chairman of the Quarter Sessions of any County where any Part of such Land is situate. "Chairman."

VI. The Word "Settlement" as herein-after used shall include any Act of Parliament, Will, Deed, or other Assurance or connected Set of Assurances whereby particular Estates or particular Interests in Land Definition of "Settlement."

Land are created, with Remainders or Interests expectant thereon; and every Estate and Interest created by Appointment made in exercise of any Power contained in any Settlement or derived from any Settlement shall be considered as having been created by the same Settlement, and an Estate or Interest by way of resulting Use or Trust to or for the Settlor, or his Heirs, Executors, or Administrators, shall be deemed to be an Estate or Interest under the same Settlement.

PART I.

LANDLORDS IMPROVEMENTS.

Definition of "Limited Owner."

VII. The Expression "Limited Owner" as used in this Part of this Act shall mean any Person entitled under any existing or future Settlement at Law or in Equity, for his own Benefit and for the Term of his own Life, to the Possession or Receipt of the Rents and Profits of Land, whether subject or not to Incumbrances, in which the Estate for the Time being subject to the Trusts of the Settlement is an Estate for Lives or Years renewable for ever, or is an Estate renewable for a Term of not less than Sixty Years, or is an Estate for a Term of Years of which not less than Sixty are unexpired, or is a greater Estate than any of the foregoing Estates.

Guardians to be deemed Limited Owners in certain Cases.

VIII. Where any Limited Owner is a Minor, or of unsound Mind, or a married Woman, the Guardian, Committee, or Husband, as the Case may be, of such Limited Owner, may himself exercise all Powers which such Limited Owner might exercise in pursuance of this Act if he or she were adult, of sound Mind, or unmarried; subject to this Proviso, that a married Woman, entitled for her separate Use, and not restrained from her Anticipation, shall for the Purposes of this Act be treated as if she were not married.

Definition of "Successor."

IX. The Term "Successor" as used in this Part of this Act shall mean the Person next entitled under the Settlement to the Possession or the Receipt of the Rents and Profits of the Lands in defeasance of or on the Determination of the Estate of the Limited Owner, but if the Place of Abode of such Person is not known, or if there is no such Person in existence, or if he is abroad, or an Infant, or a Lunatic, or if such Person is a married Woman not having an Estate that constitutes her a Limited Owner, or if it is doubtful who falls within the Description of the Successor, or if for any Reason it is found difficult or impracticable to serve the Successor, the Term Successor shall mean such Person, if any, as may be directed to be substituted for the Purposes of this Act for the Successor by One of the Judges of the Landed Estates Court, upon an Application made to him for that Purpose by the Limited Owner.

Limited Owner entitled to Compensation for Improvements.

X. Any Limited Owner of Land may, with the Sanction of One of the Judges of the Landed Estates Court, make such Improvements thereon as are herein-after mentioned, and upon the Completion thereof shall be entitled, by way of Compensation for his Outlay, to an Annuity, of such Amount and to be charged in such Manner as is herein-after mentioned, on the Lands on which the Improvements have been made, and any other Lands lying together with the first-mentioned Lands, and comprised in the same Settlement.

Definition of "Improvements."

XI. The Word "Improvements" as used in this Part of this Act shall comprise the following Works; (that is to say,)

(1.) The Thorough Drainage or Main Drainage of Land:
(2.) Reclaiming of Land from tidal or other Waters:
(3.) Protection of Land by Embankment from tidal or other Waters:
(4.) Reclaiming Bog Land, or reclaiming or inclosing Waste Land:
(5.) Making Roads or Fences:
(6.) Erection of Farm Buildings, Houses for Stewards, Labourers, or other Persons employed in superintending the Cultivation of or in cultivating Land, and of other Buildings for Farm Purposes:
(7.) The Renewal or Reconstruction of any of the foregoing Works, or such Alterations therein or Additions thereto as are not required for maintaining the same, and increase durably their Value.

Mode of Application.

XII. In order to obtain such Sanction to Improvements proposed to be made, the Limited Owner shall lodge with the proper Officer of the Landed Estates Court a Statement of the Particulars of the intended Improvements, the proposed Manner of effecting such Improvements, the estimated Expense of effecting the same, a Description of the Lands proposed to be charged, and the Name and Residence of the Successor, and such other Particulars as may be required by the Judge for the Purpose of enabling him to decide upon the Propriety of sanctioning such Improvements.

Officer of the Landed Estates Court to give Notice of Statement.

XIII. Upon the Receipt of such Statement, the Officer of the Landed Estates Court shall serve Notice thereof on the Successor, and shall name in such Notice a Time and Place at which the Judge will be prepared to make an Order sanctioning such Improvements, unless Cause is shown to the contrary at the Time and Place named, or at some other Time and Place, of which Notice may be served on the Successor, and shall, at the Expense of the Limited Owner, cause the same to be advertised in some Newspaper published in or circulating in the County in which such Lands or any Part thereof are situate.

XIV. Pre-

Duty of Court on Application.

XIV. Previously to giving his Sanction, the Judge shall hear the Successor, or any one appearing on his Behalf, and objecting to such Improvements, or if no Appearance is made on behalf of the Successor he shall require Proof of the Notice having been duly served on him: The Judge may also, if he think fit, make such Inquiries, by means of Valuation Commissioners, Surveyors, or others to be appointed by him, as to the Circumstances of the Land on which the Improvements are to be made, and as to the Parties interested therein as Incumbrancers or otherwise, and direct such further Notices to be given, as he thinks necessary to enable him to form a Judgment as to the Propriety of giving his Sanction, and shall have Power to order the Expense of such Inquiries to be paid by the Limited Owner.

Judge may sanction Improvements.

XV. If the Judge decide that the Improvements as proposed, or as modified by him, are beneficial to the Parties principally interested in the Lands on which such Improvements are made, and that the Estimate of Expenditure is fair, and that the Expense of One or more of the proposed Improvements does not, regard being had to the Circumstances of the Estate, bear an undue Proportion to the whole Expense allowed by the Act to be expended on Improvements, and that the Lands proposed to be charged ought to bear such Charge, he shall make an Order giving his Sanction thereto.

Power of Successor to inspect.

XVI. Upon obtaining such Sanction as aforesaid, the Limited Owner may proceed to make the Improvements sanctioned; but the Successor, or any Person authorized by him in Writing, may inspect the same during the Progress thereof.

Statement of Expenditure to be lodged with the Officer of the Landed Estates Court.

XVII. Upon the Completion of the Improvements the Limited Owner shall lodge with the Officer of the Landed Estates Court a Statement verified by Affidavit, sworn before a Justice of the Peace or a Commissioner or other Officer duly authorized to take Affidavits in the Landed Estates Court, of the Expenditure that has been incurred, to an Amount not exceeding the Estimate of Expenditure sanctioned by the Judge, and a Description of the Lands intended to be charged with an Annuity in respect of such Expenditure.

Officer of the Landed Estates Court to advertise Statement.

XVIII. Upon the Receipt of such Statement, the Officer of the Landed Estates Court shall give Notice thereof to the Successor, and shall name in such Notice a Time and Place at which the Judge will be prepared to make his Order, charging the Lands mentioned in the Statement with such Annuity as is herein-after mentioned, unless Cause is shown to the contrary at the Time and Place named, or at some other Time and Place of which Notice may be served on the Successor, and shall, at the Expense of the Limited Owner, cause the same to be advertised in some Newspaper published in or circulating in the County in which the Lands or any Part thereof are situate.

Judge to make Charging Order.

XIX. Previously to making such Order, the Judge shall hear the Successor or any Person appearing on his Behalf, and objecting that the Improvements have not been properly executed, or that the Money stated has not actually been expended in the Improvements, or if no Appearance is made on behalf of the Successor he shall require Proof of the Notice having been duly served: He may direct Inquiries to be made by Valuation Commissioners, Surveyors, or others as to the Execution of the Improvements and the Expenditure thereon, and may, if he thinks it just, disallow the whole or any Portion of the Expenditure; but if satisfied that the whole or any Portion of the Expenditure ought to be allowed, he shall make an Order specifying the Amount of Expenditure allowed, and charging the Lands mentioned in the Order with an Annuity of Seven Pounds Two Shillings for every One hundred Pounds of such Expenditure, and so in proportion for any less Sum, to commence from the Date of the Order, and to be payable for a Term of Twenty-five Years, on each Anniversary of such Date, to the Limited Owner, his Executors, Administrators, or Assigns.

Registry of Charging Order.

XX. As soon as the Judge has made the Order charging any Land with an Annuity under this Act, he shall execute a Duplicate thereof, and the Person applying for such Order may cause the Duplicate to be registered in the Office for Registry of Deeds in the City of *Dublin*, and the Registrar of the Registry Office, his and their Assistant Deputies, and other Officers, shall be required upon Proof by Affidavit of the Signature of the Judge, to register the same in the same Manner as any Deeds or Instruments are registered in the said Office, and to enter a Memorial thereof in the Abstract Books and Indexes of or relating to Memorials registered and kept in the said Office, subject to the Payment of such Fees as may now be lawfully demanded.

Death of Limited Owner.

XXI. If any Limited Owner dies, becomes bankrupt or insolvent, after he has obtained an Order sanctioning any Improvements, but before he has obtained an Order charging the Estate with such Annuity as is herein-after mentioned, his personal Representatives or Assigns may complete the Improvements at the Expense of the Estate of such deceased, bankrupt, or insolvent Owner, and thereupon they shall be entitled to the same Annuity as such Owner would have been entitled to if he had not died, become bankrupt or insolvent.

Nature of Annuity.

XXII. Every Annuity created in pursuance of this Part of this Act shall be a Charge on the Lands comprised in the Order, having, unless the Judge otherwise order, Priority over all existing and future Estates, Interests, and Incumbrances, with the Exception of Quitrents and other Charges incident to Tenure, Tithe Commutation Rentcharges, and any Charges created under any Act authorizing Advances of Public Money, or under any Act creating Charges in respect of Improvements on Lands and passed before this Act, with the Exception also (in Cases where the Lands placed in Settlement are subject to a Fee-farm Rent, or held of a superior Landlord under a Lease, reserving

reserving Rent) of such Fee-farm Rent or Rent reserved as aforesaid; but the Judge shall have Power to postpone the said Annuity to any Charge or Incumbrance which he shall think proper to specify in the Order.

Maintenance of Improvements.

XXIII. All Improvements in respect of which an Annuity is payable under this Part of this Act shall, during the Continuance of the Estate of the Limited Owner, be maintained by him in a proper State of Repair, and any subsequent Owner of the Land charged with such Annuity may recover from the Limited Owner any Damages he may have sustained by reason of the Noncompliance of the Limited Owner with the Provisions of this Section.

PART II.

Leasing Powers.

Extended Definition of "Limited Owner."

XXIV. The Expression "Limited Owner" as used in this Part of this Act shall, in addition to the Persons comprised under that Expression as herein-before defined, include any Body Corporate, any Corporation Sole, Ecclesiastical, or Lay, any Trustees for Charities, and any Commissioners or Trustees for ecclesiastical, collegiate, or other public Purposes, entitled, at Law or in Equity, in the Case of Freehold Land to the Fee Simple, and in the Case of Leasehold Land to a Lease for an unexpired Residue of not less than Sixty Years, or for a Term of Years or of Lives renewable for ever, or renewable for a Period of not less than Sixty Years, but the Term "Successor" shall have the same Meaning as it has in the First Part of this Act.

Power of Limited Owner to lease.

XXV. Any Limited Owner shall have Power to grant Agricultural Leases, Improvement Leases, Building Leases, (including under the Term "Building Leases" "Repairing Leases,") for any Term of Years absolute, or determinable at fixed Periods, subject to the following Restrictions:

(1.) No Improvement Lease shall be valid without the Sanction of the Chairman:

(2.) No Building Lease comprising more than Three Acres, or reserving a Rent of more than One hundred Pounds *per* Year, shall be valid without the Sanction of One of the Judges of the "Landed Estates Court, *Ireland*:"

(3.) No other Building Lease shall be valid without the Sanction of the Chairman:

(4.) The Term of any Agricultural Lease shall not exceed Twenty-one Years, and of an Improvement Lease shall not exceed Forty-one Years, and of a Building Lease, sanctioned by the Chairman, shall not exceed Ninety-nine Years; but when a Judge of the Landed Estates Court shall be satisfied that it is beneficial for the Inheritance to grant Building Leases for a longer Term, he shall have Power to sanction a Building Lease for such longer Term as he shall direct:

(5.) Every Agricultural Lease shall imply the following Covenants on the Part of the Lessee—

(1.) To manage, till, and use the Lands demised in due and regular Course of good Husbandry, so that the same be not in anywise injured or deteriorated:

(2.) Not to burn, or permit to be burned, any Part of the Soil or Surface of the Lands demised, without the previous Consent in Writing of the Landlord:

(6.) Every Improvement Lease shall contain a Covenant on the Part of the Lessee—

To execute at his own Expense, within a Time to be specified in such Lease, the Works defined to be Improvements under the Third Part of this Act, which shall be specified in the Lease:

(7.) Every Lease, whether an Agricultural, Improvement, or Building Lease, shall take effect in possession, or within One Year after the Execution thereof, and not in reversion, and there shall be reserved thereby the best yearly Rent, to be incidental to the immediate Reversion, that can reasonably be gotten, without taking anything in the Nature of a Fine, Premium, or Foregift:

(8.) Every Lease, whether an Agricultural, Improvement, or Building Lease, shall imply a Condition of Re-entry for Nonpayment of the Rent thereby reserved:

(9.) Every Lease, whether an Agricultural, Improvement, or Building Lease, that includes any Building, shall contain a Clause declaring whether the Landlord or the Tenant is bound to rebuild such Building in the Case of the same being destroyed during any Part of the Tenancy by Fire, Lightning, or Tempest:

(10.) The Lessee or Lessees shall execute a Counterpart of every Lease, whether an Agricultural, Improvement, or Building Lease, and shall thereby covenant for the due Payment of the Rent reserved:

Provided, first, that in the Case of an Improvement Lease the best Rent shall be deemed to be the highest Rent that can reasonably be gotten, having regard to the Improvements covenanted to be made by the Lessee; secondly, that in the Case of a Building Lease a Peppercorn Rent, or any smaller Rent than the Rent to be ultimately made payable, may be reserved during all or any Part of the first Five Years of the Term granted by such Lease; thirdly, that the Execution of any Lease by the Lessor shall be deemed sufficient Evidence that a Counterpart of such Lease, as required by this Act, has been executed by the Lessee.

Mode of obtaining the Sanction of Court.

XXVI. In order to obtain the Sanction of the Chairman of the Quarter Sessions of the County or of a Judge of the "Landed Estates Court, *Ireland*," (both which Tribunals are herein-after included under the

the Term "Court") to any Lease requiring such Sanction, the Lessor may submit to the Court, in such Manner as the Court may direct, a Copy of the proposed Lease, together with such Particulars as may be required by the Court for the Purpose of enabling it to decide upon the Propriety of giving its Sanction.

Duty of Court on Application.

XXVII. Previously to giving its Sanction, the Court shall make such Inquiries as to the Circumstances of the Land proposed to be leased and of the Parties interested therein as it thinks fit, and in the Case of a Lease proposed to be granted by an individual Limited Owner shall cause Notice thereof to be served on the Successor and such other Persons, if any, as it thinks just. It shall hear all Persons interested in the Land who may apply to it to be heard. It may disapprove altogether, or may approve either with or without Modification, of the Lease proposed, but if the Court approve of the Lease it shall give its Sanction thereto by Order thereon, or in such other Manner as it thinks fit; and it may make such Order respecting the Costs of the Application as shall seem to it to be just.

Effect of Lease.

XXVIII. Any Lease granted in pursuance of this Act by an individual Limited Owner shall be valid against the Person granting the same, and against all Persons claiming under the same Settlement any Estate or Interest subsequent to the Estate or Interest of such Limited Owner; and any Lease granted in pursuance of this Act by any Limited Owner, being a Body Corporate, Corporation Sole, Trustees for Charities, Commissioners or Trustees for ecclesiastical, collegiate, or other public Purposes, shall bind all the Estate and Interest of such last-mentioned Limited Owner; but no Lease granted by an Owner who is himself a Lessee shall continue after the Expiration of the Term granted by such Owner's Lease, nor shall anything herein contained be deemed to enable any such Owner to grant any Lease which, by virtue of any Covenant or Agreement with his Lessor, he is precluded from granting.

Certain Leases subject to Jurisdiction of Court of Equity.

XXIX. Every Lease purporting to be made by virtue of this Act shall be subject to the Jurisdiction of a Court of Equity on the Ground of Fraud by reason of the Introduction of improper Covenants for Undervalue or otherwise.

Prohibitions as to Mansions and Demesne Lands.

XXX. No Lease shall be granted under this Act of any Mansion House or Demesne Lands, except for the Term of the Minority of the Person for the Time being entitled in possession to such House and Lands, and with due Regard to the Preservation and Maintenance in a proper State of Repair of such House or Lands.

Powers of Act to be cumulative.

XXXI. All Powers of leasing given by this Act shall be deemed to be in addition to any other Powers any Limited Owner may possess, and such Owner may exercise any other Power of leasing vested in him in the same Manner as if this Act were not passed.

Provision in Cases in which Power to make Leases is not within exact Terms of Act or Settlement.

XXXII. Where a Power to make Leases by virtue of this or any other Act of Parliament, or of any Settlement, shall in any particular Case be incapable of being exercised by reason of some accidental Variation of the Circumstances necessary to bring such Case within the exact Terms of the Act or Settlement, the Court of Chancery in *Ireland* or a Judge of the Landed Estates Court may, by an Order on a summary Petition presented by any Person interested in the Matter, and upon Notice to such Person or Persons as the said Court or Judge shall think necessary, authorize and empower the Donee of the Power contained in such Act or Settlement to make a Lease, notwithstanding any Variation which the said Court or Judge shall consider not to involve a substantial Departure from the true Intention or Meaning of such Act or Settlement; and every Lease made in pursuance of any Order of the said Court or Judge in that Behalf shall be as valid as if such Lease had been authorized by the Terms of the Act or Settlement.

PART III.

Tenants Improvements.

Application of Part of Act.

XXXIII. This Part of this Act shall apply only to Land let for Agricultural Purposes.

"Tenant."

XXXIV. The Word "Tenant" as used in this Part of this Act shall mean an occupying Tenant from Year to Year or at Will, and every occupying Tenant holding under a Lease or Agreement in Writing for any Term of Years of which not more than Twenty-five Years are unexpired, and which does not contain any Stipulations for the Execution of Improvements as herein-after defined, and shall include the personal Representatives of such Tenant.

"Owner."

XXXV. The Word "Owner" as used in this Part of this Act shall mean any Person, or Body of Persons, corporate or unincorporate, having an Estate in Land equal to the Estate by the First and Second Parts of this Act required to constitute a Limited Owner, or having a greater Estate than such Limited Owner.

Tenant entitled to Compensation for Improvements.

XXXVI. Any Tenant of Lands may, upon Compliance with the Provisions herein-after contained, make such Improvements thereon as are herein-after mentioned, and upon Compliance with the Conditions herein-after mentioned shall be entitled, by way of Compensation for his Outlay, to an Annuity of such Amount and to be charged in such Manner as is herein-after mentioned on the Lands on which the Improvements have been made, and any other Lands lying together with the first-mentioned Lands, and held of the same Owner under the same Demise, with this Exception, that no Tenant shall be entitled to Compensation under this Act in respect of any Improvements which the Owner might have compelled him to make in pursuance of any Contract or Custom.

XXXVII. The

Definition of "Improvements."

XXXVII. The Expression "Improvements," as used in this Part of this Act, shall comprise the following Works; (that is to say,)

(1.) The Thorough Drainage or Main Drainage of Lands:

(2.) Reclaiming Bog Land, or reclaiming or inclosing Waste Land:

(3.) The making Farm Roads:

(4.) Irrigation:

(5.) Protection of Land by Embankment from Inland Waters:

(6.) The Erection of Farmhouse or any Building for Agricultural Purposes suitable to the Holding, or the enlarging or the extending of any such Farmhouse or Building erected or to be erected thereon, so as to render the same more suitable to the Holding:

(7.) The Renewal or Reconstruction of any of the foregoing Works, or such Alterations therein or Additions thereto as are not required for maintaining the same, and increase durably their Value.

Agreement with or Notice to Owner.

XXXVIII. It shall be lawful for any Owner, notwithstanding the Terms of any Settlement, to agree with the Tenant for the Execution of such Improvements by the Tenant, and in the Absence of such Agreement it shall be lawful for any Tenant, previously to making any such Improvements, to serve or cause to be served personally on the Owner, or in his Absence on his Agent or Receiver, a Notice under his Hand stating the Particulars of the intended Improvements, the proposed Manner of effecting such Improvements, the estimated Expense of effecting the same, a Description of the Land proposed to be charged, and the Time, being not less than Three Months from the Service of such Notice, at which he proposes to commence such Improvements, and not to exceed Two Years for its Completion.

Owner by Agreement may execute Works.

XXXIX. It shall be lawful for the Owner, by Agreement with the Tenant, to execute at his own Expense the Works contained in the Notice, and to charge the Tenant with Interest at Five *per Centum* on the Outlay, to be recoverable in the same Manner and along with the Rent.

Consent of Owner.

XL. The Owner or his Agent may, within Three Months after the Service of such Notice, give Notice in Writing to the Tenant that he disapproves of such proposed Improvements, or any Part thereof, and no Tenant who has received such Notice shall be entitled to commence any Improvements from which the Owner has so dissented.

Statement of Expenditure to be lodged with the Clerk of the Peace.

XLI. Upon the Completion of the Improvements, or in the event of the Tenant being turned out of the Tenancy by the Owner before such Completion, the Tenant shall lodge with the Clerk of the Peace of the County where such Land lies a Statement of the Expenditure that has been incurred, not exceeding the Amount stated in the Agreement or in the Notice served on the Owner, and a Description of the Lands intended to be charged with an Annuity in respect of such Expenditure, being the whole or Part of the Land described in the Agreement or in the Notice served on the Owner.

Clerk of the Peace to give Notice to Owner.

XLII. Upon the Receipt of such Statement the Clerk of the Peace shall serve Notice thereof on the Owner or his Agent, and shall insert in such Notice a Statement of the Time and Place at which the Chairman will be prepared to make his Order charging the Lands mentioned in the Statement with such Annuity as is herein-after mentioned, unless Cause is shown to the contrary at the Time and Place named, or at some other Time and Place of which Notice may be served on the Owner or his Agent.

Hearing of Case.

XLIII. Previously to making such Order the Chairman shall hear the Owner, or any Person appearing on his Behalf, and objecting to such Certificate on the Grounds that the Improvements have not been properly executed, or that the Money stated has not actually been expended in the Improvements, or that the Lands proposed to be charged, or a Portion of such Lands, are not Lands subject to be charged in pursuance of this Part of this Act, and if no Appearance is made on behalf of the Owner he shall, previously to making his Order, require Proof of Notice having been duly served on the Owner or his Agent: The Chairman may make Inquiries by Valuation Commissioners, Surveyors, or other competent Persons as he may think right, and may direct the Expenses of such Inquiries to be paid by such Person and in such Manner as he may think fit, and may, if he thinks it just, disallow the whole or any Portion of the Expenditure, and may exclude any Lands that appear to him not chargeable under this Part of this Act; but if satisfied that the whole or any Portion of the Expenditure ought to be allowed, he shall make a Provisional Order specifying the Amount of Expenditure allowed, and charging the Lands mentioned in the Order with an Annuity of Seven Pounds Two Shillings for every Hundred Pounds of such Expenditure, and so in proportion for any less Sum; such Annuity to be limited in favour of the Tenant, his Executors, Administrators, or Assigns, and to be declared to be payable for a Term of Twenty-five Years, commencing from the Date of the Order, on each Anniversary of such Date; subject to this Proviso, that no Payment in respect of such Annuity shall accrue due until such Provisional Order has been made absolute.

Labour of Tenant to be taken into account.

XLIV. Where any Improvement, under this Part of this Act, is effected wholly or partially by the Labour of the Tenant or his Family, the Value of such Labour shall be deemed to be Part of the Expenditure incurred in making the Improvement, and may be taken into account accordingly.

Maintenance of Improvements.

XLV. All Improvements in respect of which an Annuity is payable under this Part of this Act shall, during such Time as intervenes between the Date of the Provisional Order and the Date at which such Order is made absolute, in manner herein-after mentioned, be maintained by the Person who has made the same, his Executors, Administrators, or Assigns, in a proper State of Repair, and the Owner or

any

any Person authorized by him in Writing shall be at liberty at all reasonable Times to enter and inspect any Improvements made under this Act.

Order how made absolute.

XLVI. In the event of the Tenant in whose Favour a Provisional Order has been made being turned out of the Tenancy by the Owner, or by any Person claiming by, through, under, or in trust for him, or any Person claiming any Estate or Interest under the same Settlement as the Owner subsequent to the Estate of the Owner for the Time being, before the Expiration of the Term of Twenty-five Years mentioned in the Provisional Order, he may apply to the Chairman to make the Provisional Order absolute, and the Chairman shall make the same absolute as from the Date at which the Tenant has been turned out of the Tenancy; and upon such Order being made absolute the Annuity charged thereby shall forthwith become payable to the Tenant for the unexpired Residue of the Term of Twenty-five Years in the Order mentioned, together with a proportionate Part thereof for such Period, if any, as may intervene between the Time at which the Tenant is turned out of his Tenancy and the First Day appointed for Payment thereof by the Order.

Notice to be given to Owner of Application for Order Absolute.

XLVII. No Provisional Order under this Act shall be made absolute by any Chairman, unless the Owner for the Time being whose Lands are proposed to be charged thereby or some Person duly authorized on his Behalf appears before him, or Proof is given to the Chairman that Fourteen Days previous Notice at the least of the Intention of the Tenant to make the Application for an Order Absolute has been served on such Owner or his Agent in manner in which Notices are hereby required to be served, and the Chairman shall hear such Owner or any other Person appearing on his Behalf, and contending that the Tenant is indebted to him for Arrears of Rent or Taxes or in respect of a Breach of Contract, or of the not having maintained in a proper State of Repair the Improvements for which he claims the Annuity, and any Sums in which the Tenant may be so proved to be indebted to the Owner shall be set off against the Annuity payable to the Tenant, and the Chairman in making the Order Absolute shall specify how such Set-off is to be carried into effect, and what Abatement is to be made in the Annuity on account of such Debts.

Death of Tenant.

XLVIII. If any Tenant dies, becomes bankrupt or insolvent, before he has completed any such Improvements as he is herein-before authorized to complete, his personal Representatives or Assignees may complete the Improvements at the Expense of the Estate of such deceased, bankrupt, or insolvent Tenant, and thereupon shall become entitled to the same Annuity as such Tenant would have been entitled to if he had died, become bankrupt or insolvent.

Nature of Annuity.

XLIX. Every Annuity created in pursuance of this Part of this Act shall be a Charge on the Lands comprised in the Order, having Priority over all existing and future Estates, Interests, and Incumbrances, with the Exception of Quitrents and other Charges incident to Tenure, Tithe Commutation, Rentcharges, and any Charges created under any Act authorizing Advances of public Money, or under any Act creating Charges in respect of Improvements on Lands and passed before this Act, with the Exception also in Cases where the Lands to be charged with such Annuity are subject to a Fee-farm Rent, or held of a superior Landlord under a Lease, reserving Rent of such Fee-farm Rent or Rent reserved as aforesaid; and when Annuities are charged on the same Lands under the First and Third Parts of this Act, such Annuities shall, as between themselves, take effect in the Order of their respective Dates; and for the Purposes of this Section an Annuity created under the First Part of this Act shall be deemed to date from the Time of its Registration; and an Annuity created under the Third Part of this Act shall, when confirmed by an Order Absolute, be deemed to date from the Provisional Order creating the same.

Registry of Orders to be kept by Clerk of the Peace.

L. The Clerk of the Peace shall keep an alphabetical Registry in his Office of all Provisional Orders and Orders Absolute made by the Chairman of the Quarter Sessions of the County of which he is Clerk in pursuance of this Part of this Act, and shall allow any Person to inspect the same at all reasonable Times on the Payment of One Shilling.

Appeal from Decision of Chairman upon Application for a Charging Order.

LI. An Appeal from the Decision of the Chairman upon any such Application for a Charging Order may be made by any Person who appears before him in Person or by Attorney, in the same Manner as an Appeal by a Plaintiff in a Civil Bill Proceeding from a Dismiss by such Chairman, and as if the Party in whose Favour the Decision upon such Application as aforesaid shall have been made was the Defendant in such Civil Bill Proceeding; and the Judge who shall hear the Appeal may affirm or reverse the Decision of the Chairman, or alter or modify the Charging Order, and finally decide thereon, and make such Order as to Costs in the Court below and of the Appeal as shall be agreeable to Justice; and if the Judge shall alter or modify the Charging Order, such Order so altered or modified, and signed by the Judge, shall be of the like Effect as if it were the Order of the Chairman.

Contested Certificate when to be registered.

LII. When the Right to a Certificate of Completion is contested, the Certificate shall not be registered until after the Expiration of the Time hereby allowed for appealing, and in case an Appeal is pending not until after it is disposed of.

PART IV.

General Provisions.

Restriction of maximum Amount of Charges.

LIII. The aggregate Amount of Annuities chargeable in respect of Improvements under this Act shall not, when taken together with any Rentcharges charged or to be charged on the Land, under the Provisions

Provisions of the Acts to facilitate the Improvement of Landed Property in *Ireland*, exceed One Third Part of the annual Value of the Land; and for the Purpose of this Section the annual Value of the Land shall be deemed to be the Amount at which it is rated under the Laws for the Relief of the destitute Poor in *Ireland*; and it shall be the Duty of the Court, before making an Order charging an Annuity under this Act, to ascertain the Amount of Annuities, if any, theretofore charged on the Lands under this Act, and the Amount of any Rentcharges charged on the said Lands under the said Acts to facilitate the Improvement of Landed Property in *Ireland*, and to provide that this Limit is not exceeded, but no Order charging an Annuity shall be afterwards invalidated by reason of such Excess.

Where Tenant becomes entitled to Annuity, Owner may redeem same.

LIV. Where any Tenant shall become entitled to any Annuity as aforesaid, it shall be lawful for the Owner of any Land upon which such Annuity may be chargeable at the Time of making the Charging Order to redeem the said Annuity, or so much thereof as shall at any Time remain unexpired by Payment to the said Tenant, his Executors, Administrators, or Assigns, of a Sum of Money equivalent to the Value of so much of the said Annuity as shall then remain unexpired, such Value to be estimated and calculated upon the Assumption that, at the Time of such Redemption, Money shall be worth Five *per Centum per Annum*; and thereupon such Owner shall become entitled to such Annuity for his own Use and Behoof, in like Manner as if the said Owner had himself executed such Improvements under the Powers contained in the First Part of this Act.

Recovery of Annuity.

LV. Every Annuity created in pursuance of this Act shall be recoverable in manner in which Rentcharges in lieu of Tithes are recoverable in *Ireland*.

Provision as to Arrears of Annuity.

LVI. No Arrears of any Annuity charged on Land in pursuance of this Act shall be recoverable after the Expiration of One Year from the Date at which the Sum in arrear became due; and as between Owners having a limited Interest in any Land so charged it shall be the Duty of the Owner for the Time being in possession or in receipt of the Rents and Profits of such Land to prevent such Arrears arising, and if he make Default in doing so, and the Owner next entitled in possession pay any Arrears caused by such Default, the Amount so paid shall be a Debt due by the Owner who has paid the same from the Owner by whose Default it became necessary to make such Payment.

Service of Notices.

LVII. Any Notice or other Document required by this Act to be served upon any Person may be served on such Person personally, or, except in Cases where personal Service is herein-before required, by leaving the same or sending it through the Post in a prepaid registered Letter addressed to such Person at his usual or last known Place of Abode.

Rules as to Notices by Post.

LVIII. Any Document to be served by Post shall be posted in such Time as to admit of its being delivered in the due Course of Delivery within the Period (if any) prescribed for the Service thereof, and in proving Service of such Document it shall be sufficient to prove that such Document was properly directed, and that it was put as a prepaid registered Letter into the Post Office.

An Order to be Evidence of Compliance with Act.

LIX. An Order made in pursuance of this Act charging an Annuity on any Lands or sanctioning any Lease shall be, both at Law and in Equity, conclusive Evidence that all Notices, Acts, and Proceedings by this Act directed with reference to or consequent on the obtaining such Order or the making such Charge have been duly served, done, and taken, and that such Charge has been duly created, and that it is a valid Charge on the Lands declared to be subject thereto.

Power of Landed Estates Court to make Regulations.

LX. The Judges of the "Landed Estates Court of *Ireland*," or any Two of them, shall and may, from Time to Time, as to Matters within their Jurisdiction, make Regulations as to the Payment of such Fees, and as to the Conduct of Proceedings under this Act before the Landed Estates Court, and as to the Costs payable in respect of such Proceedings, and as to the Taxation of such Costs; but such Regulations shall not be of any Validity until they have been sanctioned by the Lord Chancellor of *Ireland*.

Power of Chairmen to make Regulations.

LXI. The Chairmen of the Quarter Sessions of the several Counties in *Ireland*, or any Fifteen of them, shall and may from Time to Time prepare Forms of Notices and fix a Scale of Fees to be taken by Clerks of the Peace in respect of Business done by them under this Act, and shall make Regulations as to the Payment of such Fees, and as to the Conduct of Proceedings under this Act before such Chairmen, and as to the Costs payable in respect of such Proceedings, and as to the Taxation of such Costs; but such Scale and Regulations shall not be of any Validity until they have been sanctioned by the Chief Justice of the Queen's Bench in *Ireland*, by the Chief Justice of the Common Pleas in *Ireland*, and by the Chief Baron of the Exchequer in *Ireland*, or by Two of such Judges.

Nothing to affect Usages, &c.

LXII. Nothing in this Act contained shall be deemed or construed to affect or prejudice any Usage or Custom established or existing in any Part of *Ireland* relating to outgoing or incoming Tenants.

CAP. CLIV.

An Act to consolidate and amend the Law of Landlord and Tenant in *Ireland*.

[28th *August* 1860.]

WHEREAS it is expedient to consolidate and amend the Laws relating to Landlord and Tenant in *Ireland*:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. In

Construction of certain Terms in this Act.

I. In the Construction of this Act the following Words and Expressions shall have the Force and Meaning hereby assigned to them, unless there be something in the Subject or Context repugnant thereto:

The Word "Person" or "Party" shall extend to and include any Body Politic, Corporate, or Collegiate, whether aggregate or sole, and any public Company:

The Word "Lease" shall mean any Instrument in Writing, whether under Seal or not, containing a Contract of Tenancy in respect of any Lands, in consideration of a Rent or Return:

The Word "Lands" shall include Houses, Messuages, and Tenements of every Tenure, whether corporeal or incorporeal:

The Word "Acre" shall mean Statute Acre:

The Word "Landlord" shall include the Person for the Time being entitled in possession to the Estate or Interest of the original Landlord, under any Lease or other Contract of Tenancy, whether the Interest of such Landlord shall have been acquired by lawful Assignment, Devise, Bequest, or Act and Operation of Law, and whether he has a Reversion or not:

The Word "Tenant" shall mean the Person entitled to any Lands under any Lease or other Contract of Tenancy, whether the Interest of such Tenant shall have been acquired by original Contract, lawful Assignment, Devise, Bequest, or Act and Operation of Law:

The Expression "perpetual Interest" shall comprehend, in addition to any greater Interest, any Lease or Grant for One or more than One Life, with or without a Term of Years, or for Years, whether absolute, or determinable on One or more than One Life, with a Covenant or Agreement by a Party competent thereto, in any of such Cases, whether contained in the Instrument by which such Lease or Contract is made or in any separate Instrument, for the perpetual Renewal of such Lease or Grant:

The Word "Rent" shall include any Sum or Return in the Nature of Rent, payable or given by way of Compensation for the Holding of any Lands:

The Word "Agreement" shall include every Covenant, Contract, or Condition expressed or implied in any Lease:

The Word "County" shall extend to and include a County of a City, a County of a Town, a City and County, and a Riding of a County:

The Expression "Chairman" shall mean the Chairman of the Quarter Sessions of the County, and shall extend to and include the Recorder of the City of *Dublin* and Borough of *Cork*, and the Recorder of any Borough or Town in *Ireland* under the Act passed in the Third and Fourth Years of Her Majesty's Reign, intituled *An Act for the Regulation of Municipal Corporations in* Ireland, and their Deputies lawfully appointed:

The Expression "Clerk of the Peace" shall extend to and include the Registrar of the Chairman of the Quarter Sessions of the County of *Dublin*, so long as such Registrar shall continue in Office, and the Registrar of Civil Bills for the City of *Dublin*, and also the Acting or Deputy Clerk of the Peace, or Registrar or other Officer discharging the Duties of such Clerk of the Peace or Registrar.

Short Title.

II. In citing this Act it shall be sufficient to use the Expression "The Landlord and Tenant Law Amendment Act, *Ireland*, 1860."

Contract of Tenancy.

Relation to rest on Contract.

III. The Relation of Landlord and Tenant shall be deemed to be founded on the express or implied Contract of the Parties, and not upon Tenure or Service, and a Reversion shall not be necessary to such Relation, which shall be deemed to subsist in all Cases in which there shall be an Agreement by one Party to hold Land from or under another in consideration of any Rent.

Contract for definite Periods to be by Deed or Note, &c.

IV. Every Lease or Contract with respect to Lands whereby the Relation of Landlord and Tenant is intended to be created for any Freehold Estate or Interest, or for any definite Period of Time not being from Year to Year or any lesser Period, shall be by Deed executed, or Note in Writing signed by the Landlord or his Agent thereunto lawfully authorized in Writing.

Continuance after Expiration of Contract.

V. In case any Tenant or his Representative, after the Expiration or Determination of the Term agreed upon in any Lease or Instrument in Writing, shall continue in possession for more than One Month after Demand of Possession by the Landlord or his Agent, such Continuance shall, at the Election of the Landlord, be deemed to constitute a new Holding of the said Lands from Year to Year, subject to the former Rent and to such of the Agreements contained in the Lease or Instrument as may be applicable to the new Holding.

Presumed Commencement of Tenancy.

VI. Every Tenancy from Year to Year shall be presumed to have commenced on the last Gale Day of the Calendar Year on which Rent has become due and payable in respect of the Premises, until it shall appear to the contrary.

Surrenders to be in Writing.

VII. The Estate or Interest of any Tenant under any Lease or other Contract of Tenancy shall not be surrendered otherwise than by a Deed executed, or Note in Writing signed by the Tenant or his Agent thereto lawfully authorized in Writing, or by Act and Operation of Law.

Lease may be renewed without Surrender of Under-tenancies.

VIII. The Surrender of any Lease made before or after the passing of this Act for the Purpose of obtaining a Renewal thereof, shall be valid without the Surrender of the Interests of the Under-tenants thereunder; and the Owners of such renewed Lease for the Time being and their Representatives shall have

have the same Rights and Remedies as against such Under-tenants as he or they would have had or have been entitled to had such Surrender not been executed; and the Chief Landlord shall have the same Remedies against the Premises for the Rents and Duties reserved in such new Lease, not exceeding the Rents and Duties reserved by the Lease out of which such Under-tenancies were derived, as he would have been entitled to in case no such Surrender had been executed.

As to Assignment of Estate and Interest of Tenant.

IX. The Estate or Interest of any Tenant in any Lands under any Lease or other Contract of Tenancy shall be assigned, granted, or transmitted by Deed executed, or Instrument in Writing signed by the Party assigning or granting the same, or his Agent thereto lawfully authorized in Writing, or by Devise, Bequest, or Act and Operation of Law, and not otherwise; and in case the said Estate or Interest shall, on the Death of the Tenant, remain undisposed of and without any special Occupant, it shall pass to the personal Representative of the Tenant as Part of the Personal Estate of such Tenant.

Assignment contrary to Agreement.

X. Where any Lease has been or shall be made containing an Agreement restraining or prohibiting Assignment, the Benefit of which has not been waived before the First Day of *June* One thousand eight hundred and twenty-six, it shall not be lawful to assign the Lands or any Part thereof contrary to such Agreement without the Consent in Writing of the Landlord or his Agent thereto lawfully authorized in Writing, testified by his being an executing Party to the Instrument of Assignment, or by an Indorsement on or Subscription of such Instrument.

Assignee liable to Condition against Assignment.

XI. Every Assignee of the Estate or Interest or any Part thereof of any Tenant, by lawful Assignment, or by Devise, Bequest, or Act and Operation of Law, made after the passing of this Act, shall be subject to the Observance of all Agreements in respect of Assignment or sub-letting to the same Extent as the original Tenant might have been.

Benefit of Covenants and Agreements transferred to Assignee of the Landlord.

XII. Every Landlord of any Lands holden under any Lease or other Contract of Tenancy shall have the same Action and Remedy against the Tenant, and the Assignee of his Estate or Interest, or their respective Heirs, Executors, or Administrators, in respect of the Agreements contained or implied in such Lease or Contract, as the original Landlord might have had against the original Tenant, or his Heir or personal Representative respectively; and the Heir or personal Representative of such Landlord on whom his Estate or Interest under any such Lease or Contract shall devolve or should have devolved shall have the like Action and Remedy against the Tenant, and the Assignee of his Estate or Interest, and their respective Heirs or personal Representatives, for any Damage done to the said Estate or Interest of such Landlord by reason of the Breach of any Agreement contained or implied in the Lease or other Contract of Tenancy in the Lifetime of the Landlord, as such Landlord himself might have had.

Benefit of Covenants and Agreements transferred to Assignee of the Tenant.

XIII. Every Tenant of any Lands shall have the same Action and Remedy against the Landlord and the Assignee of his Estate or Interest, or their respective Heirs, Executors, or Administrators, in respect of the Agreements contained or implied in the Lease or other Contract concerning the Lands, as the original Tenant might have had against the original Landlord, or his Heir or personal Representative respectively; and the Heir or personal Representative of such Tenant on whom his Estate or Interest shall devolve or should have devolved shall have the like Action and Remedy against the Landlord, and the Assignee of his Estate or Interest, and their respective Heirs and personal Representatives, for any Damage done to the said Estate or Interest of such Tenant by reason of the Breach of any Agreement contained or implied in the Lease or other Contract of Tenancy in the Lifetime of the Tenant, as such Tenant might have had.

Liability of Assignee to cease after Assignment over.

XIV. No Landlord or Tenant, being such by Assignment, Devise, Bequest, or Act and Operation of Law only, shall have the Benefit or be liable in respect of the Breach of any Covenant or Contract contained or implied in the Lease or other Contract of Tenancy, otherwise than in respect of such Rent as shall have accrued due, and such Breaches as shall have occurred or continued subsequent to such Assignment, and whilst he shall have continued to be such Assignee: Provided, however, that no Assignment made by any Assignee of the Estate or Interest of any Tenant shall discharge such Assignee from his Liability to the Landlord, unless and until Notice in Writing of the Particulars of such Assignment shall have been given to the Landlord.

Assignee liable till End of accruing Gale.

XV. Every Tenant, being an Assignee as aforesaid, who shall have assigned his Estate or Interest in the Lease or other Contract of Tenancy in the Interval between Two Gale Days, shall, notwithstanding such Assignment, be liable as Assignee to the Payment of the Rent and the Performance of the Agreements contained in the Lease or other Contract up to and including the Gale Day next following the Service of Notice of the said Assignment.

Adoption of Assignee, Discharge of Tenant from Covenants.

XVI. From and after any Assignment hereafter to be made of the Estate or Interest of any original Tenant in any Lease, with the Consent of the Landlord, testified in manner specified in Section Ten, the Landlord so consenting shall be deemed to have released and discharged the said Tenant from all Actions and Remedies at the Suit of such Landlord, and all Persons claiming by, through, or under him, in respect of any future Breach of the Agreements contained in the Lease, but without Prejudice to any Remedy or Right against the Assignee of such Estate or Interest.

Fixtures of Trade or Agriculture erected by the Tenant

XVII. Personal Chattels, Engines, and Machinery, and Buildings accessorial thereto, erected and affixed to the Freehold by the Tenant at his sole Expense, for any Purpose of Trade, Manufacture, or Agriculture, or for Ornament, or for the domestic Convenience of the Tenant in his Occupation of the

demised

demised Premises, and so attached to the Freehold that they can be removed without substantial Damage to the Freehold or to the Fixture itself, and which shall not have been so erected or affixed in pursuance of any Obligation or in violation of any Agreement in that Behalf, may be removed by the Tenant, or his Executors or Administrators, during the Tenancy, or when the Tenancy determines by some uncertain Event, and without the Act or Default of the Tenant, within Two Calendar Months after such Determination, except so far as may be otherwise specially provided by the Contract of Tenancy; provided that the Landlord shall be entitled to reasonable Compensation for any Damage occasioned to the Premises by such Removal. may be removed.

Sub-letting.

XVIII. When any Lease has been or shall be made containing an Agreement against sub-letting or against letting in Conacre, the Benefit of which has not been waived before the First Day of *June* One thousand eight hundred and twenty-six, it shall not be lawful for the Tenant to sub-let the said Lands or any Part thereof, or, in case of an Agreement against letting in Conacre, to let the same in Conacre, without the express Consent in Writing of the Landlord or of his Agent thereto lawfully authorized, testified by his being a Party to the Instrument of Sub-lease, or by an Indorsement on or Subscription of such Instrument, "or by a Note in Writing signed by such Landlord or his Agent," and no Receipt of Rent by any Landlord or his Agent shall be deemed to be a Waiver of any such Agreement against sub-letting. Sub-letting contrary to Agreement to be void.

XIX. Where any Sub-letting shall take place with the Consent of the Landlord given in manner aforesaid, except in the Case of a Building Lease, and the Sub-tenant shall have paid and satisfied the Rent or any Part thereof due from him to the Tenant or his Representatives, the Receipt of such Tenant or his Representatives shall be a full Discharge to such Sub-tenant and the Lands sub-let, as against the Landlord so consenting, in respect of all Rent issuing out of the same and theretofore due, except so much, if any, as remains due from the Sub-tenant; provided the Landlord shall not have previously served the Notice upon the Default herein-after mentioned: Provided always, that such Discharge to such Sub-tenant shall be without Prejudice to the Landlord's Remedies for the Balance of his Rent against the Tenant or his Representatives and the other Premises out of which such Rent shall accrue due. Sub-letting with Consent to free Sub-tenant from double Charge.

XX. Where any Tenant sub-letting shall neglect to pay to his Landlord the Rent payable in respect of the Lands comprised in the Lease, it shall be lawful for the Landlord, or his Agent lawfully acting in that Behalf, after and as often as One Gale of such Rent shall have accrued due and remained unpaid for the Space of One Month, to give Notice in Writing to the Sub-tenant, requiring him to pay to the Landlord so much of the Rent payable by such Sub-tenant to the Tenant under whom he holds as may be sufficient to discharge the Gale or Gales stated in such Notice to be due from the Tenant to the Landlord, such Notice to be delivered to the Sub-tenant, or left at his usual Place of Abode with some Member of his Family above the Age of Sixteen Years; and thereupon such Sub-tenant shall be liable to pay to the Landlord all Rent that may accrue due after the Receipt of such Notice, or so much thereof as may be sufficient to discharge such Gale or Gales; and the Receipt of the Landlord or his Agent shall be a full Discharge to the Sub-tenant against the Tenant in respect of all Rent so paid; and the said Landlord and his Representatives shall be entitled to all such Rights and Remedies for the enforcing Payment of such Rent as the said Tenant so sub-letting might have had. Landlord's Notice to Sub-tenant to pay Rent to him.

XXI. Where any Tenant sub-letting shall neglect to pay his Landlord the Rent payable in respect of the Lands comprised in the Lease, it shall be lawful for the Sub-tenant, after and often as any One Gale of such Rent shall have accrued due and remain unpaid to such Landlord, and before any Action brought by such Tenant against the Sub-tenant, voluntarily to make Payment of so much of the Rent due by such Sub-tenant to such Tenant as may be sufficient to discharge such Gale or Gales; and the Receipt of the Landlord or his Agent shall be a full Discharge to the Sub-tenant against the Tenant in respect of all Rent so paid. Sub-tenant's Election to pay Rent to Landlord.

XXII. When any Sub-letting shall take place with such Consent as aforesaid, it shall not be deemed a general Waiver of the Benefit of the Agreement against sub-letting. Sub-letting with Consent.

Evidence.

XXIII. In all Actions, Suits, and Proceedings, Proof by or on behalf of any Landlord of the Perfection of the Counterpart of any Lease shall be equivalent to Proof of the Perfection of the original Lease; and in case it shall appear that no Counterpart existed, or that the Counterpart has been lost, destroyed, or mislaid, Proof of a Copy of the original Lease or Counterpart, as the Case may be, shall be sufficient Evidence of the Contents of the Lease, as against the Lessee or any Person claiming from or under him. Proof of Contents of Lease.

XXIV. In all Actions, Suits, and Proceedings brought by or against any Person claiming to be Landlord otherwise than by original Contract, after Proof of the original Lease or Contract, it shall be sufficient *primâ facie* Evidence of the Title of such Person as Landlord, as to all Parties in the said Suit or Proceeding, to prove that he has for One Year at least, or that the Person under whom immediately he derives his Title has for One Year at least, and within Three Years before the Transmission of such Title, received the Rent of the Lands in respect of which such Action, Suit, or Proceeding shall be brought from a Party in possession thereof. Proof of Landlord's Title, when derivative.

Mines, &c., Rights and Reservations.

XXV. No Tenant of any Lands entitled to any perpetual Interest under any Lease or Grant made after the First Day of *January* One thousand eight hundred and sixty-one, shall be impeachable of any Waste Tenant in Fee-farm not im-

peachable of Waste.

Waste other than fraudulent or malicious Waste, except in so far as such Tenant shall, by any Agreement contained in the Lease or Grant, be prohibited from doing or permitting any Act: Provided that no Fee-farm Grant made under the "Renewable Leasehold Conversion Act," or any renewed Lease executed after the First of *January* One thousand eight hundred and sixty-one, in pursuance of an Agreement for Renewal contained in a Lease made before the passing of this Act, shall be deemed to be a perpetual Interest made after the First Day of *January* One thousand eight hundred and sixty-one within the Meaning of this Section.

Tenant of lesser Interest not to open Mines or Quarries.

XXVI. No Tenant of any Lands holden for any Estate or Interest less than a perpetual Estate or Interest, made after the First Day of *January* One thousand eight hundred and sixty-one, by virtue of any Lease or Contract, shall, without the previous Consent in Writing of the Landlord, being a Person competent to grant such Licence, or of his Agent duly authorized to act on his Behalf, open, dig for any unopened Mines, Minerals, or Quarries, or (except as herein-after provided) remove the Soil or Surface or Subsoil of the said Lands, or permit or commit any other Manner of Waste thereon, unless the said Lands shall have been, in express Terms, leased for the Purpose or with the Permission of being so used and enjoyed.

Tenant may work Mines already opened.

XXVII. Where any Lease shall be made on or after the First Day of *January* One thousand eight hundred and sixty-one of Lands containing any Mines or Minerals which at the Time of the making of such Lease shall have been opened or worked, it shall be lawful for the Tenant thereof to enter upon and follow, and to work and dig for, and remove the said Mines or Minerals, whether they shall have been granted by Name or not in the said Lease, unless by the said Lease it shall be otherwise provided.

Tenant may work Quarries already open, but not for Profit or Sale.

XXVIII. Where any Lease or Demise shall be made on or after the First Day of *January* One thousand eight hundred and sixty-one of Lands containing any Quarries or Beds of Stone, Limestone, Sand, Marl, Gravel, or Clay, which at the Time of the making of such Lease shall have been opened or worked, it shall be lawful for such Tenant, unless by the said Lease otherwise provided, to work, dig for, and use such Quarries or Beds so far as may be necessary or useful for the Purposes of Agriculture and good Husbandry, and the lawful Erection or Repair of any necessary Buildings on the said Lands, but not for any Purpose of Trade or Manufacture, or for Profit or Sale, unless the Right so to use and enjoy the same shall have been expressly granted in Writing by the Landlord being competent so to grant as aforesaid.

Tenant may cut Turf, but not for Sale.

XXIX. Where any Lease or Demise shall be made on or after the First Day of *January* One thousand eight hundred and sixty-one of Lands containing Turf Bog, unreclaimed and unprofitable for Agriculture, or where any Lease shall be so made giving a Right of Turbary on the Premises, or conferring a Right of Common of Turbary on Premises not comprised in the Lease, it shall be lawful for the Tenant, unless by the said Lease it be specially provided to the contrary, to cut, use, and enjoy the said Turf Bog, so far as shall be necessary for the *bonâ fide* Use on the demised Premises of the Tenant and his lawful Sub-tenants, but not for any Purpose of Trade or Manufacture, or for Profit or Sale, unless the Right so to use and enjoy the same shall have been expressly granted in Writing by the Landlord being competent so to grant as aforesaid.

Tenant shall not burn Land.

XXX. No Tenant under any Lease or other Contract of Tenancy conferring an Estate or Interest less than a perpetual Estate or Interest shall burn or permit to be burned the Soil or Surface of the Land, or any Part thereof, without the previous Consent in Writing of the Landlord, being a Person competent to grant such Licence, under a Penalty not exceeding Twenty Pounds for each Statute Acre or any fractional Part of an Acre on which such burning shall take place, to be recoverable by the immediate Landlord by Civil Bill Action in the County in which the Tenant usually resides, or in the County in which the Lands or any Part of them are situate, at the Election of the Landlord.

Tenant shall not cut or lop Trees.

XXXI. No Tenant of any Lands holden under any Lease or other Contract of Tenancy conferring an Estate or Interest less than a perpetual Estate or Interest, and made on or after the First Day of *January* One thousand eight hundred and sixty-one, shall cut down, top, lop, or grub any Tree or Wood growing on the said Lands, unless such Tenant shall be authorized thereto by Covenant or Agreement in the Lease under which the Lands are holden, if there be a Lease, or unless such Tenant shall have the previous Consent in Writing of the Landlord competent to give such Consent for that Purpose, or shall have been lawfully required so to do, under a Penalty not exceeding Five Pounds for each Tree cut down, topped, lopped, or grubbed, to be recoverable by the immediate Landlord by Civil Bill Action in the County in which the Tenant usually resides, or in the County in which the Lands or any Part of them are situate, at the Election of the Landlord: Provided that nothing in this Provision contained shall affect any Right which any Tenant may lawfully exercise or enjoy in respect of Trees duly registered and belonging to such Tenant, or in respect of Willows, Osiers, or Sallows, under any Act in force in *Ireland*.

Where Mines reserved, Landlord may work or lease the Mines.

XXXII. Where Lands shall be granted or leased for any Estate or Interest, excepting thereout the Mines and Minerals upon the demised Premises, it shall be lawful for the Person entitled to the Rent thereof, in Fee Simple, Fee Farm, Fee Tail, or for Life, with immediate Remainder to his own Issue, to open, dig for, and work all Mines and Minerals found in or upon the said Lands, and to carry away the Ore thereof, or to lease the same to any Person or Persons for any Term within the leasing Power of such Person in respect of Mines and Minerals; and such Owner or his Lessee shall have full Liberty

to enter on the said Lands, and to build and make all Houses, Railways, Tramways, and Conveniences necessary for the Purpose of mining, and to employ all Streams on the said Land not previously occupied, making to the Tenant of said Lands such yearly or other Compensation or Allowance for the Damage sustained by reason of such digging of the Ore, or building the said Houses, or otherwise using of the said Lands or Streams, as shall be agreed upon between the said Parties, or in case they shall not agree, then such Compensation or Allowance as shall be ascertained by the Chairman of the County upon a Civil Bill Action brought for that Purpose with the same Incidents as in ordinary Civil Bill Process: Provided, however, that no Person shall search for, open, or work any Mine or Mineral, by virtue of this Act, on any Spot of Ground on which any Church or other Place of Worship, Graveyard, Cemetery, or Public School shall be situate, nor within Thirty Yards thereof, nor upon any Spot of Ground on which any House, Outhouse, Garden, Orchard, or Avenue shall be situate, without the Consent of the Tenant in possession thereof first had and obtained.

Compensation to be ascertained by the Chairman.

XXXIII. Where such Parties shall not agree upon the Amount of Compensation to be paid for the Injury sustained by the Entry on or Use of Lands for the Purpose of mining in manner aforesaid, it shall be lawful for the Party claiming such Compensation to bring a Civil Bill Action for the Amount claimed before the Chairman of the County in which the Lands or the greater Part of them are situate, and the Chairman shall, with the Assistance of a Jury on their Oaths as aforesaid, make such Decree or Dismiss thereon, and subject to the like Appeal as in ordinary Cases of Civil Bill Actions for Injuries sustained.

Tenant, in lieu of Emblements, shall continue to hold until last Gale Day of current Year.

XXXIV. Where the Lease or Tenancy of any Farm or Lands (held at Rackrent) shall determine by the Death or Cesser of the Estate of any Landlord entitled for his Life or for any other uncertain Interest, or by the Death of the Lives in the Tenant's Lease, or by the happening of any Contingency whereby such Lease or Tenancy shall determine without the Act or Default of the Tenant, the Tenant in occupation, in lieu of the Right to Emblements, where such Right shall exist, shall, if he think proper so to do, continue to hold and occupy such Farm or Lands until the last Gale Day of the current Year in which such Tenancy shall determine, and shall then quit upon the Terms of his Lease or Holding, in the same Manner as if such Lease or Tenancy were then determined by Effluxion of Time or other lawful Means, during the Continuance of his Landlord's Estate; and the Landlord or succeeding Landlord or Owner shall be entitled to recover Rent from the Tenant in the same Manner as if the Tenant's Interest had only determined on such Gale Day; and the Landlord, or the succeeding Landlord or Owner, and the Tenant respectively, shall, as between themselves and as against each other, be entitled to all the Benefits and Advantages, and be subject to all the Terms, Conditions, and Restrictions to which the Landlord or preceding Landlord or Lessor and such Tenant respectively would have been entitled and subject in case the Lease or Tenancy had determined in manner aforesaid at the Expiration of such current Year: Provided always, that no Notice to quit shall be necessary or required by or from either Party to determine any such Holding and Occupation as aforesaid.

Prevention of Waste, and Law of Repairs.

Magistrate's Precept to restrain Waste.

XXXV. Where any Person shall be in possession of Lands, or of any Dwelling House, Outhouse, or Buildings, as Tenant thereof, or as a Servant or Caretaker of any Owner, or having obtained the Possession thereof from any such Tenant, Servant, or Caretaker, and the Landlord or Owner or other Person interested in the Preservation of the Premises, or any Agent acting on his Behalf, shall, by Affidavit, satisfy any Justice of the Peace of the County, not being a Party interested in the said Premises, (who is hereby authorized and required to take such Affidavit,) that there exists probable and just Grounds of Suspicion that such Person is about to commit or to permit or suffer any unlawful Waste, Injury, Alteration, Destruction upon, or Removal from any such Dwelling House, Outhouse, or other Building, or intends unlawfully to burn or break up any Part of the Soil or Surface or Subsoil of the Lands, or unlawfully to remove the Soil or Surface or Subsoil of the said Lands, or unlawfully to cut down, top, lop, or grub any Trees, Woods, or Underwoods growing on the said Lands, or otherwise use or misuse the Premises or any Part thereof, contrary to his Agreement, or that he is in the Act of doing or suffering any of the aforesaid Matters, it shall be lawful for such Justice of the Peace to issue his Precept in Writing under his Hand and Seal, stating that Information had been received that such Waste or Injury is intended to be or is in the Act of being done or permitted, and commanding all such Persons and all other Persons whomsoever to desist from such Waste or Injury, and not to continue the same until special Leave and Authority for that Purpose shall be first procured from the Magistrate who shall have signed such Precept, or until the Subject Matter of the said Information be inquired into at the next Petty Sessions of the District in which the said Premises are situate, or such other Time as may be therein mentioned; and such Precept may be according to the Form No. 1. in the Schedule (A.) to this Act annexed, and shall be served on every or any Person by whom it shall be suspected that such Waste or Injury is intended to be or is being committed, by delivering a Copy thereof to such Person, if he can be found, and if not, by affixing a Copy thereof on the principal Door or Entrance to the Dwelling House, Outhouse, or other Building, and if there be no such House or Building, on some conspicuous Part of the Premises; and the said Persons shall and may attend at the Petty Sessions, and such Order may be made thereat by the Court of Petty Sessions for annulling

annulling or continuing for a limited Period the said Precept, or otherwise as may be agreeable to Justice.

Punishment of Disobedience of Precept.

XXXVI. If any Person shall, after the Service or posting of such Precept, in disobedience thereto, without such Leave and Authority as aforesaid, proceed with or continue to do the Act prohibited by such Precept, or wilfully aid, abet, or assist in so doing, he shall, on Conviction thereof before Two or more Justices of Peace at Petty Sessions, be liable to be imprisoned for a Period not exceeding One Calendar Month; and all the Provisions of the "Petty Sessions (*Ireland*) Act" respecting summary Convictions before Justices at Petty Sessions, and respecting Appeals therefrom, shall be applicable to every Conviction under this Section.

Annulling Precept of Magistrate.

XXXVII. It shall be lawful for any of the Superior Courts of Law or Equity in *Ireland*, or any Judge thereof, or for the going Justices of Assize, or One of them, or for the Chairman presiding in the County, on a summary Application on behalf of any Person aggrieved by any such Precept, Order, or Conviction, of which due Notice shall be given to the opposite Party, to annul or vary any such Precept granted by any Justice of the Peace, or any Order or Conviction made at Petty Sessions in relation thereto, and to award as between the Parties a reasonable Sum for the Costs occasioned by the procuring and sustaining, or annulling or varying, the said Precept, or Order or Conviction, and reasonable Compensation for any Loss or Damage caused by the procuring such Precept or Order.

Landlord may enter to inspect Waste.

XXXVIII. It shall be lawful for the Landlord of any Premises holden under Lease or other Contract of Tenancy made on or after the First Day of *January* One thousand eight hundred and sixty-one, upon which any Waste, Misuser, or Destruction shall have been committed or suffered, and his Agent lawfully authorized, at any reasonable Time to enter upon the Premises so wasted or misused, and to inspect and, if necessary, to survey the same for the Purpose of ascertaining the Nature and Extent of any Waste or Injury done, or the Quantity of Land burned contrary to the Provisions of this Act; and if any Person shall hinder or obstruct such Landlord or Agent in making such Entry, Inspection, or Survey, he shall forfeit to the said Landlord a Sum not exceeding Ten Pounds, to be recovered by Civil Bill Action in the same Manner and with the like Appeal as in ordinary Cases of Civil Bill Actions.

Ordinary Civil Remedies preserved.

XXXIX. Nothing in this Act contained shall deprive any Landlord or Owner of any Lands of any other Remedy, either at Law or in Equity, which he might previously have had or pursued against any Person for any Injury sustained by such Landlord or other Person, or for preventing such Injury.

Destruction of Subject of the Lease to determine the Tenancy.

XL. If any Dwelling House or other Building constituting the substantial Matter of the Demise, and holden by any Tenant under any Lease or other Contract of Tenancy not containing an express Covenant or Agreement binding on the Tenant to repair the same, shall be destroyed, become ruinous and uninhabitable, or incapable of beneficial Occupation or Enjoyment, by accidental Fire or other inevitable Accident, and without the Default or Neglect of the said Tenant, it shall be lawful for such Tenant to surrender the said Premises, and on tendering the said Surrender, and on Payment of all Rent and Arrears due or accruing due, or tendering the same, the said Tenant shall be thenceforth discharged from all Obligation to pay the Rent or perform the Covenants and Conditions in the Lease thenceforward.

Covenants and Conditions.

Covenants implied on behalf of Landlord.

XLI. Every Lease of Lands or Tenements made after the Commencement of this Act, shall (unless otherwise expressly provided by such Lease) imply an Agreement on the Part of the Landlord making such Lease, his Heirs, Executors, Administrators, and Assigns, with the Tenant thereof for the Time being, that the said Landlord has good Title to make such Lease, and that the Tenant shall have the quiet and peaceable Enjoyment of the said Lands or Tenements without the Interruption of the Landlord or any Person whomsoever during the Term contracted for, so long as the Tenant shall pay the Rent and perform the Agreements contained in the Lease to be observed on the Part of the Tenant.

Covenants implied on behalf of the Tenant.

XLII. Every Lease of Lands or Tenements made after the Commencement of this Act shall (unless otherwise expressly provided by such Lease) imply the following Agreements on the Part of the Tenant for the Time being, his Heirs, Executors, Administrators, and Assigns, with the Landlord thereof; that is to say,

1. That the Tenant shall pay, when due, the Rent reserved and all Taxes and Impositions payable by the Tenant, and shall keep the Premises in good and substantial Repair and Condition:
2. That the Tenant shall give peaceable Possession of the demised Premises, in good and substantial Repair and Condition, on the Determination of the Lease (Accidents by Fire without the Tenant's Default excepted), subject, however, to any Right of Removal (or of Compensation for Improvements) that may have lawfully arisen in respect of them, and to any Right of Surrender in case of the Destruction of the Subject Matter of the Lease as herein-before mentioned.

Waiver and Dispensation of Covenants.

XLIII. Where any Lease made after the Commencement of this Act shall contain or imply any Condition, Covenant, or Agreement to be observed or performed on the Part of the Tenant, no Act hereafter done or suffered by the Landlord shall be deemed to be a Dispensation with such Condition, Covenant, or Agreement, or a Waiver of the Benefit of the same in respect of any Breach thereof, unless such Dispensation or Waiver shall be signified by the Landlord or his authorized Agent in Writing under his Hand.

XLIV. The

Surrender not to prejudice Rights of Landlord.

XLIV. The Surrender to or Resumption by a Landlord, or Eviction of any Portion of the Premises demised by a Lease, shall not in any Manner prejudice or affect the Rights of the Landlord, whether by Action, or Entry, or Ejectment, as to the Residue of said Premises.

Actions for Rent.

Action for Rent in arrear.

XLV. Every Person entitled to any Rent in arrear, whether in his own Right, or in right of his See, Dignity, Benefice, or Corporation, or in right of his Wife, or as Executor or Administrator of any Party deceased, under any Lease or other Contract of Tenancy, whether of Freehold or for Years or both, and whether the Estate or Interest in such Lease or Contract shall be continuing or not, shall be entitled to recover such Arrear from the Tenant of such Lands at the Time of the accruing of the said Rent, or his Executors or Administrators, by an Action in any of the Superior Courts of Law at *Dublin*, or, where the Amount shall not exceed the Sum of One hundred Pounds, by Civil Bill Action in the Court of the Chairman of the County or Riding in which the Lands or any Part of them shall be situate.

Action for Use and Occupation.

XLVI. Every Person entitled to any Lands, and who shall suffer the said Lands to be holden or occupied by any Person under an Agreement not specifying or determining the Amount of Rent, shall be entitled to recover a reasonable Satisfaction for the Use and Occupation of the said Premises holden or occupied by the said Person in an Action in any of the Superior Courts of Law at *Dublin*, or where the Amount shall not exceed the Sum of One hundred Pounds, by Civil Bill Action in the Court of the Chairman of the County in which the Lands or any Part of them shall be situate.

Receipts to apply to last Gale.

XLVII. Every Receipt or Acknowledgment for Rent or for Money paid on account thereof, and given on or after the First Day of *January* One thousand eight hundred and sixty-one, shall specify the Gale for or on account of which the same was accepted and paid, and in default thereof such Money shall, in any Action, Suit, or Proceeding whatsoever, be deemed to have been paid and accepted for and on account of the Gale of Rent which became due upon the Gale Day immediately preceding the Date of such Payment, and shall be *primâ facie* Evidence that all previously accrued Gales have been satisfied.

Set-off against Rent.

XLVIII. All Claims and Demands by any Landlord against his Tenant in respect of Rent shall be subject to Deduction or Set-off in respect of all just Debts due by the Landlord to the Tenant.

Apportionment of Rent where Lease has Continuance.

XLIX. In case any Landlord, being Tenant in Fee or for any lesser Estate, shall die before the Day on which the Rent reserved in any Lease or other Contract of Tenancy, or on any Parol Tenancy from Year to Year, shall have or shall become payable, and such Lease, Contract, or Tenancy shall have Continuance notwithstanding such Death, the Rent shall be apportioned in such Manner that the Executors, Administrators, or Assigns of such Landlord shall be entitled to a proportionate Part of such Rent according to the Time during which the said Rent was accruing due before such Death, including the Day on which such Death shall have happened, making all just and fair Allowances in respect of the proportionate Part of the Charges on said Lands: Provided that the Person liable to pay such Rent shall not be resorted to for any apportioned Part thereof specifically, but that the entire Rent shall be received and recovered by the Person who but for such Apportionment would have been entitled to the entire Rent, and such Proportion shall be received and recovered from such Person by the Parties entitled to the same under this Act.

Providing for Cases not coming within the Provisions of Clause 34.

L. In every Case not coming within the Provisions of Clause Thirty-four, when the Tenancy determines, otherwise than by the Act of the Landlord, at any Time before the Day on which the Rent would become payable, the Landlord at the Time of such Determination (unless it is otherwise agreed) shall be entitled to a reasonable Proportion of the Rent according to the Time that has elapsed from the Commencement of the Tenancy, or the last Gale Day, to the Day of the Determination of such Tenancy, including such Day.

No Distress for more than One Year's Rent.

LI. From and after the Commencement of this Act it shall not be lawful for any Landlord, or any one on his Behalf, to take or seize any Distress for Rent which became due more than One Year before the making of such Distress.

Ejectment for Year's Rent unpaid.

LII. Whenever a Year's Rent shall be in arrear in respect of Lands held under any Fee Farm, Grant, Lease, or other Contract of Tenancy, or from Year to Year, and whether by Writing or otherwise, it shall be lawful for the Landlord immediately thereon, and before the Expiration of the Time, if any, limited for Re-entry thereupon in any Lease or Agreement, to proceed by Ejectment for the Recovery of the Possession of the said Lands in any of the Superior Courts of Law at *Dublin*, or, where the Rent shall not exceed One hundred Pounds by the Year, in the Court of the Chairman of the County in which the Lands or any Part thereof are situated; and the Plaintiff's Right to sue as such Landlord shall not be defeated by Proof merely that the legal Estate in the Rent or Lands is vested in any other Person not a Party to such Suit or Proceeding, but who would be a Trustee for the Plaintiff, provided that the Plaintiff was at the Time of the Institution of such Suit or other Proceeding the Person substantially and beneficially entitled to the said Rent.

Reversion and Fictions unnecessary.

LIII. In any Ejectment under this Act it shall not be necessary to allege or prove the making of any Demand or Re-entry, or the Existence of any Clause or Condition of Re-entry in the Lease or other Contract, or of any legal Reversion expectant on the Determination of the same, and subsisting in the Landlord, provided a Tenancy between the Parties shall appear to exist, whether by original Contract, or by lawful Assignment, Devise, Bequest, or Act and Operation of Law.

Form of Civil Bill for Nonpayment of Rent as in Sched. (A.)

LIV. Every Civil Bill of Ejectment for Nonpayment of Rent under this Act may be according to the Form No. 2. in the Schedule (A.) to this Act annexed, and it shall be lawful for the Chairman, on Proof of the Service of such Civil Bill in the Manner herein-after directed, and that a Sum equal to One full Year's Rent, not exceeding the Rate of One hundred Pounds by the Year after all just and fair Allowances, was due when such Proceeding by Civil Bill was commenced, and still remains due to the Landlord, to decree the said Landlord to be put into possession of the said Premises, and to ascertain the Amount of the Rent then due.

Who to be served with Summons, &c. in Ejectment.

LV. In any Ejectment for Nonpayment of Rent brought by any Landlord under this Act, it shall not be necessary to serve with the Summons and Plaint in Ejectment, or with Civil Bill Process, any Person other than the Person or Persons in the actual Possession of the Lands as Tenant or Under-tenant.

Service on Persons in possession.

LVI. Service of the Summons and Plaint or Civil Bill Process in Ejectment for Nonpayment of Rent on any Person in the actual Possession as Tenant or Under-tenant of the Premises sought to be recovered, or any Part of them, shall be effected either by personal Service of the Summons and Plaint or Civil Bill Process on such Tenant or Under-tenant at any Place in *Ireland*, or by leaving a Copy thereof with the Wife, Child, Father, Mother, Brother, or Sister of the Party, or with any Servant or Clerk of the said Party, at his Dwelling House or Office or Place of Business (the Person with whom such Copy shall be left being of the Age of Sixteen Years or upwards), or in such other Manner as shall appear to the Court or Judge thereof to be sufficient.

Service where no Person in possession.

LVII. In case there shall be no Person in the actual Possession of the Premises as Tenant or Under-tenant on whom Service of such Summons and Plaint or Civil Bill Process in Ejectment can be effected, it shall be lawful instead thereof to affix a Copy of such Summons or Civil Bill Process on some conspicuous Part of the Premises, and also on the usual Place for affixing Notices in the nearest Market Town to the said Lands: Provided, however, that in such Case, before any Decree or Judgment by Default shall be given, the Court or a Judge shall be satisfied that there was no Person in actual Possession on whom other Service might have been effected: Provided also, that in case of an Ejectment for Nonpayment of Rent reserved upon any Lease of Tithes, Tithe Rentcharge, or other Ecclesiastical Dues, the Court in which the Ejectment is brought may order Service to be made by posting the Ejectment upon the Church Door of the Parish or Union of Parishes wherein such Tithe, Tithe Rentcharge, or Ecclesiastical Dues are payable, and if there be no such Church in the Parish or Union of Parishes, upon some public and conspicuous Place in the said Parish or Union.

Judgment and Decree by Default.

LVIII. In any Ejectment for Nonpayment of Rent brought in any of the Superior Courts of Law, when the Tenant shall not take Defence to the Ejectment, the Affidavit of the Landlord, his Agent, Receiver, or Clerk, stating the Amount of Rent due at the Time of the bringing of the Ejectment, over and above all just and fair Allowances, shall be sufficient Evidence of the Amount due, and shall when the same amounts to or exceeds One Year's Rent entitle the Landlord to Judgment for the Possession of the Premises, provided an Affidavit of the Service of the Summons and Plaint in such Ejectment shall have been duly filed, according to the Practice of such Court.

Defence to Civil Bill.

LIX. Every Defendant in a Civil Bill Ejectment under this Act shall be entitled to every Defence at the Hearing of such Civil Bill which he might have had at Law or in Equity.

Summons and Process to state Amount of Rent claimed.

LX. Every Summons and Plaint in Ejectment in the Superior Courts, and Civil Bill Process in Ejectment in the Court of the Chairman, for Nonpayment of Rent, shall contain or have endorsed thereon a Statement of the Amount claimed to be due by the Landlord for Rent after all just and fair Allowances up to the Time of the bringing of such Ejectment, and the Times at which such Rent accrued due, and that if the Amount thereof, together with a Sum for Costs, not exceeding in the Case of such Summons and Plaint One Pound Ten Shillings, and in the Case of a Civil Bill Process Ten Shillings, be paid to the Plaintiff or his Attorney or known Agent or Receiver within Ten Days from the Service of such Summons or Process, all further Proceedings will be stayed; and upon Payment or Tender within the Time so mentioned of the Sum so claimed, and Costs, to the Plaintiff or his Attorney or known Agent or Receiver, all further Proceedings in respect of the Rent then claimed shall cease and be stayed accordingly.

Where Amount disputed, Lodgment may be made with Clerk of the Peace.

LXI. It shall be lawful for any Defendant in a Civil Bill Ejectment for Nonpayment of Rent disputing the Amount of Rent claimed to be due, at any Time not later than Three Days before the Day on which he is required to appear, to deposit with the Clerk of the Peace of the County a Sum of Money for Rent, together with the Sum mentioned in said Civil Bill Process for Costs, for which Deposit, on Payment of the Fee of One Shilling and Sixpence, the Clerk of the Peace shall give the Defendant a Certificate of the Lodgment and Duplicate, which Duplicate shall be delivered to or left at the Abode of the Plaintiff, his Agent, Receiver, or Attorney in the Cause, not later than the Second Day before the Day on which the Defendant is required to appear; and in case the said Plaintiff, or his Attorney in the Cause, shall receive such Deposit from the Clerk of the Peace (which the Clerk of the Peace is hereby required to pay over to the Plaintiff or his Attorney on Demand), such Payment shall be in full Discharge of the Rent and Costs claimed by the said Civil Bill; but in case the said Plaintiff, after Delivery of such Certificate, shall not accept of the said Deposit on or before the Day next previous to the Day on which the Defendant is required to appear, exclusive of any *Sunday*, and it shall appear at the Hearing of such Civil Bill that no greater Sum was due for Rent at the Time of the Service of such Process

Process than the Sum so deposited as aforesaid, and that such Duplicate was delivered as aforesaid, it shall be lawful for the Chairman to dismiss the said Civil Bill, with Costs of the Proceedings subsequent to the Delivery of the said Duplicate, and the Plaintiff shall be entitled to the Amount so deposited, reduced by the Amount of such Costs; and if it shall appear that any greater Sum was due than the Sum deposited, it shall be lawful for the said Chairman to ascertain the Amount of Rent actually due at the Time of the Service of the Summons in Ejectment, and the Sum so deposited shall be returned to the Defendant, unless the Plaintiff shall elect to take the same in lieu of the Possession, in which Case the Plaintiff shall be entitled to receive the same in Payment of his Rent, and to have a Decree for his Costs or for the Balance of his Rent and Costs.

Lodgment in Court of Rent, and Undertaking to pay Costs.

LXII. It shall be lawful for any Defendant in any Action of Ejectment for Nonpayment of Rent in any of the Superior Courts of Law, at any Time before Judgment or Service of a Notice of Trial, to pay into Court a Sum of Money for Rent, with an Undertaking to pay the Costs then incurred when taxed and ascertained, and in case of Nonpayment to suffer final Judgment to be marked, or an Attachment to be issued against him; and thereupon the Plaintiff, if he shall not accept of the said Sum in full Discharge of the Action, with Costs to be taxed by the proper Officer, may proceed in the said Action at his Peril; and if upon the Trial of the Issue it shall appear that no greater Sum was due for Rent at the Time of the Service of the Summons in Ejectment than the Sum paid into Court, the Verdict shall be entered for the Defendant.

Tender before Civil Bill Decree executed.

LXIII. It shall be lawful for the Defendant in any Civil Bill Ejectment for Nonpayment of Rent, or any other Person having a specific Interest in the Lease or other Contract of Tenancy, at any Time before the Decree for Possession shall have been executed, to pay to the Plaintiff, or his Executor or Administrator, or Agent or Attorney, in the said Civil Bill, all Rent and Arrear due at the Time of the Service of the Ejectment, together with the Costs incurred, or a Sum sufficient to cover such Costs, or to tender the same, and in case such Tender shall be refused, to deposit the Money with the Clerk of the Peace of the County, for which Lodgment a Certificate and Duplicate shall be granted in manner aforesaid, and thereupon it shall be lawful for the Chairman to order all further Proceedings to be stayed and to cease, upon Payment of such Costs incurred up to the Date of such Tender as he shall deem reasonable, and the Money so lodged with the Clerk of the Peace shall be paid over to the Plaintiff, or his Executor or Administrator or Attorney, on Demand: Provided that the Decision of the Chairman shall be subject to Appeal in like Manner as if it were a Decree or Dismiss on a Civil Bill Ejectment for Nonpayment of Rent.

Tender before Writ of Habere executed.

LXIV. It shall be lawful for the Defendant in any Ejectment for Nonpayment of Rent in any of the Superior Courts, or any other Person having a specific Interest in the Lease or other Contract of Tenancy, at any Time before the Writ of Habere facias possessionem shall be executed, to pay to the Plaintiff, his Executors or Administrators, or his known Agent or Receiver, or to the Attorney in the Cause, all the Rent and Arrears due at the Time of the Service of the Ejectment, together with the Costs, or a Sum sufficient to cover such Costs, or to tender the same, and in case such Tender shall be refused, to lodge the Money in Court, and thereupon it shall be lawful for the Court, or a Judge thereof, to order all further Proceedings to be stayed and to cease, upon Payment of such Costs incurred up to the Date of such Tender as the Court or a Judge shall deem to be reasonable; and the Money so lodged in Court shall be paid to the Plaintiff, or his Executor or Administrator or Attorney, on Demand; and the Defendant shall, notwithstanding any such Payment, be at liberty to have the Costs taxed and paid back, if disallowed, with the Costs of the Taxation, in case more than One Sixth shall be disallowed.

Amount of Rent to be endorsed on Execution and payable to Sheriff.

LXV. Upon every Writ of Habere facias possessionem and Warrant under a Decree for Possession in any Ejectment for Nonpayment of Rent, there shall be a Statement of the Amount of Rent then due; and if at any Time before Execution executed the Defendant shall pay to the Sheriff the Sum so marked for Rent and Costs, such Sheriff shall stay such Execution, and shall endorse on such Writ, as a Return thereto, the Receipt of such Rent and Costs.

Remedy for Rent not prejudiced by Recovery of Possession.

LXVI. Every Landlord recovering Possession by such Judgment or Decree in any Ejectment for Nonpayment of Rent shall have the same Remedy for all Arrears of Rent to the Time of the Execution of such Judgment or Decree as such Landlord might have had if Possession had not been obtained under such Judgment or Decree.

Writ of Error no Stay of Execution unless Bail given.

LXVII. No Proceeding in Error to reverse any Judgment obtained in any Action of Ejectment for Nonpayment of Rent shall stay the Execution of the Writ of Habere facias possessionem, unless Bail in Error shall have been given.

Appeal from Civil Bill Decree.

LXVIII. Every Decree or Dismiss, or Dismiss without Prejudice, made or pronounced by any Chairman in any Action or Proceeding under this Act, shall be subject to Appeal, and under the same Restrictions and Regulations as other Cases of Civil Bills, unless so far as the said Regulations shall be inconsistent with the Provisions of this Act.

Appeal not to stay Execution unless Rent lodged.

LXIX. In any Civil Bill Ejectment for Nonpayment of Rent, in case there shall be a Decree for Possession pronounced by the Chairman therein, Execution of such Decree shall not be stayed by reason of any Appeal, unless the Defendant shall deposit with the Clerk of the Peace of the County the Amount of the Rent proved to be due on the Hearing of such Civil Bill, and the Costs thereof; and

such Deposit shall be in lieu of a Recognizance in ordinary Cases of Appeal, and shall be disposed of as the Court shall direct.

Restitution to be applied for within Six Months.

LXX. In case the Defendant in any Ejectment for Nonpayment of Rent, and the Persons interested in the Lease or other Contract of Tenancy, shall suffer a Decree of Possession or Writ of Habere facias possessionem to be executed, putting the Landlord into possession of the Premises, without paying the Rent and Arrears thereof, with full Costs, or lodging the same in the Superior Court in which the Ejectment was brought, or in case of a Civil Bill Ejectment, lodging the same with the Clerk of the Peace of the County within Six Months after the Execution of the said Decree or Habere or Writ of Possession, and also making an Application to be restored to the said Possession to the Court out of which such Decree or Writ shall have issued, or to a Judge thereof, within the said Period of Six Months, or at the earliest Opportunity after on which Application can be reasonably made (and of which Application the Landlord shall receive due Notice), in every such Case, or in case the said Court or a Judge shall, upon such Application, decline to make an Order for Restitution thereon, the said Defendant, and all other Persons interested in the Lease or other Contract of Tenancy, shall be debarred from all Relief or Remedy in Law or in Equity, other than by bringing an Appeal from the said Decree of the Assistant Barrister, or a Writ of Error to reverse such Judgment of the Superior Court in case such Decree or Judgment shall be erroneous, and the said Landlord shall from thenceforth hold the demised Premises discharged from such Lease or Tenancy; provided that nothing herein contained shall affect the Right of Redemption now by Law reserved to any existing Mortgagee claiming under a duly registered Mortgage.

Proviso.

Court may award Restitution of Possession in certain Cases.

LXXI. It shall be lawful for the said Chairman, in case of any Decree for Possession for Nonpayment of Rent, and for the said Superior Court of Law in which any such Judgment in Ejectment for Nonpayment of Rent in favour of any Landlord shall have been given and executed as aforesaid, or a Judge thereof, on the Application of the Defendant or any other Person having a specific Interest in the Lease or other Contract of Tenancy, and made within the Period aforesaid, and after such Payment or Lodgment of the Rent, Arrears, and Costs as aforesaid, to hear and determine in a summary Manner the Claim of such Defendant to be restored to the Possession of the Premises so recovered, and to give such Relief therein as a Court of Equity might have done, and to award a Writ of Restitution, or to refuse such Application; provided that the Order or Decision of a single Judge in Chamber may be reversed or varied by the Court, and that it shall be lawful for any Person aggrieved by any such Order or Decision of any Chairman to appeal therefrom to the next going Judge of Assize for the County, on Payment of the Costs already incurred, and entering into Security by Recognizance in the Sum of Three Pounds to abide by the Order of the said Judge on such Appeal, and such Judge of Assize shall, upon such Appeal, have Authority to make such Order touching the Application as shall seem to be just.

Ejectment for Overholding.

Overholding of Tenements under One hundred Pounds.

Civil Bill Ejectment.

LXXII. If any Tenant of any Lands holden at a Rent not exceeding the Rate of One hundred Pounds *per Annum* shall neglect or refuse to give Possession of the same after the Determination of his Interest, either by Notice to quit or otherwise, it shall be lawful for such Landlord to proceed by Civil Bill Ejectment against such Tenant and such other Person, if any, as shall be in the actual Possession of the said Premises, which Civil Bill may be according to the Form No. 3. in the Schedule (A.) to this Act annexed, and thereupon to serve with Civil Bill Process such Tenant or other Persons, and in the like Manner as herein-before required in Cases of Ejectment for Nonpayment of Rent, requiring such Persons to appear to answer the Bill of the said Landlord, praying to be put into possession thereof; and it shall be lawful for the Chairman, upon such Civil Bill, and Proof of the Service or affixing of such Process in manner aforesaid, and that the Premises had been holden of the said Landlord by the Tenant, or the Person under whom the Party in possession derives, at a Rent not exceeding the Rate of One hundred Pounds *per Annum*, and that the Interest of such Tenant has ended or determined by Efflux of Time, Notice to quit, or otherwise, to decree the said Landlord to be put into the Possession of the said Premises.

Defence and Appeal in Civil Bill.

LXXIII. Every such Civil Bill Ejectment for overholding shall be subject to the like Defence and Appeal as in case of a Civil Bill Ejectment for Nonpayment of Rent, and it shall not be necessary to make any Affidavit verifying the Contents of any Civil Bill Ejectment, whether for Nonpayment of Rent or otherwise.

Service of Summons in Ejectment for overholding.

LXXIV. The Summons and Plaint in Ejectment for the Recovery of any Lands or Premises holden over after the Expiration or Determination of the Term or Interest of any Tenant thereof shall and may be served upon the like Persons and in the like Manner as herein-before required in the Case of an Ejectment for Nonpayment of Rent under this Act.

Security from overholding Tenant in Ejectment.

LXXV. In any Case in which the Term or Interest of any Tenant under any Lease of any Lands for any Term or Number of Years certain, or from Year to Year, or at the Will and Pleasure of the Parties, shall have expired, or shall expire or be determined by Notice to quit, given either by the Landlord or the Tenant, and such Tenant, or any one holding or claiming by or under him, shall refuse to deliver up Possession accordingly, after lawful Demand in Writing made and signed by the Landlord or his Agent, and served personally upon or left at the Dwelling House or usual Place of Abode of such Tenant or Person, and the Landlord shall proceed by Action of Ejectment for the Recovery of the Possession of the Premises, it shall be lawful for him, at Foot of the Summons and Plaint, to address a

Notice

Notice to such Tenant or Person of an Application to the Court in which the Action shall be pending, that the Defendant be required to find Bail for such Purposes as are herein-after mentioned; and upon the Appearance of the Party on such Motion, or in default of such Appearance, on making the usual Affidavit of the Service of the Summons and Notice, it shall be lawful for the Landlord producing the Lease or other Instrument regulating the Terms of the Tenancy, or some Counterpart or Duplicate thereof, and proving the Execution of the same, and that the Premises have been actually enjoyed under such Lease or Instrument in Writing, and that the Interest of the Tenant has expired or been determined by a regular Notice to quit, and that Possession has been lawfully demanded, to move the Court, or a Judge thereof, that the Tenant or other Person shall, within Six Days from the Date of such Application, enter into a Recognizance by himself and Two sufficient Sureties in a reasonable Sum, conditioned to pay the Costs and Damages and Mesne Profits which shall be recovered by the Plaintiff in the Action; and it shall be lawful for the Court or a Judge to make such Order thereon as shall seem to it to be just; and in case the Tenant or other Person shall refuse or neglect to comply with such Order within the Period aforesaid, then, upon an Affidavit of the Service thereof, the Plaintiff shall be at liberty, notwithstanding any Defence or Demurrer filed by such Defendant, to enter up Judgment in Ejectment for the Recovery of the Possession of the Premises and his Costs of Suit.

Action for double Rent for overholding.

LXXVI. In case any Tenant of any Lands, or any Person who shall come into possession by or under or by Collusion with such Tenant, shall wilfully hold over any Lands or Premises, or Part thereof, after the Determination of the Tenancy, whether by Notice to quit given by the Landlord or by the Tenant, or otherwise, and after a Demand of the Possession made in Writing by the Landlord or his Agent, such Tenant or other Person shall pay to the Landlord for such Time as he shall so hold or keep the Possession double the Rent or Sum which he should otherwise have paid, to be recovered at the same Times and in the same Manner as the single Rent or Sum could have been recovered during the Term.

Mesne Profits may be recovered in Ejectment to the Day of Trial.

LXXVII. In case of any Ejectment for Nonpayment of Rent or for overholding any Premises, in any of the Superior Courts of Law, where the Summons and Plaint shall include a Claim for Rent or Mesne Profits, the Plaintiff, on Proof of his Right, may recover the Possession of the whole or some Part of the Premises mentioned in the Summons and Plaint in Ejectment and the Rent or Mesne Profits claimed thereby, and also the further Mesne Profits thereof which might have accrued from the Day to which the Mesne Rates claimed have been calculated, or from the Day on which the Rent for the Nonpayment of which the Ejectment shall be brought fell due, to the Day of such Trial, or some preceding Day to be specified.

Ejectment for deserted Tenements.

Civil Bill Ejectment for deserted Tenements.

LXXVIII. In case it shall happen that a Half Year's Rent shall be in arrear of any Lands or Premises holden under any Lease or other Contract of Tenancy, or from Year to Year, and the Tenant thereof shall desert or otherwise abandon such Lands or Premises, leaving the same unoccupied, or the Lands or the greater Portion of them uncultivated or unemployed, and without sufficient Distress, contrary to the Course of Husbandry, or carry off the Stock or Crop thereof, it shall be lawful for the Landlord thereof to proceed by Civil Bill Ejectment before the Chairman of the County in which the Lands or any Part of them shall be situate, to recover the Possession of them, and such Civil Bill may be according to the Form No. 4. in the Schedule (A.) to this Act annexed; such Landlord having first obtained a Certificate of Desertion in the Manner herein-after provided, and serving a Copy of the same, together with such Civil Bill Process, on the Tenant against whom such Proceedings shall be had, in the Manner herein-before provided in respect of Ejectments for Nonpayment of Rent, requiring such Tenant or other Person to appear to answer the Bill of the said Landlord, praying to be put into possession thereof; and it shall be lawful for the Chairman, on Proof of the due Execution of such Certificate by any Person who may have witnessed the Execution of the same, and that One Half Year's Rent of the said Premises was due to the Landlord when such Certificate was granted, and that such Civil Bill Process and Copy of such Certificate were duly served in manner aforesaid, and upon hearing the Tenant, in case he shall appear, and such Evidence as he may offer, to decree the said Landlord to be put into possession of the said Premises.

Certificate of Desertion.

LXXIX. In case any Lands or Premises shall be deserted or abandoned by the Tenant thereof, and the Premises left unoccupied, or the Lands or the greater Portion thereof suffered by the Tenant to remain uncultivated or unemployed, contrary to the Course of Husbandry, or the Stock or Crop thereof removed from the said Premises, it shall be lawful for any Two or more Justices of the Peace of the County in which such Lands or Premises or any Part thereof shall be situate, and being in no way interested in the said Lands or Premises, at the Request of the Landlord thereof, or of his Agent or Receiver, to go upon and view the same between the Hours of Ten o'Clock in the Morning and Four o'Clock in the Afternoon, and having fully ascertained to their Satisfaction, by Examination of Witnesses or by their own View, that the Premises are so deserted or abandoned by the Tenant, and left unoccupied or uncultivated or unemployed, contrary to the Course of Husbandry, or that the Crops or Stock have been removed, to certify to the Chairman of the County, under their Hands and Seals, that they have together viewed the said Premises, fully describing the same, and that the same appeared to them to be deserted and unoccupied or uncultivated or unemployed, contrary to the Course of Husbandry, or that the Stock or Crops have been so removed from the Premises, and such Certificate may be according to the Form No. 5. in the Schedule (A.) to this Act annexed, and shall be Evidence of the Facts stated therein,

therein, unless the same shall be disproved to the Satisfaction of the Chairman or the Judge of Assize on Appeal.

Civil Bill Ejectment against Parties signing Acknowledgment on Execution of Habere.

LXXX. It shall be lawful for the Chairman of any County and he is hereby authorized to hear and determine by way of Civil Bill, within his Jurisdiction, all Disputes relating to the Possession of Lands or Premises holden under any Acknowledgment made upon the Execution of any Writ of Habere or Civil Bill Decree between the Plaintiff in any Action of Ejectment or Civil Bill Ejectment, or any Person claiming under him, and any Occupier who shall have signed such Acknowledgment in the Manner herein-after provided, or any Person claiming or deriving under him, and to make an Order or Decree for the Delivery of the Possession of the said Lands to the Party entitled thereto; and the Civil Bill Process therein shall be served upon every Person in the actual Possession of the Lands claimed by such Civil Bill, and if there be no Person in actual Possession, then the same shall be served by affixing such Civil Bill on some conspicuous Part of the Premises, and also on the usual Place for posting Notices in the nearest Market Town to the Premises.

Cottier Tenancies under this Act.

LXXXI. Where any Landlord shall by any Agreement or Memorandum in Writing let a Tenement, wherever situate, consisting of a Dwelling House or Cottage without Land, or with any Portion of Land not exceeding Half an Acre, Statute Measure, at a Rent not exceeding the Rate of Five Pounds by the Year, for One Month, or from Month to Month, or in like Manner for any lesser Period of Time, and shall thereby undertake to keep and maintain the said Dwelling House or Cottage in tenantable Condition and Repair, such Tenancy shall constitute and be deemed to be a Cottier Tenancy within the Meaning of this Act, and shall be subject to the Provisions hereafter contained in respect thereof.

When Cottier Tenancy determined by Landlord, Compensation to be made for Crop.

LXXXII. In case any such Tenancy shall be determined by Notice to quit, served by the Landlord, the said Landlord shall pay to the Tenant a fair Compensation for any Crops which may be growing on the Land belonging to such Tenement, or any Benefit accruing from the manuring of such Land, to be recovered by Civil Bill Process before the Chairman of the County or Riding in which the Premises may be situate, which Civil Bill Proceeding shall be subject to the same Right of Appeal as ordinary Civil Bill Actions now are or hereafter shall be.

Cottier Tenements to be repaired by Landlord.

LXXXIII. The Landlord of such Cottier Tenement shall be bound to keep and maintain the Dwelling House in tenantable Condition and Repair; and in case it shall be proved that the said Dwelling House was, by the Landlord's Default, unfit for Occupation by reason of the Want of such Repairs, no Rent or Compensation for the Occupation of the said Tenement during the Time it shall continue in such State and Condition shall be recoverable.

Summary Recovery of Possession of Tenements for Waste.

LXXXIV. In case any such Cottier Tenant, or any Tenant for a shorter Period of Time than a Month, or at Will, or by Sufferance, shall maliciously or wilfully injure or destroy, or permit to be injured or destroyed, any Part of the Premises holden by him, and which the Landlord is bound to keep in repair, it shall be lawful for the Landlord to make his Complaint before any One or more Justices of the Peace for the County, not being interested in the said Premises, at Petty Sessions, and such Justice or Justices shall summon the Tenant before him or them, and hear and determine such Complaint; and if it shall be proved to his or their Satisfaction that such Tenant committed or permitted such Injury or Destruction upon the said Premises, the said Justice or Justices shall, by their Warrant in Writing, direct any Person to be therein named as special Bailiff on the Part of the Landlord to deliver Possession of the said Premises to the said Landlord or Owner; and such Warrant shall be obeyed and executed by such special Bailiff, who shall have full Power and Authority so to do.

Summary Recovery of Possession for Nonpayment of Rent.

LXXXV. In case any Gale of Rent or Compensation reserved or payable upon any such Cottier Tenement shall be in arrear for the Space of Forty Days, it shall be lawful for the Landlord of the Premises to exhibit his Complaint in respect thereof before a Justice or Justices of the Peace in Petty Sessions, and to cause the said Tenant to be served with a Summons in Writing, signed by a Justice or Justices having Jurisdiction in the Place in which the Premises shall be situate, to appear before Two or more Justices at the Petty Session or other Place in which such Justices usually meet for the Despatch of public Business, to show cause why Possession of the said Premises should not be delivered up to his Landlord, or his Agent or Receiver, and such Justices, or any Two or more of them, shall, in the Presence of such Tenant, or on Proof of the Service of the said Summons on the said Tenant personally, or by leaving a Copy of the same at his usual Place of Abode, determine the Matter; and if it shall appear to the said Justices that at least One Gale of such Rent, over and above all just Credits and Allowances, and any valid Set-off claimed by the Tenant, is in arrear for the Space of Forty Days aforesaid, the said Justices shall cause their Warrant to be prepared, directing Possession of the said Premises to be delivered to the Landlord, and to be executed by any special Bailiff therein named, and such Warrant shall be obeyed and executed by such Bailiff, who shall have full Power and Authority so to do.

Summary Recovery of Possession of Tenements overholden.

LXXXVI. In case the Term or Interest of any Tenant in any such Cottier Tenement shall have ended, or shall have been duly determined by a Notice to quit, and such Tenant or any Person by whom the Premises or any Part of them shall be then actually occupied shall neglect or refuse to deliver up the Possession of the same, or in case any Person shall have been put or shall be put into possession of any Lands or Premises by Permission of the Owner, as Servant, Herdsman, or Caretaker, and shall refuse or omit to quit and deliver up the Possession of the Premises, on Demand made by the Owner thereof, or his known Agent or Receiver, it shall be lawful for the Landlord or Owner of the said Premises, or his

his Heirs, Executors, or Administrators, or his known Agent or Receiver, to cause the Person so neglecting or refusing to quit or deliver up the Possession to be served with a Summons in Writing, signed by a Justice or Justices not interested in the said Premises, but having Jurisdiction in the Place in which the Premises shall be situate, to appear before Two or more Justices at the Petty Sessions, Town Hall, or Divisional Justice Room, or other Place in which such Justices usually meet for the Despatch of public Business of such City, Town, District, or other Place, to show Cause why Possession of the said Premises should not be delivered up to such Landlord or Owner, or his Agent or Receiver as aforesaid; and if the said Tenant or Occupier shall not appear at the Time and Place appointed, or if such Tenant or Occupier shall appear and shall not show to the Satisfaction of such Justices reasonable Cause why Possession should not be given, and shall still neglect or refuse to deliver up Possession of the said Premises, or such Part of them as was in his actual Occupation at the Time of the Service of such Summons, to the said Landlord or Owner, or his Agent or Receiver, it shall be lawful for such Justices or any Two or more of them, not interested as aforesaid, on Proof being made before them of the Holding or permissive Possessions, as the Case may be, and of its End or Determination, and the Time and Manner thereof, and where the Title of the Landlord shall have accrued since the letting of the Premises, the Right by which he claims the Possession, to issue a Warrant, under their Hands and Seals, to any Person as a special Bailiff in that Behalf, on the Part of the Landlord or Owner, requiring and authorizing him, within a Period to be therein named, and not less than Seven or more than Fourteen clear Days from the Date of such Warrant, to give the Possession of the said Premises to the said Landlord, or his Agent or Receiver, and such Warrant shall be a sufficient Authority to the said Bailiff to enter upon the said Premises, with such Assistants as he shall deem to be necessary, and to give Possession accordingly: Provided that no Entry shall be made under such Warrant on any *Sunday*, *Good Friday*, or *Christmas Day*, or at any Time except between the Hours of Nine in the Morning and Four in the Afternoon: Provided also, that nothing herein contained shall prejudice or affect the Right of any Owner of Property intrusted to the Care of any Servant or Caretaker peaceably to resume the Possession thereof without Process of Law, if he shall so think fit.

Service of the Summons.

LXXXVII. Such Summons as last aforesaid may be served either personally or by leaving the same with some Person being in occupation of such House or Part of a House or Tenement, and where the Tenant of such House or Part of a House or Tenement shall not reside therein, by serving the same personally or by leaving the same at the Place of Abode of the Tenant so holding over as aforesaid Four clear Days before the Day appointed for the Hearing of the Matter of the said Summons: Provided that if the Person so holding over cannot be found, and Admission into the Premises so overholden cannot be obtained, and the Place of Abode of such Person shall not be known, the posting of such Summons on some conspicuous Part of the Premises so holden over shall be deemed to be good Service of such Person.

Stay of Execution of Warrant on undertaking to give Possession in Fourteen Days.

LXXXVIII. If any Tenant so summoned to give up Possession shall appear before the said Justices and give an Undertaking (to be entered in Writing by the Clerk of the Court) quietly and peaceably to deliver up, within Fourteen Days from the Date thereof, the Possession of the Premises of which he is such Tenant or Occupier, in good Order and Repair to the Landlord, or his Agent or Receiver, and in the meantime to pay all Rent and Arrears claimed by such Landlord in respect of such Tenement, in such Case the said Justices shall not issue their Warrant for giving up the Possession until after the Expiration of such Period of Fourteen Days; and if the said Tenant shall at the Expiration of such Period continue in possession otherwise than by Permission of the Landlord, or his Agent or Receiver, it shall be lawful for such Justices to issue their Warrant for giving Possession of the same forthwith, and such Warrant shall be executed accordingly, without further Notice to such Tenant.

Irregularity in the Proceeding not to make a Party a Trespasser.

LXXXIX. Where the Landlord applying for such Warrant has at the Time of the granting of it some lawful Right to the Possession of the Premises or of the Part so holden over, the said Landlord, or his Agent or Receiver, or other Person acting on his Behalf, shall not be deemed to be a Trespasser by reason merely of any Irregularity or Informality in the Mode of proceeding for obtaining Possession under the Authority of this Act, but the Party aggrieved may bring an Action for such Irregularity or Informality, in which the Damages alleged to be sustained shall be specially laid, and may, unless such Party shall have tendered sufficient Amends before the Commencement of such Action, recover therein full Satisfaction for such special Damage, with Costs of Suit; but in case such special Damage laid as aforesaid be not proved, the Defendant shall be entitled to a Verdict, and in case the said Plaintiff shall recover no greater Sum than Five Shillings for such special Damage, he shall be entitled to no greater Sum for Costs than the Amount of the Damages so recovered, unless the Judge before whom the Cause is tried shall certify on the Back of the Record that in his Opinion full Costs ought to be allowed.

General Provisions.

Costs may be awarded against One Defendant, &c.

XC. The Chairman, upon the Hearing of any Civil Bill Ejectment where there is more than One Defendant, may, upon pronouncing his Decree, order the Costs of such Proceedings to be paid by and recovered against any One or more of the Defendants by Name, and not against the other or others of them.

Taxation of Costs in Civil Bill Ejectment.

XCI. The Chairman shall in all Cases of Civil Bill Ejectment under this Act, upon Request of either Party or his Attorney, tax the Costs between Party and Party, and include the same in his Decree or Dismiss,

Dismiss, and shall, at the like Request, tax the Costs between Attorney and Client; and no Costs shall be recovered in respect of any Proceedings in Ejectment in the Court of the Chairman, or preparatory thereto, unless the same shall have been taxed as aforesaid; and the said Chairman may examine upon Oath, which Oath he is hereby authorized to administer, any Attorney seeking to establish a Charge against his Client as to all Matters necessary to ascertain the Right to such Costs.

Sheriff to execute Civil Bill Decree in Ejectment.

XCII. The Sheriff or Under-Sheriff of the County in which any Decree or Dismiss under this Act shall be pronounced shall (unless in Cases in which a special Bailiff shall have been appointed at the Instance of the Plaintiff) execute such Decree for Delivery of the Possession of any Lands or Premises within One Fortnight after the same shall be delivered to him, and shall be entitled to the Fee of One Guinea, and no more, in every Case in which he shall so execute the same.

Sheriff to appoint special Bailiff, if required.

XCIII. The Sheriff shall, if required by the Plaintiff so to do, grant his Warrant to a special Bailiff nominated by the said Plaintiff to execute any Decree for the Possession of Lands or Premises in the like Manner as for the Execution of any other Civil Bill Decree, and such Sheriff shall be entitled to the Fee of Two Shillings and Sixpence, and no more, for granting such Warrant; and it shall be lawful for such special Bailiff to whom such Warrant shall be granted, with his Assistants, to execute the same by delivering the Possession of the Lands or Premises therein named to the Plaintiff or to any Person appointed by him in that Behalf.

Habere and Decree may be executed without disturbing Possession of Under-tenants.

XCIV. The Sheriff or his Officer or Bailiff may, with the Consent in Writing of the Plaintiff or his Attorney, execute any Writ of Habere facias possessionem or Civil Bill Decree for Possession in Ejectment, without removing from the Possession of the Lands or Premises any Under-tenant or Occupier who shall at the Time of such Execution sign with his Name or Mark an Attornment or Acknowledgment, in or substantially according to the Forms No. 6. or No. 7. in the Schedule (A.) to this Act annexed, attested by such Sheriff, Officer, or Bailiff, which Attornment or Acknowledgment shall be annexed to such Writ or Decree, and a Copy thereof given to the Plaintiff or his Attorney, and such Execution shall be as valid as if such Persons were not in occupation, or as if such Writ or Decree had been executed in common Form of Law.

Renewal of the Writ after such partial Execution.

XCV. It shall be lawful for any Plaintiff who shall have executed any such Writ or Decree as aforesaid without disturbing the Possession of any Under-tenant or Occupier who shall have made such Acknowledgment in the Form No. 7. aforesaid, and shall not have attorned as Tenant in manner aforesaid, and for the Heirs, Executors, Administrators, or Assigns of such Plaintiff, at any Time within Six Calendar Months after such Execution of the Writ or Decree, on Application to the Chairman or Court from which such Writ or Decree shall have issued, to obtain a Renewal of the same, to be again executed at the Cost of such Plaintiff or his Representative or Assignee in common Form of Law, as to the whole or any Part of the said Lands, and such Renewal shall be without Prejudice to any Right or Interest vested in the said Party by virtue of the First Execution of the said Writ or Decree: Provided, however, that in case of an Ejectment for Nonpayment of Rent no such Renewal shall take place in case the Tenant's Interest in the Lease or other Contract of Tenancy shall have been redeemed in the meantime.

Fresh Execution of Writ on Justice's Certificate.

XCVI. In any Case in which any such Writ or Decree shall have been executed as last aforesaid, and any such former Tenant or Occupier shall, within the said Period of Six Months from the Date of such Execution, without lawful Authority, re-enter into or resume the Possession of the said Premises or any Part of them, upon an Application made to any Justice of the Peace of the County at Petty Sessions, and upon Proof made before him to his Satisfaction of the due Service of a Summons or Notice of such intended Application, and of the Facts of such Execution and unlawful Re-entry, upon Affidavit or on Oath (which Affidavit or Oath such Justice is hereby authorized to take or administer), it shall be lawful for such Justice and he is hereby required to certify in Writing under his Hand that in his Opinion in such Case a sufficient Cause had been shown for having the said Writ or Decree executed anew as to the Part or Parts of the Premises of which the Possession shall have been resumed as aforesaid, and upon the Production of such Certificate on the Part of the Plaintiff in such Action or Civil Bill, or his Heir, Executor, Administrator, or Assignee, the Writ or Decree shall be executed anew by the Sheriff or his special Bailiff as to the Part or Parts of which the Possession shall have been resumed as aforesaid.

Registry of Decree or Order for Ejectment.

XCVII. The Clerk of the Peace of the County in which any Civil Bill Decree shall be made under this Act shall, on the Application of any Person interested, and on Payment of a Fee of Two Shillings and Sixpence, enter in a Book to be kept in his Office for that Purpose a Memorandum of any Judgment or Decree in Ejectment or Order for Restitution which shall be made under this Act, and also of any summary Order for Delivery of the Possession of any Lands or Premises made by any Justice or Justices of the Peace under this Act, and of the Return of any Sheriff of the Execution of any Habere, Decree, or Order, which Entry shall specify the Names of the Plaintiff and Defendant, and of the Lands recovered, and the Nature and Date of the Decree or Order, and the Date of the Execution thereof.

Where Lands are situate in Two or more Counties, Proceedings may be taken in either.

XCVIII. In case any Lands or Premises respecting which any Proceeding by way of Civil Bill shall be brought under this Act shall be situate partly in Two or more Counties, such Proceeding by way of Civil Bill may be brought in any or either of them, and the Sheriffs of the respective Counties in which any Part of such Lands or Premises shall be situate shall, so far as relates to the Portion of the Premises within their respective Jurisdictions, execute such Decree as may be made on Delivery to each of them

of

of a Copy of such Decree, signed by the Chairman who shall have made the same: Provided that where any Lands shall be situate partly or wholly within a Place which is a County of a City or County of a Town of itself (except the County of the City of *Dublin*), the Assistant Barrister of the County at large and the Justices of the Peace of the said County at large shall have the same Jurisdiction and exercise the like Powers respecting such Premises as if the same had been situate in the County at large.

Where Chairman interested, Proceedings may be taken in an adjoining County.

XCIX. In any Case in which the Chairman of the County shall happen to be the Landlord or Tenant, or claim to be entitled to the Possession of any Lands or Premises situate in any One or more than One County, and the same or any Part thereof shall be situate within his own Jurisdiction, and he or any other Person shall be desirous to institute Proceedings in respect of the said Lands or Premises under this Act on behalf of or against such Chairman, such Proceedings may be had in some adjacent County without the Jurisdiction of the said Chairman, or in the County in which the other Part of the Lands are situate; and the Chairman of such adjacent County shall have the like Jurisdiction therein as if the said Lands or the entire of them were situate in the said adjacent County, and an Appeal shall lie therefrom in the like Manner, and any Decree or Dismiss shall be executed by the Sheriff of the County in which the Lands are situate, as if it were a Decree of the Chairman of such County.

No Action against Justice for granting Warrant.

C. No Action shall be brought or prosecuted against any Justice or other Person hereby authorized, by whom any Precept or Warrant shall be issued or Certificate shall be granted, nor against any Constable or Bailiff by whom such Precept or Warrant may be executed under and by virtue of this Act, by reason that the Person on whose Application the same shall be granted had not lawful Right to recover the Rent or the Possession of the Premises therein mentioned, or to prohibit the Act therein prohibited.

Title to Lands not to be drawn in question.

CI. The Title to any Lands or Premises shall not be drawn into question in any Proceeding by way of Civil Bill under this Act.

Errors not to defeat Proceedings.

CII. No Civil Bill Proceeding under this Act shall be defeated by reason of any technical Objection whatsoever, or of any Mistake, Variance, or Omission which is not manifestly calculated to mislead and injuriously prejudice the opposite Party in the Merits of his Case.

Schedules to be Part of the Act.

CIII. The Schedules to this Act annexed shall be deemed and taken to be a Part of this Act, and the Forms therein contained, or any other Forms to the like Effect, may be used in the respective Cases to which they are applicable.

Repeal of Acts and Parts of Acts as in Sched. (B.)

CIV. From and after the Commencement of this Act, the several Acts and Parts of Acts set forth in the Schedule (B.) to this Act annexed, so far as the same refer to the Relation of Landlord and Tenant in *Ireland*, but not otherwise, and to the Extent to which such Acts or Parts of Acts are by such Schedule expressed to be repealed, and not further or otherwise, shall be and are hereby repealed, except so far as may be necessary to support or enforce any Lease made or Contract entered into, or as to anything heretofore done, or any Right acquired or Liability incurred, and except so far as any of the said Acts or Parts of Acts repeal any former Act or Part of an Act, and except so far as may be necessary for the Purpose of supporting and continuing any Proceeding heretofore taken or to be taken after the Commencement of this Act upon any Proceeding commenced before the Commencement of this Act, and except as to the Recovery and Application of any Penalty for any Offence which shall have been committed before the Commencement of this Act.

Commencement of Act.

CV. This Act shall come into operation on the First Day of *January* One thousand eight hundred and sixty-one.

SCHEDULES to which this Act refers.

SCHEDULE (A.)

No. 1.

FORM of PRECEPT to restrain Waste.

County of *M.* to wit. } To *C.D.* and *E.F.*, and all Persons whom it may concern.

WHEREAS Information on Oath has been this Day laid before me, being One of Her Majesty's Justices of the Peace for the County of *M.*, that you, *C.D.* and *E.F.*, being the Occupiers of [*or* acting under the Authority of and in collusion with one *M.N.*, being the Occupier of] a certain Dwelling House [*or* Farm of Lands] situated at *N.* in the Barony of *O.* and County of *M.* aforesaid, and held by you as [Tenant from Year to Year, *or otherwise, as* Tenant *or* Caretaker, *as the Case may be*,] to *A.B.*, do intend and are about to commit or suffer [*or* are in the Act of committing or suffering] certain unlawful Waste and Injury to the Premises by [*state the Nature of the Waste, Injury, Alteration, or Removal which is apprehended or actually being done*,] contrary to the Statute in that Case made and provided:

These are, therefore, to command and firmly enjoin you and each of you, and all other Persons whomsoever, not to proceed to [*state against the Waste, &c. apprehended or being done*], or to continue the same, or otherwise to injure the said Premises, or any Part of them, until special Leave, Licence, and Authority in Writing for that Purpose shall be first procured from and given by me the said Justice, or until the Matter of the said Information shall be first inquired into at the Petty Sessions of the Peace to be holden at on the Day of next, and this my Precept lawfully annulled or altered in that Behalf [*or* until the Day of next, *naming a particular Day*, *or* further Order].

And in case you shall disobey this my Precept, you and each of you, and all Persons wilfully aiding, abetting, or assisting you in so doing, will be punished in pursuance of the Statute in that Case made and provided.

And all Constables of Police, and others, are hereby required to prevent such Waste or Injury, and to apprehend and bring to Justice all Persons present and aiding or assisting in such unlawful Acts, to be dealt with according to Law.

Given under my Hand and Seal, this Day of in the Year 18 .

G.H.,
Justice of the Peace for the County of *M.*

No. 2.

FORM of CIVIL BILL EJECTMENT for Nonpayment of Rent where One Year's Rent due.

County of *M.*
Division of *N.*
A.B., Plaintiff,
C.D., *G.H.*, and *I.K.*, Defendants.

BY the Chairman at the Quarter Sessions of the Peace for the said Division of the said County.

WHEREAS the Defendant [*or* One of the Defendants] holds Part of the Lands of *L.* in the Parish of *H.* and Barony of *R.*, and in the Division of *N.* aforesaid, as Tenant thereof to the Plaintiff, under a Lease [*or* Contract of Tenancy] for a Term unexpired, [*or* as Tenant from Year to Year, *as the Case may be,*] at the yearly Rent of £ :

And whereas the Sum of £ of the said Rent, being One full Year's Rent, due and ending on the Day of last, became and still is due to the said Plaintiff in respect of the Premises:

[And whereas the Defendants *G.H.* and *I.K.* respectively are in actual Possession of the Premises as Under-tenants thereof:]

The Defendants, therefore, and all Persons claiming any Interest in the said Premises, are hereby required to appear before the said Chairman at *B.*, in the Division of *N.* aforesaid in the said County, on the Day of next, at a Quarter Sessions to be holden for the said Division of the said County, to answer the Plaintiff's Bill for Recovery of the Possession of the Premises by reason of the Matters aforesaid, or in default thereof the said Chairman will proceed as to Justice shall appertain.

Dated this Day of in the Year 18 .

Signed on behalf of the Plaintiff,
E.F., Attorney.
[*Residence of Attorney.*]

To the Defendants.

No. 3.

FORM of CIVIL BILL EJECTMENT for overholding.

County of *M.*
Division of *N.*
A.B., Plaintiff,
C.D., and *E.F.*, Defendants.

BY the Chairman at the Quarter Sessions of the Peace for the said Division of the said County.

WHEREAS *C.D.*, One of the Defendants, lately held Part of the Lands of *L.* in the Parish of *H.* and Barony of *R.*, and in the Division of *N.* aforesaid in the said County, as Tenant to the Plaintiff, under a Lease [*or* Contract of Tenancy] made thereof for the Term of [*or* from Year to Year], at the yearly Rent of £ , which Demise determined on the Day of last:

And whereas the said Plaintiff [*or L.M.*, the Agent or Receiver of the Plaintiff,] after the Determination of the said Tenancy, and on the Day of last past, demanded Possession of the said Premises and a Delivery of the said Possession to him [as such Agent or Receiver of the Plaintiff], and the said Possession and Delivery have been withheld, and the several Defendants are in the actual Possession of the Premises, and no other Person is in possession of any Part thereof as Tenant or Under-tenant:

The Defendants, therefore, and all Persons claiming to have any Interest in the said Premises, are hereby required to appear before the said Chairman at *B.* in the said Division of *N.* in the said County, on the Day of next, at a Quarter Sessions to be holden for the said Division of the said County, to answer the Plaintiff's Bill for Recovery of the Possession of the Premises by reason of the Matters aforesaid, or in default thereof the said Chairman will proceed as to Justice shall appertain.

Dated this Day of , in the Year 18 .

Signed on behalf of the Plaintiff,
E.F., Attorney.
[*Residence of Attorney.*]

To the Defendants.

No. 4.

FORM of CIVIL BILL EJECTMENT for deserted Tenements.

County of *M.*
Division of *N.*
A.B., Plaintiff,
C.D., Defendant.

BY the Chairman at the Quarter Sessions of the Peace for the said Division of the said County.

WHEREAS the Defendant holds Part of the Lands of *L.* in the Parish of *H.* and Barony of *R.*, and in the Division of *N.* aforesaid, as Tenant to the Plaintiff, under a Lease [*or* Contract of Tenancy] thereof for a Term still subsisting [*or* from Year to Year], at the yearly Rent of £ : And whereas the Sum of £ of the Rent aforesaid, ending on the Day of last became and still is due to the Plaintiff, after all just and fair Allowances:

And whereas the Defendant on the Day of 18 deserted and abandoned the Premises, leaving them unoccupied [*or* leaving the Lands, or the greater Portion of them, to remain uncultivated or unemployed, contrary to the Course of Husbandry, and without sufficient Distress to be found therein, *or* carrying away the Stock or Crop thereof]:

The Defendant is therefore hereby required to appear before the Chairman at in the Division aforesaid in the said County, on the Day of next, at a Quarter Sessions to be holden for the said Division of the said County, to answer the Plaintiff's Bill for the Recovery of Possession of the Premises by reason of the Matters aforesaid, or in default thereof the said Chairman will proceed as to Justice shall appertain.

Dated this Day of in the Year 18 .

Signed on behalf of the Plaintiff,
E.F., Attorney.
[*Residence of Attorney.*]

To the Defendant.

No. 5.

FORM of MAGISTRATE'S CERTIFICATE of DESERTION.

County of *M.* to wit.

WE *A.B.* and *C.D.*, Two of Her Majesty's Justices of the Peace for the said County of *M.*, having been called upon by *G.H.*, and at his Request having together gone to and viewed that Part of the Lands of *L.* situate and being in the Parish of *H.* and Barony of *R.* and County of *M.*, late in the Possession of *I.K.*, as Tenant thereof, containing Acres Roods and Perches, or thereabouts, on the Day of between the Hours of Ten o'Clock in the Forenoon and Four o'Clock in the Afternoon of the said Day, do certify, That the Premises aforesaid then appeared to us to be deserted and abandoned by the said *I.K.*, the said Lands, or the greater Portion of them, being left uncultivated or unemployed, contrary to the Course of good Husbandry, and without sufficient Distress to be found therein [*or, if the Case be so,* the Stock and Crop thereof having been carried off, *or, in case the Premises consist chiefly of a Dwelling House, say,* the Dwelling House being left unoccupied].

Given under our Hands and Seals, this Day of in the Year 18 .

A.B. (*Seal.*)
C.D. (*Seal.*)

To the Assistant Barrister
for the County of *M.*

Witness present,
X.Y.

No. 6.

FORM of ATTORNMENT by Under-tenants or Occupiers of Lands recovered in Ejectment, upon the Execution of a Writ or Civil Bill Decree for delivering Possession where the Under-tenants attorn as Tenants to the Plaintiff.

WHEREAS *A.B.* of hath lately recovered Judgment in Ejectment [*or* obtained a Civil Bill Decree] for the Lands and Tenements in the Tenancy or Occupation of the Persons under-named respectively: Now we whose Names are hereunder subscribed, upon the Execution of the Writ of Possession [*or* Decree, *if by Civil Bill*] in the said Cause, according to the Statute in that Behalf, with the Assent of the said *A.B.* [*or* the Attorney for the Plaintiff] in the said Cause, testified by the said Attorney for the Plaintiff signing these Presents, do hereby severally and respectively attorn and become Tenants to the said *A.B.* of the several Farms, Lands, and Tenements situate at the several Places, and for the Terms and commencing at the Times mentioned and set opposite to our respective Names in the Schedule hereunder written, and do hereby severally agree to pay such respective Rents for the same, and from such several Periods or Times as in the said

Schedule expressed; and we have severally given unto the said *A.B.*, or his Agent, the Sum of *One Penny*, in the Name of Attornment and in Part of the said Rents. [*Provided always, that if the said Lands and Tenements shall in due Course of Law be redeemed in pursuance of the Statutes in such Case made and provided, these Presents shall thenceforth be void.]

As witness our Hands, this Day of 18

Tenants Names.	Farm or Tenement.	Yearly Rent, *or as the Case may be.*	When due.	Term of the Holding, *a the Case may be.*	Commencement of the Term.
		£ s. d.			
C.D. -	—	5 0 0	May 1 and November 1.	One Year -	1 November *or* 29 September [*or such Day as may be agreed on.*]
E.F. -	—	—	March 25 and September 29.		
G.H. -	—	1 per Acre -	May 1 and November 1.		

Witness,

Attorney for the Plaintiff.
Sheriff
or
Sheriff's Officer.

* This Proviso to be added where the Ejectment or Civil Bill Ejectment shall have been for Nonpayment of Rent.

No. 7.

FORM of ACKNOWLEDGMENT by Occupiers of Lands recovered in Ejectment upon the Execution of a Writ or Civil Bill Decree for Delivery of Possession, where the Parties do not agree to an Attornment as Tenants.

WE, whose Names are hereunder subscribed, upon the Execution of the Writ of Possession [*or* Decree] in this Cause, with the Assent of the said *A.B.* [*or* the Attorney for the Plaintiff] in the said Cause, testified by the said Attorney signing these Presents, hereby acknowledge that we respectively occupy the Lands by the Licence and at the Will of the said *A.B.* and that we will severally and respectively, when required by the said *A.B.* or his authorized Agent or Receiver, deliver up to the said *A.B.* or his authorized Agent or Receiver, the Possession of the said Lands and Premises in our respective Occupation as set opposite to our respective Names in the Schedule hereunder written. [*Provided always, that if the said Lands and Premises shall in due Course of Law be redeemed in pursuance of the Statutes in such Case made and provided, these Presents shall thenceforth be void.]

As witness our Hands, this Day of

Occupiers Names.	Farm or Lands.
C.D. - - - -	Blackacre.
E.F. - - - -	Whiteacre.
G.H. - - - -	House and Garden in Whiteacre.

Witness,

Attorney for the Plaintiff.
Sheriff
or
Sheriff's Officer.

* This Proviso to be added where the Ejectment or Civil Bill Ejectment shall have been for Nonpayment of Rent.

SCHEDULE (B.)

ACTS and PARTS of ACTS REPEALED, so far as the same relate to the Relation of Landlord and Tenant in Ireland, and as by the foregoing Act is declared.

Date of Act.	Title of Act.	Extent of Repeal.
	ACTS of the PARLIAMENT of IRELAND.	
15 Edw. 4. Cap. 1.	An Act prohibiting Distresses to be taken contrary to the Common Law.	The entire Act.
18 Edw. 4. Cap. 1.	An Act whereby Distresses taken for Rent may be sold.	The entire Act.
33 Hen. 8. s. 1. Cap. 7.	An Act for all Lords to distraine upon the Lands of them holden, and to make their Avowrie, not naming the Tenant but the Land.	The entire Act.
33 Hen. 8. s. 1. Cap. 13.	An Act for Attournements - - - -	The entire Act so far as it relates to Distress for Rent.
10 Car. 1. s. 2. Cap. 4.	An Act concerning Grantees of Reversions to take advantage of Breaches of Condition, &c.	The entire Act.
10 Car. 1. s. 2. Cap. 5.	An Act for Recovery of Arrears of Rents by Executors of Tenant in Fee Simple.	The entire Act.
10 & 11 Car. 1. Cap. 7.	An Act of Explanation of a Statute made in this Realm in the Eighteenth Year of the Reign of the late King Edward the Fourth, intituled "An Act whereby Distresses taken for Rent "may be sold."	The entire Act.
7 Wm. 3. Cap. 12.	An Act for Prevention of Frauds and Perjuries -	Sec. 1.
11 Anne, Cap. 2.	An Act for the more effectual preventing of Frauds committed by Tenants.	The entire Act, except Sec. 7; Sec. 8 being already repealed.
4 Geo. 1. Cap. 5.	An Act to explain and amend an Act, intituled "An Act for the more effectual preventing of "Frauds committed by Tenants."	The entire Act except Sec. 1.
8 Geo. 1. Cap. 2.	An Act for amending an Act, intituled "An Act "to explain and amend an Act intituled 'An "'Act for the more effectual preventing of "'Frauds committed by Tenants.'"	The entire Act except Secs. 8, 9, 10.
10 Geo. 1. Cap. 5.	An Act for the further Encouragement of finding and working Mines and Minerals within this Kingdom.	Secs. 4, 5, 6, and 7.
5 Geo. 2. Cap. 4.	An Act for the further explaining and amending the several Laws for preventing Frauds committed by Tenants, and for the more easy Renewal of Leases, and for the further Amendment of the Law in certain Cases therein mentioned.	Secs. 1, 2, 3, and 4.
11 Geo. 2. Cap. 5.	An Act to explain and amend an Act intituled "An Act for preventing Inconveniences that "may happen by Privilege of Parliament."	Sec. 3.
51 Geo. 2. Cap. 8.	An Act for the more effectual securing the Payment of Rents, and preventing Frauds by Tenants.	Section 9.
17 Geo. 2. Cap. 10.	An Act to prevent the pernicious Practice of burning Land, and for the more effectual destroying of Vermin.	The entire Act.
25 Geo. 2. Cap. 13.	An Act for explaining, amending, and making more effectual the Laws relating to Landlord and Tenant.	Secs. 1, 2, and 3.
1 Geo. 3. Cap. 17.	An Act for reviving, continuing, and amending several temporary Statutes, and for other Purposes therein mentioned.	Secs. 2, 3, 4, and 5.

Landlord and Tenant (Ireland).

Date of Act.	Title of Act.	Extent of Repeal.
3 Geo. 3. Cap. 29.	An Act for the more effectual preventing the pernicious Practice of burning Land.	The entire Act.
5 Geo. 3. Cap. 10.	An Act for the more effectually carrying into execution the Laws heretofore made to prevent the pernicious Practice of burning Land.	The entire Act.
15 & 16 Geo. 3. Cap. 27.	An Act to amend the several Acts of Parliament made in this Kingdom for the more effectual preventing of Frauds by Tenants.	The entire Act.
23 & 24 Geo. 3. Cap. 46.	An Act for the Apportionment and more easy Recovery of Rents in certain Cases.	The entire Act.
31 Geo. 3. Cap. 40.	An Act for the Preservation of Shrubs and Trees	The entire Act.
40 Geo. 3. Cap. 24.	An Act for more effectually preventing the burning of Land.	The entire Act.
	STATUTES of the PARLIAMENT of the UNITED KINGDOM of GREAT BRITAIN AND IRELAND.	
46 Geo. 3. Cap. 71.	An Act to amend several Acts for the Encouragement of finding and working Mines and Minerals within Ireland.	Secs. 2 and 3.
54 Geo. 3. Cap. 115.	An Act to amend an Act of the Parliament of Ireland for preventing the pernicious Practice of burning Land, and for the more effectual destroying of Vermin.	The entire Act.
56 Geo. 3. Cap. 88.	An Act to amend the Law of Ireland respecting the Recovery of Tenements from absconding, overholding, and defaulting Tenants, and for the Protection of the Tenant from undue Distress.	Sec. 14, being the Residue of the Act unrepealed.
1 Geo. 4. Cap. 41.	An Act to extend the Benefit of Two Acts made in the Fifty-sixth and Fifty-eighth Years of the Reign of His late Majesty King George the Third, for amending the Law of Ireland respecting the Recovery of Tenements from absconding, overholding, and defaulting Tenants.	Sec. 2.
1 Geo. 4. Cap. 87.	An Act for enabling Landlords more speedily to recover Possession of Lands and Tenements unlawfully held over by Tenants.	The entire Act, as regards Ireland.
4 Geo. 4. Cap. 89.	An Act to limit and regulate the Expense of certain Proceedings in the Courts of Justice in Ireland in the Particulars therein mentioned.	Sec. 1.
7 Geo. 4. Cap. 29.	An Act to amend the Law of Ireland respecting the Assignment and sub-letting of Lands and Tenements.	The entire Act, except as to Leases, Instruments, and Agreements for Leases made between the 1st Day of June 1826 and the 1st Day of May 1832.
7 & 8 Geo. 4. Cap. 67.	An Act for the better Administration of Justice at the holding of Petty Sessions by Justices of the Peace in Ireland.	Sec. 17.
9 Geo. 4. Cap. 56.	An Act for consolidating and amending the Laws in Ireland relative to malicious Injuries to Property.	Secs. 25, 26, 27, 28, and 29.
2 Wm. 4. Cap. 17.	An Act to repeal an Act passed in the Seventh Year of His late Majesty King George the Fourth, intituled "An Act to amend the Law "of Ireland respecting the Assignment and "sub-letting of Lands and Tenements," and to substitute other Provisions instead thereof.	The entire Act, except Section 1.

Landlord and Tenant (Ireland).

Date of Act.	Title of Act.	Extent of Repeal
4 & 5 Wm. 4. Cap. 22.	An Act to amend an Act of the Eleventh Year of King George the Second, respecting the Apportionment of Rents, Annuities, and other periodical Payments.	Secs. 2 and 3.
8 & 9 Vict. Cap. 106.	An Act to amend the Law of Real Property -	Sec. 3, save so far as same relates to Feoffments, Partitions, and Exchanges.
9 & 10 Vict. Cap. 111.	An Act to amend the Law in Ireland as to Ejectments and Distresses, and as to the Occupation of Lands.	Secs. 1, 2, 3, 4, 5, 6, 7, 8, and 9.
14 & 15 Vict. Cap. 25.	An Act to improve the Law of Landlord and Tenant in relation to Emblements and growing Crops seized in Execution.	Sec. 1. so far as regards Ireland.
14 & 15 Vict. Cap. 57.	An Act to consolidate and amend the Laws relating to Civil Bill and other Courts of Quarter Sessions in Ireland, and to transfer to the Assistant Barrister certain Jurisdiction as to Insolvent Debtors.	Secs. 71, 72, 73, 74, 75, 76, 77, 78, 80, 81, 83, 84, 85, 86, 87, 88, 92, 93, 94, 95, and 96, so far as they relate to Proceedings between Landlord and Tenant, and to Persons in occupation who shall have signed Acknowledgments pursuant to the Act.

LOCAL ACTS.

[For the Full Titles, see Table of Titles at the Commencement of the Volume.]

Cap. i.

"The West Middlesex Waterworks Act, 1860."

Recites that by "The West Middlesex Waterworks Act, 1852," the Capital of the Company of Proprietors of the West Middlesex Waterworks was declared to be 506,300*l.*, divided into 8,300 Shares of 61*l.* each, and the Company were authorized to raise on Mortgage of their Undertaking any further Sum not exceeding 168,766*l.*; that instead of raising that Sum, or any Part thereof, by Mortgage, the Company under the Provisions of "The Companies Clauses Consolidation Act, 1845," incorporated with the said Act, have raised the Sum of 168,604*l.*, Part thereof, by the Creation and Issue of 2,764 Shares of 61*l.* each; and the present actual Capital of the Company is 674,904*l.*, divided into 11,064 Shares of 61*l.* each, leaving 162*l.*, the remaining Part of the said Sum of 168,766*l.* still unraised; that they have no Mortgage or Bond Debt, and that there are no Preference Shares in the Capital of the Company; that the whole of the said Sum of 674,904*l.* has been expended for the Purposes of the Undertaking, and the Company have also, in carrying out the Objects of the said Act and of "The Metropolis Water Act, 1852," and in necessary Extensions of their Works, incurred further Liabilities to the Extent of upwards of 16,000*l.*; that by reason of the increased and increasing Demand for Water in the District which the Company are authorized to supply, and the rapid Extension of Buildings therein, and for the Purpose of enabling them more effectually to discharge the Obligations imposed on them under "The Metropolis Water Act, 1852," the Company require a further Sum of Money for the Enlargement and Extension of their Works, Mains, and Pipes, and for more effectually carrying out the Objects of their Incorporation.

Incorporates certain Provisions of Companies Clauses Act, and takes Power to raise 180,000*l.* by borrowing, or by Shares, with or without a Preference, §§ 2 to 10.

Cap. ii.

"The Blackburn Gas Act, 1860."

Recites Re-incorporation in 1853, with a Capital of 90,000*l.* in 15*l.* Shares; that it has all been expended; proposes to raise further Monies.

Power to raise additional Capital of 90,000*l.*, §§ 3 to 6.

Dividend on new Shares not to exceed 7*l.* 10*s.*, § 7.

Power to borrow 20,000*l.*, § 9.

Price for Gas not to exceed 5*s.* per 1,000 Feet, § 10.

Cap. iii.

"The Silverdale and Newcastle Railway Act, 1860."

Recites their Act of 1859, and proposes to authorize Ralph Sneyd, Esq., or other the Owner of the Railway, to divert Two public Roads (which by the Act of 1859 they had been authorized to cross on the Level), subject to the Board of Trade.

Lands Clauses Act, and certain Provisions of Companies Acts incorporated, §§ 3, 4.

Railways Clauses Act, except certain Provisions, incorporated, § 5.

Power to make Roads according to Plan of 1860, §§ 6, 7.

Power to interfere with Railway in constructing Bridges under or over, § 8.

One Year for compulsory Purchase of Lands, and for Completion of Roads, §§ 9, 10.

When new Roads made and opened to the Public, the same shall be public Highways, and be repaired accordingly, § 11.

Extending Time for Compliance with Section Ten of recited Act, § 12.

When new Roads opened, the Highways and Level Crossings thereon to be abandoned, § 13.

Power to deviate, § 14.

Cap. iv.

"The Droylsden Gas Act, 1860."

Recites Establishment of Limited Company in 1857, with a Capital of 10,000*l.* in 20*l.* Shares, all of which are taken up, and 10*l.* paid upon each; proposes to increase Capital and to incorporate Company.

Incorporation of Companies, Lands, and Gasworks Clauses Acts, §§ 2 to 4.

Limits of Act, § 5.

Incorporation of Company, § 6.

Present Property vested in Company incorporated by this Act, § 7.

Articles of Association to be void, without prejudice to Remedies for antecedent Breaches thereof, and saving previous Rights and Liabilities, §§ 8 to 15.

Capital to be 25,000*l.* in 20*l.* Shares, §§ 16 to 23.

Power to borrow 6,250*l.*, § 24.

Meetings, Directors, &c., &c., §§ 27 to 32.

Power to purchase Lands, §§ 34, 35.

Powers as to Construction of Gasworks, &c., § 36.

Limiting the Price of Gas to 6*s.* per 1,000 Cubic Feet for Five Years from passing of Act, and to 5*s.* 6*d.* afterwards, § 37.

Consumers may be required to consume Gas by Meter, § 38.

Penalty for tampering with Meters, § 39.

Company may remove Pipes from unoccupied Premises on giving Notice to Owner, § 40.

Penalties not cumulative, § 41.

Quality of Company's Gas, § 42.

Company to erect a Meter to test Quality of Gas, §§ 43 to 45.

Cap. v.

"Leicester Gas Act, 1860."

Recites Incorporation of Company by 2 Geo. 4. c. iii. with a Capital of 24,000*l.*; that by 1 Vict. c. lii. they were empowered to raise, by way of Mortgage or Loan, the Sum of 7,000*l.*, and by Shares the further Sum of 17,262*l.* 10*s.*, in addition to the Sum of 21,737*l.* 10*s.* which had then been raised under the Provisions of the first-recited Act, making the total Amount authorized to be raised by Shares 39,000*l.*; that they have for many Years supplied the Inhabitants of the Borough of Leicester and the Neighbourhood thereof with Gas, and have raised and expended the whole of the said Sums of 7,000*l.* and 39,000*l.*; that in the recited Acts there is no Limitation upon the Amount of Dividend to be divided amongst the Shareholders, and the average annual Dividend since the Establishment of the Company has been 7*l.* 5*s.* per Centum, or thereabouts; that in order to meet the additional Demand for Gas the Company have extended their Works, and expended up to the 30th Day of June 1859, over and above the said Sum of 39,000*l.* and the said Sum of 7,000*l.*, a further Sum of 1,796*l.* 12*s.*, raised by Premiums on Shares, which, instead of being distributed amongst the Shareholders, were sold by the Company; a further Sum of 21,118*l.* 4*s.* 8*d.*, which was raised out of the Profits of the Undertaking; and a further Sum of 9,523*l.* 16*s.* 11*d.* or thereabouts, which is now due as a floating Debt on the Credit of the Undertaking, including the Sum of 2,985*l.* or thereabouts, due for Lands which the Company have contracted to purchase; proposes to capitalize 11,700*l.*, Part of the Sum expended out of Profits, to raise further Monies, and to repeal Acts.

Repeal of recited Acts, § 1.

Incorporation of General Acts, §§ 3, 4.

Limits of Act, § 5.

Re-establishment of Leicester Gas Company, and Saving of Rights and Liabilities, §§ 6 to 15.

XVI. The Capital of the Company shall be 50,700*l.*, subject to Augmentation as herein-after mentioned.

XVII. The Capital of 39,000*l.* raised by the Creation of Shares under the Provisions of the recited Acts having been divided into 3,900 Shares of the nominal Value of 10*l.* each, and the Company having expended upon their Works out of Profits applicable to Dividends the Sum of Money before mentioned, whereof 11,700*l.*, Part thereof, is to become paid up Capital, therefore every Person and Corporation who immediately before the passing of this Act was possessed of or entitled to One or more Share or Shares of 10*l.* each in the Capital of the Company hereby dissolved shall in respect of each such Share be possessed of or entitled to One or more Share or Shares of 13*l.* each in lieu of 10*l.* each in the Capital Stock of the Company incorporated by this Act, which shall be held to be fully paid up, and the said Shares are hereby vested in such Persons and Corporations accordingly.

Shares to be subject to the same Trusts, &c. as the old Shares, § 18.

XIX. The Company from Time to Time may, with the Consent of Three Fifths of the Votes of the Shareholders of the Company, present in Person or by Proxy at an Extraordinary Meeting, raise by the Creation of Shares of such an Amount as shall be determined on at such Meeting any additional Capital not exceeding in the whole the Sum of 69,300*l.*, and with the like Consent may attach to the new Shares so to be from Time to Time created, or any of them, a Preference or Priority in Payment of Dividends over the ordinary Share Capital of the Company, not exceeding 6*l.* per Centum per Annum on the Amount for the Time being paid thereon, with such Conditions and Agreements, if any, with respect to the Redemption or Conversion of such Shares, or any of them, or otherwise, as may be agreed upon at any such Meeting at which any such Shares shall be created; provided always, that if any such Preference or Priority be attached to any Shares, no other Dividend than the Dividend so fixed shall be paid on those Shares.

XX. Any Shares to which a preferential Dividend shall be attached shall be distinguished and registered as "Preference Shares," and shall be marked as such, together with the Rate of the preferential Dividend payable thereon upon the Certificates issued by the Company to the respective Holders thereof.

XXI. The prescribed Rate of Profits under "The Gasworks Clauses Act, 1847," to be divided amongst the Shareholders shall be as follows; that is to say,

As regards any Shares issued as Preference Shares, the Rate of preferential Dividend attached to such Shares not exceeding 6*l.* per Centum per Annum;

As regards the Shares of 13*l.* each, the Sum of 3*s.* per Share out of the First Profits of the Company applicable to Dividend on the ordinary Share Capital of the Company, as and by way of a Bonus in respect of the Expenditure out of Profits by this Act made paid-up Capital, and the further Sum of 20*s.* per Share in respect of each such Share of 13*l.*;

And as regards the new Shares for raising the additional Capital of 69,300*l.* (or so much thereof as shall not be raised by the Issue of Preference Shares), 7*l.* 10*s.* per Centum per Annum on the Amount from Time to Time paid up on those Shares.

Additional Capital to be offered in the first place to existing Shareholders; and Calls, §§ 22 to 26.

Power to borrow 12,000*l.* (inclusive of Sums already borrowed), and Power to borrow Two several Sums of 10,000*l.* in proportion to the Amount of Capital paid up, §§ 27 to 31.

Directors; Meetings, §§ 32 to 43.

Power to purchase Lands, § 44.

Company empowered to continue and construct Gasworks, § 45.

Restricting the Erection of future Works, § 46.

Company may make Contracts for lighting Streets, &c., § 47.

Power to lay Pipes for lighting Buildings, § 48.

Consumers may be required to consume by Meter, § 49.

Fraudulently injuring Meters, &c., § 50.

Power to remove Pipes from Premises where Gas discontinued, § 51.

Price for Gas not to exceed 4*s.* 6*d.* per 1,000 Feet, § 52.

Quality of Company's Gas; Penalties, §§ 53 to 62.

Saving Rights of Corporation, § 63.

Cap. vi.

"The Banbridge, Lisburn, and Belfast and Ulster Railway Act, 1860."

Recites Incorporation of the Banbridge, Lisburn, and Belfast Railway Company in 1858, and proposes certain Deviations. Recites that it has been agreed between the Company and the Ulster Railway Company that the Ulster Company should subscribe towards and acquire Shares in the Undertaking of the Company to the Extent of 25,000*l.*; and that such Shares should be entitled to Interest at the Rate of 4*l.* per Centum per Annum, payable in preference to the Interest

or Dividend on any other Shares in the Undertaking of the Company, and that the Ulster Company should have the Right of appointing Two Persons to be Directors of the Company, and that the said Companies should be enabled to carry the aforesaid Arrangements into effect; that by the recited Act the Company were authorized to create 15,000 Shares of 10*l.* each; that the Company are not authorized to create and have not created any Preference Shares; that 4,000 Shares and upwards of the Capital of the Company have not been subscribed for or issued, and it is expedient that the Company should be enabled to issue not exceeding 1,500 of those unissued Shares as Preference Shares, in addition to the Shares to be acquired by the Ulster Company as aforesaid.

Incorporation of General Acts, § 1.
Power to make Deviations, subject to Compensation, §§ 3 to 7.
Two Years for compulsory Purchase, § 8.
Three Years for the Completion of Works, § 9.
The Ulster Company to acquire Shares not exceeding 25,000*l.* in Undertaking of the Company, § 10.
Shares of Ulster Company to be called "First Four per Centum Preference Shares," and to be entitled to a First Preference at the Rate of Four per Cent., § 11.
Power for Ulster Company to appoint Person to vote on their Behalf, § 12.
Power to Ulster Company to appoint Directors, §§ 13, 14.
Certain Provisions of Companies Clauses Consolidation Act not to apply to any Director appointed by the Ulster Company, § 15.
Power to the Ulster Railway Company to create new ordinary Shares, § 16.
Power to the Company to issue 1,500 Shares as Shares with a Preference not exceeding 5*l.* per Cent., §§ 17, 18.

Cap. vii.

"Belper Waterworks Act, 1860."

Incorporation of Companies, Lands, and Waterworks Acts, § 2.
Incorporation of Company with Capital of 7,500*l.*, in Shares of 5*l.*, and Power to borrow 1,800*l.*, §§ 3 to 7.
Meetings; Directors, &c., §§ 8 to 12.
Power to take Lands for Works, § 13.
Not to take Tank, &c. of Midland Railway Company, § 14.
Powers that may be exercised by the Company, § 15.
Two Years for compulsory Purchase of Lands, § 16.
Four Years for Completion of Works, § 17.
Limiting Pressure for Supply of Water, § 18.
For preventing Accidents from Reservoir, §§ 19 to 27.
Rates at which the Company are to supply Water, § 28.
Limiting Amount for Charge of Waterclosets, § 29.
Cisterns, Closets, and Baths to be so constructed as to prevent Waste, or the Reflux of impure Water into the Mains, § 30.
Water for other than Domestic Purposes to be supplied by Agreement, § 31.

Cap. viii.

"The Wem and Bronygarth Roads Act, 1860."

Recites their Act of 1856; that it has been partially put into execution; that the Trustees have been unable to raise any Part of the Monies necessary for paying the Costs of obtaining the said Act, or for making, completing, or maintaining the several Roads thereby authorized, and carrying the said Act fully into execution; that 1,550*l.* is now due and owing on the Credit of the Tolls by the said recited Act authorized to be levied on the First District of Roads thereby created; that the Costs and Expenses incurred by the Trustees in obtaining the said recited Act amount to upwards of 2,600*l.*, and the several Persons to whom the same are owing are willing to accept the Sum of 1,200*l.*, by way of Compromise, in satisfaction of such Costs and Expenses, but the Trustees have no Funds available for Payment thereof; and it has been agreed to charge 600*l.* thereof upon the First District, and 600*l.* thereof upon the Second District of Roads hereby constituted; that it is expedient that certain Portions of the Roads authorized to be made and maintained by the said recited Act should be abandoned, and that certain other Roads more convenient to the Public should be authorized in lieu thereof; and that Powers should be granted to make, complete, and maintain the additional Roads herein-after mentioned; that the estimated Expense of making and maintaining the Roads proposed to be authorized by this Act (other than the Roads which it is herein-after provided shall be made only in the event of the Funds for making the same being separately and specially provided for), is the Sum of 6,000*l.*; that the Persons named in the Schedule (A.) to this Act annexed are willing and have offered to the said Trustees to subscribe and contribute the Sums respectively set opposite to their Names in the said Schedule, making together the Sum of 2,555*l.*, towards making and completing the Roads now proposed to be authorized other than as aforesaid, upon Condition that Interest, at the Rate of Four per Centum per Annum upon the Sums to be so subscribed and contributed by them, shall be paid out of the Tolls hereby authorized to be taken upon such Roads, preferably to the Payment of Interest on any further Sums to be raised by the Trustees for the Purposes of this Act, and other Persons may also be willing to subscribe further Sums on the same Conditions; that the Cambrian Slate Company (Limited), who are interested in extensive Slate Quarries situate at Chwarel Ucha, in the Parish of Llansaintffraid-Glyn-Ceiriog, in the County of Denbigh, worked by them, and which will be accommodated by some of the Roads proposed to be authorized by this Act, are willing and have offered to the said Trustees to provide One Half of the necessary Funds for completing the said Roads other than as aforesaid, and to allow to the Subscribers of the said Sum of 2,555*l.* a Preference and Priority in the Payment of Interest upon the said Sum, but upon Condition that Interest at the Rate of 5*l.* per Centum per Annum on the Sum to be subscribed by the said Company shall be paid out of the Tolls and other Revenue of the same Roads as herein-after provided, and that such Lease be granted to them as is herein-after mentioned before Payment of their Subscription is called for; that the Trustees are unable to make any Part of either the Roads already authorized, or of those proposed to be authorized, or to carry the said Act into execution, without the Assistance of such Persons and of such Company as aforesaid; that it is also expedient that the First and Second Districts of Roads created by the said recited Act should, subject to the Provisions of this Act, be retained; proposes that the said recited Act be repealed, and that the Provisions thereof, so far as applicable, should be re-enacted, and that further Powers be granted to the said Trustees.

Recited Act repealed, and this Act to be put in force, § 1.
Power to abandon certain Roads, § 2.
All Monies due under recited Act vested in Trustees under this Act, § 3.
Trustees, § 6.
Power to appoint additional Trustees, § 7.

First Meeting of Trustees, § 8.
Existing Roads to be improved and kept in repair, § 9.
New Lines of Road to be made according to deposited Plans, § 10.
Description of new Roads, § 11.
Power to deviate from Plans, § 12.
Power to deviate from Levels on Sections, § 13.
Land may be taken, notwithstanding Errors in Book of Reference, &c., § 14.
Power to Trustees under 1 G. 4. c. 45. to relinquish Right to take Tolls, and Liability to repair the Road from Pontfaen Bridge to the Chirk Entrance Gate to Chirk Castle Park, § 15.
Lands Clauses Act not to apply, § 16.
As to Construction of certain Provisions of General Turnpike Acts, § 17.
Freehold, &c. of Land to remain in Owners of adjoining Land, § 18.
Trustees to have Power of digging and using Land, &c., § 19.
Three Years for compulsory Purchase of Land, § 20.
Extending Time for compulsory Purchase of Lands for certain Roads, § 21.
Five Years for Completion of Works, § 22.
Power to take Tolls; leasing of Tolls, §§ 23 to 32.
Limiting the Amount of Money to be borrowed on the Roads of the First District, § 33.
Application of Money to be borrowed on the Roads of the First District, § 34.
Limiting the Amount to be borrowed on the Roads of the Second District, § 35.
Application of Monies to be borrowed on the Second District, § 36.
Application of Revenue of the First District, § 37.
Application of Revenue of Second District, § 38.
As to Mode of discharging Debt, § 39.
Mortgagees to take possession for Payment of Interest only, § 40.
No Money to be laid out in Towns, § 41.
Provision for General Acts, § 42.
Act to be in force for 21 Years, § 43.
Schedule of Subscribers.

Cap. ix.

"The Inverness and Aberdeen Junction Railway Act, 1860."

Recites Incorporation in 1856, with a Capital in Shares of 325,000*l.* and Power to borrow 108,300*l.* subject to Reduction in the event of their purchasing Lands by an annual Feu Duty; that they have raised the whole of the Capital by the said Act authorized by the Creation and Issue of Shares; that they have raised the Sum of 107,335*l.* by Mortgage of their Undertaking, and have purchased Lands for the Purposes of their Undertaking, in respect of which Feu Duties are payable by the Company to the Extent of 48*l.* 3*s.* per Annum, whereby their Power to raise Money upon Mortgage or Bond has, under the Provision to that Effect, contained in the said recited Act as aforesaid, been diminished to the Extent of 963*l.*, being Twenty Years Purchase of the said Feu Duties; that the Railway has been constructed and opened throughout with a single Line of Rails, and the Bridges thereon have been built of such Dimensions as to admit of the Railway being constructed with a double Line of Rails, and the Land for constructing the same with such double Line of Rails has been acquired by the Company; that by the said recited Act the Company was authorized to make Contracts and Agreements with the Inverness and Nairn Railway Company for the Working and Use by the Company of the Inverness and Nairn Railway, in pursuance of which Powers an Agreement for such Working and Use, for a Term of Ten Years from the 31st Day of December 1857, was made and entered into between the Companies, dated the 27th Day of November and 24th Day of December 1857, and the Company have since the said 31st Day of December 1857 worked and they are now working with their Engines, Carriages, and Plant the whole Traffic of the said Inverness and Nairn Railway; that they have incurred Debts and Liabilities to an Amount exceeding the Capital which they were authorized to raise by Shares and Mortgage as aforesaid, and in order to afford more complete Accommodation to the Public and to the Traffic passing along the said Railway, it will be necessary to construct additional Sidings and Works, and to provide further Accommodation, and to expend further Sums of Money; that they have not created any Preference Stock or Shares, and it is expedient that they should be authorized to issue the Shares by this Act authorized to be created, with such Preference or Priority in the Payment of Interest or Dividend as is herein-after provided; proposes to raise an additional Sum of Money for the Completion and general Purposes of their Undertaking; that the Great North of Scotland Railway Company were authorized by the said recited Act to subscribe to and to take and hold Shares in the Undertaking of the Company to the Extent of 40,000*l.*, and the said Company, in pursuance of the Powers so granted to them, subscribed to the said Undertaking the said Sum of 40,000*l.*, but they have recently sold all the Shares so acquired by them, and it is proper and expedient that the said Power so granted to the said Company should be repealed; and to repeal Act.

Repeal of recited Act, § 2.
Company to continue incorporated, § 3.
Incorporation of General Acts, § 4.
Saving of Rights and Liabilities, §§ 5 to 15.
Repeal of Power of Great North of Scotland Company to hold Shares, § 16.

XVII. Upon the passing of this Act the Share Capital of the Company shall be 475,000*l.*, inclusive of the Capital which they are at present authorized to raise by the Creation of Shares, and such Capital shall consist of the Shares created and issued by them prior to the passing of this Act; (that is to say,) 32,500 Shares of 10*l.* each, and also of the Sum of 150,000*l.*, for which it shall be lawful for the Company, in manner herein-after provided, to create new Shares or Stock.

Certificates of Shares in old Capital to continue available, § 18.

XIX. It shall be lawful for the Company to continue on Mortgage or Bond the Sum of 107,335*l.*, borrowed by them under the Authority of the said recited Act, or, in the event of their hereafter purchasing in Fee Simple the Lands for which at present Feu Duties are payable as aforesaid, then it shall be lawful for them to borrow the further Sum of 963*l.*; and when and so soon as the whole of the said Capital of 475,000*l.* shall be subscribed for, and One Half of the additional Capital of 150,000*l.* hereby authorized to be raised shall be paid up, it shall be lawful for the Company to borrow on Mortgage or Bond such additional Sums of Money as may from Time to Time be authorized to be borrowed by an Order of any General or Special General Meeting of the Company, not exceeding in the whole the Sum of 50,000*l.*, exclusive of the Amount already borrowed by them.

Application of Capital, &c., § 20.

Power to convert Loans into Capital, and to attach Interest to Shares not exceeding 4*l.* 10*s.* per Centum, §§ 23 to 26.
Power to issue new Shares with Preference not exceeding 5*l.* per Centum, §§ 27, 28.
Meetings; Directors, §§ 32 to 38.

XXXIX. The Undertaking of the Company shall consist of the Railway, Stations, and other Works and Conveniences connected therewith, which at the Time of the passing of this Act were vested in or authorized to be constructed or purchased by the Company, and which are as follows; (that is to say,) a Railway from Nairn, in the County of Nairn, to Keith, in the County of Banff; such Railway commencing by a Junction with the Inverness and Nairn Railway, and terminating by a Junction with the Great North of Scotland Railway, and which Railway from Nairn to Keith, with the several Approaches, Stations, and Conveniences connected therewith, is situate in the several Parishes of Nairn and Auldearn, in the County of Nairn, the Parish of Dyke, or united Parishes of Dyke and Moy, the Parishes of Forres, Kinloss, Alves, New Spynie or Quarrywood, Elgin, Saint Andrew's Lhanbryde, Urquhart, Speymouth, Rothes, Boharm, and Keith, in the County of Elgin or Moray; the Parishes of Boharm, Botriphnie, and Keith, in the County of Banff; and in the Royal Burghs of Nairn, Forres, and Elgin; and subject to the Provisions of this Act, and the Acts incorporated herewith, it shall be lawful for the Company to continue, make, complete, maintain, regulate, and work the said Railway, Stations, and Works, and Accommodations connected therewith.
Board of Trade Provisions, §§ 40 to 42.
Power to feu Lands, §§ 44 to 47.
Communications with Great North of Scotland and Inverness and Nairn Railways, §§ 48 to 53.
Tolls, §§ 54 to 64.
Power to agree as to Petty Customs with Magistrates and Town Councils of Forres and Elgin, § 65.
Power to enter into Agreements with Inverness and Nairn Railway Company as to Station at Nairn, § 66.
Power to enter into Agreements with Morayshire Railway Company as to Stations at Elgin and Orton, § 67.
Power to enter into Agreements with Great North of Scotland Railway Company as to Station at Keith, § 68.
Arbitration in regard to Joint Stations, § 69.
Power to make Traffic Arrangements with Inverness and Nairn, Morayshire, and Great North of Scotland Railway Companies, §§ 70 to 78.

Cap. x.

"The South Devon Railway Act, 1860."

Proposes to acquire additional Lands for the Enlargement of their Plymouth and other Stations, and for widening Portions of their Railway.
Incorporation of General Acts, § 2.
Objects of Act, § 3.
Power to apply Corporate Funds, § 4.
Admiralty Provisions, §§ 5 to 10.
Any Land reclaimed by the Works not to be taken without the Consent of the Commissioners of Woods, &c., § 11.
Saving Rights of the Crown, § 12.

Cap. xi.

"The Calne Railway Act, 1860."

Proposes to make a Railway from the Great Western Railway at Chippenham to Calne, and to authorize the Great Western Railway Company to enter into Arrangements for working and managing the Railway.
Incorporation of General Acts, §§ 1, 2.
Subscribers incorporated, with a Capital of 35,000*l.* in Shares of 10*l.*, and Power to borrow 11,600*l.*, §§ 3 to 9.
Meetings of Directors, §§ 10 to 14.
Power to make Railway, §§ 15, 16.
Communication with Great Western Railway, §§ 17 to 20.
Power to use Portion of Great Western Railway, §§ 21, 22.
Directing how the Railway is to be carried across the Wilts and Berks Canal, §§ 23 to 30.
Regulating crossing over the Avon, § 31.
Lands to be bought by Compulsion in Two Years, § 33.
Four Years for Completion of Works, §§ 34, 35.
Tolls, §§ 36 to 44.
Company may contract with the Great Western Railway Company as to Working and Use of Company, subject to Approval of Board of Trade; Traffic Arrangements not to affect Tolls, &c.; during Agreement Traffic on both Lines not to be subject to short Distance Clause on both Lines, §§ 45 to 50.

Cap. xii.

"The Liverpool Corporation Waterworks Act, 1860."

Recites that by "The Liverpool Corporation Waterworks Act, 1847," the Mayor, Aldermen, and Burgesses of the Borough of Liverpool were empowered to supply with Water the Borough of Liverpool and other Places, and for such Purpose were empowered, inter alia, to construct and maintain Reservoirs known as the Roddlesworth Reservoir and the Rake Reservoir, and Works in connexion therewith, for the Purpose of impounding the Waters of the River Roddlesworth and its Tributaries, and other Waters in that Act mentioned, and to take and use and apply those Waters to the Purposes of that Act; that they were by that Act required to send down the River Roddlesworth, and into any Reservoir of the Brinscall Hall Print Works, and into any Reservoir of the White Coppice Weaving Mill, the respective Quantities of Water in the said Act mentioned; that the Reservoirs constructed under the Provisions of the recited Act are not of sufficient Capacity to impound the whole of the Waters of the River Roddlesworth and its Tributaries, and in Times of extreme Drought they may be unable to send down the River Roddlesworth, and into the Brinscall Hall Reservoir and the White Coppice Reservoir aforesaid, the respective Quantities of Water in the said Act mentioned; and it is expedient that the Corporation be empowered to construct an additional Reservoir and Works for more effectually impounding the Waters of the said River Roddlesworth and its Tributaries; that by the recited Act the Corporation were empowered to demand and receive Rates or Rents for the Supply of Water for Domestic Purposes within the District which they are authorized to supply with Water, but those Rates and Rents have been found to be unequal and unjust in their Operation, and it is expedient that they should be revised, and that the Corporation should be empowered to raise a further Sum of Money for the Purposes of their Waterworks Undertaking, and to convert all or any Part of their existing or future Debt incurred for those Purposes into a perpetual Stock bearing a fixed Rate of Interest; and to amend their Acts of 1850, 1852, and 1855.
Incorporation of Lands and Waterworks Clauses Acts, § 2.

III. Whereas Plans and Sections describing the Line, Levels, and Situation of the Works proposed to be executed under the Authority of this Act, and the Lands through or

upon which the same are to be made, with a Book of Reference to such Plans, have been deposited with the Clerk of the Peace for the County of Lancaster; therefore, subject to the Provisions of this Act, and with and subject to such of the Powers and Provisions of the recited Acts, and of the Acts incorporated therewith, as are not by this Act altered or repealed, the Corporation may make and maintain the said Works in the Line or Situation, according to the Levels, and upon the Lands delineated on the said Plans and described in the said Book of Reference, and for that Purpose may purchase, and may enter upon, take, and use such of the said Lands as shall be necessary for that Purpose, or any Easement, Privilege, Power, or Authority in or over the same, and may by and in such Works collect and impound all or any of the Waters of the River Roddlesworth and its Tributaries, and may appropriate the same to the Purposes of the recited Acts; and the said new Works shall, for all Intents and Purposes, become and be Part of the Undertaking of the Liverpool Corporation Waterworks: Provided nevertheless, that nothing in this Act contained shall in any way alter, affect, or interfere with the Obligation imposed by the first-recited Act upon the Corporation, to send down the said River Roddlesworth, and into the Brinscall Hall and White Coppice Reservoirs, or any or either of them, the respective Quantities of Water which by that Act they are required to send down and into the same, or in any way prejudice, affect, or interfere with any Rights, Powers, Privileges, or Remedies by that Act, or otherwise granted for enforcing such Obligation or consequent upon the Nonperformance thereof.

Limits of Deviation from Line and Levels, *i.e.* Three Feet for Reservoirs, and Five Feet for the Works, § 4.

One Year for compulsory Purchase of Lands, § 5.

Three Years for Completion of Works, § 6.

VII. From and after the Day on which the Corporation shall, under the Provisions of this Act, fix the Rate or Rent to be paid for a Supply of Water for Domestic Purposes for the Year commencing on the First Day of January next, Section 111 of "The Liverpool Corporation Waterworks Act, 1847," prescribing the Rates to be demanded for a Supply of Water for Domestic Purposes, and Section 112 of that Act, shall be and the same are hereby repealed: Provided nevertheless, that the Corporation may recover all Sums then due and owing to them in respect of any Charges lawfully made under the repealed Sections, in the same Manner as they might have done if those Sections had not been repealed.

VIII. From and after the Day mentioned in the last preceding Enactment, the Corporation shall, at the Request of the Owner or Occupier of any House or Part of a House in any Street in which any Pipe of the Corporation shall be laid, or of any Person who under the Provisions of "The Liverpool Corporation Waterworks Act, 1847," or any Act incorporated therewith, shall be entitled to demand a Supply of Water for Domestic Purposes, furnish to such Owner or Occupier or other Person a sufficient Supply of Water for their Domestic Uses at Rates or Rents not exceeding the Rates or Rents by this Act authorized; and the Rates or Rents by this Act authorized shall, for the Purposes of any of the Acts relating to the Liverpool Corporation Waterworks, be in lieu and instead of the Rates for Domestic Purposes by such Acts authorized to be levied and received by the Corporation, and may be recovered and shall be applied in like Manner.

IX. And whereas the Liverpool Water Account is made up and balanced to the 31st Day of December in every Year; therefore the Corporation, at a Meeting of the Council, to be held as soon as conveniently may be after the 31st Day of December in each Year, shall estimate and fix the Amount of Money necessary to be raised for the Purpose of defraying the Costs, Charges, and Expenses payable out of the Liverpool Water Account for the then current Year, including therein the Interest on Money borrowed, and every other Expense in any way incident to and legally chargeable upon and payable out of the Liverpool Water Account; and the Corporation shall at the same Time cause to be prepared an Estimate of the probable Receipts for the then current Year of the Liverpool Water Account from all Sources whatsoever other than in respect of the Supply of Water for Domestic Purposes from the District within which by "The Liverpool Corporation Waterworks Act, 1847," the Corporation are empowered to supply Water; and the Corporation shall fix the Rate or Rent to be paid for the then current Year in respect of the Supply of Water by them for Domestic Purposes within such District at such uniform Per-centage upon the annual Value of each Dwelling House, or Part of a Dwelling House, within such District, as in the Judgment of the Corporation will, together with the estimated Amount of Revenue from other Sources, be sufficient to meet the estimated Expenses payable out of the Liverpool Water Account for the then current Year; and in estimating and fixing the Amount payable out of the Liverpool Water Account for the then current Year, the Corporation shall take into account any Deficiency, or, as the Case may be, any Excess which shall have arisen in respect of the Receipts and Expenditure of the then last preceding Year: Provided always, that the Rate or Rent to be charged for a Supply of Water for Domestic Purposes within such District shall in no Event exceed Six Pounds per Centum upon the annual Value of the Dwelling House, or Part of a Dwelling House, in respect of which such Rate or Rent is payable.

X. A Supply of Water for Domestic Purposes as aforesaid shall include a Supply for all Waterclosets in each such Dwelling House, or Part of a Dwelling House, and for private Baths therein, if constructed in conformity with Section VII. of "The Liverpool Corporation Waterworks (Deviations) Act, 1852;" but shall not include a Supply of Water for Railway Purposes, or for Baths, Washhouses, or public Purposes, or for Horses or Cattle, or for washing Carriages where such Horses or Carriages are let for Hire, or are kept for Sale or at Livery, or are the Property of a Dealer, or Stage Coach Proprietor, or Common Carrier, or for any ornamental Purpose, or for any Steam Engines, or for any Brewery, Warehouse, Store, Vault, Workshop, Mill, or Manufactory, or for Shipping, or for any Trade, Manufacture, or Business whatsoever.

Reservoir Provisions, §§ 11 to 20.
Protection of Meters, § 21.

XXII. The Corporation may from Time to Time borrow and take up at Interest, on the Credit of "The Liverpool Water Account," of and from any Person who shall be willing to advance the same, in addition to the several Sums which the Corporation are by "The Liverpool Corporation Waterworks Act, 1847," "The Liverpool Corporation Waterworks Amendment Act, 1850," and "The Chorley Waterworks Transfer Act, 1856," or any or either of them, authorized to borrow and take up at Interest on the Credit of the said Account, such Sum or Sums of Money as they think fit, not exceeding 30,000*l.*

XXIV. For securing the Repayment of any Sum or Sums of Money borrowed under the Powers of this Act, with Interest, the Corporation may mortgage and assign over "The Liverpool Water Account," or any Part thereof, or any Monies accruing, and by the existing Acts or this Act authorized or

directed to be paid thereto, or any Part thereof, to the Person who shall advance such Money, or his Trustee.

XXV. All the Provisions of the Act of the Ninth and Tenth Victoria, Chapter 127. (Local and Personal), intituled "An Act for the Improvement of the Sewerage and Drainage "of the Borough of Liverpool, and for making further Pro- "visions for the Sanitary Regulation of the said Borough," with regard to any Money to be raised and borrowed and charged upon and secured by Mortgage of the Water Rate by that Act authorized, and which are respectively contained in and comprised between the 185th and the 196th Sections of the same Act, both inclusive, and the 15th and 16th Sections of "The Liverpool Corporation Waterworks (Amendment) Act, 1850," shall be held and taken to apply to all Mortgages, Bonds, and Assignments under the Powers and Provisions of this Act, as fully as if the same were herein repeated and re-enacted.

XXVI. The Corporation from Time to Time may resolve that any Portion of the then existing Mortgage Debt, secured on the Liverpool Water Account, may be converted and merged into a consolidated Fund, either by Agreement with the Holders of such Mortgages respectively, before the same respectively become due, or by paying off the same respectively when due, and issuing Stock of a corresponding Amount, instead of reborrowing the Sums so paid off, and also with the like Consent of the Parties immediately and respectively interested, may resolve from Time to Time that the whole or any Part (to be defined in and by such Resolution) of the Monies which the Corporation shall have Authority to raise by borrowing under the Powers of this or any of the Acts relating to their Waterworks, and which shall not then have been raised, shall or may be raised by the Creation and Issue of Stock of corresponding Amount, instead of borrowing the same; and the Corporation may also attach to the Stock so authorized to be created and issued for any of the Purposes aforesaid, such Conditions for the Redemption of the same, or for its Continuance in perpetuity at a Rate of Interest to be fixed at the Time the said Stock is created and issued, and in such Parcels or Amounts as may from Time to Time be deemed advisable by the Corporation, and the Stock so created and issued shall be a Charge upon the Liverpool Water Account, pari passu with such Mortgages as have heretofore been issued, or may hereafter be issued by the Corporation, under the Powers of this or any other Act relating to their Waterworks, authorizing the borrowing of Money; and the said Stock shall be distributable, transmissible, and transferable as and in other respects have the Incidents of Personal Estate: Provided also, that after the Conversion of any such Mortgage into Stock, it shall not be lawful for the Corporation again to borrow the Sums so converted, but the Powers of the Corporation shall, to the Extent of the Sums so from Time to Time converted into Stock, be extinguished; and after such Conversion or Consolidation, or other Subscription to such consolidated Stock to be created, shall have taken place, the several Holders of such Stock may thenceforth transfer their respective Interests therein, or any Part of such Interest, in the same Manner and subject to such Regulations and Provisions as the Corporation may deem proper, and as the Mortgages of the Corporation might be transferred under the Provisions of any Act heretofore obtained by them: and the Corporation shall from Time to Time cause the Names of the several Parties who may be interested in any such Stock as aforesaid, with the Amount of their Interest therein respectively, to be entered in a Book to be kept for that Purpose, and to be called "The Register of Holders of per Centum Liverpool "Corporation Waterworks Consolidated Stock, redeemable "in ," or "irredeemable," as the Case may be.

Cap. xiii.

"The Liskeard Waterworks Act, 1860."

Proposes to construct Waterworks, and to authorize Agreements with the Liskeard and Looe Union Canal Company.
Limits of Act, § 2.
Incorporation of General Acts, §§ 3, 4.
Incorporation of Company, with a Capital of 6,000*l.*, in Shares of 10*l.*; Power to borrow 1,500*l.*, §§ 5 to 12.
Directors; Meetings, &c., §§ 13 to 21.
Power to construct Works, §§ 22 to 24.
Two Years for compulsory Purchase of Lands, § 25.
Five Years for Completion of Works, § 26.
Power to take Grants in perpetuity, §§ 28 to 32.
Rates and Penalties, §§ 33 to 42 and 44 to 49.
Power for Company and Canal Company to enter into Agreements in reference to Canal Feeder, § 43.
Reservoir Provisions, §§ 50 to 59.
Saving the Rights of the Duchy of Cornwall, § 60.

Cap. xiv.

"The North London Railway (Additional Capital) Act, 1860."

Recites that their authorized Share Capital is 975,000*l.*, and that they have Power to borrow 324,666*l.*; and the whole has been paid up and expended; proposes to raise further Sums for widening a Portion of the Railway, and other Purposes.
Incorporation of Companies, Lands, and Railways Clauses Acts, § 3.
Power to raise additional Capital of 150,000*l.* by new Shares, §§ 4 to 6.
Power to borrow 50,000*l.*, §§ 7 to 9.
Power to convert into Stock the borrowed Capital to be raised under this Act, § 10.
Power to purchase Land for widening a Portion of the Railway, § 16.
Power to construct additional Works, § 17.
Regulating the Crossings over the Metropolis Roads, § 18 to 22.
For Protection of Sewers of Metropolitan Board of Works, § 23.
Provision as to Payment of Rates in the Parish of Saint Pancras, § 24.
Tolls and Charges, § 25.
Conferring certain Rights of using Portions of Maiden Lane, § 26.

Cap. xv.

"The Marple, New Mills, and Hayfield Junction Railway Act, 1860."

Proposes to incorporate a Company for making a Railway from the Newton and Compstall Line of the Manchester, Sheffield, and Lincolnshire Railway Company at Marple, in the County of Chester, to New Mills and Hayfield, in the County of Derby, and to authorize Arrangements for the Construction, working, and using of the Railway by the Manchester, Sheffield, and Lincolnshire Railway Company, and also to empower them to subscribe towards the Undertaking.
Incorporation of Acts, §§ 1, 3.
Incorporation of Company, § 4.
Capital 150,000*l.* in Shares of 10*l.*; and Power to borrow 50,000*l.*, §§ 5 to 10.

Meetings; Directors, §§ 11 to 16.
Power to make Railway, §§ 17 to 19.
Two Years for compulsory Purchases, § 20.
Four Years for Completion of Railway, §§ 21, 33.
As to Junction with the Manchester, Sheffield, and Lincolnshire Railway, §§ 22 to 27.
Concerning the Sale and Working of Mines belonging to the Duchy of Lancaster, §§ 28, 29.
Providing for Construction of Part of Railway and of Disley and Hayfield Railway, § 30.
Junction may be made between Railway and Disley and Hayfield Railway, §§ 31, 32.
Tolls, §§ 34 to 41.
Working and Traffic Arrangements with Manchester Company, §§ 42 to 48.
Power to Manchester Company to subscribe and take Shares to the Extent of 70,000*l.*, §§ 49, 50.
Saving Rights of the Crown and of the Duchy of Lancaster, §§ 51, 52.
Schedule.—(Form of Conveyance.)

Cap. xvi.

"The Stockport and Woodley Junction Railway Act, 1860."

Proposes to make a Railway, and to authorize Agreements with the Manchester, Sheffield, and Lincolnshire Railway Company; to enable the latter Company to contribute and to guarantee Interest upon Part of the Capital.
Incorporation of General Acts, §§ 2, 3.
Subscribers incorporated with a Capital of 60,000*l.* in Shares of 10*l.*, and with Power to borrow 20,000*l.*, §§ 4 to 9.
Directors, §§ 12 to 17.
Power to make Railway, §§ 18 to 20.
Two Years for compulsory Purchases, § 21.
Three Years for Completion of Works, §§ 22, 29.
As to Junction with Manchester, Sheffield, and Lincolnshire Railway, §§ 23 to 28.
Tolls, §§ 30 to 40.
Working Arrangements between Company and Sheffield Company; to be approved by Board of Trade, §§ 41 to 46.
Power for Sheffield Company to guarantee Interest not exceeding 4*l.* per Cent., § 47.
Power for Sheffield Company to subscribe not exceeding 40,000*l.*, and to appoint Persons to vote, §§ 48, 49.

Cap. xvii.

"Brecon and Merthyr Railway (Extensions) Act, 1860."

Recites Incorporation of the Company in 1859, with a Capital of 80,000*l.*, in 8,000 Shares of 10*l.* each, and with Power to borrow 26,600*l.* for the Purpose of making a Railway (herein-after referred to as "the authorized Main Line"), to commence in the Parish of Llanddetty, in the County of Brecon, and to terminate in the Parish of Merthyr Tydfil, in the same County; a Railway from the authorized Main Line to join the Dowlais Railway, and a Stone Road to commence in the said Parish of Llanddetty, to be carried across the River Usk by a Bridge, and to terminate near the Parish Church of Llansaintfread, in the County of Brecon; proposes to abandon the Construction of the authorized Main Line from the Commencement thereof to the Property numbered on the Plans deposited for the Purposes of the recited Act 70, in the Parish of Llanddetty, and in lieu thereof to construct the Railways herein-after described in extension of the authorized Main Line, and to raise Money for that Purpose; to relinquish the Construction of the Stone Road, and to authorize the Company to enter into Working and Traffic and other Arrangements with the Mid-Wales Railway Company, and with Individuals as by this Act authorized; and to authorize the Taff Vale Railway Company to take Shares as by the recited Act and this Act authorized.
Incorporation of General Acts, §§ 2, 28.
Abandonment of Part of authorized Line and of Stone Road, and Compensation, §§ 4, 5.
Power to make Railway, § 6.
Description of Railway, § 7.
As to Use of Engines on Railway No. 4, § 8.
Provision for Gates at Junction, § 9.
Inclination of a certain Road, § 10.
Three Years for compulsory Purchases, § 12.
Five Years for Completion, §§ 13, 14.
Power to take Tolls, § 15.
Power to create new ordinary Shares to the Extent of 50,000*l.*, and Power for the Taff Vale Railway Company to subscribe 30,000*l.*, §§ 17 to 24.
Power to borrow 16,600*l.*, §§ 25 to 27.
Subscribing Companies may appoint Persons to vote, § 29.
Company may contract with Individuals for working, §§ 30, 31.
Company to resume Possession in certain Events, § 32.
Company and Mid-Wales Company may make Traffic Arrangements, subject to the Approval of the Board of Trade, § 33 to 40.

Cap. xviii.

"The Mirfield Gas Act, 1860."

Recites Registration as a Limited Company in 1856; and that they have raised and paid up 10,000*l.* in 5*l.* Shares; proposes to incorporate the Company, and to raise further Monies.
Incorporation of General Acts, §§ 2, 3.
Limits of Act, § 4.
Incorporation of the Company, and saving previous Rights and Liabilities, §§ 5 to 12, and §§ 28 to 30.
Capital 35,000*l.*, in Shares of 5*l.*, §§ 13 to 17.
Power to borrow 8,000*l.*, §§ 18, 19.
Meetings; Directors, §§ 20 to 27.
Power to maintain and erect Gasworks, and to supply Gas, &c., §§ 31 to 33.
Meters; Penalties, &c., §§ 34 to 41.
Quality and Price of Gas, §§ 41 to 45.

Cap. xix.

"The Lendal Bridge and York Improvement Act, 1860."

Proposes to build a Bridge over the River Ouse, in the City of York, with Approaches thereto, and to raise, lower, widen, alter, and improve certain Streets and Thoroughfares in the City.
Lands Clauses Consolidation Act, and certain Provisions of Commissioners Clauses Act incorporated, §§ 2, 3.
Limits of Act, § 5.
Council of City to execute Act, § 6.
Committees; Notices, &c., §§ 7 to 12.
Council may borrow 35,000*l.* on Bridge Tolls and Rates, §§ 13, 14.
Council may raise Money by Annuity, §§ 15 to 22.
Sinking Fund, § 23.

Council may construct Works; Bridge over the River Ouse; Southern Approaches, &c.; Streets to be altered, § 24.
Power to purchase and take Lands compulsorily, § 25.
Power to purchase or hire Places for Materials, § 26.
Materials may be deposited in Streets, § 27.
Power to purchase Lands, &c. by Agreement for improving Streets, &c., § 28.
Compensation to be made for Lands injuriously affected by the Construction of the Bridge, &c., § 29.
Errors and Omissions in Plan or Book of Reference to be corrected, § 30.
Power to deviate from Plans to an Extent not exceeding Limits of Deviation; saving House, &c. of Rev. Thomas Richardson, § 31.
Admiralty Provisions, §§ 32, 33.
New Bridge to be vested in the Corporation, § 34.
Half of the Bridge to be within the Parish of St. Wilfred, and the other Half in the Parish of All Saints, North Street, § 35.
Four Years for compulsory Purchase of Lands, § 36.
Bridge to be completed in Seven Years, § 37.
Penalty for damaging Bridge, &c., § 38.
Power to fix Lamps on Bridge and Approaches, § 39.
Power to contract for lighting, § 40.
Collectors, Toll Houses, Tolls, §§ 41 to 61.
Separate Accounts to be kept of Bridge Tolls, and of Expense of widening Streets, &c., § 62.
Accounts of Receipts and Expenditure to be audited and published, § 63.
Annual Accounts to be made up, and Copy transmitted to the Clerk of the Peace, § 64.
Power to lease the Tolls, §§ 65 to 68.
Ferry may be abandoned on Completion of Bridge, &c., § 69.
Improvement Rate, § 70.
Certain Clauses of Towns Improvement Clauses Act incorporated, § 71.
Application of Money, §§ 73 to 75.
When all Expenses of Bridge, &c. paid, the Bridge to be free, § 76.
Corporation may be indicted for Want of Repairs of Bridge, &c., § 77.
Owners of Vessels liable for Damage, § 78.
Masters to recover from their Servants any Sum paid for their Defaults, § 79.
Penalty on assaulting Collectors, &c., § 80.
Penalty for Injuries or Obstructions to the Bridge, § 81.
Power to take down Houses, § 82.
All the new Buildings to be erected according to a Plan and Elevation, § 83.
Projecting Houses to be taken down and set back, § 84.
Ground thrown into Streets to be public Highways, § 85.
Houses built contrary to the Act to be taken down, § 86.
Houses may be set forward, § 87.
Corporation may agree with Owners of Houses at Corner of Streets to alter and round off the same, &c., § 88.
Corporation may enter and stop up Streets, Courts, &c., § 89.
Proceedings previously to altering or stopping up Streets, &c., § 90.
Appeal, §§ 91, 92.
North-eastern Railway Company may enter into Agreements, &c., § 93.
Sections 93 and 94 of 3 W. 4. c. 62. (Local) repealed, § 94.
Recovery of Damages and Penalties, §§ 96, 97.
Saving Power of the Council to make Byelaws, § 98.
Schedules.—(Forms and Bridge Tolls.)

Cap. xx.

"The Liskeard and Caradon Railway Act, 1860."

Recites that by their Act of 1843 the Company was incorporated, with Power to raise a Capital of 12,000*l.* in Shares, and 4,000*l.* by Mortgage; that by their Act of 1847 they were empowered to raise a further Sum of 10,500*l.* in Shares, and 3,500*l.* by Mortgage or Bond; that under the Act of 1843 they have raised by Shares 11,625*l.*, which is divided into 465 Shares of 25*l.* each, fully paid up, and there remain unissued under that Act 15 Shares of 25*l.* each, representing an aggregate Amount of 375*l.*; that the Company, under their Act of 1847, have raised by Shares 7,200*l.*, which is divided into 864 Shares of 8*l.* 6*s.* 8*d.* each, fully paid up and known as "One Third Shares," and entitled to a preferential Dividend at the Rate of 5*l.* per Centum per Annum; and there remain unissued 396 "One Third Shares" of 8*l.* 6*s.* 8*d.* each, representing the aggregate Amount of 3,300*l.*; that under their Act of 1847 they have borrowed 4,000*l.*, but have since paid off the Sum of 3,000*l.*; and that they have not borrowed any Money under their Act of 1847; proposes to raise further Capital by Shares and by borrowing; and to alter and improve the Line and Levels of Portions of their existing Railway and Branch Railways, and to construct a new Branch Railway in connexion therewith, and to abandon so much of the existing Railway and Branch Railway as will thereby become unnecessary; and also to construct a Branch Railway to commence from and out of the existing Railway of the Company, at or near Crow's Nest, in the Parish of Saint Cleer, and to terminate in the Parish of Linkinhorne, at or near Tokenbury Corner, all in the County of Cornwall; to sanction Agreements between the Company and the Cheesewring Granite Company (Limited) for the Working, Use, Maintenance, Management, and Repair, or the Purchase or Lease by the Company of the Kilmar Railway, and to repeal the recited Acts.
Repeal of Acts, § 2.
Company to continue incorporated; Saving of Rights and Liabilities, § 3, and §§ 5 to 15.
Incorporation of General Acts, § 4.
Capital 18,825*l.*; viz., 465 ordinary 25*l.* Shares, representing 11,625*l.*, and 864 One Third Shares of 8*l.* 6*s.* 8*d.*, representing 7,200*l.*, and Power to raise new Capital not exceeding 12,000*l.*, §§ 16 to 21.
Power to borrow 5,000*l.* in addition to existing Debt of 1,000*l.*, and eventually 5,000*l.* more, §§ 22 to 25.
Meetings; Directors, §§ 31 to 42.
Undertaking of Company, and Power to execute Works, §§ 43, 44.
Three Years for compulsory Purchases, § 45.
Five Years for Completion of Works, §§ 46, 47.
Power to abandon Portions of Railway and Branch Railway, and Sale of Lands abandoned, §§ 49, 50.
Power to enter into Agreements for leasing or purchasing, and for the working, &c. of the Kilmar Railway, §§ 51, 52.
Tolls, §§ 53 to 61.
Power to Company and Harbour Commissioners to enter into Agreements, § 62.
Saving the Rights of the Duchy of Cornwall, § 63.

Cap. xxi.

"The Glossop and Marple Bridge Turnpike Roads Acts, 1860."

Recites 5 G. 4. c. xxxv.; that large Sums are owing (see Schedule); proposes to repeal Act, and to continue the Trust.
Repeal of recited Act, § 1.
Roads to which this Act is applicable, § 4.
Monies and Property to vest in new Trustees, Meetings, §§ 5 to 8.
Present Tolls continued for a Term, § 9.
Power to take Tolls; Tolls, § § 10 to 20.
Application of Monies, § 21.
Provision as to Discontinuance of Tolls and Disposition of Property of Trust, § 22.
Interest not to accrue until Expenses of Act are paid, § 23.
Mortgagees to take Possession for Payment of Interest only, § 24.
As to Mode of discharging Debt, § 25.
No more Money to be borrowed on the Tolls, § 26.
No Money to be laid out or Tolls taken in Towns, § 27.
Act to commence on 1st November 1860, and to be in force for 21 Years, § 29.
Schedule. (Mortgage Debt of 3,587*l.* 10*s.* 6*d.*)

Cap. xxii.

"Leicester Cemetery Amendment Act, 1860."

Preamble recites, "Leicester Cemetery Act, 1848;" that it is expedient that certain Closes of Land contiguous to the Leicestershire and Rutland Lunatic Asylum, which the Corporation of Leicester were empowered, under certain Restrictions, to convert to the Purposes of the Cemetery, should be transferred to the Visitors of the Asylum; that the Cemetery is now the only accessible General Burial Ground in the Borough, and that its existing Limits are insufficient; that it is desirable to empower the Corporation to establish a new Cemetery, with proper Roads, Sewers, and other Works, and for that Purpose to purchase Lands, borrow Money, and make Rates; also that the "Leicester Sewerage Act, 1851," and the "Leicester Waterworks Amendment Act, 1851," should be amended.
Corporation to execute Act, § 2.
Incorporation of Lands Clauses Act, and Parts of Cemeteries Clauses and Commissioners Clauses Acts, § 3.
Distance of Cemetery from Dwelling Houses, § 4.
Power to take Lands shown; to make Cemetery and Carriage Road, and to construct Sewers and Drains, §§ 6 to 10.
Powers of Deviation, § 12.
The Corporation may make Sewers without purchasing the Land, § 13.
Two Years for compulsory Powers, § 14.
Compensation for Abbey Meadow, § 15.
Power to Corporation of Leicester to sell certain Lands to the Visitors of the Leicestershire and Rutland Lunatic Asylum, § 16.
Power to the Visitors of the Asylum to borrow Money, and to resell certain Lands, §§ 17, 18.
Visitors may debit Maintenance Account with Borough Share, § 19.
Amendment of Part of the "Leicester Cemetery Act, 1848," § 20.
Power to Corporation to obtain Tenders for Funerals, and to contract for undertaking them, §§ 21, 22.
Corporation to give public Notice of Contracts and Charges for Funerals, § 23.
Duties of Contractors for Funerals, § 24.
Contract not to give any exclusive Rights, § 25.
Byelaws, § 26.
Certain Clauses of the "Leicester Cemetery Act, 1848," incorporated with this Act, § 27.
Division of Cemetery, § 28.
Council, with Approval of the Bishop of the Diocese, may appoint a Chaplain, § 29.
Certain Provisions of Cemeteries Clauses Act to apply if Chaplain appointed, § 30.
Fees to Incumbent of Parish, §§ 31, 32.
Corporation to provide Conveyance for Officiating Clergyman, §§ 33, 34.
Power to make Regulations as to Interments, § 35.
Corporation may borrow Money, §§ 36, 37.
Sinking Fund to be provided, § 38.
Power to include the Expenses of executing this Act as part of the Borough Rate, § 39.
Extension of Periods for Repayment of Monies borrowed under the Authority of the "Leicester Sewerage Act, 1851," and the "Leicester Waterworks Amendment Act, 1851," § 40.
Cemetery Account, § 41.

Cap. xxiii.

"Chesterfield and Worksop Road Act, 1860."

Recites 10 G. 4. c. lxxx.; that 7,640*l.* with Interest at 5*l.* per Cent. are secured by Mortgage of the Tolls; proposes to repeal Act, and to continue the Trust.
Recited Act repealed, and this Act to be put in force, §§ 2, 3.
Monies and Property vested in Trustees, § 4.
Trustees and Meetings, §§ 5 to 7.
Roads to which this Act is applicable, § 8.
Tolls to be taken, § 9.
Fractional Part of a Halfpenny, § 10.
Limiting the Number of Tolls to be taken at the same Gate on the same Day, § 11.
Limiting the Number of Tolls to be taken on the same Day, § 12.
Stage Coaches, &c. to pay every Time of passing, § 13.
Postchaises, &c. to be subject again to Toll on every new Hiring, § 14.
Tolls on Horses drawing different Carriages, § 15.
Trustees may accept an Offer for extended Period for Lease of Tolls, § 16.
Extinguishment of Arrears of Interest amounting to 15,399*l.*, § 17.
Application of Monies, § 18.
As to the Mode of discharging Debt, § 19.
Mortgagees not to enter into possession while Interest is paid, § 20.
No Money to be laid out or taken in any Town, § 21.
Provision for General Act, § 22.
Term of Act 21 Years, § 23.
Schedule. (Mortgage Debt of 7,640*l.*)

Cap. xxiv.

"The Bagenalstown and Wexford Railway Act, 1860."

Recites Acts of 1854, 1856, and 1859 relating to the Company; that their authorized Share Capital is 270,000*l.*, and that they have Power to borrow 135,000*l.*; that they have no Preference Shares; proposes to raise further Monies, to

make Railways to Enniscorthy and to a certain Limestone Quarry at Ballyellin, and an Approach Road or Roads to their Station at Wexford; to enable the Great Southern and Western Railway Company to subscribe further Sums towards the Undertaking of the Company; and to enable the Company and the Grand Jury of the County of Wexford and the Trustees of Wexford Free Bridge to make Arrangements in reference to the said Road or Roads.
Incorporation of General Acts, § 2.
Power to make Railways and Roads, §§ 3 to 5.
Three Years for compulsory Purchase, § 6.
Five Years for the Completion of Works, §§ 7, 8.
Company required to complete Approach Roads within Two Years after Presentment by Grand Jury of 7,000*l.* for the Purposes thereof, § 9.
Admiralty Provisions, §§ 10 to 14.
Power to raise additional Capital of 80,000*l.*; 6,500*l.* not to be raised unless they make the Quarry Branch, § 15.
Power to create new Shares, with or without a Preference, not exceeding 5*l.* per Centum, §§ 16 to 18.
Power to borrow 26,600*l.*, §§ 19, 20.
Power for the Great Southern and Western Railway Company to subscribe further Sums not exceeding 25,000*l.*, §§ 21 to 23.
Great Southern and Western Railway Company to have the same Rights of voting as under Act of 1859, § 24.
Powers and Restrictions of Act of 1859 with respect to Working and Traffic Arrangements to apply to new Railways, § 25.
Provision in the event of a future Junction with the Dublin and Wicklow Railway at Enniscorthy, § 26.
Power to enter into Agreements with the Grand Jury or Trustees of Wexford Free Bridge, as to the Road or Roads, § 27.
Saving Rights of the Crown, § 31.

Cap. xxv.

"The Shrewsbury and Welchpool Railway Act, 1860."

Recites Incorporation of the Company by an Act passed in the 19th and 20th Years of the Reign of Her present Majesty, intituled "An Act for making a Railway from the Oswestry "and Newtown Railway, in the Parish of Buttington, in the "County of Montgomery, to Shrewsbury, with a Branch "thereout to Minsterley, in the County of Salop, and for "other Purposes;" that another Act was passed in the 21st and 22d Years of the Reign of Her present Majesty, relating to the Company; proposes to enable the Company to complete and maintain Deviations in the Line and Levels of their Railway, to complete and maintain the same across certain Roads on a Level, and to raise a further Sum of Money, and for other Purposes.
Incorporation of General Acts, §§ 1, 3.
Power to make, complete, or maintain deviated Portions of Railway, § 4.
Construction of Approach Road, §§ 5, 6.
Company to abandon Parts of Main Line, for which deviated Portions of Railway are substituted; Compensation, §§ 7, 8.
Power to construct remaining Portions of Main Line and Branch according to altered Levels, § 9.
Deviations to form Part of Undertaking, § 10.
Power to cross certain Roads on the Level, and Board of Trade Provisions, §§ 11 to 13.
Inclinations of a certain Road, § 14.
One Year for compulsory Purchase, § 15.
Two Years for the Completion of Works, § 16.
Power to raise a further Sum not exceeding 30,000*l.* by Preference, § 17.
Preference Shares to be entitled to Dividends only out of the Profits of each Year, § 18.

Cap. xxvi.

"The Wellington Suspension Bridge and Road Act, 1860."

Recites 10 G. 4. c. xliii. (Local); that the several Persons named in the Schedule subscribed the Sums therein mentioned, towards constructing the Bridge and Road, and those Sums are still owing; proposes to continue the recited Act.
Road to be a Turnpike Road, and General Turnpike Act incorporated, § 3.
Tolls or Pontages continued, § 4.
Application of Funds, § 5.
Sinking Fund to be established, § 6.
Trustees not to oppose Erection of Bridge over the Dee, § 7.
Continuation of recited Act for 31 Years, § 8.
Road not to be exempt from future General Act, § 9.

SCHEDULE to which this Act refers.

The Trustees of John Menzies, of Pitfoddels, Esquire, deceased	£4,335
The Reverend William David Morrice, of Tullos	3,465
Alexander Crombie, of North Loirston, Esquire	865
Miss Rachel Anne Morice, of No. 2, Golden Square, Aberdeen	640
Alexander Davidson, of Balnagask, Esquire	170
The Incorporation of Hammermen of Aberdeen	170
The Incorporation of Shoemakers of Aberdeen	170
	£9,815

Cap. xxvii.

"Croydon Gas Act, 1860."

Recites Incorporation in 1847 with a Share Capital of 20,000*l.*, and Power to borrow 6,600*l.*; that it has all been raised; propose to raise further Sums.
Further Capital of 20,000*l.* may be raised, §§ 3 to 5.
Limiting the Amount of Dividend on new Capital to 7*l.* 10*s.* per Share, § 6.
Power to borrow to Extent of One Fourth of the additional Capital for the Time being, §§ 7 to 9.
Price for Gas not to exceed 6*s.* per 1,000 Feet, § 10.
For the Supply of Gas to Public Lamps, § 11.
Quality of Gas, §§ 12 to 15.
Undisputed Rates or Rents may be recovered by Distress, §§ 16 to 19.

Cap. xxviii.

"Grunty Fen Drainage and Improvement Act, 1860."

Preamble recites that a Tract of Land known as Grunty Fen Common is in the Course of being drained and inclosed under the General Inclosure Acts; that it is expedient to deepen, widen, and improve a Drain called the "Crooked Drain," under the Jurisdiction of the "Littleport and Downham District Commissioners," and to cleanse and repair another Drain made by the same Commissioners, called the "Catchwater Drain;" that the said Commissioners had consented to undertake the Works for a yearly Payment of 10*l.* 5*s.*, and that it is expedient to make Provision for carrying the required Works into execution and providing for the annual Payment.

Incorporation of Part of Railways Clauses Act, § 2.
First Meeting to appoint a Committee, § 4.
Proceedings at Meetings, §§ 5 to 8.
Quorum of Committee, § 9.
Power to appoint Officers, § 10.
Committee not to be personally liable for Acts done by them; and to be indemnified, § 11.
How Actions, &c. to be brought, § 12.
Committeemen and Surveyor to be reimbursed all Damages, &c., § 13.
How Indictments to be preferred, § 14.
Drains, &c. to be maintained, § 15.
For securing Waterway in Drains, § 16.
Dams for retaining Water not to be removed, 17.
Penalty for destroying Works or making Watering Places, § 18.
Bridges, Roads, &c. to be maintained, § 19.
Committee may be indicted for Non-repair, § 20.
Payment to be made to the Commissioners of Littleport and Downham District, § 21.
If Payment to Commissioners not made, same to be a Charge on the Lands to be taxed, § 22.
Commissioners for Littleport and Downham District to execute certain Works, § 23.
Power to raise and apply Drainage, &c. Tax, § 24.
Committee may levy occasional Tax, § 25.
Penalty on Tax not being paid, § 27.
Occupiers of Land to pay Tax, and deduct the same from Rent, § 28.
Exception; Tax may be levied by Distress, §§ 30, 31.
Unoccupied Lands to remain liable, § 32.
Occupiers of Lands not to be liable to the Repair of other Roads, § 33.
Accounts and Auditor, §§ 34 to 37.
Expenses of Act to be paid in Moieties, §§ 26, 38.
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Cap. xxix.

"Clearing House (Ireland) 1860."

Preamble recites that for some Time past Arrangements have subsisted between several Railway, Canal, and Steam Packet Companies and Public Carriers in Ireland, for facilitating the Transmission of the Through Traffic in Passengers, Animals, and Goods passing over Railways, Canals, and Steam Packets belonging to different Companies, for the Purpose of affording the same Facilities of Through Booking and Charges, and otherwise, as if such Railways, Canals, and Steam Packets had belonged to One Company, and for the Settlement of the Accounts of the Receipts for Through Traffic in which Two or more Companies or Parties are interested, and of the Accounts arising out of the Use by a Company or other Party of the carrying Stock belonging to other Companies or Parties, and for the Audit and Adjustment of such Traffic Accounts of Companies or Parties as may be submitted to the Clearing House for that Purpose, which Arrangements are conducted under the Control and Superintendence of a Committee appointed by the several Railway, Canal, and Steam Packet and other Companies and Persons Parties thereto; the Business of which Committee has been and is carried on under the Name or Style of the Irish Railway Clearing House, in Dawson Street, Dublin; that such Arrangements have been productive of great Convenience and Saving of Expense to the Public, and to the Parties thereto; that Difficulties have arisen in carrying the Objects of the Clearing House into effect, in consequence of the Committee not possessing the Power of prosecuting or defending Actions or Suits, or taking other legal Proceedings; and it is expedient to remove such Difficulties, and to extend and improve the Clearing House System, and the Proceedings connected therewith.
Parties to the Clearing House to be subject to the Provisions of Act, § 1.
Other Parties may join with Assent of Committee, § 2.
Parties may retire on giving Notice, § 3.
Committee may give Parties Notice to retire, § 4.
Appointment of the Committee, § 5.
Parties hereafter admitted may be represented on the Committee, § 6.
Evidence of Appointment, § 7.
Committee, § 8.
Meetings of the Committee, Quorum, &c., § 9.
Appointment of the Chairman, § 10, 11.
Sub-Committee and Meetings thereof, §§ 12, 13.
Appointment of Secretary, 14.
As to Monies received by Committee, § 15.
Accounts to be settled and Balance ascertained and declared by the Committee, § 16.
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Proceedings; Evidence, §§ 19, 20.
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Entries in Books, § 23.
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Criminal Proceedings to be prosecuted in Name of Secretary, §§ 26, 27.
Notices; Writs; Description of Parties, §§ 28 to 31.
Actions, &c. not to abate on Death or Removal of Secretary, § 32.
Power to Committee to arbitrate on Questions referred to them, or to appoint Arbitrators, §§ 33, 34.

Cap. xxx.

"The Spalding Waterworks Act, 1860."

Incorporation of General Acts, § 1.
Limits of Act, § 2.
Incorporation of Company, with Capital, 8,000*l.*, and Power to borrow 2,000*l.*, §§ 3 to 7.
Meetings, Directors, §§ 8 to 13.
Power to construct Waterworks, § 14.
Protecting Lands in the Spalding and Pinchbeck Drainage, § 15.
Protecting Works of Commissioners of Sewers, § 16.
Power to deviate, § 17.
To protect Great Northern Railway, § 18.
Power to purchase Lands, &c. on Grants in perpetuity, §§ 19 to 22.
Two Years for compulsory Purchase of Lands, § 23.
Three Years for Completion of Works, § 24.
Water need not be laid on under Pressure, § 26.
Rates and Penalties, §§ 27 to 40.

Cap. xxxi.

"Hedon Corporation and Borough Improvement Act, 1860."

Preamble recites that Hedon is a Corporate Borough by Charter, co-extensive with the Parish, having a Mayor, Bailiffs, and Burgesses, with exclusive Magisterial Jurisdiction and a

separate Quarter Sessions, and Exemption from County Rates; that the Corporation exercise the Right to levy Tolls on Horses and Vehicles, and on Corn, Provisions, &c. brought within the Borough; that the Burgesses consist only of Freemen of the Borough; that it is expedient to alter the Municipal Constitution, to abolish the exclusive Jurisdiction, separate Quarter Sessions, and Exemption from County Rates, also to abolish the Tolls now levied, and to provide for the better paving, lighting, cleansing, draining, and watching the Borough and repairing the Roads.

Inhabitant Householders of the Borough incorporated, § 3.
Corporation to have perpetual Succession and all the Privileges of a Municipal Corporation, § 4.
Provisions of the Acts for regulating Municipal Corporations in England and Wales extended to the Borough, § 5.
As to Rights of Burgesses, § 6.
Constitution of the Council of the Borough, § 7.
Qualification of Aldermen and Councillors, § 8.
Qualification of the Burgesses of the Borough, § 9.
Enrolling Officer, § 10.
List of Persons entitled to be Burgesses to be made out, § 11.
Persons omitted from the Burgess List to give Notice; Persons not entitled to be on List may be objected to; List of Claimants and of Persons objected to to be published, § 12.
Revision of Burgess List, §§ 13 to 15.
First Burgess Roll, how to be made out, § 16.
Times, &c. of holding First Election under this Act, § 17.
Appointment of Returning Officer to act at First Election, § 18.
Expenses of such Officers, § 19.
Enrolling and Returning Officers not disqualified, § 20.
Repeal of all Laws, &c. inconsistent with this Act, § 22.
Members of existing Council to go out of Office on First Election of Councillors under this Act, § 23.
Council to execute Act, § 24.
Property of old Corporation vested in new Corporation, § 25.
No Freedom to be acquired by Gift or Purchase, § 26.
Debts of old Corporation to be paid by new Corporation, § 27.
Persons who have acted under old Corporation to account for Monies and deliver up Books under Penalty, § 28.
Subsisting Contracts may be enforced against new Corporation, § 29.
Actions brought by or against old Corporation not to abate, § 30.
Present and future Rights and Liabilities saved, § 31.
Penalty upon Officers, &c. being interested in Contracts or taking Fees improperly, § 32.
Abolition of Town Tolls, § 33.
Existing Justices of the Peace continued in Office for a Time, § 34.
Separate Quarter Sessions discontinued, § 35.
Application of General Act, § 36.
County Justices to have Jurisdiction in Borough, § 37.
Mayor and Ex-mayor to be Justices of the Peace, § 38.
Borough to be liable to County Rates, § 39.
Incorporation of Towns Improvement Clauses Act, § 40.
Borough Rate and Borough Fund applicable to certain Purposes of Act, § 41.
Occupiers of Arable Land, &c. to be assessed at One Fourth of annual Value, § 42.
Power for the new Corporation to borrow Money, § 43.
Sinking Fund to be provided, § 44.
Procedure, Notices, Distress, &c., §§ 45 to 49.

Cap. xxxii.

"The Lower King's Ferry Turnpike Roads Act, 1860."

Recites 5 & 6 Will. 4. c. lxxxviii. (Local Turnpike Act), for maintaining certain Roads in Counties of Flint and Chester, together with a Ferry over the Dee, called the Lower King's Ferry, limited to 31 Years; that the Maintenance of the Ferry was vested in the Trustees in substitution for the Company of Proprietors of the Navigation, who were by the recited Act required to pay the Trustees 250*l.* a Year towards the Maintenance of the Ferry and Approaches; that by another Act 1 Vict. c. xix. (Local), the Trustees were empowered to make a new Line of Road, since constructed, and to abandon a Portion of former Road; that the Sums stated in the Schedule are due to the Persons therein named, and that there is a large Arrear of Interest due; that as a collateral Security for the Repayment of Two of the Principal Sums in Schedule, the Trustees made themselves personally liable by Bonds, and that it is expedient to indemnify them and make other Provision for the Debts; that another Sum of 1,500*l.* was lent by Six of the Trustees on their personal Bond upon an Agreement that Interest should be paid to those Persons out of the Trust Funds, and that a Mortgage of the Tolls should be made to them; that One of the Six Trustees, Sir S. R. Glynne, subsequently paid off the Bond, and that it is expedient that the Monies paid by him should be secured on the Trust and the Payment provided for; that for the other Debts on the Schedule (save One) no Security was ever given nor any Interest paid; that the opening of the Chester and Holyhead Railway has reduced the Income of the Trust, and that it is expedient to renew the Act and make further Provision as to the Mortgage Debt, but not to continue the recited Arrangements as to the Ferry.

Repeal of recited Acts, § 1.
Saving Easements acquired under repealed Acts, § 4.
Monies and Property to vest in the new Trustees, § 5.
Appointment of new Trustees, § 6.
Power to appoint additional Trustees, § 7.
Meetings of Trustees, § 8.
Roads to which this Act applies, § 9.
Present Tolls continued for a Term, § 10.
Regulations as to Tolls and Toll Gates, §§ 11 to 22.
Extinguishing Arrears of Interest, § 23.
Application of Monies, § 24.
Trustees who have incurred personal Liability indemnified, § 26.
Limiting Powers of borrowing Money, § 27.
Mortgagees not to take possession except for Arrears of Interest, § 28.
As to Mode of discharging Debt, § 29.
No Money to be taken or laid out in Towns, § 30.

THE SCHEDULES.

FIRST SCHEDULE.

First Part.

	£	s.	d.	£	s.	d.
Trustees of Northop National School	800	0	0			
Executors of the late Miss Molineux (late Townsend), (now Sir Stephen R. Glynne, Bart.) - - -	600	0	0			
				1,400	0	0

Second Part.

Sir Stephen R. Glynne, Bart. - -				1,500	0	0
				£2,900	0	0

Third Part.

Representatives of the late P. Davies Cooke, Esq. - - - -				4,227	12	9

	£	s.	d.
Executors of the late Thomas Lewis, Esq.	1,035	10	3
Representatives of late Edward Lewis, Esq.	68	5	3
Sir Stephen R. Glynne, Bart. (3,530 0 0 + 1,700 13 0)	5,230	13	0
Executors of the late Ralph Richardson, Esq.	537	11	8
Representatives of the late Honourable and Reverend G. N. Grenville, Dean of Windsor	580	17	6
Executors of the late Sir Edward Mostyn, Bart.	430	5	8
„ „ J. O. Crewe Read, Esq.	403	17	10
„ „ Mr. Edward Jones of Spon Green	330	5	6
Lord Mostyn	3,500	0	0
Representatives of the late William Rigby, Esq.	322	16	0
„ „ John Heaton, Esq.	322	16	0
„ „ William Williams, Esq.	322	16	0
„ „ Mrs. Caroline Clough	322	16	0
„ „ Edward Lloyd, Esq.	322	16	0
John Price, Esq.	322	16	0
Representatives of the late Trevor Owen Jones, Esq.	321	1	6
Admiral James Whitley Deans Dundas	265	10	6
Representatives of the late Mrs. Yonge	284	2	10
„ „ John Douglas	143	7	0
William Hancock, Esq.	18	13	6
Representatives of the late T. Makin, Esq.	29	0	6
„ „ Colonel Salusbury	35	17	0
The Reverend William Maddock Williams	28	13	8
Representatives of the late Edward Eyton	35	5	3
„ „ John Maddocks, Esq.	34	13	10
„ „ Mr. Prichard Chester	35	3	9
„ „ Edward Grainger, Esq.	13	17	4
Lloyd Williams, Esq., M.D.	13	17	6
Representatives of the late Reverend Henry Jones	68	5	3
„ „ Robert Davies, Esq.	67	9	4
William Thomas Ellis, Esq.	26	19	0
Representatives of the late Richard Beresford, Esq.	67	7	4
„ „ Sir W. W. Wynne, Bart.	67	0	0
„ „ Thomas Eyton, Esq.	66	14	8
„ „ Mr. T. Roberts	32	14	10
„ „ Mr. Charles Williams	32	9	6
„ „ Mrs. Elizabeth Thomas and others	104	0	0
„ „ George Roskell, Esq.	94	12	8
Argoed Colliery Company	26	17	5
Harvey Crackenthorpe	500	0	0
	£20,695	9	7

SECOND SCHEDULE.

	£	s.	d.
Representatives of the late Sir Thomas Stanley Massey Stanley	1,500	0	0
Sir Stephen Richard Glynne, Bart.	1,400	0	0
Reverend Henry Glynne	330	0	0
Representatives of the late P. Davies Cooke, Esq.	400	0	0
John Wynne Eyton, Esq.	275	0	0
Representatives of the late F. C. Phillips, Esq.	100	0	0
„ „ Thomas Lewis, Esq.	275	0	0
Edward Bate, Esq.	110	0	0
Representatives of the late W. J. Bankes, Esq.	100	0	0
„ „ Richard Garnons, Esq.	110	0	0
„ „ C. B. Clough, Esq.	110	0	0
„ „ John Rigby, Esq.	100	0	0
Wilson Jones, Esq.	110	0	0
William Hancock, Esq.	100	0	0
C. B. Trevor Roper, Esq.	100	0	0
Edward Pemberton, Esq.	100	0	0
Representatives of the late Mr. Smith (Eastham Ferry)	200	0	0
„ „ Reverend Henry Jones	50	0	0
„ „ William Williams, Esq.	50	0	0
„ „ Mr. Marsden	50	0	0
„ „ George Roskell, Esq.	50	0	0
„ „ Thomas Harrison, Esq.	50	0	0
John Taylor, Esq.	50	0	0
Mr. John Catherall	50	0	0
Sir John Hanmer, Bart.	100	0	0
The Right Honourable Lord Mostyn	250	0	0
James Boydell, Esq.	250	0	0
Executors of the late Hugh Roberts, Esq.	250	0	0
Representatives of the late Mr. Lawrence	200	0	0
	£6,820	0	0

Cap. xxxiii.

"The Glasgow Corporation Waterworks Amendment Act, 1860."

Recites 18 & 19 Vict. c. cxviii., enabling "the Magistrates "and Council of the City of Glasgow to supply with Water "the said City and Suburbs thereof, and Districts and Places "adjacent; to purchase and acquire the Glasgow Water-"works and the Gorbals Gravitation Waterworks, and "to introduce an additional Supply of Water from Loch "Katrine; and for other Purposes;" and 22 Vict. c. ix., authorizing "the Commissioners of the Glasgow Corporation "Waterworks to raise a further Sum of Money, and to "amend 'The Glasgow Corporation Waterworks Act, "1855;'" that the Commissioners appointed by the First Act were thereby authorized to borrow any Sums not exceeding 700,000*l.*; and by the Second Act any Sums not exceeding 200,000*l.*, in addition to the said Sum of 700,000*l.*, and to apply the several Sums borrowed under the Authority of the said Acts in defraying the Expense of purchasing and acquiring Lands and other Property, and of executing the Works authorized by the first-recited Act, and in satisfying and discharging the Debts and Obligations of the Company of Proprietors of the Glasgow Waterworks and the Gorbals Gravitation Water Company, and in defraying the Expenses of obtaining the said Acts, and carrying into effect the several Purposes thereof; that they have borrowed upwards of 880,000*l.*, but after satisfying and discharging the Debts and Obligations and Expenses above mentioned, the Balance remaining to be borrowed is inadequate to defray the Expense of completing the Waterworks authorized by the first-recited Act; and in consequence of the rapid Increase of the Population, and the Trade and Manufactures of the said City and Suburbs, and Districts and Places adjacent, within the Limits of the first-recited Act, an Extension of the said Waterworks, and an Increase of the Supply

of Water will soon be required; and it is necessary that they should be authorized to borrow a further Sum of Money for the Purpose of completing and extending the said Waterworks and increasing the Supply of Water.
Incorporation of Commissioners Clauses Act, with respect to Mortgages, § 3.
Power to borrow not exceeding 350,000*l.*, § 4.
Commissioners may borrow on Cash Account, § 5.
Application of Money borrowed, § 6.
Debt may be funded, § 7.
Provisions of first-recited Act as to Judicial Factor and Sinking Fund to be applicable to this Act, § 8.
Saving existing Annuities and Securities, § 9.
Provisions as to Transfer and Discharge of Mortgages to be applicable to this Act, § 10.

Cap. xxxiv.

"The Norwich Corporation Markets Act, 1860."

Recites that the Mayor, Aldermen, and Citizens of the City and County of the City of Norwich (in this Act called "the Corporation"), are by various Royal Charters, Grants, Prescriptions, or otherwise, entitled to hold all Markets and Fairs (except a Corn Market) within the City and County of the City of Norwich (in this Act called the City), for the Sale of Cattle, Vegetables, Provisions, Hay, Straw, and other marketable Commodities, and to demand and take Tolls and Payments in respect thereof; and that by "The Norwich Corn Exchange Act, 1859," the Norwich Corn Exchange Company, Limited, were authorized to hold and maintain a Corn Exchange and Corn Market in Norwich for the Sale of Corn and Grain; proposes to authorize the Corporation to enlarge and improve the existing Cattle Market, Provision and Vegetable Market, and Hay and Straw Market, and to hold and provide within the City a Carcase Market for the Sale of Meat, Hides, and Skins, and any other Market Places and Places for Fairs (other than a Corn Market) for the Sale of all marketable Commodities except Corn or Grain; and to further regulate the Markets and Fairs in the City, and to authorize the several Tolls granted by this Act in relation to such Markets and Market Places and marketable Commodities, and to make the new Streets by this Act authorized, and for the Purposes of such Markets and new Streets to purchase and acquire Lands compulsorily and by Agreement; and to borrow Monies for the above Purposes.
Limits of Act, § 2.
Execution of Act by Corporation, § 3.
Incorporation of Lands, Markets and Fairs, and Parts of Commissioners Clauses Acts, §§ 4 to 7.
Compulsory Power to take Lands, §§ 8 to 10.
Five Years for compulsory Purchase of Land, § 11.
Power to purchase and lease other Lands by Agreement, § 12.
Lands acquired by Corporation under Act to be Part of Borough Fund, § 13.
Power to make new Streets, §§ 14 to 16.
Power to stop Roads, &c. for Purposes of Act, § 17.
New Streets to become Highways, and vest in Local Board of Health for the City, § 18.
Power to sell or grant Building Leases of Land not required for new Streets, § 19.
Power to maintain and enlarge Cattle Market, and Provision and Vegetable Market, and Hay and Straw Market, § 20.
Power to establish a Carcase Market, § 21.
Power to establish and provide other Market Places, § 22.
Corporation to regulate Markets and Fairs, § 23.
Power to stop up Roads across Market Places during holding of Markets, § 24.
Slaughter-houses, § 25.
Appointment of Officers, § 26.
Cattle Market and Cattle Fair Tolls. Schedule (A.), § 27.
Provision and Vegetable Market, and Carcase Market Tolls. Schedule (B.), § 28.
Hay and Straw Market and Cart-weighing Tolls. Schedule (C.), § 29.
General Tolls for Markets and for Fairs. Schedule (D.), § 30.
Slaughter-house Tolls. Schedule (E.), § 31.
Tolls for weighing and measuring. Schedule (F.), § 32.
Tolls vested in Corporation, § 33.
Leases of Markets, Slaughter-houses, Tolls, &c., § 34.
Receipt of Tolls by Officers, § 35.
Power to borrow 40,000*l.*, §§ 36 to 40.
Income of Corporation under Act to be paid to Credit of Borough Fund, § 41.
Norwich Corporation Market Account, § 42.
Saving Rights of Corporation and Norwich Corn Exchange Company, Limited, § 43.
Schedules. (Tolls.)

Cap. xxxv.

"The Cannock Chase Railway Act, 1860."

Authorizes the Marquis of Anglesey to construct certain Railways.
Incorporation of Lands Clauses and Railways Clauses Acts, § 2.
The Railways, §§ 3, 4.
Three Years for compulsory Purchases, § 5.
Five Years for Completion of Railway, § 7.
Mode of effecting Junction with the Cannock Mineral Railway, §§ 9 to 11.
The Railway secondly described to be constructed so that a Junction may be made therewith by Tramway of the Birmingham Canal Company, § 12.
Saving the Rights of certain Railway Companies, § 13.
Power to enter into Working and Traffic Arrangements with the London and North-western and Cannock Mineral Railway Companies, §§ 14 to 19.
London and North-western and Cannock Mineral Railway Companies may subscribe not exceeding 10,000*l.*, §§ 20, 21.
Tolls, §§ 22 to 28.
As to Tolls on secondly-described Railway, § 29.
Railways not to be Passenger Lines, § 30.
Expenses of Act to be borne by Lord Anglesey, § 32.

Cap. xxxvi.

"The Nottingham and Grantham Railway and Canal Act, 1860."

Recites that by "The Ambergate, Nottingham, and Boston and Eastern Junction Railway Act, 1846," the Company were incorporated, and authorized to raise a Capital of 1,900,000*l.* by Shares, and to borrow not exceeding 633,000*l.*, and the Number of the Directors was limited to not more than Sixteen nor less than Nine; that by their Act of 1847 they were authorized to raise by Shares a further Capital of 32,000*l.*, and to borrow further Sums not exceeding 10,666*l.*; that "The Ambergate Railway Company's Nottingham Extension and Station Act, 1854," and "The Ambergate Railway Company's Reduction of Capital Act, 1854," (in this Act called the Company's Capital Act,) and "The Great Northern and Ambergate Companies (Working Arrangements) Act, 1854," (in this Act called the Company's Third Act of 1854,) were afterwards passed with respect to the Company; that by the Company's Capital

Act the Amount of the Capital of the Company was reduced to 1,075,000*l.*, in 86,000 Shares of 12*l.* 10*s.* each, and the Amount which they might borrow was limited not to exceed in the aggregate One Third of the Amount of the reduced Capital; that 1,500 of the 86,000 Shares of the Company's reduced Capital of 1,075,000*l.* have been extinguished, and their Capital now held by registered Shareholders amounts to 1,056,250*l.*, in 84,500*l.* Shares of 12*l.* 10*s.*, on each of which Shares the Sum of 10*l.* has been paid, making the aggregate Sum of 845,000*l.* paid thereon, and leaving the Sum of 2*l.* 10*s.* a Share unpaid, amounting in the aggregate to the Sum of 211,250*l.* unpaid; that their Mortgage or Bond Debt is 150,000*l.*, or thereabouts; that they have made a Railway from Nottingham to Grantham, and have become the absolute Owners of the Nottingham and Grantham Canals; that in pursuance of Section 83. of the Company's Act of 1846, the Name of the Company now is "The Ambergate, Nottingham, and Boston and Eastern Junction Railway and Canal Company;" that in pursuance of the Company's Third Act of 1854, the Company's Railway is worked by the Great Northern Railway Company; that the Company's Third Act of 1854 authorizes a Lease or Sale to the Great Northern Railway Company of the Undertaking, Railway, Canals, and Property of the Company; that the several Periods limited for the Completion of such Portions of Railway as by their Acts were authorized to be made by the Company, but have not been made, have expired, and the Company are not under any Obligation to make any of those Portions of Railway; that the Liabilities of the Company beyond their Debenture Debt are of small Amount, and it is estimated that the Sum of 169,000*l.*, which would be raised by the Payment of 2*l.* a Share on the 84,500 now existing Shares of the Capital of the Company will be sufficient for the Payment and Satisfaction of their Debenture and other Debts; that the Company are desirous that the Amount of the Capital of the Company be reduced from 1,075,000*l.* to 1,014,000*l.*, and in order thereto that the nominal Amount of the 84,500 now existing Shares of their Capital be reduced from 12*l.* 10*s.* a Share to 12*l.* a Share, so as to leave only the Sum of 2*l.* a Share unpaid thereon, and that the Amount which the Company may borrow be limited; proposes to regulate the Capital and Borrowing Powers of the Company, to reduce the Number of Directors, and to change the Name of the Company to the Name "The Nottingham and Grantham Railway and Canal Company."

Name of Company changed, § 2.
Number and Qualification of Directors, § 3.
Power to vary Number of Directors, § 4.
Retirement of Directors, § 5.
Quorum of Directors and Committees, § 6.
Undertaking of Company declared, § 7.
Incorporation of Part of Companies Clauses Consolidation Act, §§ 8, 9.

X. From and after the passing of this Act the several Powers of the Company under the recited Acts, or any of them, of raising Money by Shares or by borrowing, shall be extinguished, but without prejudice to the reborrowing under this Act of Monies borrowed under the recited Acts or any of them.

XI. From and after the passing of this Act the ordinary Shares and the ordinary Stock by this Act declared to constitute together the Capital of the Company shall, without respect to the original Subscription for, or Creation, Issue, or taking of the same, constitute the Capital of the Company.

XII. The present Capital of the Company is by this Act declared to be the aggregate of the following Sums:

First. The Sum not exceeding in the whole 1,014,000*l.* from Time to Time represented by such of the 84,500 Shares of the Capital of the Company, by this Act reduced to the nominal Amount of 12*l.* each, as from Time to Time are not converted under the Provisions of this Act into Stock.

Secondly. The Sum not exceeding in the whole 1,014,000*l.* from Time to Time created under the Provisions of this Act by the Conversion of those 84,500 Shares, or any of them, into Stock.

All the Capital to be ordinary Capital, § 13.

XIV. The 84,500 now existing Shares of the Capital of the Company, of the nominal Amount of 12*l.* 10*s.* each, are by this Act respectively reduced to the nominal Amount of 12*l.* each, and the several Holders from Time to Time of those Shares shall be liable to pay, and shall pay, in addition to the Sum of 10*l.* a Share already paid thereon, the further Sum of 2*l.* a Share, but no further Sum.

XV. Notwithstanding the Reduction of the nominal Amount of the Shares, the several Persons who, immediately before the passing of this Act, were Shareholders of the Company, their Heirs, Executors, Administrators, Successors, and Assigns respectively, shall pay (inclusive of the Amount already paid thereon) the Sum of 12*l.* on every Share of the Capital of the Company held by them respectively, with all Interest, if any, to accrue due thereon to the Company when and as the same is called up or otherwise demanded by the Company.

XVI. To the Extent and in respect of 10*s.*, Part of the nominal Amount of each of the now existing 84,500 Shares of 12*l.* 10*s.* each of the Capital of the Company, all Rights and Liabilities in respect of the same shall on the passing of this Act be extinguished.

Conversion of Shares into Stock, §§ 17 to 26.

XXVII. The Company from Time to Time may borrow and reborrow, on Mortgage, any Sums not exceeding (inclusive of their present Debenture Debt) 265,000*l.*: Provided that 100,000*l.*, Part thereof, shall not be borrowed until the Expiration or Determination of the Arrangement under which the Railway is now worked by the Great Northern Railway Company, and shall then be borrowed only for providing Rolling Stock, Plant, and Stores, and meeting other Expenditure for and connected with the working of the Railway by the Company.

Priority of existing Mortgages, § 28.
Receiver for Mortgagees, § 29.

XXX. Provided always, That the total Amount which the Company from Time to Time may raise by Shares, and by Stock, and by borrowing, shall be the Sum of 1,279,000*l.*

Application of Monies of Company, § 31.
General Saving of Rights under recited Acts, § 34.
Saving Rights of Great Northern and of Midland Railway Companies, §§ 35, 36.

Cap. xxxvii.

"The Edinburgh Railway Station Access Amendment Act, 1860."

Recites Incorporation in 1853, with a Share Capital of 45,000*l.* in 10*l.* Shares, and Power to borrow 10,000*l.*; that 933 Shares of the Value of 9,330*l.* have not been issued; and that others are liable to be forfeited; that they have no preference Shares; proposes to issue the unissued and any forfeited Shares with a Preference, and to raise further Monies.

Incorporating certain Clauses of Companies Clauses Consolidation (Scotland) Act, §§ 1, 3.

Power to create new Shares to the Extent of 15,000*l.*, § 4.
Power to issue Shares unissued at the passing of this Act, § 5.
Forfeited Shares to be cancelled, and new Shares issued in lieu thereof, § 6.
Power to cancel unissued new Shares, § 7.
New Capital to be divided and allotted as determined by General Meeting, § 8.
Power to attach Preference not exceeding 6*l.* per Cent. to Shares to be issued under this Act, § 9.
Power of voting, § 10.
Power to borrow 10,000*l.*, §§ 11, 13, 14.
Power to establish a Cash Credit, § 12.
Company to wind up within 21 Years, § 15.
Application of Property of Company on being wound up, § 16.

Cap. xxxviii.

"The Brompton, Chatham, Gillingham, and Rochester Waterworks Act, 1860."

Recites that the Brompton and Gillingham Consumers Waterworks Company, Limited, was established to provide Water within the Towns of Old and New Brompton and the Neighbourhood, with a Capital of 10,000*l.*, divided into 2,000 Shares of 5*l.* each; that they have been registered and incorporated under "The Joint Stock Companies Act, 1856;" that the Capital subscribed amounts to the Sum of 7,335*l.*, and the Works originally contemplated have been completed; proposes to extend Works, and to incorporate the Company.
Incorporation of General Acts, §§ 2, 3.
Limits of Act, § 5.
Company not to open Ground of Rochester Bridge without Consent, § 6.
Incorporation of Company, Saving of Rights and Liabilities, and Dissolution of original Company, §§ 7 to 16.
Capital 30,000*l.*, in 5*l.* Shares, §§ 17 to 23.
Power to borrow 7,000*l.*, §§ 25, 26.
Directors, §§ 27 to 31.
Power to make intended Works and take Lands, &c., §§ 32 to 34.
Certain Clauses of "The Waterworks Clauses Act, 1847," as to breaking up of Turnpike Roads, &c., extended to the Company, §§ 35.
Three Years for compulsory Purchase of Lands, § 36.
Five Years for Completion of Works, § 37.
Power to convey Lands, §§ 39 to 42.
Water to be under Pressure, § 43.
Rates at which Company to supply Water, §§ 44 to 50.
Penalties, §§ 51 to 53.
Supply of Water to Local Board for watering Roads and Streets, § 54.
Company to supply Water at reduced Rates to small Tenements, when required by Local Board, § 55.
Power to sue for Rates, §§ 56 to 60.
Saving Rights of the Crown, and of Lords of Admiralty, §§ 61, 62.

Cap. xxxix.

"The Commercial Docks Act, 1860."

Proposes to extend the Time for Construction of a certain Cut and a Tramway authorized by their Act of 1851, to purchase additional Lands, and to divert a Footpath.
Extension of Time granted by Act of 1851 in respect of certain Works to 3d July 1864, § 1.
Reviving Powers of Act of 1851 for Purchase of Lands to 31st December 1861, § 2.
Restricting Company from purchasing certain Lands compulsorily, § 3.
Company to take the whole of certain Properties, § 4.
Parties aggrieved by Extension of Time being granted may have Compensation for additional Damage, § 5.
Existing Contracts and Notices to take Lands not to be affected, § 6.
Power to take temporary Possession of Land without previous Payment of Price, § 7.
Company to give Notice previous to such temporary Possession, § 8.
Service of Notices on Owners and Occupiers of Lands, § 9.
Company to separate the Lands before using them, § 10.
Compensation to be made for temporary Occupation, § 11.
Compensation to be ascertained under the Lands Clauses Act, § 12.
As to Correction of Errors in deposited Documents, § 13.
Lands Clauses Act incorporated with Act, § 14.
Power to construct new Works, §§ 15, 16.
Power to acquire additional Property for Purposes of Company's Undertaking, § 17.
Limiting Period for Purchase of Lands to 3d July 1863, § 18.
Vesting Soil of stopped-up Roads in Company, § 19.
Lands purchased to be vested in Directors, § 20.
Company not to acquire certain Land in Deptford, § 21.
For Protection of Durand's Wharf Sewer in making the new Cut or Entrance, § 22.
For Protection of Sewers of Metropolitan and other Boards, § 23.
Company may apply their Funds towards Purposes of Act, § 24.
Extending Jurisdiction of Dock Master to Properties acquired under this Act, § 25.
Works and Lands of Company to be within Port of London, § 26.
Company not to interfere with the Bed of the River without Consent of Conservators, § 27.
Saving Rights of the Conservators of the River Thames, and of Corporation of London in respect of Metage, &c., protected, §§ 28, 29.
Saving Rights of the Corporation of London, § 30.

Cap. xl.

"The Finn Valley Railway Act, 1860."

Proposes to make a Railway from Stranorlar, in the County of Donegal, to the Londonderry and Enniskillen Railway, near Strabane, in the County of Tyrone, and to authorize working and other Arrangements.
Incorporation of General Acts, §§ 1, 2.
Subscribers incorporated, with a Capital of 60,000*l.* in Shares of 10*l.*, and Power to borrow 20,000*l.*, §§ 4 to 11.
Meetings; Directors, §§ 13 to 22.
Power to make Railway, §§ 23 to 25.
Level Crossings; Board of Trade and Admiralty Provisions, §§ 26 to 32.
Three Years for compulsory Purchase of Lands, § 34.
Five Years for Completion of Railway, §§ 35, 39.
Junction with the Londonderry and Enniskillen Railway, §§ 36 to 38.
Tolls, §§ 40 to 49.
Traffic Arrangements with Londonderry and Enniskillen Railway Company, §§ 50 to 56.

Cap. xli.

"The Lincoln Heath and Market Deeping Roads Act, 1860."

Recites Act of 3 G. 4. c. lxvi.; that the Turnpike Roads to which that Act applies were and are divided into Seven Dis-

tricts, known respectively as "The North District," "The Middle District," "The South District," "The South-east District," "The West District," "The North-east District," and "The Bourn and Spalding District;" that 1,700*l.* has been borrowed on the Credit of the Tolls on the North District, and is still unpaid, as set forth in the First Schedule; that 1,775*l.* has been borrowed on the Credit of the Tolls on the Middle District, and together with an Arrear of Interest thereon, is still unpaid, as set forth in the Second Schedule; that 4,130*l.* has been borrowed on the Tolls on the South-east District, and is still unpaid, as set forth in the Third Schedule; that 25*l.* has been borrowed on the Tolls on the West District, and is still unpaid, together with an Arrear of Interest, as set forth in the Fourth Schedule; and the said several Sums cannot be paid off unless a further Term and further Powers be granted; proposes to repeal Act, and to grant further Powers as to all the Roads except that from Market Deeping to Peterborough, and that from Bourn to Spalding, and to unite some of the Districts.

Term of Act from 1st October 1860 for 21 Years, § 2.

Repeal of recited Act, and preserving Contracts, §§ 3 to 6, and §§ 9, 10.

Materials of Toll Houses, &c. in the South District and Bourn and Spalding District to be sold, and Money to be distributed, § 8.

Roads to which this Act applies, § 11.

Defining and amalgamating the Districts, § 12.

Mortgages to be charged on the new Districts respectively, § 13.

Nominating the Trustees, §§ 14 to 16.

Present Tolls continued until 31st October 1860, §§ 17 to 25.

Provision for Repairs of Bridge and Causeway, § 26.

Provision as to Road next Grimsthorpe Park, § 27.

Power to Trustees to make Agreements and Compositions with Surveyors of Highways and other Persons, § 28.

Power to recover such Composition Monies, § 29.

Contribution to Expenses of Act, § 30.

Appropriation of Funds, § 31.

Trustees not to lay out Money or take Tolls in Towns, § 32.

Repairs of Road in the Billingborough District (except Bride-End Causeway), § 33.

Mortgagees to take Possession for Payment of Interest only, § 34.

As to Mode of discharging Debt, § 35.

Receipt of Person on Register sufficient Discharge to Trustees, § 36.

No more Money to be borrowed, § 37.

Schedules. (Mortgages.)

Cap. xlii.

"The North Staffordshire Railway Act, 1860."

Recites the several Acts relating to the Company; that it is expedient that the Construction of certain of the Railways and Parts of Railways authorized by the "North Staffordshire Railway Branches Act, 1854," should be relinquished; that 2,826,372*l.* 10*s.*, Part of the Capital of the Company, consists of 161,507 Shares of the nominal Amount of 19*l.* 16*s.* 4*d.* each, whereof 17*l.* 10*s.* per Share only has been paid, and the remaining 2*l.* 6*s.* 4*d.* per Share has not been called up; proposes to facilitate the voluntary Payment of the uncalled Part of the said Shares, and to make Provision for the Consolidation of the paid-up Share Capital into Stock, and to authorize Agreements with the Undertakers of the Silverdale and Newcastle Railway.

Power to abandon Portions of the Works authorized by the Act of 1854, § 1.

Compensation in respect of Lines abandoned, and for Damage to Lands by Entry, &c., §§ 2, 3.

Shareholder paying up his Shares in full to be entitled to new Shares or to Stock, § 4.

Rights of Holders of Scrip Shares, § 5.

Holders of Scrip Shares may have them consolidated into 17*l.* 10*s.* Shares or into Stock, § 6.

Company to create Stock and Shares necessary for Purposes of Act, § 7.

Incorporating Provisions of Companies Clauses Consolidation Act as to consolidating Shares into Stock, § 8.

Stock and new Shares to vest in Proprietors, subject to the same Trust, &c. as the 19*l.* Shares, § 9.

Undertakers may grant, and Company may take, a Lease of the Silverdale and Newcastle Railway, § 10.

Power for Company and the Undertakers to agree for Purposes authorized, §§ 11 to 17.

Joint Committee for Purposes of Agreements, § 18.

Tolls for Traffic partly on North Staffordshire and Silverdale Railway, § 19.

Saving Rights of Undertakers, § 20.

Cap. xliii.

"Cutlers Company's Act of 1860."

Proposes to amend Four Acts recited in Preamble, and again in Section 3.

I. The several Provisions of the recited Acts now in force with respect to Persons residing within the Lordship or Liberty of Hallamshire, or within Six Miles Compass of the same, and using or exercising the Arts or Trades of Makers of Knives, Sickles, Shears, Scissors, Razors, Files, and Forks, shall henceforth extend and apply to and include Persons residing within that Lordship or Liberty, or within Six Miles Compass of the same, and using or exercising the Arts or Trades of Manufacturers of Steel and Makers of Saws and Edge Tools, and other Articles of Steel, or of Steel and Iron combined, having a cutting Edge.

II. Any Person now or from Time to Time hereafter using or exercising the Art or Trade of a Maker of Knives, Sickles, Shears, Scissors, Razors, Files, Forks, Saws, Edge Tools, or other Articles of Steel, or of Steel and Iron combined, having a cutting Edge, or of a Manufacturer of Steel, within the Lordship or Liberty of Hallamshire, in the County of York, or within Six Miles Compass of the same, and not being a Freeman of the Company or entitled to the Freedom thereof, may and shall, on applying to the Master, Wardens, Searchers, and Assistants of the Company for Leave to become a Freeman thereof, and paying to them the Sum of 20*l.* over and above any other Fees payable under the recited Acts, or any of them, be admitted to the Freedom of the Company, and shall thereupon and thenceforth be a Freeman of the Company, and shall have a Mark assigned to him.

III. The recited Acts and this Act respectively may for all Purposes be cited as follows; (that is to say,)

The first-recited Act (21 Jas. 1. c. 31.) as "Cutlers Company's Act of 1623:"

The secondly-recited Act (31 Geo. 3. c. 58.) as "Cutlers Company's Act of 1791:"

The thirdly-recited Act (41 Geo. 3. c. 97.) as "Cutlers Company's Act of 1801:"

The fourthly-recited Act (54 Geo. 3. c. 119.) as "Cutlers Company's Act of 1814:"

This Act as "Cutlers' Company's Act of 1860."

IV. All the Costs, Charges, and Expenses of and incidental to the applying for, obtaining, and passing of this Act, shall be paid by the Company out of their Common Stock.

Cap. xliv.

"Stockton and Darlington Railway Act, 1860."

Recites Amalgamation Act of 1858, and proposes to raise further Monies.
Incorporation of Part of Companies Clauses Act, §§ 2, 3.
Power for Company to raise additional Share Capital of 250,000*l.*, §§ 4, 5.
Power to borrow 83,000*l.*, §§ 6 to 8.

Cap. xlv.

"The Great Northern and Western (of Ireland) Railway Act, 1860."

Recites Acts of 1858, 1859, and 1860; proposes to deviate from the original Line, and to apply an Agreement made with the Midland Great Western Railway (of Ireland) to the diverted Line.
Incorporation of General Acts, § 1.
Power to make a diverted Portion of Railway, §§ 3, 4.
Company to abandon Parts of Line for which diverted Portion is substituted, and Compensation, §§ 5, 6.
Power to cross certain Roads on the Level, §§ 8 to 10.
Six Months for compulsory Purchases, § 11.
One Year for the Completion of Works, § 12.
Agreement of 1st August 1859 to apply to diverted Portion of Railway, § 13.

Cap. xlvi.

"The Belfast and Northern Counties Railway Act, 1860."

Recites that by an Act of 8 & 9 Vict. c. lxxxi. a Company was incorporated under the Name of "The Belfast and Ballymena Railway Company," and were authorized to raise a Capital of 385,000*l.*, in Shares of 50*l.*, and to borrow the Sum of 128,333*l.*, that by their Act of 1853 they were authorized to construct an Extension Line of Railway from Randalstown to Cookstown, and to raise an additional Capital of 200,000*l.* by new Shares, with or without Priority of Dividend, as therein mentioned, and to borrow a further Sum of 40,000*l.*; and also to create new Shares for the Purpose of raising a further Sum not exceeding 25,000*l.*, to be applied in the Discharge of certain Debts of the Company; that by "The Ballymena and Portrush Railway Act, 1858," the Company were authorized to purchase from the Ballymena, Ballymoney, and Coleraine Junction Railway Company a certain Railway constructed and completed by the last-mentioned Company between Ballymena and Portrush; that by "The Ballymena and Portrush (Coleraine Junction) Railway Act, 1859," the Ballymena, Ballymoney, Coleraine, and Portrush Junction Company were authorized to make and maintain a Railway commencing by a Junction with the Ballymena, Ballymoney, Coleraine, and Portrush Junction Railway, and terminating by a Junction with the Londonderry and Coleraine Railway; and it was by such Act declared and enacted that the Railway so authorized to be made should form Part of the Undertaking of the Ballymena, Ballymoney, and Coleraine Junction Railway Company; that the Railways authorized to be made by the firstly and secondly recited Acts have long since been completed and open for public Traffic; that the whole of the 7,700 Shares of 50*l.* each, authorized by the first-recited Act, were duly issued, and the whole Amount of such Shares was paid up, except as to 392 of such Shares, which were duly forfeited and bought in by the Company, and were held in trust for them; that the whole of the said Sum of 128,333*l.* has been borrowed; that under the Powers of the secondly-recited Act, and for the Purpose of raising the said additional Capital of 200,000*l.*, the Company duly created 8,000 Shares of 25*l.* each, of which Number 7,700 Shares were duly subscribed for, and the whole Amount payable in respect thereof has been duly paid, and the remaining 300 Shares remain unsubscribed for, and they have borrowed the whole of the said Sum of 40,000*l.*; that they expended on the making of the said Railway, including the said Extension, Sums of Money exceeding the whole Amount actually received by them in respect of Shares subscribed for and the Monies so raised by them by way of Loan, and the Company became and are indebted to the Governor and Company of the Bank of Ireland in a Sum of 52,100*l.*, or thereabouts, for Monies advanced by such Bank for the Purposes of the Company; that they have deposited with Trustees for the said Bank the said 392 Shares of 50*l.* each, forfeited as aforesaid; and also have created and issued to Trustees for the said Bank the said 300 Shares of 25*l.* each, remaining unsubscribed for as aforesaid; and have also created and issued to Trustees for the said Bank 500 Shares of 50*l.* each, representing the said Sum of 25,000*l.*, authorized to be raised by the secondly-recited Act, and the whole nominal Value of the Shares so held by the said Bank of Ireland, or their Trustees, amounts to the Sum of 52,100*l.*; that they are indebted to Creditors holding no Security in Sums of Money amounting in the aggregate to the Sum of 14,000*l.*, or thereabouts; that a single Line of Railway only has been as yet laid down along the entire of their said Line, and their intermediate Stations between Belfast and Ballymena have been built of Wood only; that they have issued no Shares with a Preference; proposes to change their Name and to enable the Company to accept a Surrender of and to cancel and extinguish the said Shares deposited with the Bank of Ireland as aforesaid, and to raise the said Sum of 52,100*l.* by the Ways and Means herein-after provided, and also to raise a further Sum of 70,000*l.* to be applied in the Discharge of the said unsecured Debt, and on the permanent Works of their Undertaking; to provide with respect to the Consolidation of the Shares in the Capital of the Company of the nominal Value of 25*l.* into Shares of 50*l.*; to create Stock for the Purpose of paying off their Mortgage or Bond Debt; to enable them from Time to Time to fix the Periods for holding the ordinary Half-yearly General Meetings; and to enable them to purchase the Junction Railway constructed or authorized by the said Act of 1859, in case they should purchase the said Undertaking authorized to be purchased by the said Act of 1858.

III. From and after the passing of this Act the Name, Style, and Title of the Company shall, instead of "The Belfast and Ballymena Railway Company," be "The Belfast and Northern Counties Railway Company;" and by that Name the Company shall henceforth have and may exercise all the Powers now vested in the Belfast and Ballymena Railway Company; and the recited Acts and all other Acts relating to the Belfast and Ballymena Railway Company already passed, or which may be passed during the present Session of Parliament, shall be read and interpreted as if throughout those Acts wherever the Name of "The Belfast and Ballymena Railway Company," or any Reference to the Belfast and Ballymena Railway Company occurs, the Name of the Belfast and Northern Counties Railway Company, or a Reference to the Belfast and Northern Counties Railway Company, were substituted.

IV. Every Action, Suit, or Proceeding at Law or in Equity, now pending by or against the said Belfast and Ballymena Company, may proceed, and every Judgment, Decree, or Order in every such Action, Suit, or Proceeding shall be binding upon the Company, in like Manner as if no such Change of Name had taken place.

V. Notwithstanding the Change of Name of the Company, all Deeds, Instruments, Purchases, Sales, Securities, and Contracts before the passing of this Act made under the recited Acts, or either of them, or with reference to the Purposes thereof, shall be as effectual to all Intents for, against, and with respect to the Company, as if the Name of the Company had remained unchanged.

VI. With respect to the said Shares so held by the Governor and Company of the Bank of Ireland, or by their Trustees, the nominal Value of which amounts to the said Sum of 52,100*l.*, it shall be lawful for the Company to cancel and extinguish the said Shares when duly surrendered for that Purpose, and in lieu thereof to create and issue new Shares in the Company to an equivalent nominal Amount, and the said Shares so created and issued, or the Sums of Money raised by means of such Shares, shall be applied in discharge of the Debt so secured upon the existing Shares.

Power to raise 70,000*l.* by new Shares or by borrowing, §§ 7 to 9.

New Shares may be created with a Preference not exceeding 4*l.* 10*s.* per Cent., §§ 10 to 14.

Power to the Company to alter the Denomination of 25*l.* Shares, and convert every Two of such Shares into One Share of 50*l.*, § 15.

As soon as Alteration is made Holders of 25*l.* Shares to stand possessed of One Share of 50*l.* for every Two Shares of 25*l.* previously held by them, § 16.

Monies paid on 25*l.* Shares to be deemed as paid on account of substituted Shares, § 17.

Secretary to give Notice to Shareholders to send in Certificates to be exchanged, § 18.

Powers for enforcing Payment of Calls not to be affected, § 19.

Actions for Calls not to abate, § 20.

Outstanding Shares of 25*l.* to be exchanged when an Exchange becomes practicable, § 21.

Power to convert borrowed Money into Debenture Stock, § 22.

Separate Accounts of Debenture Shares, § 23.

Incorporation of 8 & 9 Vict. c. 16.,—§ 24.

Power to lease superfluous Lands; Application of Monies raised thereby, § 27.

Power to the Company to fix the Periods for holding ordinary Half-yearly General Meetings, § 28.

Power to purchase Junction Railway from the Ballymena, Ballymoney, Coleraine, and Portrush Company, § 29.

Power to enter into Contracts, § 30.

Cap. xlvii.

"The Dublin, Wicklow, and Wexford Railway (Enniscorthy Extension) Act, 1860."

Recites the several Acts relating to the Company; that by an Act passed in 1859, being an Act to enable the Dublin and Wicklow Railway Company to extend their Railway to Gorey, in the County of Wexford, they were authorized to raise an additional Capital of 200,000*l.* by the Creation of new Shares, but no Part of such Capital has yet been raised; proposes to construct a Railway to Enniscorthy, in extension of the Railway by the last-recited Act authorized, and to enable the Company to construct the same, and to raise for the Purpose a further Capital of 100,000*l.* by the Creation of Shares, to be issued under the same Conditions and with the same Privileges and Advantages as the Shares to be created and issued under the Authority of the last-recited Act; to change the Name of the Company, and to amend Acts.

Incorporation of General Acts, § 2.

Repeal of Section 25. of 22 & 23 Vict. c. lxxx. (*i. e.* Power to attach Dividend of 6*l.* per Cent.), § 3.

Change of Name of Company and Saving of Rights, §§ 6 to 9.

Power to make Railway, § 10 and §§ 15, 16.

Admiralty Provisions respecting River Slaney, §§ 11 to 14.

Three Years for compulsory Purchase of Lands, § 17.

Five Years for Completion of Works, § 18.

Tolls, § 20.

Power to raise further Capital of 100,000*l.* on the same Terms as authorized by the recited Acts, §§ 22, 23.

Power to borrow 33,300*l.*, §§ 24, 25.

Cap. xlviii.

"The Manchester Improvement Act, 1860."

Recites that it is expedient that the Mayor, Aldermen, and Citizens of the City of Manchester (in this Act called the Corporation), should be empowered to widen and enlarge the Street in the Township and Parish of Manchester called Mount Street, between its Junction with Bancroft Street and its Junction with Peter Street, and also to widen and enlarge the Street in the said Township and Parish called David Street, between its Junction with Portland Street and the Bridge carrying the same over the Rochdale Canal, and also to purchase certain Lands and Houses for those Purposes, and for the Improvement of the City respectively; that by "The Manchester Markets Act, 1846," Provision is made for the Sale by the Corporation within Three Years from the passing of that Act, of Lands acquired by them under the Provisions of that Act, but not required for the Purposes of the Markets thereby authorized to be established; and also for the Sale by the Corporation of old Markets when new ones shall have been established; and whereas there are in the City of Manchester Two Markets, called respectively the Deansgate Shambles and the Victoria Shambles, which were acquired by the Corporation, not under the Provisions of "The Manchester Markets Act, 1846," but under the Provisions of the Act of the 7th and 8th Victoria, Chapter Forty, which are no longer required for the Purposes of Markets, and it is expedient that the Corporation should be required to sell the same; proposes to make further Provision with reference to the Publication and exhibiting of the Tolls and Rates payable in respect of the Markets of the Corporation; and to enable the Corporation to alter and increase the Pensions and Allowances now payable to certain Police Officers out of the Police Superannuation Fund of the City, under "The Manchester New Streets Act, 1853."

Corporation may appoint Committee to carry Act into execution, § 4.

Corporation may make Contracts, §§ 5, 6.

Power to acquire Lands, widen Streets, &c., §§ 9 to 12.

Clauses of 8 & 9 Vict. c. cxli. incorporated with this Act; compulsory Powers not to be exercised after Four Years, § 13.

Ground laid into Streets to be public Highways, § 14.

Land Tax to be made good, § 15.

Corporation to sell Deansgate Shambles and Victoria Shambles, §§ 16.

Lands not required to be sold under Lands Clauses Act, §§ 17, 18.

List of Tolls to be painted on Boards or printed and set up in every Market and Market Place, § 19.

Power to increase Allowances out of Police Superannuation Fund in certain Cases, § 20.

Cap. xlix.

"Great Southern of India Railway Amendment Act, 1860."

Recites that by "The Great Southern of India Railway Act, 1858," the Company were incorporated for affording Railway Accommodation to Southern India, and were empowered to enter into Agreements with the then existing East India Company; that their Capital was fixed by that Act at 1,000,000*l.*, with Power to increase it to 3,000,000*l.*, and their Borrowing Power was limited to 330,000*l.* in the first instance, but in case of such Increase of Share Capital as above mentioned, to a Sum equal to One Third of the whole; that a Contract was made by the Great Southern Company with the East India Company, whereby the former were to construct a Railway from Negapatam to Trinchinopoly, and to pay the Sum of 1,000,000*l.* into the Treasury of the latter Company under a Guarantee of Interest at 5 per Cent. for 99 Years; that by the Public Act 21 & 22 Vict. c. 106. the Territories and Powers of the East India Company and all its Contracts and Engagements were transferred to the Secretary of State for India on behalf of the Crown; that it is estimated that the Sum of 500,000*l.* will suffice to complete the Railway, and that it is expedient to authorize the Company, as soon as that Amount has been subscribed for and Half of it paid up, to borrow 166,000*l.* on the Credit of the Guarantee, and to confer further Powers of borrowing on them; also to authorize the Creation of a Debenture Stock in lieu of borrowing, to provide for the Appointment of a Deputy ex-officio Director, and otherwise to amend the Act.

Existing borrowing Powers repealed, § 6.
Power to borrow 166,000*l.* in the first instance, and further like Sum, § 7.
Further Sum of 500,000*l.* may be raised by borrowing in certain Events, § 8.
Total of Shares and Loan not to exceed Capital under original Act, § 9.
Company may create Debenture Stock, § 10.
Application and Privileges of Debenture Stock, §§ 11 to 14.
Debenture Stock may be appropriated to extinguish Debt, § 15.
Transfer, Accounts, and Disposition of Debenture Stock, §§ 16 to 18.
For preventing illusory Transfers of Stock, § 23.
Secretary of State may appoint Deputy ex-officio Director, § 24.

Cap. l.

"The Andover and Redbridge Railway Act, 1860."

Recites 21 & 22 Vict. c. lxxxii.; proposes to authorize certain Deviations, and also Diversion and Construction of Roads.
Incorporation of General Acts, § 1.
Power to construct Works, § 2.
Describing Works, § 3.
Company to abandon certain Portion of authorized Railway, and Compensation, §§ 4, 5.
Level Crossings, and Board of Trade Provisions, §§ 6 to 9.
Two Years for compulsory Purchase of Lands, § 10.
Works to be completed on 12th July 1863, § 11.
Tolls, § 12.

Cap. li.

"The West Somerset Railway Amendment Act, 1860."

Recites Act of 1857, incorporating the Company; proposes to enlarge the Time for the Completion of the Railway, to extend the Railway, and to issue 5,208 unissued Shares with a Preference.
Lands and Railways Clauses Acts incorporated, §§ 1, 2.
Power to construct new Works, § 3.
Describing Railway, § 4.
One Year for compulsory Purchases, § 5.
Two Years for Completion of Works, §§ 6, 7.
Extending Time for making the Railway to 1st January 1861, § 8.
Extending Time referred to in Section 49 of recited Act, § 9.
Tolls for Railway, §§ 11, 12.
Power to cancel Shares for Nonpayment of Calls, § 13.
Company may issue unissued Shares with a Preference not exceeding 5*l.* per Cent., and may issue Preference Shares in lieu of cancelled Shares, §§ 14, 15.

Cap. lii.

"The Midland Railway (London Traffic), 1860."

Proposes to enable the Midland Railway Company to contract for the Use of the Undertakings of other Companies in and near London.

I. It shall be lawful for the Midland Railway Company on the one hand, and the North London Railway Company, the Eastern Counties Railway Company, the London and Blackwall Railway Company, and the Proprietors, Lessees, and other Persons having Control over the London, Tilbury, and Southend Railway, or any of the before-mentioned Railway Companies, or other Persons, on the other hand, to enter into and fulfil Contracts with respect to

The Use by the Midland Railway Company with their Engines, Carriages, and Servants of any Part of the Undertakings (whether Railways, Sidings, Stations, Approaches, Watering Places, Machinery, or other Works) belonging to the other contracting Parties within the Limits of the Metropolis, or elsewhere in the Counties of Middlesex and Essex, and in the City of London; and

The Payment by the same Company of any Sums, whether in gross or periodical, or as Rent or as Toll, by way of Consideration for the Use of the Undertakings, or of the Stock and Machinery of the other contracting Parties, and for the Accommodation to be given, and the Services to be performed by them.

II. Provided always, That no Contract made under the Powers of this Act shall be valid or acted on unless it has been approved by the Board of Trade, and by the Votes of at least Three Fifths of the Shareholders present, in Person or by Proxy, at a General Meeting specially convened for the Purpose, of each Company Party to such Contract.
Tolls not to be increased, § 3.

IV. Nothing in this Act contained shall take away, lessen, or invalidate any Powers which the several Companies hereinbefore named already possess of entering into Contracts, whether those Powers are derived from special Enactments or from general Law.

V. Provided also, That in respect of all Goods, Merchandise, Cattle, and Minerals (other than Coals and Coke), carried by the Midland Railway Company on any Part of the Junction Line of the Great Northern Railway Company with the Main Line of the North London Railway Company for the Time being, to or from any of the Railways or Stations of the said Companies, and Persons with whom the Midland Railway Company are hereby authorized to contract, there shall be paid or allowed by that Company to the Great Northern Railway Company the same Rates and Charges as by the Agreement between the Great Northern Railway Company

and the Midland Railway Company, bearing Date the First Day of June One thousand eight hundred and fifty-eight, are agreed to be paid or allowed in respect of the like Traffic carried by the Midland Railway Company over the same Junction Line to or from the London Terminus therein mentioned.
Deposits for future Bills not to be paid out of Capital of Midland Company, § 6.
Provision for General Railway Acts, § 7.
Name and Expenses of Act, § 8.

Cap. liii.

"The East India Coal Company, Limited, Act, 1860."

Recites that the East India Coal Company, Limited, was constituted by a Deed of Settlement, bearing Date the 30th Day of November 1855, and obtained a Certificate of Complete Registration, with limited Liability under "The Limited Liability Act, 1855," and on the 28th Day of October 1856 was registered under the "Joint Stock Companies Acts, 1856;" that it is expedient to confirm certain Resolutions passed at an Extraordinary General Meeting of the said Company, holden on the 23d Day of March 1859, and to establish an Office for the Registration of Shares in India.
Incorporation of Parts of Companies Clauses Act, § 3.

IV. All Resolutions, Orders, and Proceedings of General Meetings, and Boards of Directors, and Committees, which immediately before the passing of this Act were binding on the Company or their Directors, Officers, or Servants, or any of them, shall continue in full Force and be in like Manner binding on the Company and their Directors, Officers, and Servants accordingly; and the said Resolutions passed at the Meeting of the 23d Day of March 1859, and everything done in pursuance thereof, are hereby ratified and confirmed.

V. The Company from Time to Time may negotiate for, conclude, and enter into with the Secretary of State in Council of India, and carry into effect Contracts and Agreements with respect to all or any of the Matters; (to wit,)

Firstly. The making, maintaining, regulating, working, and using by the Company of the Collieries, Coal Mines, Buildings, and Works mentioned in the Schedule to this Act:

Secondly. The acquiring by the Company of Lands in India for the Purposes of their Undertaking:

Thirdly. The making of Provision with respect to any Lands granted or leased to the Company by the Secretary of State in Council of India, or otherwise:

Fourthly. The surrendering or selling, at any future Period, to the Secretary of State in Council of India, on behalf of Her Majesty, or to any other Persons, of all or any Part of the Property of the Company:

Fifthly. The referring of Differences to Arbitration:

Sixthly. The making of Provision for enforcing or securing the due Performance of any Contract or Arrangement made by the Company:

Seventhly. Generally, all such Provisions and Stipulations with respect to the Matters provided for by this Act, or any of them, and the Purposes of the Company, and the Encouragement and Promotion thereof, as the respective Parties shall think fit and mutually agree upon.

VI. The Company, and the Secretary of State in Council of India respectively, from Time to Time may negotiate for, conclude, and enter into any Contracts and Agreements for the Purposes of this Act, in addition to, or by way of Repeal or Modification of, any Contracts or Agreements theretofore entered into by them for the Purpose of this Act.

Seal for Use in India, § 7.
Certificates of Shares, § 8.
Notices of Calls, § 9.
Closing Transfer Books, § 10.
Power to borrow 25,000*l.* in all, § 11.
Board of Directors may establish Offices in India for the Issue and Registration of Shares, &c., § 12.
Persons may be appointed to issue Shares, &c., and Powers may be delegated to them, § 13.
Registers to be kept at Offices in India, § 14.
As to Registry of Transfers of Shares, § 15.
Shares, &c. may be transferred from one Register to another, at the Option of the Holder, § 16.
For determining the Laws affecting any Share, &c., § 17.
As to Recovery of Penalties in India, § 18.
Certified Copies of the respective Registers to be admitted in Evidence, § 19.
Notices in India, § 21.
Schedule. (Special Resolutions, &c.)

Cap. liv.

"The Carrickfergus and Larne Railway Act, 1860."

Proposes to make a Railway from the Railway of the Belfast and Ballymena Company at or near Carrickfergus to Larne; and to authorize that Company to subscribe towards it, and to enter into Traffic and Working Agreements.
Incorporation of General Acts, § 1.
Subscribers incorporated, with a Capital of 125,000*l.* in Shares of 25*l.*, and Power to borrow 41,500*l.*, §§ 3 to 7.
Meetings; Directors, §§ 11 to 21.
Power to make Railway, §§ 22 to 24.
Three Years for Purchase of Lands by Compulsion, § 26.
Five Years for Completion of Railway, § 27.
Admiralty Provisions, §§ 28 to 33.
Communication with Belfast and Ballymena Railway, §§ 34 to 36.
The Belfast and Ballymena Company may subscribe to the Undertaking to the Extent of 20,000*l.*, with or without a Preference not exceeding 4*l.* 10*s.* per Cent., §§ 37 to 45.
Tolls, §§ 46 to 55.
Power to Belfast and Ballymena Company to use Portion of Railway and the Station connected therewith, § 56.
Power to enter into Traffic Agreements with the Belfast and Ballymena Railway Company, and into Working Agreements, § 57 to 61.
Power to convert borrowed Money into Debenture Stock, §§ 62 to 64.
Saving Rights of the Crown, § 67.

Cap. lv.

"Matlock Waterworks Act, 1860."

Incorporation of General Acts, § 2.
Subscribers incorporated, with a Capital of 4,000*l.*, §§ 3 to 5.
Rate of Dividend not to exceed 5*l.* per Cent., § 6.
Power to borrow 1,000*l.*, §§ 7, 8.
Meetings; Directors, §§ 9 to 12.
Works which the Company may execute, §§ 14, 15.
Two Years for compulsory Purchase of Lands, § 16.
Four Years for Completion of Works, § 17.
Limiting Pressure of Supply of Water, § 18.
Company at the Request of Owners, &c. to supply Water to certain Lands for Cattle, § 19.
As to Supply of Water to Properties of Thomas Wildgoose and John Garton, § 20.
Penalty in case of Neglect to supply such Premises with Water, § 21.

Farmhouses and Buildings belonging to T. W. Evans, Esq., and Thomas Ludham to be supplied with Water, § 22.
Water not to be wasted, § 23.
Public Watering Places to be supplied as heretofore, § 24.
Reserving Rights of Fishing, § 25.
Reservoir Provisions, §§ 26 to 34.
Supply of Water; Rates, §§ 35 to 39.

Cap. lvi.

"The Limerick and Ennis Railway Act, 1860."

Recites Acts of 1846 and 1853, and proposes to enable the Limerick and Ennis Railway Company to maintain their Railway across certain Roads on a Level, and to enable the Company to purchase certain Lands for the Purposes of their Undertaking; and to amend the Provisions of the Acts relating to the said Company with respect to General Meetings; and for other Purposes.
Incorporation of General Acts, §§ 2, 3.
Power to maintain Railway across Roads on a Level, § 4.
Level Crossings and Board of Trade Provisions, § 5 to 7.
Power to purchase Lands, § 8.
One Year for compulsory Purchase of Lands, § 9.
Time for holding Half-yearly Meetings, and Quorum for General Meetings, § 10.

Cap. lvii.

"The Manchester and Buxton Turnpike Trusts Continuance Act, 1860."

Recites 10 G. 4. c. cxiv., relating to the Turnpike Roads from Hurdlow House, in the County of Derby, to Manchester, in the County Palatine of Lancaster; that the Trustees thereby appointed have proceeded to put the same into execution; that the Term of the said Act will shortly expire; that the Principal Sums of Money still owing upon the Credit of the Tolls of the said Roads now amount to the Sum of 45,693*l.* 8*s.*; that since the passing of the said Act Railways have been established between the Termini of the said Roads, which have greatly reduced the Income of the said Trustees, and prevented the Repayment of the Monies so borrowed within the Term limited by the said Act; that notwithstanding such Reduction of Income, the said Trustees have annually paid off a Portion of the said Principal Monies borrowed; and it is estimated that the present Income of the Trustees will enable them to wholly discharge the Liabilities of the Trust in 21 Years; that a Portion of the said Roads, as to the whole Width thereof, is situate within the Boundaries of the Borough of Stockport, and it is expedient that the Maintenance and Repair of such Portion should be transferred to the respective Boards of Surveyors of the Highways of the Townships of Stockport and Heaton Norris, within which Townships the said Borough is situated, so far as such Roads, as to the whole Width thereof, lie within such respective Townships and Boroughs.
Repeal of Acts, and Saving of Rights and Liabilities, § 1 and §§ 4 to 8.
Trustees, §§ 9 to 11.
Roads to which this Act is applicable, § 12.
Management of Portion of Road within the Borough of Stockport, § 13.
Tolls; Toll Gates, §§ 14 to 17, and §§ 20 to 26.
One Half Toll to be taken at the Bars between Manchester and Stockport, and Two Third Parts only in Derbyshire, for One Horse Carts, § 18.
Persons paying Toll at either the Cockyard and the Sandiway Head Bars, not to pay at the other, § 19.
Application of Monies, § 27.
Mortgagees to take possession for Payment of Interest only, § 28.
Trustees not to borrow more Money on Mortgage, § 29.
As to Mode of discharging Debt, § 30.
Sinking Fund may be applied in Payment of Debts, &c., § 31.
Trustees not bound by Trusts affecting Sums owing, § 32.
Commencement and Term of Act, *i.e.* 21 Years from 29th October 1860; Provision as to the Discontinuance of Tolls, and Disposition of Property of the Trust, § 34.
Schedule (Creditors and Debt).

Cap. lviii.

"The Metropolitan Railway Act, 1860."

Recites the several Acts relating to the Company; that the Time for making the Railway was extended by the Act of 1859 for the Period of Three Years from the passing of that Act; that they are proceeding in the Execution of the said Acts, and have, in the Exercise of their compulsory Powers of purchasing Lands, entered into Contracts for the Purchase of certain Lands required to be used or interfered with in the Construction of the Railway; but with reference to other of those Lands so required, save such as are authorized to be taken by the Act of 1859, the Period limited for their compulsory Purchase has expired; that they find that in the Execution of their Railways and Works it will be necessary to take and interfere with certain Lands, some of which were within the Limits of lateral Deviation described upon the Plans referred to in the said Acts, but in respect of which the compulsory Powers have expired without the Company having given any Notice to treat and agree to the Owners, Lessees, and Occupiers thereof, and others of which were not included in those Limits, but may be required or interfered with in the Construction of the Railway as authorized by the recited Acts, and for Station Accommodation; that it will be necessary in the Construction of the Railway to alter the Level of Burne Street, and to divert the Street called Mitcham Street, both in the Parish of Marylebone; that Plans have been deposited with the Clerk of the Peace for the County of Middlesex, and are herein-after referred to as "the Plans of the additional Lands," whereon are delineated as well certain Lands for the Purchase of which Contracts have been entered into, and in respect of which no further Powers are taken by this Act, as the additional Lands which the Company require, and which are numbered on such Plans and described in the Book of Reference thereto; that the Mayor, Aldermen, and Commons of the City of London are promoting a Bill in Parliament for the Formation of a Dead Meat Market in Smithfield, and it is expedient that certain Arrangements should be authorized between them and the Company with reference to the Communication between that Market and the Railway; and to extend the Time for the Completion of the Main Line of Railway, and the Works connected therewith, from Victoria Street to Paddington, including the Branch to the Great Western Railway, and which is herein-after referred to as the Main Line of Railway; that under the Act of 1859, the Company paid into the Court of Chancery, within the Period specified by such Act, the additional Sum of 5,500*l.*; and that Two separate Sums of Money, including such last-mentioned Payment, have been deposited, and are now standing to the Credit of the Company, in the Court of Chancery, for securing the Completion of the Undertaking; but inasmuch

as the Amount and Distribution of the Capital of the Company, and the Works to be executed, have been altered by the various Acts before referred to, it is reasonable that the Obligations imposed on the Company, with reference to the raising and Expenditure of their Share Capital before they can receive Repayment of such Money, should be revised and clearly defined, and that the Provisions of the recited Acts be amended.
Incorporation of Lands and Railways Clauses Acts, §§ 2, 4.
Power to take Lands, § 5.
Power to alter certain Streets, § 6.
Describing the Lands, § 7.
Not to revive old compulsory Powers of Purchase, § 8.
Contracts to purchase Lands to have effect, and be completed within Six Months, § 9.
Two Years for compulsory Purchase, § 10.
Company not to take certain Lands of Sir E. B. Baker without Consent, § 11.
Extending Time for completing Railway One Year, §§ 12, 13.
Meaning of certain Expressions in the Clauses relating to the Money deposited for securing Completion of Undertaking, § 14.
Arrangements as to Communication with proposed Dead Meat Market, § 15.
Company may purchase or lease Lands for depositing Subsoil, § 16.
Certain Provisions of Act of 1854, as relating to Grand Junction Canal, to continue in force, § 17.
Repeal of certain Provisions as to Grand Junction Canal, § 18.
Company to make Railway through Praed Street and South Wharf Road in a Tunnel, § 19.
Company to provide Means of Access to Grand Junction Canal Company's Wharves, § 20.
Company to provide new Sewers, &c. before interfering with those of the Grand Junction Canal Company, § 21.
Sections 125 and 126 of Act of 1854 to apply to Engines and Chimney Shafts at Chapel Street, § 22.
As to Trains stopping on Sundays at Portland Road, § 23.
Repeal of certain Clauses relating to Property of the Rev. Richard Thomas Lancaster, § 24.
Company to purchase whole of certain Properties belonging to Rev. Richard Thomas Lancaster, § 25.
Powers of Company over Lands belonging to Lord Portman, § 26.
Plan of Station at Baker Street to be approved by Surveyor of Lord Portman, § 27.
Lands belonging to Marylebone Workhouse not to be taken, § 28.
Company not to take certain Lands of Lord Southampton without Consent, § 29.
As to Purchase of certain Lands belonging to Lord Southampton, § 30.
For preventing Injury to Queen Charlotte's Lying-in Hospital, § 31.
Company not to take certain Leasehold Property belonging to George Joseph Bowyer, § 32.
As to Repair of any Railway in Tunnel, § 33.
Not to take Lands of Crown Estate Paving Commissioners, § 34.
Company to allow Branch to be made to Euston Station, § 35.
Aldermen and Common Councilmen, if re-elected, to continue Directors and Representatives, § 36.
Local Rates to be made good, § 37.
Provisions of Metropolitan Railway Acts to remain in force, § 38.
For the Protection of the Property of the Crown under the Charge of the Commissioners of Her Majesty's Works, § 42.
Saving Rights of the Crown, § 43.

Cap. lix.

"Banbridge Junction Railway (Lease) Act, 1860."

Recites Acts of 1853 and 1856 respectively, incorporating and changing the Name of the Company; proposes to lease the Undertaking to the Dublin and Belfast Railway Company.
Incorporates Railways Clauses Act, §§ 2, 3.
Power to lease Undertaking, § 4.
Approval, &c. of Board of Trade, §§ 5 to 8.
Short Distance Clause, § 9.

Cap. lx.

"The Belfast and County Down Railway Amendment Act, 1860."

Proposes to abandon a Portion of their Bangor Branch; to extend the Time for Completion of the Remainder of their Railways, and to convert their Debt into Debenture Stock.
Power to abandon Part of Bangor Branch and Compensation, §§ 1, 2.
Time extended for completing the Branch Railways, and Company required to open them on the 1st of August 1861, §§ 3, 4.
Conversion of Debt into Debenture Stock, §§ 5 to 9.

Cap. lxi.

"Belfast, Holywood, and Bangor Railway Act, 1860."

Proposes to make a Railway from the Belfast and County Down Railway at Holywood to Bangor, in the County of Down.
Incorporation of General Acts, §§ 1, 3, 4.
Subscribers incorporated, with a Capital of 115,000*l.* in Shares of 10*l.*, and Power to borrow 38,000*l.*, §§ 5 to 11.
Meetings; Directors, §§ 12 to 21.
Power to make Railway, §§ 22 to 25.
Two Years for compulsory Purchases, § 26.
Company to purchase certain Lands of Mr. Greg, § 27.
Three Years for Completion of Works, §§ 28, 36.
Communications with Belfast and County Down Railway, §§ 29 to 33.
Company to make an ornamental Passenger Station in the Townland of Cultra, § 34.
One Half of the Trains each Way daily to stop at such Station, § 35.
Admiralty Provisions, §§ 37 to 41.
Tolls, §§ 42 to 51.
Power to enter into Traffic Arrangements with Belfast and County Down Railway Company, subject to Board of Trade, §§ 52 to 59.
Tolls may be taken by the County Down Company, subject to Working Agreement, § 60.
Saving Rights of the Crown, § 64.

Cap. lxii.

"Dublin and Kingstown Railway Act, 1860."

Recites that by their Act of 1846 the Waterford, Wexford, Wicklow, and Dublin Railway Company (in this Act called "The Wicklow Company,") were incorporated and authorized to take a Lease of the Dublin and Kingstown Railway and all Works connected therewith, and all Property and Effects of the Dublin and Kingstown Railway Company (in this Act called "The Kingstown Company"), and the Agreements therein mentioned in reference to the Lease, were, by the reciting Act, rendered binding on both those Companies; and that those Agreements were varied by their Act of 1848; that in 1851 the Name of the Company

incorporated by the first-recited Act was changed to its present Name of "The Dublin and Wicklow Railway Company;" that by "The Dublin and Wicklow and Dublin and Kingstown Railway Act, 1854," the Agreements therein recited for modifying the before-recited Agreements were confirmed; that in pursuance of the recited Acts and Agreements, by an Indenture (in this Act called "the Lease,") dated the 30th Day of June 1856, between the Kingstown Company of the First Part, Richard Michaux Muggeridge of the Second Part, and the Wicklow Company of the Third Part, the Dublin and Kingstown Railway, and the Works connected therewith, and the Property and Effects of the Kingstown Company, therein described, were demised unto the Wicklow Company and their Assigns for the Term of 35 Years, yielding and paying therefor yearly during the Term, unto the Kingstown Company and their Assigns, first, the yearly Rent or Sum of 32,000*l.* Sterling, and secondly, the yearly Rent, if any, which in the event of a Line of Railway from or from near the Town of Bray, through or near or by way of Dundrum to the City of Dublin, being made as expressed in the therein recited Agreement of the 24th Day of June 1846, might become payable as provided by that Agreement, those several yearly Rents respectively to be payable and paid free from and over and above and in addition to all Head Rent, Taxes, Rates, Assessments, and other annual Outgoings of the like Nature then payable, or at any Time thereafter to be payable by the Kingstown Company, for or in respect of the Railways, Houses, Lands, Hereditaments, and Premises thereby granted or demised, or meant or mentioned so to be (Property or Income Tax then payable or thereafter to be or become payable, in respect of all or any Portion of the Property thereby demised, only excepted), the yearly Rent of 32,000*l.*, to be payable by Two equal half-yearly Payments, on the 1st Day of January and the 1st Day of July in every Year, the First of such Payments to be made on the 1st Day of January 1857, and also yielding and paying yearly during the Term unto the Kingstown Company and their Assigns, thirdly, in addition to the several other Rents therein-before reserved, a contingent Rent equal to 30*l.* per Centum upon the gross Receipts of or to be derived from the Line of Railway from Dublin to Kingstown, and all other the Premises thereby demised, (excepting and exclusive of all such Parts thereof as then formerly constituted the Site or any Part of the Site of the then late Atmospheric Railway,) which should be over and above and in excess of 55,000*l.* per Annum, the Amount of such gross Income to be ascertained in manner therein-after mentioned; such additional contingent Rent to be clear of all Deductions as aforesaid, and to be in every Case payable within One Calendar Month after the Expiration of the Year in respect whereof the same should accrue due, and subject to the Provisoes, Covenants, and Conditions in the now reciting Indenture contained, and with a Proviso and Covenant for the Renewal in the Events therein expressed of the Lease effected by the reciting Indenture for a further Period of 35 Years; and Provision was thereby made for the Determination of all Differences between the Two Companies and their Assigns respectively, arising out of or incident to the Lease, by Arbitration as therein expressed; that Differences lately arose between the Kingstown Company and the Wicklow Company, with reference to a Claim of the Kingstown Company against the Wicklow Company in respect of the Rent secondly reserved by the Lease (and which in this Act is called "the Compensation Rent"), and their Differences thereon were referred to Arbitration, but before any Award was made in the Arbitration, the Two Companies came to an Arrangement for an amicable Settlement of the Differences between them, on the Footing of substituting, with the Sanction of Parliament, a certain Percentage on the gross Receipts of the Wicklow Company in respect of Through Passenger Traffic between Harcourt Street and Bray, and Kingstown and Bray, for the Compensation Rent, and the Arbitration was therefore not proceeded with; that the Terms of such Arrangement were afterwards submitted to and approved of by each of the Two Companies at General Meetings specially called for the Purpose, and held on the 26th Day of August 1859 and 1st Day of October 1859 respectively, and in pursuance thereof the Indenture in the Schedule to this Act annexed, bearing Date the 1st Day of October 1859, was made between the Wicklow Company of the one Part and the Kingstown Company of the other Part, and it is expedient that such Indenture be confirmed; that by their Act of 1831, whereby the Kingstown Company were incorporated, they were authorized to raise a Capital of 200,000*l.* in 2,000 Shares of 100*l.* each, and to borrow 70,000*l.*, and to raise Money by Annuities; and they have raised the whole of that Capital of 200,000*l.* by Shares, and borrowed 70,000*l.*, which is still due; that by their Act of 1846 the Kingstown Company were authorized to raise a further Capital of 300,000*l.* by 4,000 Shares of 50*l.* each, and 4,000 Shares of 25*l.* each, and to raise a further Sum by borrowing, and Provision was thereby made for the Conversion of all the fully paid-up Shares of the Kingstown Company into a General Capital Stock; that under the Authority of the Act of 1846, the 2,000 Shares of 100*l.* each, constituting the Capital of 200,000*l.* authorized by the Act of 1831, were converted into a General Capital Stock of 200,000*l.*; that the 4,000 Shares of 50*l.* each by the Act of 1846 authorized have been taken, and the Sum of 25*l.* has been paid in respect of every such Share of 50*l.*, and the 4,000 Shares of 25*l.* each by the said Act of 1846 authorized have been taken, and the Sum of 12*l.* 10*s.* has been paid in respect of every such Share of 25*l.*, making the aggregate Sum of 150,000*l.* so paid, and leaving unpaid the Sum of 25*l.* on every Share of 50*l.* and the Sum of 12*l.* 10*s.* on every Share of 25*l.*, and making the aggregate Sum of 150,000*l.* so unpaid; proposes to regulate the Capital and Borrowing Powers of the Kingstown Company.

II. The scheduled Indenture of the 1st Day of October 1859 is by this Act confirmed and made binding on the Dublin and Kingstown Company and the Dublin and Wicklow Company respectively, and their respective Assigns.

III. As from the 1st Day of January 1859 inclusive, the recited Indenture of Lease of the 30th Day of June 1856 shall be modified and be read and have effect as follows; (that is to say):

First. As if the Compensation Rent secondly thereby reserved were not thereby reserved;

Secondly. As if the several Provisions with respect to the Ascertainment of that Rent therein contained were not therein contained;

Thirdly. As if the annual Sum agreed on by the scheduled Indenture to be paid in lieu and satisfaction of the Compensation Rent were by the Lease secondly reserved, instead of the Compensation Rent thereby secondly reserved;

Fourthly. As if the following Covenants or Provisions contained in the scheduled Indenture were contained in the Lease; that is to say,

The Provision with respect to the Meaning of the Words "Through Passenger Traffic between Kingstown and Bray, and between Harcourt Street and Bray;"

And the Provision with respect to the Meaning of the Expression "Receipts derived from Passengers;"

And the Covenant by the Wicklow Company for furnishing half-yearly Accounts, and for certifying and verifying the same, and for furnishing further Information, and for permitting Examination of Books and Documents;

And the Covenant by the Kingstown Company for accepting the half-yearly Payments thereby provided for and in lieu of and satisfaction for the Compensation Rent;

And the Provision therein contained with respect to the Meaning of the Stations at Harcourt Street, at Kingstown, and at Bray respectively.

IV. As from the 1st Day of January 1859 inclusive, the Lease as modified by this Act shall have full Effect according to the true Intent and Meaning of the same; and subject to the Provisions of this Act, the Demises made by, and the several Exceptions, Reservations, Covenants, Powers, and Provisions contained in, the Lease, shall accordingly as from that Day inclusive have the like Force and Effect as if the Lease had been originally made and executed as modified by this Act.

V. Provided always, That this Act shall be without Prejudice to the several Rents first and thirdly reserved by the Lease, and all Rights, Powers, and Remedies of the Kingstown Company, and their Assigns, in respect thereof, or for the Recovery thereof, and all the Provisions of the Lease with respect to the same.

Incorporation of Part of Companies Clauses Act, § 6.

VII. From and after the passing of this Act the Capital of the Kingstown Company shall be the Aggregate of the following Amounts; (that is to say,)

First. Their general Capital Stock of 200,000*l.* created by the Act of 1831;

Secondly. Their additional general Capital Stock of 150,000*l.*, by this Act created in lieu of and in substitution for the Sum of 300,000*l.* authorized to be raised by the Act of 1846;

Thirdly. The Amount, if any, of the Capital from Time to Time created by the Conversion of Loan into Capital.

VIII. The Kingstown Company's additional general Capital Stock of 150,000*l.* by this Act created, is by this Act appropriated to and vested in the several Persons who immediately before the passing of this Act were the several registered Holders of the 4,000 Shares of 50*l.* each and the 4,000 Shares of 25*l.* each, respectively authorized by the Act of 1846, and is so appropriated to and vested in them respectively, in the Proportion of 25*l.* Part of that additional general Capital Stock for One of those 4,000 Shares of 50*l.* each, and 12*l.* 10*s.* Part of that additional general Capital Stock for One of those 4,000 Shares of 25*l.* each.

IX. The several Persons to and in whom the several Portions of the Kingstown Company's additional general Capital Stock of 150,000*l.* are by this Act appropriated and vested shall be possessed of and entitled to the Portions thereof so appropriated and vested respectively, upon the same Trusts and subject to the same Powers, Provisions, Charges, and Liabilities as those upon and to which their respective Shares of the Capital of 300,000*l.* by the Act of 1846 authorized, in respect whereof those Portions of Stock are so appropriated and vested, were immediately before the passing of this Act subject; and those several Portions of Stock so appropriated and vested shall respectively accordingly pass or be affected by any Will or other Testamentary Disposition disposing of or affecting those respective Shares of that Capital.

Kingstown Company's 4,000 Shares of 50*l.* and 4,000 Shares of 25*l.* extinguished, §§ 10 to 15, and §§ 17, 18.

XVI. Except where the whole of the Portion of the general Capital Stock from Time to Time belonging to any Holder is transferred, the general Capital Stock shall not be tranferable except in Sums being respectively in nominal Amount Five Pounds or a Multiple of Five Pounds.

XIX. The Kingstown Company shall not borrow more than the Sum of 40,000*l.*, in addition to their present Debenture Debt of 70,000*l.*: Provided always, that no Part of such Sum of 40,000*l.* shall be borrowed, unless and until the Kingstown Company shall, under the Covenants of the recited Lease, re-enter and resume the Possession of the Railway and Premises thereby demised.

Saving Rights of the Two Companies, § 23.

OPERATIVE PART of the SCHEDULE referred to in the Act.

Now this Indenture witnesseth, that in pursuance of such Agreement, the said Wicklow Company do hereby covenant with the said Kingstown Company, that the said Wicklow Company will, during the Residue of the First Term of 35 Years granted by said Lease, pay to the said Kingstown Company and their Assigns, in lieu and satisfaction of the said Rent herein-before mentioned, and so heretofore agreed to be paid as a Compensation for such Diversion of Traffic from the said Kingstown Line, and so as aforesaid reserved and made payable by the several Deeds aforesaid, an annual Sum equal to the Amount of 5*l.* per Centum upon the gross Receipts of the Wicklow Company during each Year in respect of Through Passenger Traffic, including Subscriptions, upon and over the Lines of Railway between Harcourt Street Station and the Station at present existing at Bray, or any other Station to be at any Time hereafter erected within One Statute Mile of said Bray Station; and upon the gross Receipts of the Wicklow Company in respect of Through Passenger Traffic, including Subscriptions, upon and over the Line of Railway between Kingstown Station and the said Bray Station, or any other Station to be at any Time erected within One Statute Mile thereof, and vice versâ, between the said Bray Station, or any other Station to be erected within One Statute Mile thereof, and the said Harcourt Street Station and Kingstown Station respectively; the said last-mentioned Rent to be payable half-yearly on the 31st Day of December and 30th Day of June in every Year, during the Residue of the Term of 35 Years granted by the said Indenture of Lease of the 30th Day of June 1856, and to be calculated on the Amount of such gross Passenger Traffic Receipts for the Half Year next immediately preceding and ending on each of the said last-mentioned Days, the First Payment thereof to be made on the 31st Day of December next for the Year ending on that Day, and to be clear of all Deductions whatsoever (Property or Income Tax legally deductible only excepted), and to be recoverable by all the Means specified and provided in and by the said several Indentures, or any of them, for the Recovery of any of the Rents therein or thereby reserved or made payable, and the Amount of such gross Receipts to be ascertained in manner herein-after mentioned.

And it is hereby declared and agreed by and between the said Wicklow Company and the said Kingstown Company, that by the Words Through Passenger Traffic between Kingstown and Bray, and between Harcourt Street and Bray, it is intended to include only the Receipts, including Subscriptions, in respect of Passengers going to or returning from Bray and Harcourt Street upon the Inland Line, and the Receipts in respect of Passengers going to or returning from Kingstown

and Bray on the Sea Line; and that it is not intended to include any Receipts in respect of Passengers who may go to or return from any Station further from Dublin than the present Bray Station or any new Station within One Statute Mile of it, or any Receipts in respect of Passengers who may go to or return from any Station further from Kingstown than the present Station at Bray or any such new Station within One Mile from it, or vice versâ, and shall not include any Receipts in respect of Passengers travelling any Distance short of the entire Distance between Harcourt Street and Bray or between Kingstown and Bray respectively, and vice versâ; but that it shall include the Wicklow Company's Proportion of the Subscriptions derived from Passengers travelling between Westland Row and Bray, and vice versâ; and that the Receipts derived from Passengers in the foregoing Paragraph shall be understood to include not only daily Passengers but Subscriptions also.

And the said Wicklow Company do hereby, for themselves and their Assigns, covenant with the Kingstown Company and their Assigns, that the Wicklow Company and their Assigns will furnish, within Twenty-one Days next after the 31st Day of December and 30th of June in each Half Year, full and accurate Accounts of the gross Receipts of such Through Passenger Traffic, as herein-before specified, for the Half Year next preceding and ending on each of said last-mentioned Days, to be certified by the Head Officer of the Clearing House so long as the Accounts are kept and examined at the Clearing House, and by the Secretary or other Officer of the Wicklow Company for the Time being; and to be verified by a Statutory Declaration of the Head Officer of the Clearing House or the Chief Audit Clerk of the said Wicklow Company, as the Case may be, if thereunto required by the said Kingstown Company by Notice in Writing to that Effect; and then from Time to Time furnish to the said Kingstown Company such further Information as shall be reasonably required for the Purpose of ascertaining the Amount of such Through Passenger Traffic as aforesaid; and shall also permit the said Kingstown Company, or their Secretary or Accountant, or any other competent Person to be by them deputed for that Purpose, by Writing under their Corporate Seal, to examine all Books and other Documents of the said Wicklow Company which may contain any Entries in respect of the Traffic of the Wicklow Company on the Lines between the Stations aforesaid, in order to enable the said Kingstown Company to test and vouch such Returns.

And this Indenture further witnesseth, that in consideration of the Premises and the Agreements so entered into by the said Wicklow Company, the said Kingstown Company do hereby covenant with the said Wicklow Company that the said Kingstown Company will accept the half-yearly Payments by way of Rent, to be ascertained in manner herein provided, in lieu of and satisfaction for the Compensation Rent for and in respect of the Diversion of Traffic aforesaid, being that secondly reserved in and by the said Indenture of Lease of the 30th Day of June 1856: And the said Kingstown Company do hereby accordingly, and in consideration of the Premises, release and discharge the said Wicklow Company from the said last-mentioned Compensation for Traffic Rent, and the several Provisions of the said Deeds in relation to the Ascertainment thereof.

Provided always, that these Presents and everything herein contained shall be wholly without Prejudice to the several other Rents, being those firstly and thirdly reserved and made payable by the said Indenture of Lease of the 30th Day of June 1856, and all Rights, Powers, and Remedies of the said Kingstown Company in respect thereof, or for the Recovery thereof, and all the Provisions of the said Lease in reference thereto.

And this Indenture further witnesseth, that in consideration of the Premises, it is hereby mutually covenanted and agreed between the said Wicklow Company and the said Kingstown Company, that a Special General Meeting of the Proprietors of each of the said Two Companies shall be called and held on or before the 1st Day of October instant, to whom the Terms of these Presents shall be submitted for Approval; and if approved by such Meetings respectively, these Presents shall be binding and conclusive on both Companies; but if not approved of by both said Companies, shall be null and void to all Intents and Purposes, in which Event the said several Companies shall revert and be restored to their Position and Rights in all respects as if these Presents or the Agreement whereon the same is founded had never been entered into: And further, that the said Two Companies respectively shall and will use their best and utmost Endeavours to obtain, at their joint Expense, the Sanction and Authority of Parliament, to be holden for the Year 1860, for the Purpose of carrying into effect the Terms of this present Agreement, and shall do and concur in all Acts, Deeds, Matters, and Things necessary to give full Effect to and carry out the same according to the true Intent and Meaning hereof.

And it is hereby further declared and agreed, that the Stations at Harcourt Street, at Kingstown, and at Bray, respectively named and referred to in the foregoing Deed, shall mean and include as well the Stations at present existing at such Places as any new Station that may at any Time hereafter be substituted for or added to the present Stations at Harcourt Street, Kingstown, or Bray as aforesaid.

In witness whereof, &c.

Cap. lxiii.

"The Keith and Dufftown Railway (Deviation) Act, 1860."

Recites Act of 1857; proposes to abandon their authorized Line of Railway, to substitute a new Railway, and to enable the Great North of Scotland Railway to make a larger Contribution than that authorized by the Act of 1857.
Incorporation of General Acts, §§ 1, 2.
Describing new Line of Railway, § 4.
Company to abandon authorized Line of Railway; Compensation, §§ 5, 6.
Level Crossing Provisions, §§ 7 to 10.
Regulating Inclinations of certain Roads, § 11.
Lands to be bought by Compulsion in Three Years, § 12.
Four Years for Completion of Works, §§ 13, 15.
Powers of this Act to be in substitution of previous Powers, § 14.
Powers to the Great North of Scotland Railway Company to subscribe 25,000*l.* more, §§ 17, 18.
Future Meetings of Company, § 19.

Cap. lxiv.

"The Chard Railway Act, 1860."

Proposes to make a Railway from the authorized Line of the London and South-western (Exeter Extension) Railway to Chard, and a Tramroad to the Chard Canal; and to authorize the London and South-western Railway Company to enter into Arrangements with respect to the Working and Management.
Incorporation of General Acts, §§ 1, 2.
Subscribers incorporated, with a Capital of 25,000*l.* in Shares of 10*l.*, and Power to borrow 8,300*l.*, §§ 4 to 10.
Meetings; Directors, §§ 13 to 18.
Power to make Railway and Tramroad, §§ 19 to 21.

Locomotives not to be used on Tramroad, § 22.
Railway to be constructed on the Narrow Gauge, § 23.
Communication with the London and South-western Railway, §§ 24, 25.
Inclination of Roads, § 26.
Land for additional Stations, § 27.
Two Years for compulsory Purchase of Lands, § 28.
Three Years for Completion of Works, §§ 29, 30.
Power to enter into Agreement with the London and South-western Railway Company for the Use and Working of Line, § 31.
Contracts, &c. not to alter Tolls, or to prevent Lines being used by other Companies, § 32.
During Agreement Railway to be considered Part of London and South-western Railway with respect to the Tolls and Charges, § 33.
Terms of Arrangement in Schedule to Act confirmed, § 34.
Tolls, §§ 35 to 43.

SCHEDULE.

TERMS of ARRANGEMENT agreed on between the Promoters of the Chard Railway Company and the London and South-western Railway Company.

1. The Chard Railway to be exclusively Narrow Gauge.

2. No Land of the South-western Company to be taken or used without their Consent.

3. The Junction of the Chard Railway with the Exeter Extension Railway to be made by South-western Company, at a Point approved by and to the Satisfaction of their Engineer, and at the Expense of the Chard Company.

4. The Chard Railway to end at the Edge of the South-western Company's Land, and, for the Purposes of the Junction, Rails in continuation of the Rails on the Chard Railway to be laid down by the South-western Company on their own Land, but at the Expense of the Chard Company, to the Points of Junction with the Rails of the Exeter Extension Railway, and the Chard Company to have a perpetual Easement of running over the Rails so laid down to and from those Points of Junction; and if the South-western Railway Company do not make a Junction as provided by this Agreement so soon as in the Opinion of the Board of Trade the Chard Railway shall be ready for public Traffic, they shall not oppose or seek to prevent the making thereof by the Chard Railway Company: Provided always, that if any Junction be made by the Chard Railway Company between their Railway and the Exeter Extension Railway, in consequence of the Failure or Neglect of the South-western Railway Company to make a Junction as provided by this Agreement, any Junction which may be so made by the Chard Railway Company shall be made in the Direction and at the Points indicated by, and to the Satisfaction of, the Engineer for the Time being of the South-western Railway Company.

5. One hundred Pounds a Year to be paid by the Chard Company to the South-western Company for the Expense of maintaining and working the Junction, and the incidental Signals which they will maintain and work.

6. If the South-western Company determine not to maintain any Station at Broadbridge, and make a Side Line of the Exeter Extension Railway by a Junction therewith commencing at any Station thereon Eastward of Broadbridge and in the Parish of Winsham, and terminating at Broadbridge, then the Junction of the Chard Railway at be made only with the Side Line at Broadbridge, and the Chard Company to have running Powers over the Side Line from Broadbridge to the Junction of the Side Line with the Exeter Extension Railway, subject to the reasonable Byelaws and Regulations of the South-western Company, but the Chard Company not to have running Powers on the Main Line of the Exeter Extension Railway.

7. If the Side Line be made, the Chard Company to be at no greater Expense than if the Junction were made at Broadbridge.

8. The Chard Traffic to be ordinarily conducted by being brought up to the Termination of the Chard Railway, or of the Side Line, and there to be shifted to the Exeter Extension Railway, and vice versâ, but the Junction to be so made as to permit of Carriages passing, when necessary, from one Line to the other.

9. If the Side Line be made, the Two Companies to make Through Fares and Rates between Chard and the Point at which the Side Line joins the Exeter Extension Railway, and the gross Receipts from the Through Fares and Rates to be divided between the Two Companies in Mileage Proportions, the Chard Railway to be considered in every Event as ending at Broadbridge.

10. If a working Agreement be within Twelve Months made between the Two Companies, the South-western Company will agree that if the Junction be made Eastward of Broadbridge, then in respect of Through Traffic and any Place Westward of the Junction, the Through Fares and Rates shall not be more than they would be if the Junction were at Broadbridge.

11. All Differences between the Two Companies to be settled by Arbitration under "The Railway Companies Arbitration Act, 1859."

12. The Deed of Arrangement between the Two Companies to be settled between them, in case of Difference, by Mr. Bullar, with full Power for him to make all such Modifications and incidental or accessory Provisions as he deems expedient for giving full Effect to the Intentions of the Two Companies, or, him failing, by a Counsel to be mutually agreed on or nominated by the Board of Trade.

Cap. lxv.

"The Midland Railway (Burton Branches) Act, 1860."

Recites that by "The Midland Railway and Burton-upon-Trent Bridge Act, 1859," the Midland Railway Company were empowered inter alia to construct a Branch Railway, to commence by a Junction with the Main Line of the Midland Railway, in the Township of Horninglow, and Parish of Burton-upon-Trent, and to terminate on the South-eastern Side of Guild Street, in Burton-upon-Trent, in the same Parish; that it is expedient that the Company be empowered to make a Deviation in and Extension of the said Branch Railway, in conformity with the Conditions of the 10th Section of the Act of 1859; that it is also expedient that the Company be empowered to construct the other Railways and Works in this Act mentioned; and that whereas the said Branch Railway would materially interfere with the Means of Access which Messieurs Samuel Allsopp and Sons now enjoy between different Portions of their Business Premises at Burton-upon-Trent, it is therefore expedient for the convenient Conduct of their Business that they should be authorized to construct the Connexion Railway No. 1 herein-after described; and for the same Purpose that they should be authorized to connect other Portions of their Premises with each other, and with the Railway herein-after thirdly described, by constructing the Connexion Railway No. 2 herein-after also described.
Incorporation of Acts, §§ 2, 3.
Power to take Lands; Company to make a Deviation in their Railway through the Property of Messrs. Allsopp, § 4.

Company not compelled to take the whole of certain Property if Part only required, § 5.
Power to make Works authorized by Act, § 6.
Railways and Works authorized, § 7.
As to Construction of Deviation Railway, § 8.
As to Construction of Railway thirdly described, § 9.
Limiting Property of Messrs. Allsopp to be taken, § 10.
Conveniences to be afforded for a Connexion with Messrs. Allsopp and Sons new Brewery, § 11.
Tolls, § 12.
Level Crossings, §§ 13 to 15.
Two Years for compulsory Purchase of Lands and for Completion of Railways, §§ 16 to 18.
Parts of Companies Clauses Act incorporated, § 19.
Power to create new Capital of 30,000*l.*, with a Preference not exceeding 5*l.* per Cent., § 20, and §§ 22, 23.
Power to raise Capital under any other Act of this Session and this Act by new Shares of One Class, § 21.
Power to borrow 10,000*l.*, §§ 24, 25.
Repealing Powers for Construction of Part of Line authorized by the Act of 1859, § 27.
Extending to certain of the Railways authorized by this Act the Provisions of Clause 21 of the Act of 1859, and the Agreement therein referred to, § 28.
Messrs. Allsopp may make Railways, § 31.
Junction with Midland Company's Railway, §§ 32, 33.
Level Crossings of Roads, §§ 34 to 36.
Two Years for compulsory Purchase of Lands and for Completion of Railways, §§ 37, 38.
Connexion Railways to be private Railways, § 39.
Respecting Use of Connexion Railways, § 40.

Cap. lxvi.

"The Midland Railway (Rowsley and Buxton) Act, 1860."

Proposes to enable the Midland Railway Company to construct Railways to connect the Manchester, Buxton, Matlock, and Midlands Junction Railway, near Rowsley, with the Town of Buxton, and with the Stockport, Disley, and Whaley Bridge Railway near that Town; and also a Railway to form a Junction of the Main Line of the Midland Railway between Rugby and Derby with the Main Line of that Railway between Rugby and Nottingham; and also to acquire additional Lands for the Purposes of their Undertaking, in the Borough of Derby and the Parishes of Chaddesden and Sawley, in the County of Derby.
Incorporation of Acts, §§ 2, 13.
Power to take Lands, § 4.
Company not to take certain Lands without Consent of Stockport, Disley, and Whaley Bridge Railway Company, § 5.
Power to make Railways, § 6.
Railways and Works authorized, § 7.
Power to alter Engineering Works, § 8.
Five Years for Completion of Railways, §§ 9, 12.
Three Years for compulsory Purchase of Lands, § 10.
Power to create new Capital of 450,000*l.*, with a Preference not exceeding 5*l.* per Cent., § 14, and §§ 16, 17.
Power to raise Capital under any other Act of this Session and this Act by new Shares of One Class, § 15.
Power to borrow 150,000*l.*, §§ 18, 19.
Power to convert borrowed Money, &c. into 4*l.* per Cent. Preference Stock, §§ 20 to 22.
Saving Rights of the Crown and the Duchy of Lancaster, § 27.

Cap. lxvii.

"The Midland Railway (London Station) Act, 1860."

Proposes to make better Provision than now exists in London for Merchandise and general Traffic coming from or destined for the Midland Railway, and to enable the Midland Railway Company to acquire Land in the Parish of Saint Pancras, in Middlesex, for the Purpose of forming thereon a Station in connexion with the North London and other Railways, and also with the Regent's Canal, and to construct a short Street or Opening to the North of the said Station; recites that an Agreement subsists between the Midland and the Great Northern Railway Companies, bearing Date the 1st Day of June 1858, and it is expedient that the same should be confirmed, and that the Powers herein-after contained should be given to the same Companies of entering into further Contracts, and that similar Powers should be granted to the Midland Railway Company to enter into Contracts with the Regent's Canal Company, and with the North London Railway Company.
8 & 9 Vict. cc. 18. & 20. incorporated, § 1.
Company may construct Station, § 2.
Describing Lands, § 3.
As to new Street, § 4.
Providing Site for Church, &c., § 5.
As to closing Streets, § 6.
Mode of effecting and Cost of Communication with the North London Railway, §§ 7 to 10.
Saving the Rights of the Regent's Canal Company, § 11.
Local Rates to be made good, § 12.
Authorizing Agreements; Restrictions on same, § 13.
Tolls not to be increased, § 14.
Confirming Agreement with Great Northern Railway Company, dated June 1858, and saving existing Powers and Rights, §§ 15 to 17.
Company may apply their Funds towards Purposes of Act, § 18.
Power to raise additional Capital of 200,000*l.*, with a Preference not exceeding 4*l.* 10*s.* per Cent., §§ 19 to 22.
Power to borrow 66,000*l.*, §§ 23 to 25.
Schedule. (Agreement between the Great Northern and the Midland Railway Companies.)

Cap. lxviii.

"Widnes Gas and Water Act, 1860."

Proposes to incorporate a Company registered under the Joint Stock Companies Acts.
Limits of Act, § 2.
Incorporation of General Acts, §§ 3, 4.
Incorporation of Widnes Gas and Water Company, § 5.
Dissolution of registered Company, § 6.
Property of registered Company transferred to Company, § 7.
Company to satisfy Liabilities of registered Company, § 8.
General Saving of Rights and Liabilities, §§ 9 to 13.
Capital, 40,000*l.*, §§ 14 to 18.
Company may borrow 10,000*l.*, §§ 19 to 21.
Meetings; Directors, &c., §§ 22 to 30.
Company may manufacture and supply Gas, maintain existing Gasworks, and make further Works within Limits specified, §§ 31, 32.
Restricting the Erection of future Gasworks, § 33.
Company may lay down Gas Mains, &c., § 34.
Service Pipes to be fully charged, § 35.
Illuminating Power of and testing of Gas, §§ 36 to 39.
Price of Gas not to exceed 6*s.* 8*d.* per 1,000 Cubic Feet, § 40.
Use of Gas Meters, §§ 41 to 43.
Company may supply Water and take Lands, §§ 44, 45.

Three Years for compulsory Purchase of Land, § 46.
Company may take and use Waters, § 47.
Owners may grant Easements, § 49.
Company may make Waterworks authorized by Act, §§ 50 to 53.
Five Years for Completion of Waterworks, § 54.
Reservoir Provisions, §§ 55 to 64.
Supply of Water not necessarily under Pressure, § 65.
Supply of Water to Tenements in a Row, § 66.
Regulations for Supply of Water, § 67.
Rates for Supply of Water, §§ 68 to 71.
Penalty for using Water for other than domestic Purposes without Agreement, § 72.
Gas Rates, Meter Rents, and Water Rates payable quarterly in advance, § 73.
Cutting off Gas and Water, § 74.
Company may contract with Director, § 75.
Gas Rates, Meter Rents, and Water Rates due, may be levied by Distress, § 76.
Costs of Distress, § 77.
Recovery of Sums not exceeding Fifty Pounds, § 78.
Penalties on Company not to be cumulative, § 79.
Liability to Rates not to disqualify Justices, &c., § 80.

Cap. lxix.

"The Great Western Railway (Yeovil Junctions) Act, 1860."

Proposes to enable the Great Western Railway Company to construct a Railway in the Parishes of Clifton Maybank and Bradford Abbas, in the County of Dorset, in connexion with the Wilts, Somerset, and Weymouth Railway, and to acquire additional Lands at Yeovil.
Incorporation of General Acts, §§ 2, 3.
Power to take Lands, § 4.
Not to take Lands belonging to Bristol and Exeter Railway Company without Consent, § 5.
Saving the Rights of the Bristol and Exeter (Exeter Extension), and Salisbury and Yeovil Railway Companies, §§ 6 to 10.
Two Years for compulsory Purchase of Lands, § 11.
Power to make Railway and execute Works authorized by Act, § 13.
Three Years for Completion of Works, §§ 14, 15.
Company may apply Corporate Funds, § 16.

Cap. lxx.

"Sheffield Waterworks Act, 1860."

Recites 11 Geo. 4. c. lv. (incorporating the Company), and 8 & 9 Vict. c. clxxv., and the "Sheffield Waterworks Act, 1853," repealing those Acts; that the following is the State of the ordinary Capital of the Company—Ordinary Capital authorized, by the first-recited Act, 1,000 Shares of 100*l.* each, by the secondly-recited Act, 1,000 Shares of 50*l.* each, by the thirdly-recited Act, 3,000 Shares of 50*l.* each, which is now represented by 1,000 Shares of 100*l.* each, and 4,000 Shares of 50*l.* each; ordinary Capital raised, under the first-recited Act, 100,000*l.*, under the secondly-recited Act, 50,000*l.*, under the Act of 1853 (up to 31st December 1859), 120,000*l.*, to be paid up on Shares issued under the Act of 1853, 30,000*l.*; that the following was lately the State of the Mortgage Debt of the Company—Amount authorized and raised, under the first-recited Act, 30,000*l.*, under the secondly-recited Act, 20,000*l.*, under the thirdly-recited Act, 10,000*l.*; but under the Authority of Section 27 of the Act of 1853, 9,850*l.*, Part of the Company's Mortgage Debt, has lately been redeemed by means of 9,850*l.* raised by guaranteed Shares to that Amount created in accordance with that Section, and bearing Interest at the Rate of 4*l.* per Centum per Annum, so that in respect of the Mortgage Debt of the Company their Account stands—guaranteed 4*l.* per Centum per Annum Shares, 9,850*l.*, present Mortgage Debt, 50,150*l.*, making in all, 60,000*l.*; that in pursuance of the Provisions of the Act of 1853, the Company have contracted to purchase or have purchased all the Mills, Manufactories, and Works situate on the River Rivelin, above its Junction with the River Loxley, except the Works thereon called Mouse Hole Forge and Grogram Wheel respectively, and also except the Mill called the Holme Head Wheel, the Owner of which did not wish to sell it, and has otherwise agreed with the Company respecting the same; that the Company are proceeding in the Execution of the Works authorized by the Act of 1853, and have purchased or contracted to purchase the Lands required for those Works, but Parts of those Works are unfinished; that the Works which the Company have undertaken and are proceeding with are calculated to meet a very large Increase of the Population of Sheffield and its Neighbourhood, and for the Purpose of enabling the Company to avoid any larger Expenditure of Capital than the Exigencies of the District from Time to Time require, it is expedient that the Time limited for the Completion of the Works be extended; that when the Company proceeded under the Authority of the Act of 1853 to purchase Part of the Lands which they were by that Act authorized to purchase, the Devisees of Henry Hinde and John Wheat, who respectively were the Owners of Two small Farms, called respectively in this Act Hinde's Land (which contains about 20 Acres), and Wheat's Land (which contains about 29 Acres), Parts only of which the Company desired to purchase, required that the Company should purchase the whole of those Lands respectively instead of purchasing Parts only thereof respectively, and making Compensation in respect of the Residue; and the Company accordingly purchased in the Names of George Hounsfield and William Waterfall, Trustees for the Company, the whole of Hinde's Land, and entered into a Contract with John Wheat for the Purchase of the whole of Wheat's Land; that it is expedient that the Company be accordingly authorized to complete the Purchase of the whole of Hinde's Land and Wheat's Land respectively, and to dispose, as by this Act provided, of such Parts thereof as may not be required for the Purposes of the Act of 1853 and this Act; that Parts of the ancient Reservoirs and Works, and Lands purchased by the Company under the Authority of the first-recited Act, are not now required, and other Parts thereof may, as and when the Works authorized by the Act of 1853 and this Act are completed, become useless for the Purposes of the Company, and it is expedient that they be authorized to dispose as by this Act provided of the same, and the Streams, Waters, Water Rights, Easements, and Privileges of the Company belonging thereto or exercised or enjoyed therewith; and it is expedient that the Company be authorized to dispose as by this Act provided of such of the Mills, Manufactories, and Works situate on the River Rivelin, above its Junction with the River Loxley, which they have purchased or contracted to purchase under the Provisions in that Behalf contained in the Act of 1853, as are not now required, or which may hereafter become useless for the Purposes of the Company; and it is expedient that such Lands, ancient Reservoirs, Works, Mills, and Manufactories as are not now required, or may hereafter become useless as aforesaid, should be disposed of, subject to such Conditions as may be proper for the Security of the Waterworks and Water

Supply of the Company; that the Population of the Town of Sheffield is increasing, and is extending into the Parish of Ecclesfield, which adjoins the Borough of Sheffield, and there are several thickly peopled Districts in the said Parish near to the said Borough, and it is expedient that the Company be authorized to afford a Supply of Water within the Parish of Ecclesfield, and to raise further Sums by Shares and by borrowing, and that some of the Provisions of the Act of 1853 be amended.

Incorporation of Waterworks and of Parts of Companies Clauses Acts, §§ 2 to 4.
Limits of Act, § 5.
Regulations for preventing Waste or Misuser of Water, §§ 6 to 18.
Ten Years Extension of Period for Completion of Works authorized by Act of 1853, § 19.
Power to raise further Capital of 150,000*l.*, §§ 20 to 27.
Power to borrow not exceeding 110,000*l.* in all, §§ 28 to 30.
Amount to be raised under Section 27 of Act of 1853 for reducing Debts, § 31.
Power to borrow reduced accordingly, § 32.
Extension of Section 28 of Act of 1853 as to Application of Shares for reducing Debt, § 33.
Preferential Shares to be converted into Stock, § 34.
Preferential Dividend not to exceed 5*l.* per Cent., § 35.
Debenture Stock to be registered, § 37.
Application of Monies, § 38.
Voting for new Shares, § 39.
Votes to be given as provided by Act of 1853, § 40.
Future Preference Shares not to confer Right to vote, § 41.
Repeal of Part of 35th Section of Act of 1853, § 42.
All Directors eligible to Re-election, § 43.
Power for Company to purchase Lands by Agreement, § 44.
Power for Company to sell Property useless for their Supply of Water, § 45.
Interim Power for Company to lease useless Property, § 46.
Conditions of Leases and Sales for Protection of Waterworks, §§ 47 to 49.
Disposal of superfluous Lands within Ten Years, § 51.
Saving of Rights under Act of 1853 of Millowners, &c., § 53.
Company not exempted from any Public Health Act, § 54.
Schedule.—(Form of Conveyance.)

Cap. lxxi.

"Sirhowy Railway Act, 1860."

Recites 32 Geo. 3. c. cii. incorporating the Monmouthshire Canal (now Canal and Railway) Company, 37 Geo. 3. c. c. for amending the Act, 42 Geo. 3. c. cxv. incorporating the Sirhowy Tramroad Company, the "Newport and Pontypool Railway Act, 1845," the "Newport and Pontypool Railway Amendment Act, 1848," the "Monmouthshire Railway and Canal Act, 1852," and the "Monmouthshire Railway and Canal Act, 1853;" that in pursuance of the recited Acts a continuous Line of Tramroad from Sirhowy Furnaces to the Nine-mile Point, and thence to the Western Side of Tredegar Park, and thence across the Park to the Eastern Side thereof, and thence to Newport, was made; and the Part of that continuous Line between Nine-mile Point and Newport has been converted into and is now used as a Railway, and the other Part thereof is in course of Conversion into a Railway by the Company; that the Traffic on that continuous Line is led by Locomotive Engines, provided for the Purpose between Sirhowy Furnaces and the Nine-mile Point by the Freighters, and between that Point and Newport by the Monmouthshire Company; and that the Traffic between Sirhowy Furnaces and Risca does not include any Passenger Traffic; that it is expedient that the Company be authorized to extend and improve the Railway, to make Deviations from and Alterations of the Line thereof, and Alterations of Roads and other Works; that many Years since the Company made on their own Lands, between the Fences and on One Side of the Company's Tramroad, a Carriageroad from Tredegar Ironworks to the Nine-mile Point; that divers Houses have been built on the Sides of and adjoining to the Company's Lands on which the Company's Tramroad and their Carriageroad were made, and Access to those Houses is obtained on the one Side by means of the Company's Carriageroad, and on the other Side by means of the Company's Lands on which the Tramroad was made; that so long as Horse Power alone was used on the Company's Tramroad no great Inconvenience arose to the Company or to the Public by the User of the Lands of the Company for the Purpose of that Access, but Inconveniences, both to the Public and to the Company, have been occasioned by such User since Locomotive Engines have been used, and especially by reason that in order to effect the Conversion of the Company's Tramroad into a Railway, the Company were obliged to lay the Rails for the Railway on some Parts of their Carriageroad; that One of the Diversions by this Act authorized of the Line of the Railway will render it unnecessary for the Company to interfere any further with their Carriageroad at Blackwood; that it is expedient that the Company be authorized to make, partly on the Site of their Carriageroad and Tramroad, and partly on other Lands to be purchased by them, a Carriageroad, and to dedicate the same to the Public; also to maintain the Railway as altered for the Conveyance of Passengers, as well as of Animals and Goods; also that the Owners of the Trevil Tramroad be authorized to convert it into a Railway, and to connect it with the Company's Railway; and that the Company, and the Newport, Abergavenny, and Hereford Railway Company, and the Merthyr, Tredegar, and Abergavenny Railway Company respectively, be authorized to make Working, Traffic, and other Arrangements; that in pursuance of the Act of 1802, the Company raised by Shares, and expended on their Undertaking, the Sum of 30,000*l.*, but have not exercised their Power of borrowing; that it is expedient that the Company be authorized to raise by new Shares, and by borrowing, further Funds for defraying the Cost of the Conversion of their Tramroad into a Railway, and of their new Works, and other Purposes; and that further Provisions be made with respect to the Company and their Undertaking.

Incorporation of Companies, Lands, and Railways Clauses Acts, § 2.
Repeal of Parts of Act of 1802, § 4.
Name of Company to be "The Sirhowy Railway Company," §§ 5, 6.
Provisions of other Acts continued, § 8.
Repeal of Exemption from rating, § 9.
Saving Rights under repealed Act, §§ 10 to 14.
Meetings, Directors, Notices, &c., §§ 15 to 20.
Power to take Lands, § 21.
Three Years for compulsory Purchase of Lands, § 22.
Lands for extraordinary Purposes, § 23.
Powers to make Works, §§ 24, 25.
Level Crossing; Board of Trade Provisions, §§ 26 to 28.
Inclination of Roads, § 29.
Width of Bridges, § 30.
Gauge of Railway, § 31.
Company to make Stations West of River Sirhowy, and at Blackwood, § 32.
Railway to be fenced before opening, § 33.

Three Years for Completion of Works, Four Years for Extension, §§ 34, 36.
Company may abandon Extension Railway if Merthyr, Tredegar, and Abergavenny Railway not made, § 35.
Company to make Road at Argoed, § 38.
Saving for User of Part of that Road, § 39.
Owners of Trevil Tramroad may convert Tramroad into Railway, and make Junction with Railway, § 40.
Company to permit Ebbw Vale Iron Company to make Two Junctions, § 41.
Company not to take Lands of Ebbw Vale Company without Consent, § 42.
Junction with and Protection of the Newport, Abergavenny, and Hereford Railway to be made under the Direction of the Engineer of that Railway, §§ 43 to 45.
Repeal of Section 43 of 16 & 17 Vict. c. 195. as to Traffic from Railways hereby authorized, § 46.
Repeal of Section 104 of Act of 1792, authorizing Persons on Foot or on Horseback to use Company's Tramroad, § 47.
Tolls and Charges, §§ 48 to 55.
Company to become Common Carriers, and to convey loaded and empty Carriages, § 56.
Company to afford Facilities for Loading, &c., § 57.
Passengers to be conveyed between Risca and Nine-mile Point, § 58.
Company to double certain Portion of Railway, if required by Board of Trade, § 59.
Power for Company and Monmouthshire Company and Newport, Abergavenny, and Hereford Railway Company to make Working and Traffic Arrangements, § 60.
Power for Company and Merthyr, Tredegar, and Abergavenny Railway Company to make Traffic Arrangements, § 61.
Restrictions as to Agreements, Board of Trade Provisions, §§ 62 to 64.
Reciprocal Powers for the Company and the Merthyr, Tredegar, and Abergavenny Railway Company, § 65.
Tolls on other Railways used by the Company, §§ 66, 67.
Capital of Company, § 68.
Power for Company to raise 75,000*l.* by new Shares, § 69.
Regulations as to new Shares to be issued in lieu of cancelled Shares, §§ 70 to 76.
Surrenders of Shares, §§ 77, 78.
Power to issue new Shares, § 81.
Preferential Dividend on new Shares, §§ 82, 83.
Power to borrow, §§ 84, 85.
Limit of Amount to be raised by Shares and by borrowing, § 86.
Interest not to be paid out of Capital, § 87.
Deposits on future Bills not to be paid out of Company's Capital, § 88.
Application of Monies, § 89.
Votes and Qualification for Stock and Shares, §§ 90 to 92.

Cap. lxxii.

"The Tewkesbury and Malvern Railway Act, 1860."

Proposes to make a Railway from the Ashchurch and Tewkesbury Branch of the Midland Railway at Ashchurch, in the County of Gloucester, to Great Malvern, in the County of Worcester, to authorize the Midland Railway Company and the Worcester and Hereford Railway Company to contribute to the said Undertaking, and to enter into Agreements for working and using the Railway.
Incorporation of General Acts, §§ 1, 3.
Subscribers incorporated, § 4.
Power for the Midland Railway Company to subscribe not exceeding 40,000*l.*, with or without a Preference, § 5.
Disposal of new Shares, § 6.
Saving existing preferential Shares of Midland Railway Company, § 7.
Certain Provisions of Companies Clauses Consolidation Act, 1845, applicable to those Shares, § 9.
Power for the Worcester and Hereford Railway Company to subscribe not exceeding 40,000*l.*, § 10.
Capital, 145,000*l.*, §§ 11 to 13.
Power to borrow 48,000*l.*, §§ 14, 15.
Meetings; Directors, §§ 18 to 26.
Power to make Railway, §§ 27, 28.
Company may enter into an Agreement with the Worcester and Hereford Railway Company as to Junction with their Railway at Malvern, § 29.
Land, &c. of Midland Railway Company or of Worcester and Hereford Railway Company not to be taken without their Consent, §§ 30, 31.
Provision respecting Lands of the Rev. Francis Laing and of Charles Porter, Esq., §§ 32, 33.
Railway may be carried across certain Lands on Embankments instead of Viaducts, § 34.
Worcester Turnpike Road to be screened, § 35.
Mode of Construction of Bridge over the River Severn, § 36.
Admiralty Provisions relating to Rivers Avon and Severn, §§ 37 to 43.
Company to purchase Land for a double Line, § 44.
Lords of Manors, &c. interested in Common Lands and Parties under Disability may sell Lands to Company in consideration of a Chief Rent, §§ 45 to 48.
Communications with the Midland Railway and Worcester and Hereford Railways, § 49 to 52.
Three Years for the compulsory Purchase of Lands, § 54.
Five Years for Completion of Works, § 55, 56.
Tolls, §§ 57 to 71.
For facilitating Transmission of Traffic, § 72.
Confirmation of Scheduled Arrangement, § 73.
Schedule.—(Arrangement between the above Companies.)

Cap. lxxiii.

"The East Somerset Railway Act, 1860."

Recites Incorporation in 1856, with Power to make a Railway from a Junction at Witham Friary with the Wilts, Somerset, and Weymouth Railway, to Shepton Mallett, and to raise a Capital of 75,000*l.* in Shares of 10*l.* each, and to borrow not exceeding 25,000*l.*; that the Railway has been completed and is open for public Traffic; that by their Act of 1857 they were authorized to make an Extension Railway, commencing by a Junction with their Railway at its Termination at Shepton Mallett, and terminating by a Junction at Wells with the Railway there of the Somerset Central Railway Company (in this Act called "The Somerset Central Company"), and to raise an additional Capital of 40,000*l.*, and to borrow an additional Sum of 13,300*l.*; that no Part of the said Extension Railway has been commenced; that it is expedient that the Company be authorized to abandon the making of that Railway, and to make instead thereof the Railway by this Act authorized; that there are no preferential Shares of the Company's Capital; that under "the Act of 1856" 5,712 Shares have been issued, and 56,629*l.* been received in respect thereof, and under "the Act of 1857" 3,023 Shares have been issued, and 2,161*l.* have been paid thereon, but 1,750 of these Shares were subscribed for by Rowland Brotherhood, the Contractor, on condition of his having the Contract for the Execution of the Works authorized by the said Act, but inasmuch as such Condition is not now to be fulfilled, it is reasonable that the said

Contractor should be relieved from any Liability in respect of the Shares so subscribed by him; and it is expedient that those Shares, and such of the existing Shares of the Company as have not been issued, namely, 1,788 Shares under "the Act of 1856," and 977 Shares under "the Act of 1857," should be cancelled, and the Company be authorized to issue preferential Shares instead thereof, and to raise further Capital; that the Company have, under the Powers of "the Act of 1856," borrowed 25,000*l.*, but they have not borrowed any Money under "the Act of 1857;" that by the recited Acts Provision is made for the User by the Great Western Railway Company (in this Act called the Great Western Company) of the Railways of the Company, and it is expedient that those Provisions be extended, and that the Provisions of the recited Acts be in other respects amended.

Incorporation of Lands and Railways and Parts of Companies Clauses Acts, §§ 2 to 4.
Railway to be abandoned, and Compensation, §§ 5 to 7.
Power to take Lands, § 8.
Two Years for compulsory Purchase of Lands, § 9.
Railway and Works authorized by Act, §§ 11 to 13.
Level Crossing, §§ 14 to 17.
Regulating Junction with the Somerset Central Railway, §§ 18 to 22.
Four Years for Completion of Railway, § 23.
Extending Period referred to in Section 15 of Act of 1857, § 25.
Tolls, §§ 26, 27.
Company may cancel forfeited Shares which cannot be sold, §§ 29 to 32.
Company may cancel forfeited Shares with Consent of Holders, § 33.
Certain of the Company's Shares cancelled, § 34.
Power to raise 65,150*l.* by Shares, with or without a Preference not exceeding 5*l.* per Cent.; the total Share Capital not to exceed 135,000*l.*, §§ 35 to 39, and § 42.
Company may cancel unissued new Shares, and may create new Shares instead, §§ 40, 41, and §§ 43 to 50.
Restriction as to Dividend until Railway opened for Six Months, § 51.
Votes and Qualifications in respect of new Shares, § 52.
Repeal of Borrowing Powers under Act of 1857, § 53.
Power to borrow 38,300*l.*, §§ 54 to 57.
Agreements between Company and Great Western Company, §§ 60 to 66.
Saving the Rights of the Duchy of Cornwall, § 67.

Cap. lxxiv.

"Grand Surrey Docks and Canal Act, 1860."

Recites "Grand Surrey Docks and Canal Act, 1855," consolidating the Company's Acts; that further Docks and Works are required for the Convenience of the Public; that at the Time the recited Act was passed the paid-up Capital consisted of 1,521 Shares of 100*l.* each, fully paid up, and that there was a Debt of 150,000*l.* secured by Promissory Notes of the Company; that under the recited Act they have issued 7,684 of 25*l.* each, with a preferential Dividend of 5*l.* per Cent., all fully called up, and that the unissued Residue of Capital, viz. 6,900*l.*, is insufficient for the Purposes of this Act; that the Company have no Mortgage or Bond Debt, and that it is expedient to authorize the raising of further Capital, and to amend the recited Act.
Incorporation of Lands, Part of Companies, and Parts of Harbours, Docks, and Piers Clauses Acts, §§ 4 to 6.
Power to raise additional Share Capital, § 7.
As to Creation of Preference Shares for raising not exceeding 49,000*l.*, § 8.
Saving for existing Preference Shares, § 9.
Regulations as to new Shares, §§ 10 to 14.
Surrender of forfeited Shares, § 16.
Allotment of new Shares in satisfaction of Debt, § 17.
Power to borrow, §§ 19, 20.
Application of Monies, § 21.
Power to execute Works and take Lands, § 22.
Act not to affect certain Properties, § 23.
Three Years for compulsory Purchase of Lands, § 24.
Works authorized, §§ 26, 27.
Five Years for Completion of Works, § 28.
For Protection of Sewers of Metropolitan Board, § 29.
New Docks and Works to form Part of Undertaking, § 30.
New Works to form Part of Port of London, § 31.
Authority of Dock-master, §§ 32, 33.
Saving of Rights on the Thames within those Limits, § 34.
Provision with respect to the Removal of the Mill Hole Lower Tier, and as to User of Entrance into River Thames, § 35.
Repeal of Section 119 of recited Act, and Enactment in lieu thereof as to Recovery of Rates, § 36.
Byelaws, § 37.
Saving Rights of the Conservators of the River Thames, § 39.
Protecting Rights of the Corporation of London in respect of Metage and Porterage, § 40.
Saving Rights of the Corporation of London, § 41.

Cap. lxxv.

"The Torquay Gas Act, 1860."

Recites that a Copartnership has been established in the Town of Torquay, for the Purpose of supplying Gas within the Parish of Tormoham, and such Copartnership has expended on its Works the Sum of 9,500*l.*, whereof 3,200*l.* has been paid out of Profits arising from that Undertaking; that some of the Members of the said Copartnership are Subscribers to the Company incorporated by this Act, and it is expedient that the Company should be authorized to purchase the Gasworks belonging to such Copartnership as herein-after provided.
Incorporation of General Acts, § 1.
Limits of Act, § 3.
Incorporation of Company, with a Capital of 25,000*l.*, §§ 4, 5.
Limit of Dividend to be 10*l.* per Cent. upon 21,800*l.*, and 5*l.* per Cent. on 3,200*l.*, § 6.
Power to borrow 6,250*l.*, §§ 8, 9.
Meetings; Directors, §§ 11 to 19.
Construction of Works, § 20.
Purchase of existing Works, § 21.
Company not to manufacture Gas until they have acquired existing Works, § 22.
Compelling Company to supply Consumers, § 23.
Use of Meters, § 24.
Meters for public Lights, § 25.
Meter Rents, § 26.
Penalties, &c., §§ 27 to 30.
Price of and testing of Gas, §§ 31 to 35.
Accounts, §§ 36, 37.

Cap. lxxvi.

"The Severn Valley Railway (Leasing) Act, 1860."

Recites Acts relating to the Severn Valley Company, and proposes a Lease of the Undertaking to the Oxford, Worcester, and Wolverhampton Railway Company.
Power to lease, §§ 1 to 6.
Schedule.—(Conditions of Lease.)

Cap. lxxvii.

"The London and North-western Railway (No. 1.) Act, 1860."

Recites that by "The Lancashire and Yorkshire and East Lancashire Railways Amalgamation Act, 1859," the London and North-western Railway Company (in this Act called "the Company") are empowered to pass over and use with their Engines, Carriages, and Servants the Portions of the Railways of the Lancashire and Yorkshire Railway Company in that Act specified, and amongst them so much of that Company's Railway as extends from the Junction thereof with the London and North-western Railway at Thornhill Lees, through Horbury and the Town of Wakefield, to the Junction of the Lancashire and Yorkshire Railway with the Midland Railway at Goose Hill, near Normanton; that there is at Normanton a Railway Station which is the joint Property of the Midland, Lancashire and Yorkshire, and North-eastern Railway Companies, and there is between the said Station and the Lancashire and Yorkshire Railway at Goose Hill a Railway belonging to the Midland Railway Company, over which the Lancashire and Yorkshire Railway Company have Rights of User; and proposes to grant Powers for entering into Contracts for the Use by the Company of the said Station and Railway respectively, and for the Accommodation and Interchange of Traffic therein and thereon; to enable the Company, the Lancashire and Yorkshire Railway Company, and the Oldham, Ashton-under-Lyne, and Guide Bridge Junction Railway Company (in this Act called "The Oldham Railway Company"), to enter into Agreements with reference to the Management of the Station of the Company at Oldham, and of the Station there of the Lancashire and Yorkshire Railway Company, known as the Mumps Station, and the proposed Station of the Oldham Company, and for the Appropriation of any Part or Parts of those respective Stations to the joint Use of the said Three Companies, or any Two of them, or to the sole and exclusive Use of any One of those Companies, and with respect to the vesting of the said Stations, or any Part or Parts thereof, in any One or more of the said Companies either jointly or severally, and with respect to the Maintenance, Management, and Use, either by a joint Committee or otherwise, of the said Stations, or any Part or Parts thereof; and to enable the Company to stop up as a public Thoroughfare so much of the Road or Street in the Borough of Salford called Ordsall Lane as crosses the Railway of the Company on the Level thereof; and also the public Road and Footpath leading from Water Street, in the City of Manchester, along and across the Company's Line of Railway and Premises, and across the Manchester South Junction and Altrincham Railway Company's Railway and Premises to Ordsall Lane, in the Borough of Salford; and also so much of the public Footpath leading from Bushey to Watford as crosses the Company's Railway and Works near the Mile-post on that Railway denoting Sixteen and a Half Miles from London, and to provide another Footpath through the Lands of the Company in lieu thereof.

Incorporation of Lands Clauses Act, § 2.

Power to contract as to Use of Normanton Station, § 3.

Power to contract as to Use of Railway between Normanton Station and Goose Hill, § 4.

North-eastern Railway Company not to be affected by Act except where specially provided, § 5.

Power to make Arrangements with respect to Stations at Oldham, § 6.

Joint Committee for Management of Stations at Oldham, § 7.

Power to stop up Part of Ordsall Lane, in Salford, and Road and Footpath in Manchester, § 8.

New Streets in lieu of Ordsall Lane Level Crossing, § 9.

Corporation empowered to appropriate certain Lands of the Company for the Extension of Wilburn Street, § 10.

Bridge for carrying Railway over proposed Extension of Wilburn Street, § 11.

Saving Rights of Corporation of Salford, § 12.

Power to stop up Footpath from Bushey to Watford, § 13.

XIV. Whereas under "The Shropshire Union Railways and Canal Lease Act, 1847," and "The Shropshire Union Railways and Canal Act, 1854," the Shropshire Union Railways and Canal Company (herein-after called "The Shropshire Union Company") have granted a Lease in perpetuity of their Undertaking, as limited and defined by the last-mentioned Act, to the Company, on Payment half-yearly to the Shropshire Union Company, as and by way of Rent reserved in and by the said Lease of the following Sums; (that is to say,) First, of a Sum equal to Interest for Half a Year on 814,207*l.*, therein stated to be the Canal Debt of the Shropshire Union Company, after the Rate which the Securities for the same Debt should for the Time being actually carry, and subject to Variation accordingly; and secondly, of a Sum equal to Interest for Half a Year on 1,552,564*l.* 10*s.* 5*d.*, being the then aggregate Amount of the Share Capital of the Shropshire Union Company as therein defined, at a Rate equal to Half the Rate per Centum per Annum of the Dividends which should from Time to Time be declared and payable upon the ordinary Share Capital of the Company: And whereas for the mutual Convenience of the Two Companies the Company assumed the Payment of the Interest from Time to Time payable on the subsisting Debt of the Shropshire Union Company: And whereas by "The London and North-western Railway Act, 1857," it was amongst other Things provided that the Company on the one hand and the Shropshire Union Company on the other hand, or the Company on the one hand, with such Consent as therein mentioned of the Shareholders of that Company, and all or any of the Shareholders of the Shropshire Union Company on the other hand, might from Time to Time make and enter into all such Agreements as they respectively thought fit with respect to the Conversion of all or any of the Shares, or all or any Part of the Stock of the Shropshire Union Company into ordinary Stock of the Company; and further, that according to the Terms of such Agreements respectively all or any of the Shares, or all or any Part of the Stock of the Shropshire Union Company, should from Time to Time be converted into ordinary Stock of the Company: And whereas no Agreement has been entered into between the Two Companies for the Conversion of the entire Stock of the Shropshire Union Company, but many of the Shareholders of the Shropshire Union Company are desirous of having the Power of converting their Shares or Stock in that Company into ordinary Stock of the Company, at the Rate of 100*l.* of Shropshire Union Stock for 50*l.* of London and North-western Stock, and the Company are willing that such Conversion should take effect, but it is apprehended that by the Terms of the said Lease the said Payment by way of Rent of Interest on the Capital Sum of 1,552,564*l.* 10*s.* 5*d.*, might still be legally demandable, though the Amount of the Share Capital of the Shropshire Union Company mentioned in the said Lease would by such Conversion be pro tanto diminished, no Provision being made by the said Lease, or by the Act authorizing the same, or by the said "London and North-western Railway Act, 1857," for a proportionate Abatement or Diminution of the Rent in the event of any such Conversion: And whereas it is expedient that such Doubt should be removed, and that upon any such

Conversion taking effect, the Amount of Rent payable by way of Interest on the aggregate Share Capital of the Shropshire Union Company should be proportionately diminished; and it is also expedient that Payment of the Interest on the Debt for the Time being subsisting should be deemed to be Payment of the Rent or Sum first reserved in the said Lease: Therefore, notwithstanding anything in the said Lease to the contrary, Payment by the Company of the Interest, after the Rate specified in such Lease, upon the Debt of the Shropshire Union Company for the Time being subsisting and unsatisfied, shall be deemed to be Payment of the Rent or Sum so as aforesaid first reserved in and made payable by the said Lease, and Payment by the Company from Time to Time of a Sum equal to Interest, at the Rate specified in the said Lease, on the Shares or Stock of the Shropshire Union Company, for the Time being subsisting, and not exchanged for or converted into Stock of the Company under the Powers and Provisions of "The London and North-western Railway Act, 1857," shall be deemed to be Payment of the Sum or Rent so as aforesaid secondly reserved in and made payable by the said Lease, and such Payments respectively shall be accepted by the Shropshire Union Company, in full Satisfaction and Discharge of the said Rents or Sums first and secondly reserved as aforesaid.

Power to apply Corporate Funds to Purposes of this Act, § 15.

Cap. lxxviii.

"The North Kent Waterworks Act, 1860."

An Act to supply Dartford, Crayford, Bexley, Wickham, Erith, Eltham, Chislehurst, and Bromley in Kent with Water.

Incorporation of General Acts, § 1.
Incorporation of Company, § 2.
Purposes of the Company, § 3.
Share Capital 40,000*l.*, in 10*l.* Shares, and Power to borrow 10,000*l.*, §§ 4 to 7.
Meetings; Directors, §§ 8 to 14.
Power to make Works, §§ 15 to 17.
Company may take temporary Possession of Land for certain Purposes without previous Payment of the Price, §§ 18 to 29.
Power to purchase Land, &c. on Grants in perpetuity, §§ 30 to 33.
For Protection of Sewers of Metropolitan and other Boards, § 34.
Company not to take certain Lands, &c., § 35.
Engineer to be at liberty to inspect Works of Company, § 36.
Provision for gauging the Streams, § 37.
If Water diverted, Compensation to be made to Owners, Lessees, and Occupiers in Money if required, §§ 38 to 41.
Arbitration, §§ 42 to 45.
For the Protection of the Lower Mill and Print Works and Bleaching Grounds at Crayford, § 46.
Directions for laying Pipes under the New Cross Turnpike Roads, §§ 47 to 52.
For Protection of the Waterworks at Erith, § 53.
Waterworks to be made within Five Years, § 54.
Limiting Pressure of Supply of Water, § 56.
Reservoir Provisions, §§ 57 to 65.
Rates, Meters, Penalties, §§ 65 to 81.
Saving Rights of Commissioners of Dartford and Crayford Navigation, of Dartford Local Board, of Commissioners of Sewers for Limits extending from Lombards Wall to Gravesend Bridge, and of the Crown, §§ 82 to 85.

Cap. lxxix.

"The London and North-western and St. Helens Railway Companies Arrangements Act, 1860."

Recites that the Saint Helens Canal and Railway Company are Proprietors of a Line of Railway between the Towns of Garston and Warrington in Lancashire, and also of a Dock at Garston on the River Mersey; and by virtue of an Act passed in 1859, the same Company are also Lessees, jointly with the London and North-western Railway Company, of the Warrington and Stockport Railway, which extends from the Saint Helens Railway at Warrington, Eastward to Timperley in Cheshire, where it joins the Manchester South Junction and Altrincham Railway, of which also the London and North-western Railway Company are joint Owners; that the London and North-western Railway Company likewise obtained in 1859 Authority to construct a Branch Railway (called the Edgehill to Garston Railway), which connects certain of their Stations at Liverpool with the Saint Helens Railway near Garston; and inasmuch as there is no Connexion Southward between the said Branch Railway and the Railways of the London and North-western Railway Company, unless over the Portion aforesaid of the Saint Helens Railway between Garston and Warrington, an Agreement was entered into (subject to the Approbation of Parliament), between that Company and the Saint Helens Company, which among other Things provided for the Transfer of the said Portion of Railway to the London and North-western Railway Company, subject to a certain Use thereof by the Saint Helens Company, and also for the Use by the London and North-western Railway Company of the Dock at Garston; that the said Agreement was One of the Conditions upon which the Saint Helens Company concurred in the Legislation affecting them, promoted by the London and North-western Railway Company in 1859, and it is fitting that the said Arrangements should be made binding on both Companies, and that the Provisions herein-after contained should be made; that the Capital of the Saint Helens Company is defined by "The Saint Helens Canal and Railway Act, 1857," and it is expedient that Power should be granted to the same Company to raise additional Capital for the general Purposes of their Undertaking.

I. Within One Month after the passing of this Act, the Saint Helens Company shall grant to the London and North-western Railway Company, and the last-named Company shall accept, a Lease of so much of the Undertaking of the Saint Helens Company as consists of their Railway at and between Warrington and the Passenger Station at Garston constructed under the Authority of "The Saint Helens Canal and Railway Act, 1846," and "The Saint Helens Canal and Railway Act, 1847," together with the other Stations on the said Portion of Railway, and all the Interest and Share of the Saint Helens Company of and in the Station at Warrington held by them jointly with the Owners or Lessees of the Warrington and Stockport Railway, and so much of the Station at Garston as is coloured Blue on a Plan signed by Mr. Arthur Sinclair on behalf of the Saint Helens Company, and Mr. Charles Edward Stewart on behalf of the London and North-western Railway Company, and deposited with the Clerk of the Peace for the County of Lancaster; and such Lease shall be for 21 Years, and (subject to the Sanction of Parliament) be renewable and renewed on the same Terms and Conditions as between the Two Companies themselves, unless they shall otherwise agree, and unless it shall appear to Parliament to be for the public Benefit that such Terms and Conditions should be altered and revised.

II. Such Lease shall bear Date, or the Term thereby granted shall be deemed to have commenced, on the 1st Day of July 1860, and the London and North-western Railway Company shall pay by way of Rent to the Saint Helens Company 5,000*l.* for the Half Year ending the 31st Day of December 1860, and the Sum of 12,000*l.* for every subsequent Year, by equal half-yearly Instalments, on the 30th Day of June and the 31st Day of December in each Year, and they shall also defray all Charges and Outgoings, whether for Rates or Taxes, or for the Management, Maintenance, and Repair of the demised Railway, Stations, and Appurtenances, subject to the Provisions herein-after contained as to the Station at Runcorn Gap; and to such Lease all the Provisions of "The Railways Clauses Consolidation Act, 1845," "with respect to leasing the Railway," shall apply, except so far as the same may be inconsistent with this Act; and such Lease shall contain all such Clauses and Provisions as shall be proper for giving full Effect to the Provisions of this Act relating to the Railway so to be demised, and also a Clause for indemnifying the Lessees against all Charges and Incumbrances affecting the said demised Railway, excepting as herein-after mentioned.

III. The London and North-western Railway Company shall at all Times hereafter keep open to the Public, and efficiently maintain and work for the Purposes of all Traffic, to or from any other Line of Railway, the said demised Portion of Railway, and shall afford Facilities equal to those afforded to the Traffic of the London and North-western Railway for the receiving, booking, forwarding, and delivering of all such Traffic over the same; and if Complaint shall be made to the Court of Common Pleas that the said Company are acting in contravention of this Provision, it shall be lawful for the said Court to take all such Proceedings, and to make all such Inquiries into the Reasonableness of such Complaint, and to enforce all such Orders against the Company, as if this Enactment had been contained in "The Railway and Canal Traffic Regulation Act, 1854."

IV. The London and North-western Railway Company shall at all Times hereafter keep open to the Public, and efficiently maintain and work for the Purposes of all Traffic coming from or destined for the Great Northern or Manchester, Sheffield, and Lincolnshire Railways, the Railway of the London and North-western Railway Company between Liverpool and Manchester, whether by way of Newton or by way of Garston, Warrington, and Timperley, and shall afford Facilities to such Traffic equal to those afforded for the Traffic of the London and North-western Railway for receiving, forwarding, booking, and delivering of all such Traffic destined for or coming from the Great Northern and the Manchester, Sheffield, and Lincolnshire Railways; and if Complaint shall be made to the Court of Common Pleas that the said Company are acting in contravention of this Provision, it shall be lawful for the said Court to take all such Proceedings, and to make all such Inquiries into the Reasonableness of such Complaint, and to enforce all such Orders against the Company, as if this Enactment had been contained in "The Railway and Canal Traffic Regulation Act, 1854."

V. There shall be included in the said Demise certain Coalyards and Sidings at Garston, coloured Yellow upon the said Plan, upon Payment by the London and North-western Railway Company to the Saint Helens Company of 750*l.*, by way of Consideration for the same; and the London and North-western Railway Company shall also have the Option of acquiring for the Residue of the Term unexpired at the Time of expressing the said Option, and as Part of the demised Premises, other Coalyards and Sidings, coloured Brown on the same Plan, upon providing equivalent Accommodation for the Saint Helens Company on Land adjoining belonging to the Saint Helens Company, the Adequacy of such Accommodation being settled, in case of Difference, by Arbitration.

VI. The London and North-western Railway Company shall have free Access to and from and proper Facilities at Garston Dock for shipping Coals, and shipping and receiving Merchandise Traffic of every Description, and shall pay to the Saint Helens Company at the Rate of 3*d.* per Ton for Dockage and Toll, in addition to any other Payments provided for in this Act.

VII. Nothing in this Act contained shall prevent or in anywise interfere with the Use by the Public of the Garston Dock, and the Accesses thereto and Works there, as freely and on the same Terms and Conditions as though this Act had not passed.

VIII. The Saint Helens Company shall have the Right to convey with their own Engines and Carriages, free of Charge, over the Portion of the demised Railway, Passengers to and from Saint Helens and Stations between Widnes and Saint Helens on the Saint Helens Railway from and to the Runcorn Gap Station, paying half-yearly towards the Expenses of that Station a Sum measured by their Proportion of the Traffic resorting to or leaving the said Station.

IX. The Stipulations contained in the Schedule hereto shall be as binding upon the Two Companies during the said Demise as though they formed Part of this Act and were severally enacted therein.

X. During the Subsistence of the Lease by this Act authorized, the Tolls, Rates, and Charges to be demanded by the London and North-western Railway Company for and in respect of the demised Railway shall be the same as are or may be demandable by them for or in respect of their own Railways, and shall be charged equally to all Companies and Persons using the demised Railway: Provided that such Tolls, Rates, and Charges shall be calculated as though the London and North-western Railway and the demised Railway formed a continuous Railway of the London and North-western Railway Company, and provided that as respects Traffic carried partly over the demised Railway, and also partly over the Saint Helens Railway between Widnes and Saint Helens, and also partly over that Part of the Warrington and Stockport Railway which is necessary to form a Communication between the Saint Helens Railway and the Birkenhead Railway, or partly over One and any other of such Three of such Portions of Railway, the London and North-western Railway Company shall not exercise their Power of demanding Tolls as for Six Miles, nor shall the Saint Helens Company exercise their Power of demanding Tolls as for Four Miles wherever such Traffic is so carried over a less Distance than Six Miles or Four Miles, as the Case may be.

Contract not to affect Persons not Parties thereto, 8 & 9 Vict. c. 20. §§ 87, 88.,—§ 11.

XII. Section 150 of the Act (Local) 11 Geo. 4. c. 61., and Sect. 8 of the Act (Local) 4 Will. 4. c. 3., are hereby repealed; and Sects. 114 to 125 inclusive of "The Railways Clauses Consolidation Act, 1845," with respect to Engines and Carriages to be brought on the Railway, are incorporated with this Act, so as to be applicable to the Railways belonging to the Saint Helens Company, including the demised Portion thereof.

Saint Helens Company to maintain Agreements, § 13.
As to Settlement of Disputes, § 14.

XV. Within One Month after the passing of this Act the Saint Helens Company shall deliver to the London and North-western Railway Company an Account, commencing on the 1st Day of January 1859, wherein the last-named Company

shall be debited with the Sum of 9,000*l.* as the Rent of the Portion hereby transferred to them of the Saint Helens Railway in pursuance of the said Agreement for the Year 1859, and shall also be debited with the Sum of 5,000*l.* by way of Rent in pursuance of the said Agreement for the Half Year ending on the 30th Day of June 1860, and also with the Expenses of the Maintenance and Working of the said demised Railway, inclusive of Rates, Taxes, and other like Outgoings charged thereon, between the 1st Day of January 1859 and the Date of the rendering of the said Account; and they shall on the other hand be credited with the gross Revenue derived by the Saint Helens Company, whether from Tolls or other Services, between the 1st Day of January 1859 and the Date of delivering the said Account, but exclusive of Rents derived by the Saint Helens Company from Land or other Property connected with the said Portion of Railway; and the Balance appearing upon the said Account shall, subject to the Provision herein-after contained, be paid by the London and North-western Railway Company to the Saint Helens Company: Provided always, that if any Difference shall arise between the Two Companies with respect to the Accuracy of the said Account, or the Propriety of the Charges made therein, such Difference shall be referred to the Arbitration of some Person to be appointed by the Board of Trade, and his Determination shall be final.

XVI. It shall be lawful for the Saint Helens Company from Time to Time to raise, by creating new Shares, in addition to the Sums of Money which they are already authorized to raise, any further Sum of Money not exceeding in the whole the Sum of 100,000*l.*, and to attach to the Shares so to be created, or to any Portions of such Shares, such Preference or Priority of Dividend not exceeding Five per Centum per Annum, and such Power of redeeming the same Shares, as shall from Time to Time be agreed on by a Majority consisting of the Votes of not less than Three Fifths of the Shareholders present at an Extraordinary Meeting of the Company, convened with due Notice of the Matter.

XVII. Provided always, That One Fourth of a Share shall be the greatest Amount of any One Call which shall be made in respect of such new Shares, and Three Months at the least shall be the Interval between successive Calls, and not more than Three Fourths of the Amount of any Share shall be called in any One Year.

XVIII. Provided always, That nothing herein contained shall prejudice or affect any Preference or Priority in the Payment of Interest or Dividends on any other Shares or Stock which shall have been granted by the Saint Helens Company in pursuance of or which may have been confirmed by any previous Act of Parliament, or which may otherwise be lawfully subsisting.

XIX. After the whole of the Sums which the Saint Helens Company are by this Act authorized to raise by Shares shall have been subscribed for, and One Half thereof shall have been paid up, it shall be lawful for the same Company to borrow on Mortgage or Bond such Sums of Money as shall from Time to Time be authorized to be borrowed by an Order of any Ordinary or Extraordinary Meeting of the Company, provided that such Sums of Money do not exceed in the whole 33,300*l.*, in addition to the Sums which they are already authorized to borrow.

Extending certain Powers of Companies Clauses Consolidation Act to Money authorized to be borrowed, § 20.
Monies raised under this Act to be applied to general Purposes of Saint Helens Company, § 21.
Former Mortgages and Bonds to have Priority, § 22.
Schedule. (Stipulations as to certain Traffic.)

Cap. lxxx.

"The Horsham and Steyning and Beeding Road Act, 1860."

Recites 9 Geo. 4. c. lxx. that the Two Sums of 7,010*l.* and 1,740*l.* specified in the Schedule are owing upon the Roads; proposes to repeal Act and continue the Trust.
Repeal of 9 Geo. 4. c. lxx.,—§ 1.
Monies and Property vested in new Trustees, § 4.
Actions, &c. not to abate, § 5.
Appointment of Trustees, § 6.
Power to appoint Three additional Trustees, § 7.
Roads in Two Districts, § 8.
First Meeting of Trustees, § 9.
Present Tolls continued for a Time, &c., § 10.
Toll Gates to be continued until removed by Order of the Trustees, § 11.
Power to take Tolls; Tolls between Horsham and Steyning; Bramber Gate; Beeding Gate, §§ 12 to 21.
Separate Account to be kept of the Tolls in the First and in the Second District, §§ 22, 23.
Application of the Tolls of each District, § 24.
Application of Monies, § 25.
As to Mode of discharging Debt, § 26.
Extinguishment of Twelve Bonds of 50*l.* each and Interest, § 27.
No Money to be laid out at certain Part of Town of Horsham, § 28.
No more Money to be borrowed on the Tolls, § 29.
Act to be in force for 21 Years, § 31.
Schedules. (Mortgages, &c.)

Cap. lxxxi.

"The West Midland Railway Act, 1860."

Recites that the Newport, Abergavenny, and Hereford, the Worcester and Hereford, and the Oxford, Worcester, and Wolverhampton Railways will, when the Worcester and Hereford Railway is completed, form a complete Line of Railway between the Mineral Districts of South Wales and the Manufacturing Districts of Worcestershire, Warwickshire, and Staffordshire, and by virtue of the Worcester and Hereford Railway Act, 1858, the Newport, Abergavenny, and Hereford Railway Company (who are herein-after referred to as the Newport Railway Company), and the Oxford, Worcester, and Wolverhampton Railway Company (who are herein-after referred to as the Oxford Railway Company), were authorized to subscribe towards and become Shareholders in the Worcester and Hereford Railway Company (who are herein-after referred to as the Hereford Railway Company) to an Amount not exceeding 37,500*l.* respectively, and the Two first-named Companies have accordingly each become Shareholders in the Worcester and Hereford Railway Company; that the Hereford Railway Company do not possess a terminal Station either at Worcester or at Hereford, but are dependent on the Oxford and the Newport Railway Companies for such Stations; that it will conduce to the public Advantage, and to the convenient and economical working of the Undertakings of the Oxford, the Newport, and the Hereford Railway Companies, that those Undertakings should be united under One Management, and the same Companies are desirous that their Undertakings should be amalgamated, and that the Newport and the Hereford Railway Companies should cease to be separate Corporations, and should be united with and form Part of the Oxford Railway Company, upon the Conditions in this Act contained; that the Acts directly relating to the

Newport and to the Hereford Railway Companies are enumerated in the Schedule to this Act; that the Capital which the Oxford Railway Company were on the 1st Day of January 1860 authorized to raise by Shares and Loan is as follows; by their Act of 1845, the Sum of 1,500,000*l.* by Shares, called the ordinary Stock of the Company, and 500,000*l.* on Loan; by their Amendment Act, 1846, the Sum of 220,000*l.* by Shares, and 73,000*l.* on Loan; by their Amendment Act, 1848, the Sum of 750,000*l.* by Shares, and 250,000*l.* on Loan; by their Deviation Act, 1848, the Sum of 100,000*l.* by Shares, and 33,333*l.* on Loan; that by their Amendment Act, 1850, the Company were authorized to attach a preferential Dividend to all or any of the Shares to be created for raising the said Sums of 220,000*l.*, 750,000*l.*, and 100,000*l.*, authorized by the Act of 1846 and the Two Acts of 1848 to be raised by Shares; by their Extensions of Time Act, 1852, the Sum of 500,000*l.* by Shares, and 166,666*l.* on Loan; and by "The Oxford, Worcester, and Wolverhampton Railway (Branches and Extension) Act, 1853," the Company were authorized to attach a Preference Dividend to the Shares for raising the said Sum of 500,000*l.*; by their Improvements and Branches Act, 1855, the Sum of 49,000*l.* on Loan; by their Capital Act, 1856, the Sum of 350,000*l.* by Debenture Stock; by their Act of 1859, the Sum of 160,000*l.* by Debenture Stock; and by their Chipping Norton Branch Act, 1854, as a separate Capital, the Sum of 24,000*l.* by Shares, and 8,000*l.* on Loan; that the Sums which the Oxford Railway Company had raised on the 1st Day of January 1860 were as follows; (that is to say,) under the Act of 1845, by Shares 1,500,000*l.*, by Loan 500,000*l.*; under the Acts of 1848 and 1850, by Shares 849,990*l.* at 6*l.* per Centum per Annum, which Sum now constitutes the First Guarantee Stock of the Company, by Loan, 283,333*l.*; under the Acts of 1852 and 1853, by Shares 500,000*l.*, which Sum now constitutes the Second Guaranteed Stock of the Company, by Loan 166,666*l.*; under the Act of 1855, by Loan 49,000*l.*; under the Act of 1856, by Debenture Stock 350,000*l.*, bearing 4½ per Cent. Interest; under the Act of 1859, by Debenture Stock 160,000*l.*, bearing 4½ per Cent. Interest; under the Chipping Norton Railway Act, by Shares 24,000*l.*, by Loan 8,000*l.*; that the Capital which the Newport Railway Company were on the 1st Day of January 1860 authorized to raise by Shares and Loan is as follows; by their Act of 1846, the Sum of 733,000*l.* by Shares, called the ordinary Stock of the Company, and 240,000*l.* on Loan; by their Extension to Taff Vale Railway Act, 1847, the Sum of 400,000*l.* by Shares, and 133,333*l.* on Loan, and were authorized to attach a Preference to such Shares; that by their Branches Act, 1847, the Company were authorized to attach a Preference to any of their authorized Share Capital not exceeding 135,000*l.*; that the Sums which the Newport Railway Company had received on the 1st Day of January 1860 were as follows; that is to say, by ordinary Stock 547,270*l.* 5*s.*; by 5*l.* per Centum Preference Shares, Part of the Sum of 400,000*l.*, 166,106*l.*; by 6*l.* per Centum Preference Shares, other Part of the Sum of 400,000*l.*, 222,835*l.* 10*s.*; by new 6*l.* per Centum Preference Shares, Part of the Sum of 135,000*l.*, 24,862*l.* 10*s.*; by Loan on Debentures, 377,000*l.*; that the Capital which the Hereford Railway Company were on the 1st Day of January 1860 authorized to raise by Shares, was 580,000*l.*, whereof 338,070*l.* had on that Day been paid up, and on Loan 170,000*l.*, whereof 46,470*l.* had on that Day been borrowed; that the Midland Railway Company have Power to use Part of the Oxford, Worcester, and Wolverhampton Railway near Worcester, and Agreements subsist between them and the before-named Companies; and it is expedient that the Powers herein-after contained should be granted to the Midland Railway Company.

Act to come into operation on 1st July 1860, § 1.

Defining Undertaking of Newport, and of Worcester and Hereford Railway Company, §§ 2, 3.

Dissolution of Two Companies, and vesting of their Undertakings in the Oxford Railway Company, by the Name of the West Midland Railway Company, and saving of Rights and Liabilities, §§ 4 to 23.

Defining Capital of Company, upon the Amalgamation, § 24.

Proprietors in dissolved Companies to become so in West Midland Company, § 25.

Providing for Exchange of Certificates, § 26.

Separate Accounts to be kept, § 27.

Monies hereafter required (except in certain Cases) to be raised on Joint Account, § 28.

Each Section of Shareholders to be charged with the Interest on its separate Debts, § 29.

Works unfinished charged to the separate Capital Expenditure Account; fresh Works to Joint Capital, § 30.

As to surplus Land and Shares, § 31.

As to Stores on hand, § 32.

Book Debts to be credited to Company entitled thereto, § 33.

So Calls in Arrear and Interest, § 34.

As to Income of Hereford Company, § 35.

Preference Shareholders of Oxford Railway Company and Newport Railway Company to remain entitled to Revenues arising on their own Lines, § 36.

Guarantee of same; saving Rights of Holders of existing Preference Shares, § 37.

As to Share of Profits on Oxford and Newport Capital, § 38.

Certain Provisions of Oxford Acts to apply to Shares of dissolved Companies, § 39.

Board of Directors of united Company, § 40.

Introduction of Directors of the dissolved Companies therein, § 41.

Providing for the future Rotation of Directors, § 42.

Defining Powers of Great Western Directors, § 43.

As to Tolls, 44.

As to short Traffic on Newport Section, § 45.

As to certain Traffic of the Midland Railway Company, § 46.

Provision in case West Midland Company refuse to facilitate Traffic to Midland Railway, § 47.

Coleford, Monmouth, Usk, and Pontypool Railway Company may use Parts of West Midland Railway, § 48.

Power to West Midland Railway to use Portion of Coleford, Monmouth, Usk, and Pontypool Railway, § 49.

As to Stations at Pontypool Road, Pontypool Town, and Usk, § 50.

For protecting Local Traffic, § 51.

As to Services at Stations, § 52.

Byelaws to be observed, § 53.

Power to Shrewsbury and Hereford Railway Company to run over and use Newport, Abergavenny, and Hereford Railway, § 54.

Providing for Use of the Shrewsbury and Hereford Railway by the West Midland Railway Company, § 55.

Powers of Arbitrator or Umpire, § 56.

For facilitating the Interchange of Traffic between Shrewsbury and Hereford and Newport, Abergavenny, and Hereford Railways; reference in case of Dispute to the Companies Engineers and to the Board of Trade, § 57.

Local Traffic not to be interfered with, § 58.

The Company and the Shrewsbury and Hereford Railway Company may enter into Agreements for effecting the Objects of Act, § 59.

The West Midland and London and North-western Companies to book through their respective Traffic between certain Places, § 60.
Mileage Division of Rates and Fares; fixing Rates and Fares, § 61.
The West Midland and Great Western Companies to book through their respective Traffic between certain Places, § 62.
Mileage Division of Rates and Fares; fixing of Rates and Fares, § 63.
Arbitration Clause, § 64.
Tolls not to be increased, § 65.
Schedule, enumerating Acts immediately relating to dissolved Companies.

Acts immediately relating to the Newport, Abergavenny, and Hereford Railway Company.

9 & 10 Vict. c. cccliii.; 10 & 11 Vict. c. lxxxvi.; 10 & 11 Vict. c. clxxvii.; 16 & 17 Vict. c. clxxviii.; 16 & 17 Vict. c. clxxix.; 20 Vict. c. cxix.; 21 & 22 Vict. c. cxxvi.

Acts immediately relating to the Worcester and Hereford Railway Company.

16 & 17 Vict. c. clxxxiv.; 21 & 22 Vict. c. cxlii.; 22 & 23 Vict. c. xvii.

Cap. lxxxii.

"The Bourton-on-the-Water Railway Act, 1860."

Proposes to make a Railway from the Oxford, Worcester, and Wolverhampton Railway to Bourton-on-the-Water, in the County of Gloucester; to authorize the Oxford, Worcester, and Wolverhampton Railway Company to contribute to the Undertaking, and to enter into Arrangements for working and using the Line.
Incorporation of General Acts, § 1.
Subscribers incorporated, with a Capital of 30,000*l.* in Shares of 10*l.*, and Power to borrow 10,000*l.*, §§ 3 to 8.
Power to Oxford, Worcester, and Wolverhampton Company to subscribe 3,000*l.*, § 11.
Meetings; Directors, §§ 12 to 20.
Line of Railway and Branches, §§ 21, 22.
Communications with Oxford, Worcester, and Wolverhampton Railway, §§ 23 to 26.
Two Years for the compulsory Purchase of Lands, § 28.
Four Years for Completion of Works, §§ 29, 30.
Tolls, §§ 31 to 40.
Power to make Traffic Arrangements with Oxford, Worcester, and Wolverhampton Railway Company, §§ 41 to 47.
Joint Committees for Purposes of Traffic, § 48.
Powers of Joint Committees, § 49.
As to Settlement of Disputes by Arbitration, § 50.

Cap. lxxxiii.

"The Dumfries, Lochmaben, and Lockerby Junction Railway Act, 1860."

Proposes to make a Railway commencing by a Junction with the Glasgow and South-western Railway, at or near the North or North-east End of the Passenger Station of that Railway at the Town of Dumfries, and terminating by a Junction with the Caledonian Railway at or near the North End of the Lockerby Station on that Line; to authorize the intended Company and the Glasgow and South-western Railway and the Caledonian Railway Companies to enter into Working Agreements with regard to their Railways and with regard to the Interchange of Traffic on their Lines; and for the Use by the Company of certain Portions of the said Railways, including the Use of Stations and rothe Conveniences.
Incorporation of General Acts, §§ 1, 2.
Subscribers incorporated, with a Capital of 85,000*l.* in Shares of 10*l.*, and Power to borrow 28,300*l.*, §§ 4 to 11.
Meetings; Directors, §§ 11 to 21.
Power to make Railway, §§ 22, 23.
Junction with the Glasgow and South-western Railway and Caledonian Railway, §§ 24, 25.
Bridges and Roads, §§ 26 to 32.
Provision as to Use of Glasgow and South-western Railway, § 33.
Provision as to Use of Part of Caledonian Railway, § 34.
Three Years for compulsory Purchase of Lands, § 36.
Four Years for Completion of Works, § 37, 60.
Power to feu Lands, §§ 38 to 41.
Suspending Powers of Act as regards Part of the Line, § 42.
Tolls, §§ 43 to 51.
Power for the Glasgow and South-western and the Caledonian Railway Companies, or either of them, and the Company, to enter into Working and Traffic Agreements, §§ 52 to 57.
Saving Rights of Glasgow and South-western Railway and of Caledonian Railway Companies, § 58.
Only to be One Six Mile Clause, § 59.

Cap. lxxxiv.

"The Dovor Gasworks Act, 1860."

Recites that by an Act of 3 Geo. 4., the Dovor Gaslight Company were incorporated with a Capital of 9,000*l.*, in Shares of 50*l.* each, and with Power to raise among themselves, or by the Admission of new Subscribers, any further Sum of Money for completing and perfecting their Undertaking, not exceeding 2,000*l.*, and every Subscriber towards raising such further Sum of Money should be a Proprietor in the said Undertaking, and stand interested in the Profits and Advantages thereof, in proportion to the Sum he should subscribe thereto, as if the same had been originally Part of the said Capital of 9,000*l.*; that they raised the Sum of 10,972*l.* 10*s.*, Part of the said united Sums of 9,000*l.*, and 2,000*l.*, upon 209 Shares, of 52*l.* 10*s.* each, and have constructed Gasworks, and have for many Years supplied the Borough of Dovor with Gas; that the Capital authorized by the recited Act, having been found insufficient to enable the Company to carry on their Undertaking with Efficiency, they have from Time to Time expended upon their Undertaking additional large Sums of Money, whereof 7,500*l.* consisted of Money borrowed upon Mortgage of their Works, and more than 11,000*l.* consisted of Profits applicable to Dividends; that they require a further Sum of Money to enable them to pay off the Sum of 7,500*l.* so borrowed by them on Mortgage, and to carry out more efficiently the Purposes of their Incorporation, and it is expedient that they should be authorized to raise such Sum by the Creation of new Shares and by borrowing on Mortage, and to capitalize a Portion of the Sums expended by them out of Profits, and that the Limits of the said Act should be defined, and that the Powers of the Company should in other respects be altered and enlarged.
Recited Act repealed, § 2.
Re-incorporation of Company, § 3.
8 & 9 Vict. c. 16 and 18. and 10 & 11 Vict. c. 15. incorporated, §§ 4, 5.
10 & 11 Vict. c. 15. to apply to existing Works, § 6.
Limits of the Act, § 7.
Lands, &c. of old vested in new Company, § 8.

Powers of Company, § 9.
Limits for Erection of Gasworks, § 10.
Saving of Rights and Liabilities, §§ 11 to 17.
Capital 21,945*l.*, § 18.
Provision for Ownership of Shares, § 20.
Limiting Dividend, § 21.
Disposal of new Shares, §§ 22 to 30.
Power to borrow 5,000*l.*, and eventually 5,000*l.* more, §§ 31 to 33.
Directors; Meetings, §§ 35 to 42.
Supply and testing of Gas, §§ 43 to 56.
Saving Rights of Corporation and Local Board, § 57.

Cap. lxxxv.

"London Hydraulic Power Company, Limited, Act, 1860."

Recites the Establishment of a Company under the Name of "The London Hydraulic Power Company, Limited," and that it is registered under the Joint Stock Companies Acts; that One of the Objects of the Company is the supplying of Water under Pressure, in order to its being applied as a Motive Force to Cranes, Lifts, and other Machinery; that it is expedient that they be authorized to lay down, maintain, and use, in Streets and other public Places, Mains for the Supply of Water for the Purposes of the Company's Undertaking.
Incorporation of Lands Clauses Acts, except as to compulsory Purchase, § 2.
Incorporation of Part of Waterworks Clauses Act, § 3.
For Protection of Sewers of Metropolitan and other Boards; of the Commissioners of Sewers of the City of London; of the Conservators of the River; and of Admiralty, §§ 4 to 9.
Powers to acquire Lands by Agreement and provide Apparatus, § 10.
Power for Company to contract with Waterworks Companies for Supply of Water to Company, § 11.
Company not to use Powers of a Waterworks Company, § 12.
Company to take their Water from Waterworks Companies, § 13.
District of Company, § 14.
Company not to supply Water, except as a Motive Force, § 15.
Penalty for using Water for other Purposes than Motive Power, § 16.
Recovery of Penalties, § 17.
Terms of Company's Agreements for Supply, § 18.
Company to give Notice of Agreements to Waterworks Company, § 19.
Company may let and work Cranes, § 20.
Recovery of Monies payable to Company, § 21.
Company not incorporated by Act, § 22.
Provisions of Company's Memorandum and Articles of Association extended to Purposes of Act, § 23.
Act to extend to Company at all Times, § 24.
Company to continue subject to same Regulations as if Act not passed, § 25.
Provision for General Act, § 26.

Cap. lxxxvi.

"The Bucks County Rate Amendment Act, 1860."

Whereas an Act was passed in the Fifty-fourth Year of the Reign of King George the Third, intituled "An Act for making "a fair and equal County Rate for the County of Buckingham," whereby the Justices of the Peace for the said County were authorized and required to assess and tax to the County Rate every Parish, Township, Hamlet, Liberty, Precinct, and Place within the said County, rateably and in due Proportions according to the annual Rent or Value of all Estates within such Parish, Township, Hamlet, Liberty, Precinct, and Place respectively: And whereas by such Act, after reciting that it might be inconvenient and oppressive to many Parishes, Townships, Hamlets, Liberties, Precincts, and Places in the said County, that the Sum of Money which should be assessed as and for the County Rate under the said Act should be paid out of any Rate made for the Relief of the Poor of such Parish, Township, Hamlet, Liberty, Precinct, or Place, it was enacted to the Effect that it should be lawful for the said Justices in Quarter Sessions assembled, if they should think it convenient, to order the Sum of Money directed to be assessed as or for the County Rate on any Parish, Township, Hamlet, Liberty, Precinct, or Place, to be paid by and levied on the Churchwardens, Overseers of the Poor, or Petty Constables of or for any such Parish, Township, Hamlet, Liberty, Precinct, or Place by and through the Intervention of the Chief or High Constable of the Hundred or Division in which such Parish, Township, Hamlet, Liberty, Precinct, or Place may be situate, and that the Churchwardens, Overseers of the Poor, or Petty Constables paying the same should be reimbursed as in the said Act mentioned: And whereas Doubts have arisen whether the recited Provision for levying the Sums now assessed or charged, or which may hereafter be assessed or charged, as and for the County Rate can any longer be enforced in consequence of the Functions of the High or Chief Constable with respect to County Rates having been taken away by the Act Seventh and Eighth of Victoria, Chapter Thirty-three, intituled "An Act for facilitating the Collection of County Rates, and "for relieving High Constables from Attendance at Quarter "Sessions in certain Cases, and from certain other Duties," and it is expedient that in lieu of such Provision other Provision should be made for levying such Sums; but the same, &c.

I. The Justices of the Peace for the said County in Quarter Sessions assembled may in any Case, if they think fit, direct that any Sum now assessed or charged, or which may hereafter be assessed or charged, as and for the County Rate on any Parish, Township, Hamlet, Liberty, Precinct, or Place in the said County, and also that the Name of any such Parish, Township, Hamlet, Liberty, Precinct, or Place shall be altogether omitted from any Precept or Warrant which may at any Time hereafter be issued under or by virtue of the Powers contained in the said Act Seventh and Eighth of Victoria, Chapter Thirty-three; and in any Case in which the said Justices shall direct such Omission to be made, they shall cause to be issued a separate Warrant or Precept in the Form shown in the Schedule to the last-mentioned Act, or as near thereto as may be, to the Overseers, or Petty Constables, or Peace Officers, or Surveyors of Highways, or to any Occupier or Occupiers of Land in any such Parish, Township, Hamlet, Liberty, Precinct, or Place, requiring them, or any of them, to pay to the County Treasurer or to transmit to him in such Manner as shall be directed, and within such Time as shall be limited in and by such Warrant or Precept, any Sum now assessed or charged, or which may hereafter be assessed or charged, as and for the County Rate on such Parish, Township, Hamlet, Liberty, Precinct, or Place.

II. In case any Overseer, Petty Constable, Peace Officer, Surveyor of Highways, or Occupier of Land as aforesaid, to whom any such Precept or Warrant shall be directed, shall neglect or refuse to pay the Sum so assessed and ordered to be levied and paid, as and for a County Rate, on or before the Day limited for Payment thereof, then if the Clerk of the Peace or Treasurer of the said County shall make Complaint thereof to any Two or more Justices of the Peace for the said

County, such Two or more Justices may by Warrant under their Hands levy the same, with an Addition thereto in the Proportion of One Shilling to every Ten Shillings (such Addition to be applied and disposed of in like Manner as the County Rate), by Distress and Sale of the Goods and Chattels of such Overseer, Petty Constable, Peace Officer, Surveyor of Highways, or Occupier as aforesaid; and the Justices in Quarter Sessions assembled may pay to any Clerk, Constable, Messenger, or other Person who may have been employed in making such Complaint, or in obtaining, drawing, or executing such Warrant, such reasonable Compensation out of the County Stock of the said County as to the said Justices may seem fit.

III. The Overseer, Petty Constable, Peace Officer, or Surveyor of Highways to whom any such Precept or Warrant is directed, may levy the Sum mentioned in such Precept or Warrant either before or after the same has been paid by or recovered from him, and together with the additional Sum (if any) which may have been recovered from him under the Powers of this Act, by a Rate to be made upon the Occupiers of all Lands, Tenements, and Hereditaments within the Parish or Place to which the Precept or Warrant relates, which last-mentioned Rate any Two or more Justices of the Peace for the said County shall order and direct; and such Rate shall be recoverable in the same Way as any Poor Rate or Highway Rate is or may be by Law recoverable.

IV. If any Person shall think himself aggrieved by any Act, Matter, or Thing to be done in pursuance of this Act, or the Powers hereby given, he shall have the same Right and Power of Appeal in all respects as any Person has against or with reference to a County Rate, whether under the Provisions of the Local Act or of any Public General Act relating to County Rates.

V. All the Costs, Charges, and Expenses of and incident to the passing of this Act shall be borne and paid by the Justices out of the County Stock of the County of Buckingham.

VI. This Act may be cited for any Purpose as "The Bucks County Rate Amendment Act, 1860," and this Act and the recited Act may together be cited for any Purpose as the "Bucks County Rate Acts."

Cap. lxxxvii.

"Newry, Warrenpoint, and Rostrevor Railway Act, 1860."

Recites Incorporation of Company by 9 & 10 Vict. c. ccxlv., with Power to raise 100,000*l.* by Shares, and 33,333*l.* by Loan, and that by 20 & 21 Vict. c. lxi. they were authorized to make additional Works and to raise further Capital of 20,000*l.* by Shares, and 6,600*l.* by Loan; that the Company raised the Capital by Shares and Loan authorized by the First Act, and also created 10,000 Shares of 2*l.* each, bearing a preferential Dividend of 6*l.* per Cent., for the Purpose of paying off Part of the Loan raised; that the Works authorized by the Second Act are in progress, but none of the Powers of raising Money under that Act have been exercised, and the Company are desirous that the Preference Shares created by them should be treated as Part of their Share Capital, and that they should be empowered to borrow the full Sum authorized by the Two Acts, viz., 39,933*l.*; that it is expedient that the Time limited by the Second Act for purchasing Lands and constructing Works should be extended; that the Newry and Armagh Railway Company have agreed with the Company to contribute towards the Expense of constructing the Works at Newry authorized by the Second Act, and that the Works should be vested in the Two Companies jointly, and that the Newry and Armagh Company should be authorized to raise further Capital; and also that Provision should be made for supplying the Company's Works at Newry with Water.

Existing Preference Shares to be deemed Part of Share Capital, § 2.

Power to create fresh Preference Shares, § 3.

Dividends on Preference Shares, § 4.

As to Votes of Preference Shareholders, § 5.

Defining Borrowing Powers, § 6.

Extending Time for the Purchase of Lands for Two Years; Compensation, §§ 7, 8.

Company not to take Lands of Newry Navigation Company, except according to Agreement, § 10.

Company to execute certain Accommodation Works for Canal Company, § 11.

Time extended for completing Works to 31st December 1862, §§ 12, 13.

Extending Time for Sale of superfluous Lands to Seven Years, § 14.

Newry and Armagh Company may contribute Funds, § 15.

Costs of Works to be certified, § 16.

Works at Newry to vest in Two Companies, § 17.

Power to enter into Agreements, § 18.

Newry and Armagh Railway Company may apply their Funds towards Purposes of Act, § 19.

Power to raise additional Money, § 20.

Conditions of new Capital, § 21.

Saving Rights of existing Preference Shares, § 22.

Calls, § 23.

Power to construct Waterworks, §§ 24, 25.

Incorporating Consolidation Acts, § 26.

Two Years limited for compulsory Purchase of Lands and Completion of Works, § 27.

Power to apply existing Funds to Purposes of Act, § 28.

Company not to interfere with Supply of Water of Newry Waterworks Company, § 29.

Differences to be determined by Arbitration, §§ 30, 31.

Cap. lxxxviii.

"Ouse Outfall Act, 1860."

Recites that the following Acts, viz., 35 Geo. 3. c. lxxvii.; 36 Geo. 3. c. xxxiii.; 45 Geo. 3. c. lxxii.; 56 Geo. 3. c. xxxviii.; 58 Geo. 3. c. xlviii.; 59 Geo. 3. c. lxxix.; 1 & 2 Geo. 4. c. lxiv.; 1 & 2 Will. 4. c. lxxiii., are commonly called and are herein-after referred to as the "Eau Brink Acts," and relate to the improving of the Drainage of the Middle and South Levels, Part of the Great Level of the Fens called Bedford Level, and of the Low Lands adjoining or near to the said Levels, as also of the Lands adjoining or near to the River Ouse, in the County of Norfolk, draining through the same to the Sea by the Harbour of King's Lynn, in the said County (and which said last-mentioned Lands are commonly called Marshland), and the altering and improving of the Navigation of the said River Ouse, from or near a Place called Eau Brink, in the Parish of Wiggenhall Saint Mary, in the said County, to the said Harbour of King's Lynn, and the improving and preserving of the Navigation of the several Rivers communicating with the said River Ouse, which said Improvements in the Drainage and Navigation were to be and have been chiefly effected by diverting the ancient Channel of the Ouse, and by making a new River or Cut from the said Place called Eau Brink, to or near the Town or Port of King's Lynn; that by the Eau Brink Acts it was provided, that every Person being the Owner or Trustee, Committee or Guardian for any Owner, of 200 Acres of Land liable to the Tax therein directed

to be assessed, and every Rector, Impropriator, or Vicar for the Time being of any of the Parishes or Townships in which the said Lands were situate, and the Mayor of King's Lynn for the Time being, and also the Agent or Deputy appointed by any Owner of 500 Acres of Land liable to the said Tax, and the Bursar for the Time being of Saint John's College, Cambridge, should be the Commissioners for Drainage, and which Commissioners are herein-after referred to by the Expression "the Commissioners;" and it was also provided that the Commissioners should, in the Manner therein mentioned, make the said Eau Brink Cut, and also a Dam at each End of the deserted Channel of the River Ouse, with proper Banks and Forelands to the said Cut, and also a Bridge over the said Cut (herein-after referred to as the Free Bridge), and that such Bridge, Dams, Banks, and Forelands should be vested in and be kept in repair by the Commissioners; and that the Commissioners should also scour, cleanse, and deepen the River Ouse from Denver Sluice to the Eau Brink Cut on a regular Section to the Satisfaction of certain Engineers therein named or referred to, and remove all Obstructions therein as far as might be consistent with the Safety of the Banks and of the Bridges across the River, making Satisfaction to any Persons or Corporations who should sustain any Damage or Injury to their Lands, Tenements, or Hereditaments by or in consequence of any of the Acts of the Commissioners; that by the Eau Brink Acts the Commissioners were authorized to borrow certain Monies for the several Purposes therein mentioned, and the Fen Lands and Low Grounds therein referred to were made liable to certain specified yearly Acre Taxes up to the 1st Day of January 1844 inclusive, and for so long as any Debt of 2,000*l.* or upwards Principal Money should be owing on any Security granted by the Commissioners previous to the 1st Day of January 1844 upon any of the said Taxes; that the aforesaid Taxes ceased to be leviable after the 1st Day of January 1854, by reason of the Debt of the Commissioners in respect of Securities granted by them previous to the 1st Day of January 1844, on Security of the said Taxes, having been reduced below 2,000*l.* in the Year 1853; that under the Eighth of the Eau Brink Acts, the Commissioners were authorized, when the Debt due on any Security granted by them upon any of their Taxes should be wholly extinguished or reduced below 2,000*l.*, at a Special Meeting to be held between the 1st Day of August and the 1st Day of November in any Year, to tax the Fen Lands herein-after called "Full-taxable Lands" with a Tax not exceeding Threepence per Acre, and the Lands herein-after called "Half-taxable Lands" with a Tax not exceeding Three Halfpence per Acre, for any Year, and in certain Events to assess the same for Two Years; provided, that the same should not be charged unless a sufficient Number of Commissioners present at such Meeting to represent Three Fourths of the total Quantity of Acres represented at such Meeting should concur in assessing such Taxes; that under some of the Eau Brink Acts the Commissioners caused a Plan and Survey, and Book of Reference thereto, to be made between the Years 1821 and 1831 of the Fen Lands and Low Grounds so as aforesaid made liable to the said Taxes, which Plan and Book of Reference (so far as they relate to the Lands which were liable to be assessed under the Eighth of the Eau Brink Acts) were printed and published, and the said Plan is called "Plan of Part of the "Bedford Level and Lands adjacent, subject to the Eau "Brink Tax, by J. G. Lenny, Bury Saint Edmunds, 1833;" that by the First of the Eau Brink Acts it was provided that the Mayors and Aldermen of certain Corporate Towns and Boroughs, and divers other Persons therein named, should be Commissioners of Navigation, with such Powers and Authorities as were therein expressed; that by the First, Second, Sixth, and Seventh of the Eau Brink Acts, Tolls of Fourpence for each Measure and Number therein mentioned of the Goods therein specified, and for every Ton Weight of all other Goods, Wares, or Merchandise, for Four several Terms of Years, making together 73 Years from the opening of the said Cut (which took place in July, 1821), were made payable at or near the Port of King's Lynn on all Goods, Wares, and Merchandises carried on board any Barge, Boat, Lighter, or Vessel and Rafts passing along the Eau Brink Cut, and were vested in the said Commissioners of Navigation, who were to pay Three Fourths of the net Monies arising from the said Tolls to the Commissioners for the Purposes therein specified, and were themselves to apply the other One Fourth in erecting Jetties, removing Sand Banks or Obstructions, and in such other Works as in their Judgment should tend to the Improvement of Navigation; that for improving and preserving the Navigation through the several Rivers, Streams, or Lodes communicating with the said River Ouse the Commissioners were, by the first of the Eau Brink Acts, required to erect and support a new Set of Ebb Doors at each of the Five Openings of Denver Sluice, and also to erect certain Gauges, and also certain Staunches or Sluices on the Cam or Grant, Brandon, and Mildenhall or Lark Rivers, and to pay such yearly Salary as therein mentioned to the Persons appointed by the Bedford Level Corporation to have the Charge of the same; and by the First, Second, Sixth, and Seventh Eau Brink Acts, in case the Monies by the First Act directed to be invested, and intended as a Fund for supporting the several Works hereinbefore mentioned should prove insufficient, the Commissioners of Navigation were and are, after July 1894, authorized to collect a Toll or Tonnage Due of Twopence per Ton, in order that a sufficient Fund might be raised for renewing and supporting the said Ebb Doors, Sluices, Staunches, and other Works necessary for the Preservation and Improvement of the said Navigation, with Power to suspend and totally diminish the said last-mentioned Toll from Time to Time; that by the Eighth of the Eau Brink Acts, a further Navigation Toll of One Penny, in addition to the aforesaid Toll of Fourpence in respect of Goods, Wares, and Merchandise charged with the aforesaid Toll of Fourpence, was granted (such further Toll to commence on the 1st Day of January 1833, and to continue so long as the Navigation Tolls granted by the former Eau Brink Acts, meaning thereby the said Toll of Fourpence, should continue payable), and such further Toll was vested in the Commissioners of Navigation, but in trust only for the Commissioners; that by the Eighth of the Eau Brink Acts the Commissioners were required to pay out of the Tolls receivable by them to the Treasurer of certain Persons called Select Trustees, for certain Purposes therein mentioned, 750*l.* per Annum so long as any such Tolls should be receivable by the Commissioners under the Authority of the Eau Brink Acts; and by the same Act the Commissioners were required to pay out of the Monies to be received by them under the Powers of the Eau Brink Acts, to the Treasurer for the Time being of the Ouse Bank Commissioners therein appointed, divers Sums of Money amounting, with Money previously paid, to 62,000*l.*, as a final Compensation for the Injury and Damage then and thereafter to be occasioned, as well to the Banks of the River Ouse, between Denver Sluice and the Eau Brink Cut, as to Downham, Stow, Magdalen, and Saint German's Bridges, by or in consequence of the altered Course of the River Ouse, or the Execution

of any of the Works of the Commissioners authorized by any of the said Acts; and by the same Act the Commissioners were authorized and required to pay divers other gross Sums, by way of Compensation or otherwise as therein mentioned, all which Sums, including the said Sum of 62,000*l.*, have been long since paid; that "The Norfolk Estuary Act, 1846," "The Norfolk Estuary Amendment Act, 1849," and "The Norfolk Estuary Act, 1857," have been passed for the Purpose of enabling the Company of Proprietors of the Norfolk Estuary (in this Act called the Estuary Company) to enclose and embank certain Tracts of Land, Part of the great Estuary called "The Wash;" and inasmuch as by the Execution of the Works authorized to be constructed by such Acts, the Drainage of the Lands discharging their Waters through and by means of the River Ouse would be improved and rendered more effectual, the Commissioners agreed to pay, and by "The Norfolk Estuary Amendment Act, 1849," were authorized to pay, to the Estuary Company a Contribution of 60,000*l.* towards the Execution of the said Works, which Contribution was in "The Norfolk Estuary Act, 1857," mentioned to be reduced by Payments and otherwise, as therein mentioned, to the Sum of 22,924*l.* 8*s.* 9*d.*, and by such last-mentioned Act it was declared that such Sum of 22,924*l.* 8*s.* 9*d.* should be payable by Instalments, as by such Act was provided, and should be a Debt from the Commissioners to the Estuary Company, charged in priority over all other Charges (except only the unpaid Part of certain Mortgages of the Commissioners therein-before mentioned to be then due by them, amounting to 10,000*l.* and Interest) upon the Navigation Tolls payable to the Commissioners (after Payment thereout of the said Sum of 750*l.* yearly to the said Select Trustees), and upon such of the Lands of the Commissioners as were by the now-reciting Act made saleable; and in the same Act were contained certain Provisions regulating and directing the Times and Manner in which the said Lands belonging to the Commissioners should be sold, and the Application of the Proceeds of such Sales, and also Provisions for the Accumulation, and in certain Events the Sale of the Navigation Tolls payable to the Commissioners, after Payment thereout of the aforesaid yearly Sum of 750*l.*; and by the same Act it was provided that until the Contribution under the reciting Act payable by the Commissioners, and all Interest (if any) thereon, should have been fully paid, no Mortgage or Sale should be made by them under the Eau Brink Acts, or any of them, upon or affecting the Navigation Tolls payable to them, or upon or affecting the unsold Parts of the said Lands, or any Part thereof; that by the Sixth of the Eau Brink Acts it was provided that as soon as in the Judgment of the Engineer appointed by the Commissioners under the Eau Brink Acts it should become desirable for the Improvement of the Drainage that Denver Sluice, or any Part thereof, should be enlarged, deepened, or otherwise improved, the Commissioners were required to make such Enlargement, deepening, or Improvement as the said Engineer should think necessary, so that there might be a free Passage for the Waters of the Ouse of sufficient Depth to obtain for the Land above Denver Sluice the full Benefit of the Eau Brink Cut, and such Alterations and Improvements were to be made with the Approbation of the Bedford Level Corporation (by whom the same had been originally built, and from Time to Time repaired and renewed), and the Commissioners were to keep in repair the Part and Parts of the said Sluice and the Works thereof which should be altered or renewed by them under that Act, and were to rebuild and replace the same upon the most desirable Plan if the whole or any Part thereof should be undermined, or if any other Accident should happen thereto; that the Commissioners, with the Approbation of the Bedford Level Corporation, in the Years 1832 and 1833, enlarged, deepened, and improved Denver Sluice, and renewed Part thereof, and built there a Sluice-keeper's House, partly on the Site of Part of the Old Denver Sluice and partly on Land bought by the Commissioners for the Purpose; that the Bedford Level Corporation have, ever since the Year 1833, taken and still take, as they had before taken, the Charge and Control of Denver Sluice by a Sluice-keeper appointed and principally paid by themselves; that the only Works of Drainage in the River Ouse which the Commissioners were authorized or required by any of the Eau Brink Acts to do above the Eau Brink Cut were,—

1st. The scouring, cleansing, and deepening of the said River Ouse from Denver Sluice to the Eau Brink Cut, as required by the First Act, and any Works that in their Judgment might be required for the Improvement of the Drainage of the River Ouse below Denver Sluice, which by the Sixth and Seventh Acts the Commissioners were authorized to execute out of their Surplus Funds;

2d. The Enlargement, Alteration, or Improvement in Denver Sluice as required by the Sixth Act; and

3d. The Removal of any Sand or Silt which might be deposited in the River Ouse, within a Quarter of a Mile above Denver Sluice, as required by the Seventh Act;

that until the passing of the Acts next herein-after recited, the Drainage Waters from the Middle Level (except certain Parts thereof called the Sutton and Mepal, and Manea and Welney Districts, containing together about 17,500 Acres or thereabouts,) were discharged into the River Ouse through a Sluice called the Tongs Sluice, about Three Miles below Denver Sluice; that by the 7th and 8th Vict. c. cvi., and 11th and 12th Vict. c. civ., certain Commissioners acting under the Authority of such Acts, and therein called the Middle Level Drainage Commissioners, were authorized to construct, and have since constructed, certain Works therein mentioned for discharging the Drainage Waters of the Middle Level directly into the Eau Brink Cut, through a new Sluice close to the upper End of the said Cut; that the Commissioners have from Time to Time expended large Sums of Money in and about the Improvement of the River Ouse between Denver Sluice and the Eau Brink Cut, and the Expenditure of all Monies since 1844 has operated for the special Benefit of the Lands in the South Level, and in the Sutton and Mepal, and Manea and Welney Districts, and other Lands not draining through the said new Sluice, and any further deepening and Improvement of the Ouse would be beneficial to such Lands respectively, but would not confer any Benefit upon the Middle Level; that it is expedient to provide for the future Maintenance and Repair of the new Part of Denver Sluice, so as wholly to exonerate the Commissioners from all future Liability in respect thereof, and to provide for the Execution of any Works authorized by the Eau Brink Acts, or any of them, for improving the River Ouse from Denver Sluice to the Eau Brink Cut, for the Purposes of Drainage; that under the First of the Eau Brink Acts the Commissioners became and are entitled to certain Lands being Part of the Bed of the old Channel of the Ouse, or Lands adjacent thereto, and they are also entitled to a Dredging Machine and other Property, and it is estimated that if all the said Land and other Property of the Commissioners were now sold, the same would be insufficient to pay the Debts of the Commissioners, and the contingent Payment to the Estuary Company, by about 10,000*l.*, and it is desirable that such Provision as is herein-after contained should be made for realizing the Assets and

paying the Debts of the Commissioners; that certain of the Commissioners, being Owners of Land as well in the Middle Level as in the South Level, and in the Sutton and Mepal, and Manea and Welney Districts, have made themselves personally responsible for a Portion of the said Debts, and it is expedient that further and better Provision should be made for levying and assessing Taxes, and raising the necessary Sums for discharging the Debts and Liabilities of the Commissioners, and for the future Maintenance of the Eau Brink Cut, and Works connected therewith; and for the Purposes aforesaid it is expedient that the Eau Brink Acts be amended, and such further Provisions made as is herein-after expressed.

Commencement of Act, § 1.
Repeal of Acts and Portions of Acts and saving of Rights and Liabilities, §§ 4 to 12.
Appointment of Drainage Commissioners, § 13.
Joint Owners may act, § 14.
Appointment of Deputies, § 15.
Declaration of Commissioners, § 16.
Declaration of Deputies, § 17.
False Declaration Misdemeanor, § 18.
Register of Drainage Commissioners, § 19.
Locality assigned to contain outlying Lands, § 20.
In case of Ownership of Lands in Two Levels, &c., § 21.
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First Meeting, § 23.
Places for Meetings, § 24.
Incorporation of Parts of "Commissioners Clauses Act," § 25.
Meeting to be called by Advertisement, § 26.
Triennial Election of Members of the Board, § 27.
Special Meetings of Commissioners, § 28.
Commissioners may authorize Taxes to be levied or Money to be borrowed, § 29.
Appointment of Auditors, § 30.
Board of Conservators, § 31.
Their Appointment, § 32.
Occasional Vacancies, how to be supplied, § 33.
Incorporation of Parts of "The Commissioners Clauses Act, 1847," and Parts of "The Railways Clauses Act, 1845," § 34.
Place of Meeting and Quorum of the Board, § 35.
At triennial Elections the former Board to continue in Office until new Board elected, § 36.
Board not dependent upon Election, &c. of all its Members, § 37.
Property of the Commissioners vested in the Board, § 38.
Share of Navigation Tolls to be paid to the Board, § 39.
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Powers and Obligations of the Commissioners under "The Norfolk Estuary Act" transferred to Board, § 41.
As to Instalments payable to the Norfolk Estuary Company, § 42.
As to the Support of certain Ebb Doors, &c. in South Level, § 43.
Meaning of Term "Ebb Doors," § 44.
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The South Level Commissioners to keep Ebb Doors in repair, § 47.
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Power to alter Marks, &c., § 49.
Power to remove certain Sluices, § 50.
Continuance of Provisions as to Navigation between Saint Ives Staunch and the Hundred Feet River, § 51.
Liability of the Board to the Eau Brink Cut and Works, § 52.
As to User of the Free Bridge, § 53.
Board may let or sell Lands, § 54.
Taxes may be assessed, § 55.
Incorporation of Denver Sluice Commissioners, § 56.
Appointment of Denver Sluice Commissioners, § 57.
Mode of supplying Vacancies, § 58.
Continuance in Office of certain of the Commissioners for Denver Sluice, § 59.
As to Appointment of Denver Sluice Commissioners by Two Bodies of Local Drainage Commissioners, § 60.
Meeting of Denver Sluice Commissioners, § 61.
Powers of Denver Sluice Commissioners not dependent on Election of all the Commissioners, § 62.
Transfer of certain Rights to Denver Sluice Commissioners, § 63.
Contribution by Board in respect of Denver Sluice, § 64.
Incorporation of Arbitration Clause, § 65.
Investment of Money paid by Board to Denver Sluice Commissioners, § 66.
Application of Denver Sluice Fund, § 67.
Board not to be liable for Denver Sluice, § 68.
Power to Denver Sluice Commissioners to levy a Drainage Tax, § 69.
Certain Persons to cease to be Commissioners if Lands in respect of which they are appointed cease to be liable to Taxes, § 70.
Application of Drainage Tax, § 71.
Form of Assessment, § 72.
Lenny's Map primâ facie Evidence of Contents of taxable Lands; Correction of Errors, § 73.
Collection of Taxes by the Board, § 74.
Collection of Taxes by Denver Sluice Commissioners, § 75.
Payment of Taxes, § 76.
Tax not to be deducted by Tenant under Agreement to pay all Taxes, § 77.
Beneficial Lessees to be considered as Owners, § 78.
Penalty on Nonpayment of Taxes, § 79.
Distress for Recovery of Taxes and Penalties, § 80.
Right of Distress to continue till Taxes paid, § 81.
Remedy by Action, § 82.
Lands may be let for Recovery of Arrears and Penalties, § 83.
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Middle Level Drainage Commissioners may pay Proportion of Taxes out of their general Funds, &c., § 85.
Authority to Local Commissioners to pay Taxes, § 86.
Power to suspend Traffic over the Bridge, § 87.
As to Powers, Obligations, and Rights of the Board over the Eau Brink Cut, &c., § 88.
As to Powers, &c. of Denver Sluice Commissioners over the Ouse, § 89.
As to Drainage, &c. of unsold Parts of the old Channel, § 90.
As to Injuries by Pressure of Water or Breach of Banks, § 91.
Rights of Passage over the Banks of the Cut for Owners and Occupiers of Lands adjoining, § 92.
Penalty for suffering Cattle to stray on the Banks, § 93.
Penalty on Persons damaging Works, &c., § 94.
Owner of Vessel answerable for Damage to Works, § 95.
Owner may recover Damage from his Servants, § 96.
Account to be kept, § 97.
Power to borrow Money on Mortgage, § 98.
Priority of Mortgagees may be fixed, and taxable Lands may be divided into Districts for Mortgage Purposes, § 99.
Mortgagee not to exercise Powers without previous Notice, § 100.
Annual Tax to be levied so long as any Debts remain unpaid, § 101.

Application of Funds, § 102.
Investment of surplus Funds, § 103.
Restricting the Liabilities of the Norfolk Estuary Company, § 104.
Reserving Rights of Norfolk Estuary Company, § 105.
Saving Rights of Corporation of Lynn and Mooring Harbour Commissioners, § 106.
Obligations imposed by the Admiralty under previous Acts to continue, § 107.
Saving Rights of the Admiralty, § 108.
Saving Rights of Bedford Level Corporation, § 109.
Schedules.

THE FIRST SCHEDULE.

Reference to Acts.	Sections and Parts of Sections heretofore repealed or altered.	Sections wholly repealed by this Act.	Sections repealed by this Act so far as they relate to the Commissioners.
35 Geo. 3. c. lxxvii.	10. Part of 17. 18, 19, 20. Part of § 24. 26, 27, 28. 35. 59 to 61, both inclusive. 64 to 78, both inclusive. 87, 88. 94. 104.	1, 2. 17. 21 to 23, both inclusive. 25. 29. 32, 33. 35. 37 to 58, both inclusive. 62, 63. 89. 95 to 97, both inclusive.	5. 8 to 16, both inclusive. 24. 30, 31. 87, 88. 91 to 93, both inclusive. 106 to 114, both inclusive.
1 & 2 Will. 4. c. lxxiii.	- - -	10, 11, 12. 19 to 28, both inclusive. 86 to 108, both inclusive. 110 to 113, both inclusive. 116 to 122, both inclusive. 126.	1, 2. 5 to 9, both inclusive. 13 to 18, both inclusive. 109. 114, 115. 123, 124, 125. 127 to 130, both inclusive.

THE SECOND SCHEDULE,

Containing the Parishes, &c., comprised in the Eau Brink Acts, in which the Full-taxable Lands are situate.

In the County of Huntingdon.

Bluntisham (with Earith), Broughton, Bury, Caldecote, Colne, Connington, Denton, Farcet, Fletton, Glatton, Hadden, Holme, Houghton and Witton, Oldhurst, Pidley (and Fenton), Ramsey with Higney, Raveley (Little), St. Ives, Sawtrey All Saints, Sawtrey St. Judith and St. Andrew, Somersham, Standground, Stibbington with Sibson, Stilton, Upwood with Great Raveley, Warboys, Waternewton, Wistow, Woodhurst, Woodwalton, Woodstone, Yaxley.

In the County of Cambridge.

Barway, Benwick, Bottisham, Burwell with Reach, Chatteris, Churcham otherwise Chettisham, Cottenham, Coveney, Ditton, Doddington with Wimblington, Downham, Elm, Ely Trinity, Ely St. Mary, Fordham, Grunty Fen, Grunty Fen Farms, Haddenham, Horningsea, Isleham, Landbeach, Littleport, March, Maney, Mepal, Outwell, Over, Qui, Rampton, Redmoor Farms, &c., Soham, Stretham, Stuntney, Sutton, Swaffham Prior with Reach, Swaffham Bulbeck, Swasey, Thetford, Upwell, Waterbeach, Welney, Welsh's Dam, West Fen and Wolvey Hills and Holes, Wingford or Wentworth, Whittlesea St. Mary, Whittlesea St. Andrew, Wicken, Willingham, Wilburton, Wisbech, Witcham, Witchford.

In the County of Suffolk.

Brandon, Lakenheath, Mildenhall, Wangford.

In the County of Norfolk.

Denver, Dereham West, Downham Market, Feltwell St. Mary, Feltwell St. Nicholas, Feltwell New Fen District, Fordham, Hilgay, Hockwold, Methwold, Northwold, Outwell, Oxburgh, Roxham, Southery, Stoke Ferry, Stow Bardolph, Upwell, Welney, Wereham, Wilton, Wimbotsham, Wretton.

THE THIRD SCHEDULE,

Containing the Parishes, &c. comprised in the Eau Brink Acts, in which the Half-taxable Lands are situate.

In the County of Norfolk.

Downham Market, Hardwick and Setchy, Holme (Runcton), Lynn South, North Runcton, Stow Bardolph, Thorpland, Tottenhill, Watlington, Wiggenhall St. Mary's, Wiggenhall St. Germain, Wiggenhall St. Peter's, Wimbotsham, Wormegay.

In the County of Cambridge.

Haddenham (Upper Delphs).

THE FOURTH, FIFTH, AND SIXTH SCHEDULES. (Forms.)

THE SEVENTH SCHEDULE,

Containing the Fens, Levels, or Districts referred to in this Act, and taxable by Commissioners or Trustees of Local Drainage, and the Acts of Parliament by which such Commissioners or Trustees are respectively constituted.

Name or Description of Fens, Levels, or Districts.	Acts by which the Commissioners or Trustees are respectively constituted.
Littleport and Downham District.	29 Geo. 2. c. xxii.; 39 & 40 Geo. 3. c. xxvi.; and 50 Geo. 3. c. cxciv.
Burnt Fen First District -	47 Geo. 3. sess. 2. c. lxxxiii.; and 4 Geo. 4. c. ciii.
Middle Fen District - -	31 Geo. 2. c. xviii.; 29 Geo. 3. c. xxii.; and 39 & 40 Geo. 3. c. xc.
Mildenhall Fen District -	47 Geo. 3. sess. 2. c. l.; and 6 & 7 Vict. c. lxvi.
Padnal and Waterden Fens -	7 & 8 Geo. 4. c. xlvii.
Cawdle Fen - - -	11 Geo. 2. c. xxxiv.; and 50 Geo. 3. c. cxxviii.
Thetford Fen District - -	7 & 8 Vict. c. xxix.; and 15 & 16 Vict. c. xxix.
Waterbeach Level - -	14 Geo. 2. c. xxiv.; 37 Geo. 3. c. lxxxviii.; and 53 Geo. 3. c. lxxxi.
Swaffham and Bottisham District.	7 Geo. 3. c. liii.; 19 Geo. 3. c. xxxiv.; and 59 Geo. 3. c. lxxviii.
Burwell Fen - - -	4 Vict. c. lviii.
Haddenham Level - -	13 Geo. 1. c. xviii.; and 37 Geo. 3. c. xcvi.
Cottenham, Rampton, and Willingham Fens, on the South-east Side of Willingham Lode.	5 & 6 Vict. c. xxiii.

The Seventh Schedule—*continued.*

Name or Description of Fens, Levels, or Districts.	Acts by which the Commissioners or Trustees are respectively constituted.
Willingham Fen on the North-west and North Side of Willingham Lode.	9 & 10 Vict. c. ix.
Over Fens - - - -	7 Will. 4. & 1 Vict. c. xc.
Feltwell New Fen District -	13 Geo. 3. c. xlv.; and 46 Geo. 3. c. xcv.
Feltwell Second District -	13 Geo. 3. c. xlv.; 42 Geo. 3. c. xxiv.; and 12 & 13 Vict. c. vii.
Hilgay Great West Fen -	1 Will. 4. c. xxvi.; 17 & 18 Vict. c. clxxii.; 8 Geo. 3. c. xlvii.; and 17 & 18 Vict. c. clxxii.
Methwold Fen District -	17 & 18 Vict. c. clxxxviii.
Stoke Ferry, Northwold, Wretton, Wereham, West Dereham, Roxham, Fordham, Denver, Downham Market, Wimbotsham, and Stow Bardolph.	11 Geo. 3. c. lxxii.; 54 Geo. 3. c. clxxvii.; and 4 & 5 Will. 4. c. lxiii.
Downham Market, Wimbotsham, Stow Bardolph, and Denver.	42 Geo. 3. c. xix.; 7 & 8 Vict. c. cvi.; and 14 & 15 Vict. c. viii.
Outwell, Stow Bardolph, Wimbotsham, and Downham District.	38 Geo. 3. c. lxx.
The District of the Hundred Feet Washes.	29 Geo. 2. c. xxi.; and 52 Geo. 3. c. cxlv.
Sutton and Mepal Level -	22 Geo. 2. c. xi.; 17 Geo. 3. c. lxv.; and 46 Geo. 3. c. xcvi.
Manea and Welney District -	21 Geo. 2. c. xviii.; and 39 & 40 Geo. 3. c. i.

Cap. lxxxix.

"The Buckley Railway Act, 1860."

Proposes to construct Railways from Buckley to Connah's Quay, adjoining the River Dee, in the County of Flint, and also to connect with the Chester and Holyhead Railway in the Parish of Northop.
Incorporation of General Acts, §§ 1, 2.
Subscribers incorporated, with a Capital of 30,000*l.* in 10*l.* Shares, and Power to borrow 10,000*l.*, §§ 4 to 10.
Meetings; Directors, §§ 11 to 18.
Power to make Railways, §§ 20, 21.
Communications with the Chester and Holyhead Line, §§ 22 to 24.
Not more than Two Tiers of Vessels to lie alongside Company's Wharf on River Dee, § 26.
Notice to River Dee Company before commencing Works below High-water Mark, § 27.
Certain Road may be crossed on the Level, §§ 28 to 30.
Inclination of a certain Road in Parish of Northop, § 31.
Two Years for compulsory Purchase of Land, § 32.
Three Years for Completion of Works, § 33.
Company not to take Wepre Tramway by Compulsion unless within a Year after passing of this Act, § 34.
If Works on tidal Water abandoned, Admiralty may remove same, § 35.
Tolls, §§ 36 to 42.
Wharfage and Landing Place Rates, § 43.
Provisions of Railways Clauses Consolidation Act extended to such Rates, § 44.
Officers of Customs to pass free, § 45.
Railways not to be Passenger Railways, § 46.
Working Arrangements between Company and London and North-western Railway Company, §§ 47 to 50.
Short Distance Toll under this Act not to be charged during Contracts, § 51.
Power to London and North-western Railway Company to subscribe 10,000*l.*, §§ 52 to 54.
Saving Rights of River Dee Company, of the Admiralty, and of Crown, §§ 55 to 57.

Cap. xc.

"Cheshire Midland Railway Act, 1860."

Proposes to make a Railway from Altrincham through Knutsford to Northwich, commencing by a Junction with the Manchester South Junction and Altrincham Railway, in the Township of Altrincham, in the Parish of Bowdon, in the County of Chester, and terminating in the Township of Witton cum Twambrooks, in the Parish of Great Budworth, in the same County; to authorize the Company on the one hand, and the Manchester, Sheffield, and Lincolnshire Railway Company, and the London and North-western Railway Company (herein-after referred to as "the Two Companies"), or either of them, on the other hand, to enter into Working Agreements as herein-after provided, and to enable the Two Companies respectively to subscribe towards and take Shares in the proposed Undertaking and Works.
Incorporation of General Acts, § 1.
Incorporation of Company, § 3.
Capital, 100,000*l.* in 20*l.* Shares, § 4.
Power for the Two Companies to subscribe 30,000*l.*, § 5.
The Two Companies may apply any existing Funds towards their Subscription, § 6.
Power for the subscribing Companies to raise Money by Shares or Stock with or without a Preference not exceeding 5*l.* per Cent., §§ 7 to 15.
Power to borrow 33,000*l.*, §§ 16 to 18.
Meetings; Directors, §§ 19 to 24.
Power to make Railway and Works, §§ 25, 26.
Certain Road may be crossed on the Level, §§ 27 to 30.
Communication with the Manchester South Junction and Altrincham Railway, §§ 31 to 33.
Saving Rights of North Staffordshire Railway Company, and preventing Obstruction to Trent and Mersey Canal, § 34.
Regulating the Construction of Bridge over Canal, § 35.
Remedy in case of Obstruction of Canal, § 36.
Land of North Staffordshire Railway Company not to be taken, § 37.
Three Years for compulsory Purchase of Lands, § 39.
Four Years for Exercise of other Powers, §§ 40, 41.
Tolls, §§ 42 to 49.
Power to enter into Traffic Arrangements with the Two Companies, §§ 50 to 57.
Subscribing Companies may use Railway, § 58.
Reserving Rights of the London and North-western Railway Company, § 59.
For securing Facilities to other Companies in case of Extension of Line, § 60.

Cap. xci.

"The Nuneaton and Hinckley Railway Extension Act, 1860."

Recites that by "The Nuneaton and Hinckley Railway Act, 1859," the Company were incorporated for making a Railway from the Trent Valley Line of the London and North-western Railway at Nuneaton, in the County of Warwick, to Hinckley, in the County of Leicester, and for other Purposes, and the Company are proceeding with the Construction of the said Railway, and it will soon be completed; that the Extension of the said Railway from Hinckley to the Midland Railway at Wigston Magna, near Leicester, in the County of Leicester, and the making of a Road from Hinckley to the said Railway, would be attended with great local and public Advantage, and the Company are willing to construct such Extension and Road; that the Company have an Agreement with the London and North-western Railway Company for the working by that Company of their Railway, as authorized by the recited Act, and a like Arrangement may be made with that Company for working the Railway to be authorized by this Act; and it is desirable that the Company and the London and North-western Railway Company should be empowered to use such Part of the Main Line of Railway between Rugby and Leicester, belonging to the Midland Railway Company, as is situated between that Company's Station at Wigston Magna and their Station at Leicester, and the Stations at those Places respectively, with the Conveniences thereto respectively belonging; and that the Midland Railway Company should have like Power to use the Railways of the Company, and also the Railway of the London and North-western Railway Company from Nuneaton to Coventry, and the Stations of the Company upon their Railways, and the Stations of the London and North-western Railway Company at Nuneaton and Coventry, and the intermediate Stations on their Railway between those Places, with the Conveniences thereto respectively belonging.

Extending Provisions of General Acts, § 2.
Powers to increase Number of Directors, § 3.
Alteration of Name and general Saving of Rights, §§ 4 to 7.
Power to construct Extension and Road, §§ 9, 10, and § 12.
Line not to be deviated at Narborough, § 11.
Level Crossing, §§ 13 to 16.
As to Communication with the Midland Railway, §§ 17 to 19.
Three Years for compulsory Purchase of Lands, § 21.
Five Years for Completion, §§ 22, 26.
Tolls, §§ 24, 25.
Power to apply existing Funds to Purposes of Act, § 27.
Company may raise additional Capital of 150,000*l.*, §§ 28 to 32.
Power to borrow 50,000*l.*, § 33.
Extending certain Provisions of Companies Clauses Act, § 34.
Extending Clauses 42 to 48 of recited Act (*i.e.* Arrangements with London and North-western Railway Company) to Undertaking by this Act authorized, § 36.
Power to use Portion of Midland Railway, § 37.
As to Station Accommodation to be afforded by Midland Company, § 38.
Tolls to be paid for Use of Part of Midland Railway, § 39.
Consideration for Use of Stations, § 40.
Midland Railway to use Railways of the Company, § 41.
Midland Company to use the Coventry and Nuneaton Line of the London and North-western Railway Company, § 42.
Accommodation to be afforded to the Midland Company, § 43.
Tolls to be paid by the Midland Company, § 44.
Payments for Use of Stations by Midland Company, § 45.
As to further Station Accommodation, § 46.
London and North-western Railway Company to construct Junction at Nuneaton, § 47.
Extension Line to be doubled if required by Board of Trade, § 48.

Cap. xcii.

"London and South-western and Bristol and Exeter (Yeovil Station) Act, 1860."

Recites that under the Authority of the several Acts relating to the Salisbury and Yeovil Railway Company that Company are making the Salisbury and Yeovil Railway, and that under the Authority of some of the Acts relating to the London and South-western Railway Company that Company are making the Exeter Extension Railway from Yeovil to Exeter; that by means of the Main Line of the London and South-western Railway from London to Basingstoke, and thence by the Lines of the Basingstoke and Salisbury Railway (belonging to the South-western Company), and the Salisbury and Yeovil Railway, and the Exeter Extension Railway respectively, there will be a continuous Line of Railway Communication between London and Exeter; that by means of the Lines of the South-western Railway from Portsmouth to Bishopstoke, and from Southampton to Bishopstoke respectively, and from Bishopstoke to Salisbury, and thence by the Lines of the Salisbury and Yeovil Railway and the Exeter Extension Railway respectively, there will be a continuous Line of Railway Communication between Portsmouth and Southampton respectively and Exeter; that the South-western Company are Lessees for 1,000 Years of the Salisbury and Yeovil Railway, and are in the actual Possession of and are working the Portion thereof between Salisbury and Gillingham, which Portion is completed, and has been opened for public Traffic; that under the Authority of some of the Acts relating to the Bristol and Exeter Railway Company, that Company have made and opened for public Traffic, and are working, their Yeovil and Durston Branch Railway, being a Line of Railway from Yeovil to a Junction at Durston with the Main Line of Railway from Bristol to Exeter; that by means of Portions of the Lines of Railway of the South-western Company and the Salisbury and Yeovil Railway, and Portions of the Lines of Railway of the Bristol and Exeter Company, there will be continuous Railway Communication between Places served by the South-western Railway to the Eastward, and Places served by the Bristol and Exeter Railway to the Westward; but that there are no authorized Means of Communication between the Salisbury and Yeovil Railway and the Yeovil and Durston Branch Railway, nor for the Interchange of Traffic between the Railways of the South-western Company and the Railways of the Bristol and Exeter Company; that the Railways of the South-western and the Salisbury and Yeovil Companies are made on the Narrow Gauge, and the Railways of the Bristol and Exeter Company are made on the Broad Gauge; that there is a Station on the Yeovil and Durston Branch Railway at Henford near to Yeovil, and that the Salisbury and Yeovil Company have Authority to make a Station on their Railway at Yeovil; that the South-western Company, the Salisbury and Yeovil Company, and the Bristol and Exeter Company are respectively willing, and it is expedient that the Salisbury and Yeovil Company be authorized to abandon the making of a Portion at Yeovil of the Salisbury and Yeovil Railway and the Station there, and the South-western Company be authorized to make and maintain instead thereof a Portion of Railway and Sidings at Yeovil, so as to afford Means of Communication there between the

Salisbury and Yeovil Railway and the Yeovil and Durston Branch Railway; that it is expedient that the Bristol and Exeter Company and the South-western Company be authorized to make and maintain a Joint Station at or near to the Point at Yeovil where the Means of Communication between the Salisbury and Yeovil Railway, and the Yeovil and Durston Branch Railway will be so afforded; that it is expedient that Rails on the Broad Gauge as well as on the Narrow Gauge be laid on such Portion of Railway and Sidings at Yeovil, and that the now existing Station at Henford, on the Yeovil and Durston Branch Railway, be used in the Manner and for the Purposes by this Act authorized; that it is expedient that the Bristol and Exeter Company be authorized to make Sidings and other Works at and near to Yeovil for the Purposes of the Joint Station, and that the Bristol and Exeter Company be authorized to lay down Rails on the Narrow as well as on the Broad Gauge on the Portion near to Yeovil of the Yeovil and Durston Branch Railway, and on the Sidings at and near to Yeovil by this Act authorized to be made by them; that it is expedient that the South-western Company and the Bristol and Exeter Company be authorized to acquire Lands for the Purposes of this Act, and that the Joint Station at Yeovil, with the Station at Henford, and the Portions and Sidings of Railway at Yeovil and Henford, and between those Two Places, be used for the Purposes and be managed and regulated as by this Act authorized; that it is also expedient that Provision be made for facilitating the Interchange of Traffic between the Railways of the South-western Company and the Bristol and Exeter Company respectively, and the forwarding of Traffic over their respective Lines of Railway, and the making and apportioning of Through Fares and Rates for Traffic passing over any Part of the Lines of Railway of One of those Companies, and over any Part of the Lines of Railway of the other of them, and that the South-western Company and the Bristol and Exeter Company be authorized to make and carry into effect Arrangements for those Purposes; that it is expedient that the Works by this Act authorized to be made by the South-western Company be, as between them and the Salisbury and Yeovil Company, Part of the Salisbury and Yeovil Railway in substitution for the Works authorized to be abandoned by the Salisbury and Yeovil Company, and be accordingly comprised in the Lease to the South-western Company of the Salisbury and Yeovil Railway; also that the South-western Company be authorized to raise and apply Monies for the Purposes of this Act; and that the Bristol and Exeter Company be authorized to apply Monies belonging to them for the Purposes of this Act.

Incorporation of Lands and Railways Clauses Acts, § 2.
Salisbury and Yeovil Company to abandon Line of Railway at Yeovil, § 4.
Power for South-western Company to take Lands, §§ 5 to 7.
Power for South-western Company to make Works, § 8.
Power to make Line of Railway, Stations, and Works at Yeovil, § 9.
Restriction on the making of the Railway authorized, § 10.
Railway as authorized to be Part of Salisbury and Yeovil Railway, and comprised in Lease thereof to South-western Company, § 11.
Two Years limited for completing Railway, §§ 12, 13.
Power for South-western Company to lay down Rails on both Gauges, § 14.
Same Power for Bristol and Exeter Company, § 15.
Power for South-western Company and Bristol and Exeter Company to hold Lands jointly for Station Accommodation at Yeovil, § 16.
Power for South-western Company to use Railway and Station of Bristol and Exeter Company, § 17.
Power for Bristol and Exeter Company to use Railway and Station of South-western Company, § 18.
Appropriation and User of Joint Station, § 19.
Joint Committee for Management of Joint Station, § 20.
Terms of User by South-western Company, and Bristol and Exeter Company of each other's Railways, § 21.
Tolls on Railway to be made under Act, §§ 22, 23.
Tolls to be taken by South-western and Bristol and Exeter Companies on Railways at Yeovil, §§ 24 to 26.
Contracts between the Three Companies or any Two of them for Purposes of Act, § 27.
Restrictions as to Agreements between Companies under Acts, § 29.
Approval of Board of Trade; Power to modify and revise Contracts, §§ 30 to 32.
Agreement between South-western Company and Bristol and Exeter Company in Schedule confirmed, § 33.
Power for South-western Company to raise Money by new Shares, § 34.
Limits of Profits applicable to preferential Dividend, § 36.
Saving of existing Preference Shares, § 37.
South-western Company may cancel unissued Shares, and issue new Shares, § 38.
Disposal of new Shares, §§ 39 to 44.
Dividends on new Shares, § 45.
Application of Money raised by new Shares, § 46.
South-western and Bristol and Exeter Companies may apply Money for Purposes of Act, § 48.

Cap. xciii.

"Manchester Corporation Waterworks Act, 1860."

Recites their Acts of 1847, 1848, 1854, and 1858; that by the Act of 1858, Section Two, it is provided that in all Cases in which "the Domestic Water Rate," as fixed by the Act of 1847, would, in respect of any Dwelling House or Shop or Building used as a Dwelling House, amount in any Year to less than 5*s.*, the Corporation may demand and recover from the Occupier thereof the Sum of 5*s.*, except only in Cases where any such Dwelling House or Shop or Building used as a Dwelling shall, together with other Dwelling Houses or Shops or Buildings used as Dwelling Houses, be supplied with Water by means of Standpipes or other external Apparatus, in which Cases the Corporation are empowered to demand and recover from the Occupier thereof the Sum of 4*s.*; that as the Premises in respect of which such respective Sums of 5*s.* and 4*s.* may be demanded, are Premises in respect of which, by the Act of 1847, the Owner as well as the Occupier is liable to be rated in respect of a Supply of Water, but Doubts exist whether under the recited Provision of the Act of 1858 the Owner of the Premises therein mentioned is liable to be rated, and it is expedient that such Doubts should be removed, and that the Provisions of the several recited Acts, or some of them, should be amended, and further Provision made for preventing the wilful or negligent Waste of Water within the District which the Corporation are empowered to supply with Water, and that the Corporation should be empowered to raise a further Sum of Money for the general Purposes of their Waterworks Undertaking.

Owner may be rated in respect of Premises referred to in Section Two of the Act of 1858, § 2.
Regulations for preventing Waste of Water supplied by the Corporation, § 3.

Conditions of Supply, § 4.
Repair of Pipes, &c., by the Corporation, § 5.
Penalty for Waste of Water by Non-repair of Pipes, &c., § 6.
Particulars of Penalties shall be published, § 7.
Corporation may let for Hire Meters, § 8.
Powers to Corporation for ascertaining Quantity consumed by Meter, and for removing Meters, § 9.
Penalty for affixing Tubes to Pipes of Corporation without their Consent, § 10.
Power to borrow a further Sum of 195,000*l.*, § 12.
Certain Provisions of Act of 1854 to apply to the Money so borrowed, § 13.
Repeal of Clause in Act of 1848, imposing Penalty in case of Failure to supply prescribed Quantity of Water, § 14.
Penalty on Failure to supply prescribed Quantity of Water, § 15.
Saving Rights of Corporation of Salford, § 16.

Cap. xciv.

"The Stourbridge Railway Act, 1860."

Proposes to make a Railway from the Oxford, Worcester, and Wolverhampton Railway at Stourbridge, in the County of Worcester, to Old Hill, in the County of Stafford, with Branches to Cradley Park, in the County of Worcester, and Corngreaves Ironworks, in the County of Stafford; to authorize the Oxford, Worcester, and Wolverhampton Railway Company to contribute to the said Undertaking, and to enable the Company and the Oxford, Worcester, and Wolverhampton Railway Company to make and enter into such Agreements and Arrangements as are herein-after authorized, with respect to the maintaining, working, and Use of the Lines of Railway belonging to the said Companies respectively, and the Regulation and Management of the Traffic thereon, and the Division and Apportionment of the Profits arising therefrom.
Incorporation of General Acts, §§ 1, 3.
Subscribers incorporated, with a Capital of 80,000*l.* in Shares of 10*l.*, and Power to borrow 26,600*l.*, §§ 4 to 11.
Power to Oxford Company to subscribe 10,000*l.*, §§ 12, 13.
Meetings; Directors, §§ 14 to 21.
Line of Railway and Branches, §§ 22, 23.
Communications with the other Railways, § 24, and §§ 26 to 28.
For Use of Line and Station of the Oxford Company at Stourbridge, § 25.
Communication to be made from North to South Side of Railway for Deposit of Spoil and Refuse from Cradley Forge Works, § 29.
Railway to be constructed on South Side of Centre Line, § 30.
Sidings to be constructed at Cradley Forge, § 31.
Three Years for the compulsory Purchase of Lands, § 33.
Four Years for Completion of Works, §§ 34, 38.
Regulating certain Roads, §§ 35 to 37.
Tolls, §§ 39 to 47.
Power to make Traffic Arrangements with Oxford Company, §§ 48 to 59.

Cap. xcv.

"The Wellington (Salop) Waterworks Act, 1860."

Recites the Deed of Settlement of the Wellington Waterworks Company, and Registration of the Company under Joint Stock Companies Acts; that they have constructed Reservoirs and other Works, and raised 4,500*l.* of Share Capital and 1,500*l.* of borrowed Money; that it is expedient that Company be incorporated, and authorized to accept a Grant in Fee (in consideration of a yearly Rent) of certain Lands now held by them on Lease; and that the existing Powers of the Wellington (Salop) Commissioners to purchase the Undertaking be confirmed.
Limits of Act, § 3.
Extending Provisions of General Acts to this Act, § 4.
Re-establishment of Wellington Waterworks Company, § 5.
Saving of Rights and Liabilities, §§ 6 to 14.
Capital, 8,000*l.* in all, § 15.
Consolidation of Shares of old Company into Stock subject to the same Trusts, §§ 16, 17.
Power to raise 3,500*l.* by new Shares, § 18.
Power to continue subsisting Mortgages, § 19.
Power to raise further Sum of 500*l.* by Mortgage, §§ 20, 21.
Rate of Dividend to be 10*l.* on old and 8*l.* on new Shares, § 23.
Directors; Meetings, §§ 26 to 34.
Rates; Penalties, §§ 35 to 50.
Incapacitated Persons may make Grants of Lands, §§ 51 to 54.
Restrictions may be imposed upon Grants of Lands, &c. to the Company, § 55.
Reservoir Provisions, §§ 56 to 65.
Powers of Purchase of Undertaking granted by Wellington (Salop) Improvement Act, § 66.

Cap. xcvi.

"The Maidstone Waterworks Act, 1860."

Incorporation of General Acts, § 1, and §§ 3, 4.
Limits of Act, § 5.
Incorporation of Company, with a Capital of 20,000*l.* in Shares of 10*l.*, and Power to borrow 5,000*l.*, §§ 6 to 14.
Directors, &c., §§ 15 to 20.
Power to make Waterworks, § 21.
Supply of Water to Kent County Lunatic Asylum, § 22.
Discontinuance of Supply after Notice, § 23.
Providing for additional Supply to Asylum, § 24.
Saving the Rights of the Maidstone Pavement Commissioners, § 25.
Providing against Loss of Water to the Commissioners, § 26.
Daily Supply of Water to be ascertained by Meter, § 27.
Penalty for not making up Deficiency in daily Quantities, § 28.
Power for Company to inspect Reservoirs of Commissioners, § 29.
Power for Engineer of Commissioners to test Meters, § 30.
Supply of Water to Commissioners for public Purposes, § 31.
Before any Works affecting the South-eastern Railway Company are commenced, Working Plans and Sections to be submitted to their Engineer, and Works to be constructed under Superintendence of their Engineer, §§ 32, 33.
Springs on or under Lands of Thomas Beckett not to be taken or diverted, § 34.
For Protection of the Proprietors of the Medway Brewery at Maidstone, § 35.
Provisions of Waterworks Clauses Act as to breaking up Streets, &c. to extend to Turnpike Roads, &c. within Limits of Act, § 38.
Three Years for compulsory Purchase of Lands, § 39.
Five Years for Completion of Works, § 40.
Parties may grant Easements, §§ 42 to 45.
Water not necessarily under Pressure, § 46.
Rates; Supply of Water; Penalties, §§ 47 to 60.

Cap. xcvii.

"The Caledonian Railway (Lesmahagow Branches) Act, 1860."

Recites that by "The Caledonian Railway Act, 1845," the Caledonian Railway Company were incorporated; that by their

Motherwell Branch Extension Act, 1847, and Lesmahagow Branches Act, 1847, the Company were authorized to construct the Railways and Branch Railways in the County of Lanark therein specified, and for that Purpose to raise the Sums therein mentioned; that by their Lesmahagow Branches Act, 1851, the Capital authorized to be raised under the second and third recited Acts was restricted to the Sum of 150,000*l.*, which was thereby separated from the general Capital of the said Company, under the Name of "The Lesmahagow Branches Stock," and directed to be applied exclusively towards the Construction of so much of the Railways authorized by the second and third recited Acts as would connect the Lesmahagow Mineral Fields with the Clydesdale Junction and Wishaw and Coltness Railways in manner therein described, and the Profits arising from the Railways so to be constructed were appointed to be divided exclusively among the Holders of the said separate Stock, in proportion to the Number of Shares held by them respectively therein, and Provision was made for the Management and working of the said Railways separately from the other Portions of the Undertaking of the Caledonian Railway Company; that by their Lesmahagow Branches Act, 1854, certain Alterations of the Lines of Railway authorized by the herein-before recited Acts were directed to be made, and the Shares in the said Lesmahagow Branches Stock were divided into Two Classes, denominated respectively Class A Shares and Class B Shares; and the Profits arising from the said Lines of Railway, subject to the Burden of the Sum of 20,000*l.* thereby authorized to be borrowed on the Security of the said Lines, were appropriated to the said Two Classes of Shares, in the Order and Proportions therein specified; that under the Powers of the fourth and fifth recited Acts the Sum of 60,000*l.* has been raised by means of Class A Shares, and the Sum of 45,700*l.* has been raised by means of Class B Shares, and the Sum of 20,000*l.* has been borrowed on the Security of the said Lines of Railway, and the said several Sums have been applied in the Construction of the said Lines; that Inconvenience has arisen from the separate Management and working of the said Lines, and it is expedient that the same should be more completely merged in the Undertaking of the Caledonian Railway Company, and that the said Lesmahagow Branches Stock should be extinguished, and the Holders thereof should cease to have the Management of the said Lines, and in lieu of the Profits arising therefrom should be entitled to receive from the Caledonian Railway Company a fixed perpetual Annuity, and that the said Holders should be incorporated, and should have a Lien over the said Lines for securing such Annuity; that the Holders of the Class A Shares and Class B Shares in the said Lesmahagow Branches Stock have agreed with the Caledonian Railway Company and with each other, that the Amount of the said Annuity shall be 5,885*l.*, of which 3,600*l.* shall be divisible rateably among the Holders of the said Class A Shares, and 2,285*l.* shall be divisible rateably among the Holders of the said Class B Shares; that the Cost of Construction of the said Lines of Railway has exceeded the Amount of the Sums raised and borrowed as aforesaid; and it is expedient that the said Company be authorized to raise, by means of Preference Shares in their own Undertaking, the Portion still unissued of the Capital authorized by the fourth and fifth recited Acts to be raised in manner aforesaid, and to borrow such additional Monies as, together with the Sum already borrowed as aforesaid will amount to One Third Part of the said Capital.

Extinction of the Lesmahagow Branches Stock or Shares, § 3.
Lesmahagow Branches to form an integral Part of Undertaking of Caledonian Railway Company, § 4.
General Saving of Rights under recited Acts, § 5.
Incorporation of Guaranteed Company, § 6.
Certain Provisions of 8 & 9 Vict. c. 17. to apply to this Act, § 7.
Meetings of Directors of Guaranteed Company, §§ 8 to 14.
Auditors need not be Shareholders, § 15.
Power to close Register of Transfers, § 16.
Expenses of Guaranteed Company to be borne by that Company, § 17.
Fixed Annuity to be paid to the Guaranteed Company, § 18.
Time and Mode of Payment of Annuity, § 19.
Apportionment of Annuity, § 20.
Guaranteed Company to be deemed Creditors of the Company for the said Annuity, § 21.
And to have a Lien therefor over the Lesmahagow Branches, § 22.
Lien may be enforced by Appointment of Judicial Factor, § 23.
Appointment and Powers and Duties of Judicial Factor, §§ 24, 25.
Company may, on Payment or Consignation, apply to Court to recal Factory, § 26.
Company restrained from defeating Lien, § 27.
Directors to keep an Account of the Revenues of the Lesmahagow Branches during Factory, § 28.
Directors to keep Accounts of the Working Expenses of the Lesmahagow Branches during Factory, § 29.
Directors, on Requisition, to keep Accounts at Expense of Guaranteed Company, § 30.
Copy of the Accounts to be rendered to the Guaranteed Company, and adjusted, § 31.
Saving Rights of Creditors of Guaranteed Company, § 32.
Company may raise not exceeding 44,300*l.* by Shares, with or without a Preference not exceeding 5*l.* per Cent., §§ 33, 34.

XXXV. When and so often as the Sum of 20,000*l.* borrowed as aforesaid upon Mortgage on the special Security of the Lesmahagow Branches, or any Part of such Sum, shall be paid off, it shall be lawful for the Company to reborrow upon Mortgage, on the Security of their Undertaking, any Sum or Sums of Money not exceeding the Amount so paid off; and after the whole of the said additional Share Capital of 44,300*l.* shall have been subscribed for, and One Half thereof shall have been paid up, and the Company shall have proved to the Sheriff, who is to certify under the Provisions contained in the 42d Section of "The Companies Clauses Consolidation (Scotland) Act, 1845," before he so certifies, that all such additional Capital has been subscribed for bonâ fide, and is held by Subscribers or their Executors or Assignees, and for which such Subscribers or their Executors or Assignees are legally liable, it shall be lawful for the Company from Time to Time to borrow upon Mortgage, on the Security of their Undertaking, and if paid off again to borrow, any Sum or Sums of Money not exceeding in the whole 30,000*l.*, in addition to the said Sum of 20,000*l.*, and to the Amount which they are or may be authorized to borrow by any other Act of Parliament: Provided always, that the Sums so to be borrowed under the Powers of this Act shall be applied only to the Objects and Purposes herein-before specified in relation to the Application of the Money to be raised by the Creation of Shares or Stock in the Company: Provided also, that all Mortgages, Bonds, and Debenture Stock, for which or for the Interest whereof the Company are lawfully liable, and which shall be in force at the

Time of the passing of this Act, shall, during their Subsistence, have Priority over any Mortgage to be granted by the Company under the Powers of this Act.
Incorporation of Portion of Companies Clauses Act, § 36.

Cap. xcviii.

"City of Dublin Steam Packet Company's Act, 1860."

Recites Formation of Company under Deed of Settlement in 1828; that it was constituted a Joint Stock Company with the usual Powers by 9 Geo. 4. c. lxvi., with a Capital of 225,200*l.*; that by Two subsequent Acts the Capital was further increased to 450,000*l.*; that by "The Improved Postal and Passenger Communication between England and Ireland Act, 1855," the London and North-western and the Chester and Holyhead Railway Companies were authorized to contract with the Company to provide additional Steam Boats for the Conveyance of Mails and Passengers between Holyhead and Kingstown or Howth, and to secure Payment of such Rent or other Consideration as might be mutually agreed upon; that in pursuance of the Act of 1855, the Company have undertaken to provide, at a Cost of more than 300,000*l.*, Four Steam Vessels of great Power, and calculated to attain a very high Rate of Speed, to be used for the better Conveyance of Mails and Passengers between England and Ireland; that the whole of the Company's Capital of 450,000*l.* has been paid up and expended for the Purposes of their Undertaking, in providing a large Number of Steam Vessels engaged in the Conveyance of Mails, Passengers, Animals, and Things between England and Ireland, and in other Property; that it is of great public Importance that the Steam Vessels to be provided by the Company for the Conveyance of Mails and Passengers between England and Ireland should be provided without Delay, and it is expedient that the Company be authorized to raise further Monies for the Purposes thereof, and that the Company be incorporated.
Company incorporated, § 2.
General Saving of Rights under recited Acts and Deeds of Settlement, §§ 3, 4.
Capital, § 5.
Power to raise additional Capital, § 6.
Application of additional Capital, § 7.
Calls, § 8.
Separate Accounts of additional Capital to be kept, § 9.
Contingency Fund, § 10.
Dividends on Shares, § 11.
Company to be Company in Ireland, and Subscribers to be entitled to Benefit of Sect. 19 of 3 & 4 Will. 4. c. 115,—§ 12.
Saving Rights of other Companies, § 13.

Cap. xcix.

"The Letterkenny Railway Act, 1860."

Incorporation of General Acts, §§ 1, 2.
Subscribers incorporated, with a Capital of 100,000*l.* in Shares of 10*l.*, and Power to borrow 33,300*l.*, §§ 4 to 9.
Meetings; Directors, §§ 12 to 22.
Power to make Railway, §§ 23 to 25.
Roads to be crossed on a Level, §§ 26 to 29.
Admiralty Provisions, §§ 30 to 33.
Three Years for compulsory Purchases, § 35.
Five Years for Completion of Railway, §§ 36, 40.
Junction with the Londonderry and Enniskillen Railway, §§ 37 to 39.
Tolls, §§ 41 to 50.
Traffic Arrangements with Londonderry and Enniskillen Railway Company, §§ 51 to 57.

Cap. c.

"The Cork and Limerick Direct Railway Act, 1860."

Recites that a Railway from the Great Southern and Western Railway, at or near Charleville, to the Limerick and Foynes Railway, at or near Patrick's Well, and also a short Line of Railway from the Limerick and Foynes Railway, near Limerick, would complete a direct Line of Railway Communication between the Ports and Cities of Cork and Limerick, and would be of great public Advantage; that it is expedient that the Company incorporated by this Act should be enabled by Agreement to run over and use with their Engines and Carriages the Portions of the Great Southern and Western and Limerick and Foynes Railways, herein-after mentioned; and that the Company and the Great Southern and Western Railway Company should be enabled to enter into Agreements for the Working and Maintenance by the Great Southern Company of the Undertaking of the Company; and also to provide with respect to Facilities for the Exchange of Traffic between the Railways of the Company and of the Great Southern Company and Limerick and Foynes Railway Company, and to enable the Company to make Agreements with the other Companies with respect to the Facilities to be afforded for such Purpose.
Incorporation of Acts, § 1.
Subscribers incorporated, with a Capital of 100,000*l.* in Shares of 10*l.*, and with Power to borrow 33,000*l.*, §§ 3 to 7.
Meetings; Directors, §§ 11 to 20.
Power to make Railways, §§ 21, 22.
Company not to construct an independent Station at Limerick, if the Waterford and Limerick Railway Company shall be willing to afford all necessary Accommodation at their existing Station, or any Extension thereof which may be requisite, § 23.
Company may require the Waterford and Limerick Railway Company to furnish them with a Scheme, § 24.
Arbitrators or Umpire to have Power to determine all Matters in relation to the Station, § 25.
Lands of John Vandeleur not to be taken except by Consent, § 26.
Lands to be purchased by Compulsion within Three Years, § 29.
Five Years for Completion of Railway, §§ 30, 51.
As to Communication with the Great Southern and Western and Limerick and Foynes Railway, §§ 31 to 33.
Tolls, §§ 34 to 43.
Power to use a Portion of the Great Southern and Western and Limerick and Foynes Railways, § 44.
Power to enter into Traffic Arrangements with the Great Southern and Limerick Companies, or either of them, § 45.
Power to enter into Working Agreements, §§ 46 to 50.

Cap. ci.

"The Oswestry and Newtown Railway Act, 1860."

Recites Incorporation of Company by the "Oswestry, Welchpool, and Newtown Railway Act, 1855," with Power to make a Railway from Oswestry, in the County of Salop, to Newtown, in the County of Montgomery; proposes to authorize them to raise an additional Capital of 100,000*l.* and also to cancel all or any of the unissued or forfeited Shares, and to accept a Surrender of certain other Shares in the existing Capital of the Company, and to create and issue new Shares, with a Preference Dividend or other Rights and Privileges attached, as well to the Shares created in lieu of the Shares so unissued or forfeited or surrendered, as also to the Shares

created for the Purpose of obtaining the additional Capital by this Act authorized to be raised, to extend the Time for the compulsory Purchase of Lands, and for the Completion of the Works; recites that a certain Road in the Parish of Oswestry has been carried over the Railway by means of a Bridge, the Inclinations of which are steeper than those prescribed by "The Railways Clauses Consolidation Act, 1845," incorporated with the recited Act; and it is expedient to authorize the Maintenance of such Inclinations; proposes to carry into effect an Agreement entered into for the User by the London and North-western and Shrewsbury and Welchpool Railway Companies of a Portion of the Railway of the Company between Welchpool and Buttington, and to enable the Company to lease their Undertaking, and also to enable the Company on the one hand, and the Newtown and Machynlleth and the Llanidloes and Newtown Railway Companies on the other hand to enter into Working and other Arrangements.

Power to cancel unissued Shares, §§ 3 to 8.
Confirming Forfeiture of Shares prior to passing of Act, § 9.
Power to raise 100,000*l.* additional Capital, and also to create new Shares in lieu of Shares cancelled, &c., § 10.
Power to reissue cancelled or forfeited Shares, with or without Preference Dividend not exceeding 5*l.* 10*s.* per Cent., §§ 11, 12.
Power to cancel new Shares created but not issued, § 13.
Incorporating certain Provisions of Companies Clauses Act, § 17.
Power to borrow 25,000*l.* on Mortgage or Bond in lieu of raising such Amount by Shares, §§ 18, 19.
Power for compulsory Purchase of Land revived and extended for Nine Months, and Compensation, §§ 21, 22.
Two Years more for Completion of Railway, §§ 23, 24.
Contracts not to be prejudiced, § 25.
Incorporation of Lands Clauses and Railways Clauses Consolidation Acts, § 26.
Power to cross certain Road on the Level, § 27.
Power to take Lands for Purposes of level Crossings, § 28.
As to Approaches of certain Bridges, § 29.
Authorizing Arrangements with the Two Companies, §§ 30 to 34.
Power to London and North-western Railway Company and for Shrewsbury and Welchpool Railway Company to use the Buttington Junction and Buttington and Welchpool Line, §§ 35, 36.
Payment by way of Commutation of Tolls to be made by them to Company, §§ 37, 38.
Tolls for Buttington and Welchpool Line to be paid to London and North-western Railway Company, § 39.
Accounts and Payments of Tolls, § 40.
Company to lay down Two Lines of Rails in Buttington and Welchpool Line, and to keep Buttington and Welchpool Line in good working Order, §§ 41, 42.
Expenses of Buttington Junction chargeable to Shrewsbury and Welchpool Railway Company, § 43.
Option for Shrewsbury and Welchpool and London and North-western Railway Companies to use Company's Station at Welchpool, § 44.
Saving Rights of Shrewsbury and Welchpool and London and North-western Railway Companies, § 45.
User to be had pending Determination of Terms and Conditions, § 46.
Power to make Arrangements with the Llanidloes and Newtown Railway Company for Construction and Use of Station at Newtown, § 47.
As to Use of Station at Newtown, § 48.
Arrangement between the Companies may be carried out by Deeds, § 49.
Power to appoint Joint Committees, § 50.
Power to lease the Railway, § 51.
Lease may be modified by the Board of Trade, § 52.
Provisions of Lease, §§ 53, 54.
Powers vested in the Company may be exercised by the Lessee, § 55.
Lease of Railway not to affect Third Parties, § 56.
Schedules.
1. (Form.)
2. (Lands that may be purchased by Compulsion.)

Cap. cii.

"The Coln River Waterworks Act, 1860."

Recites that it is expedient to provide a better Supply of Water for Places within the Limits specified in the Act.

II. The Limits of this Act for the Supply of Water by the Company shall be as follows; (that is to say,) the Towns, Parishes, and Places of Staines, Hayes, Harlington, Stanwell, Ashford, East Bedfont, Lampton, Hounslow, Feltham, Sunbury; so much of the Parish of Isleworth as lies within 100 Yards South of the Hounslow Road, between the East Boundary of Feltham and the River Brent, and all that Part of the said Parish of Isleworth which lies North of the said Hounslow Road, Heston, Norwood, Hanwell; so much of the Parish of Ealing as lies North of Little Ealing, in a straight Line between Boston House and Fordhook House, Greenford, Perivale, Twyford, Harrow-on-the-Hill, Pinner, Stanmore, Edgware, and Kingsbury.

Incorporation of General Acts, §§ 3, 4.
Incorporation of Company, with a Capital of 60,000*l.* in Shares of 10*l.*, and Power to borrow 15,000*l.*, §§ 5 to 11.
Meetings; Directors, §§ 12 to 18.
Power to purchase Lands, &c. by Agreement, § 19.
Power to make Works, § 20.
Company to acquire an Easement only through Lands of the Duke of Northumberland, and to execute Works on his Lands to Satisfaction of his Engineer, § 21.
Protection of J. W. Finch, Esq., § 22.
Protection of James Rickman and others, § 23.
Limits of vertical Deviation, § 24.
Three Years for the compulsory Purchase of Land, § 25.
Five Years for Waterworks to be made, § 26.
Saving Rights of the Grand Junction Canal Company, § 28.
Directing the Mode of executing the Works, § 29.
In case of Obstruction to the Grand Junction Canal, § 30.
Water not necessarily under Pressure, § 31.
Rate at which Water is to be supplied for Domestic Purposes, § 32.
Which shall be deemed Domestic Purposes, § 33.
Rates for Waterclosets, § 34.
Houses to be supplied under certain Regulations, § 35.
Water for other than Domestic Purposes to be supplied by Agreement, § 36.
Contracts for supplying Water for public Purposes, § 37.
Water may be cut off in certain Cases, § 38.
Penalties, &c., §§ 39 to 45.
Reservoir Provisions, §§ 46 to 55.
Provisions relating to the Conservancy of River Thames, §§ 56 to 59.
For the Protection of the King's or Longford's River, § 60.
Direction for laying of Pipes under the Metropolis Roads, §§ 61 to 65.
Provisions for the Protection of the London and South-western Railway Company, §§ 66 to 72.

Cap. ciii.

"London and South-western Railway (Exeter and North Devon) Act, 1860."

Recites that under "The London and South-western (Exeter Extension) Railway Act, 1856," the London and South-western Railway Company are authorized to make and maintain the Exeter Extension Railway, being a Railway from Yeovil to Exeter, in continuation of the Salisbury and Yeovil Railway, and that they are proceeding with the Execution thereof, and are making a Terminal Station thereon at Exeter, called the Queen's Street Station; that the Bristol and Exeter Railway Company have a Terminal Station at Exeter on the Bristol and Exeter Railway, called the Saint David's Station; that the Distance between the Queen Street Station and the Saint David's Station is Fifty Chains, or thereabouts; that the Line of the South Devon Railway joins the Bristol and Exeter Railway at or near the Saint David's Station, and the South Devon Railway Company have certain Lines of Railway, Sidings, and Works made on Lands belonging to them adjoining to the Saint David's Station; that the Exeter and Crediton Railway, and the North Devon Railway, and the Bideford Extension Railway, form together One continuous Line of Railway from the Junction near to Cowley Bridge of the Bristol and Exeter Railway with the Exeter and Crediton Railway, and by means of the Bristol and Exeter Railway, and the Exeter and Crediton Railway, and the North Devon Railway, and the Bideford Extension Railway, there are Means of continuous Railway Communication between Exeter and Bideford; that there was heretofore on the Exeter and Crediton Railway a Railway on the Narrow Gauge and also on the Broad Gauge, but at present only One Line of Railway thereon, which is on the Broad Gauge, is in Condition for Use; that on the North Devon Railway there is only a single Line of Railway on the Broad Gauge, and on the Bideford Extension Railway only a single Line of Railway on the Broad Gauge; that it is expedient that the South-western Company be authorized to make a Railway from and in continuation of their Exeter Extension Railway to the Saint David's Station, and that Provision be made for the laying down of Rails on the Narrow Gauge on the Bristol and Exeter Railway in and through the Saint David's Station, and thence to Cowley Bridge, so as to form a Junction with the Bristol and Exeter Railway at the Northern End of the Saint David's Station, and to communicate at Cowley Bridge with a Narrow Gauge Line of Railway on the Exeter and Crediton Railway; that it is expedient that the Bristol and Exeter Company and the South-western Company, or One of them, be authorized to make Sidings, Sheds, and other Works in and near to the Saint David's Station, proper and sufficient for the Interchange of Traffic there between the Railways of the Bristol and Exeter Company and the South-western Company, and other Railways communicating with the Saint David's Station; that it is expedient that Provision be made for the Restoration or Addition on the Exeter and Crediton Railway of Rails on the Narrow Gauge, and for adding Rails on the North Devon Railway and the Bideford Extension Railway respectively, so that there may be proper Provision thereon for the passing of Engines and Carriages on the Narrow Gauge, and so that the Narrow Gauge Rails by this Act authorized to be laid down between the Exeter Extension Railway and Cowley Bridge and the Narrow Gauge Rails on the Exeter and Crediton Railway, and on the North Devon Railway, and on the Bideford Extension Railway, may form One continuous Line of Railway; that it is expedient that Provision be made for the Working and User by the South-western Company of the Exeter and Crediton Railway, and the North Devon Railway, and the Bideford Extension Railway respectively; but with respect to the Exeter and Crediton Railway not so as to prevent the Working and User thereof on the Broad Gauge by the Bristol and Exeter Company; also that Provision be made for the leasing of the Exeter and Crediton Railway, and the North Devon Railway, and the Bideford Extension Railway respectively to the South-western Company, but with respect to the Exeter and Crediton Railway not so as to prevent the Working and User thereof on the Broad Gauge by the Bristol and Exeter Company; also that Provision be made for the Interchange of Traffic between the Railways from Time to Time belonging to or worked or used by the South-western Company, and the Bristol and Exeter Company, and the South Devon Company respectively, and also for the Transmission of Traffic on those Railways; that the authorized Capital of the Exeter and Crediton Company is the Sum of 70,000*l.*, in 2,800 Shares of 25*l.* each, and the further Sum of 20,000*l.*, in 1,000 Shares of 20*l.* each, and they are authorized to borrow to the aggregate Amount of 29,999*l.*; that the Exeter and Crediton Company issued their original Capital of 70,000*l.* as ordinary Capital, whereof the South-western Company hold Shares to the Amount of 43,475*l.*, and the Bristol and Exeter Company hold Shares to the Amount of 25,775*l.*, and the Exeter and Crediton Company issued their further Capital of 20,000*l.* as preferential Capital, bearing 5*l.* per Centum per Annum Interest, and 12,000*l.*, Part thereof, is held by the South-western Company, and 8,000*l.*, Residue thereof, is held by the Bristol and Exeter Company; that the whole of the Capital of the Exeter and Crediton Company has been paid up and expended, and they have borrowed and expended the Sum of 27,500*l.*, Part of the Sum of 29,999*l.* which they were authorized to raise by borrowing; that it is expedient that the Exeter and Crediton Company be authorized to raise further Monies for the Purposes of the Exeter and Crediton Railway; that the Undertaking of the North Devon Railway and Dock Company consists of what were originally Two Undertakings, (to wit) the Taw Vale Railway and Dock, and the Taw Vale Extension Railway; that the authorized Capital of the North Devon Company consists of their Taw Vale Railway and Dock Capital of 15,000*l.*, in 750 Shares of 20*l.* each, and their Taw Vale Extension Railway Capital of 426,400*l.*, in 26,650 Shares of 16*l.* each; that of the Capital of 15,000*l.* of the North Devon Company the Sum of 13,100*l.* has been paid up and expended, and the Sum of 1,900*l.*, Residue thereof, is not yet paid up; that the Sum of 318,779*l.*, Part of the Capital of 426,400*l.* of the North Devon Company, has been paid up and expended, and the Sum of 107,621*l.*, Residue thereof, is not yet paid up; that the South-western Company hold Shares to the Amount of 113,280*l.* of the Capital of 426,400*l.* of the North Devon Company, and the Bristol and Exeter Company hold Shares to the Amount of 1,600*l.* of that Capital; that the Capital of the Bideford Extension Railway Company is 55,000*l.*, in 5,500 Shares of 10*l.* each, and they are authorized to borrow 10,000*l.*; that the whole of that Capital has been paid up and expended, and they have borrowed and expended the whole Amount which they are authorized to borrow; that it is expedient that the Bideford Extension Company be authorized to raise further Capital for the Purposes of the Bideford Extension Railway; that it is expedient that the South-western Company be authorized to raise Monies for the Purposes of this Act, and to advance Parts of the Monies so raised to the Exeter and Crediton Company, and the North Devon Com-

pany, and the Bideford Extension Company respectively; also that the South-western Company, the Bristol and Exeter Company, the South Devon Company, the Exeter and Crediton Company, the North Devon Company, and the Bideford Extension Company respectively be authorized to enter into Arrangements for the Purposes of this Act.
Incorporation of Lands and Railways Clauses Acts and of Part of Companies Clauses Act, §§ 2, 3.
Power for South-western Company to take Lands, §§ 5, 7.
Two Years for compulsory Purchase of Lands, § 6.
Power for Bristol and Exeter and other Companies to use Lands for Purposes of Act, § 9.
Power for South-western Company to make Works, § 10.
Railway and Works to be made by South-western Company, § 11.
Three Years for Completion of Railway, §§ 13, 14.
Junction with Bristol and Exeter Railway, § 15.
Signals, &c., § 16.
Works to be executed by South-western Company and Bristol and Exeter Company, § 17.
Works to be executed by South-western Company, Exeter and Crediton Company, North Devon Company, and Bideford Extension Company, § 18.
Execution of Works by South-western Company, § 19.
Powers of other Companies to be exercised by South-western Company, § 20.
Communications between Narrow Gauge Rails, § 21.
Contracts and Arrangements between South-western Company and the other Companies, § 22.
Contracts between South-western Company and Bristol and Exeter Company, § 23.
Agreements between South-western Company and Bristol and Exeter and other Companies as to Expenses and Compensation, § 24.
Arbitration, § 25.
Sanction of Shareholders for Contracts, § 26.
Restrictions as to Contracts, § 27.
Approval and Revision by Board of Trade, §§ 28 to 30.
Agreement between South-western Company and Bristol and Exeter Company in First Schedule confirmed, § 31.
Agreement with South-western Company and South Devon Company in the Second Schedule confirmed, § 32.
Power for South-western Company to work over the Railways, § 33.
Terms and Conditions of working over to be settled by Agreement or Arbitration, § 34.
Retroactive Operation of Agreement or Award as to Terms and Conditions, § 35.
Power for Exeter and Crediton Company, North Devon Company, and Bideford Extension Company to lease their Railways, &c. to South-western Company, § 36.
Powers and Duties of Lessor Company to be had and performed by South-western Company, § 37.
South-western Company to indemnify Lessor Company against those Duties, § 38.
Railways worked over by South-western Company to be deemed continuous for Tolls, § 39.
Power for Companies to raise Money by new Shares, § 40.
Limit of Amounts to be raised by new Shares, § 41.
Regulations as to new Shares, §§ 42, 43.
Limits of Profits applicable to preferential Dividends, § 44.
Saving existing Preferences, § 45.
Cancelling unissued new Shares, and Issue of new Shares instead, §§ 46 to 51.
Dividends on new Shares, § 53.
Provisions of South-western Company's Act of 1856 as to Shares extended to new Shares under this Act, § 54.
Power for Companies to borrow, § 55.
Limit of Amounts to be borrowed, § 56.
Priority for existing Mortgages, § 58.
Act not to prejudice Company's Powers as to Capital and borrowing, § 59.
Power for the South-western Company to take Shares of and lend Money to other Companies, § 60.
Companies may apply Monies for Purposes of this Act, § 61.
Application of Monies raised under Act by new Shares and by borrowing, § 62.

Cap. civ.

"Royal Naval School."

Recites that by the 3 Vict. c. lxxxvi., being "An Act for the "Establishment and Government of the Institution called "the Royal Naval School," after reciting that at a Public Meeting, held in London on the 11th Day of July 1831, it had been resolved that a School should be established for the Education of Children of Officers in the Royal Navy and Marines, to be called the Royal Naval School, in which the Madras System of Education should be followed, and reciting that in the Year 1833 the said School was opened at Alfred House, in the Parish of Camberwell, in the County of Surrey, and that a considerable Number of Boys, the Sons of Officers of the Royal Navy and Marines (several of whom were Orphans, whose Fathers had fallen in the Service of their Country), had been received and educated therein according to the Madras System in general Knowledge, combined with careful Instruction in the Principles of the Christian Religion, it is enacted, that the said Institution should be a Body Corporate and Politic by the Name of "The Royal Naval School," and by the same Name should have perpetual Succession and a Common Seal, with Power to have, hold, receive, enjoy, possess, and retain for the Purposes of that Act, and in trust for the Benefit of the said Institution, all such Sums of Money as had been or should be paid, given, devised, or bequeathed by any Person or Persons for the Purposes of the said Institution; and the Corporation thereby created was empowered to purchase, take, or receive, hold and enjoy, any Lands, Tenements, or Hereditaments, for any Estate or Interest whatsoever, for the Purposes of the said Institution, and to enter into Contracts, Bonds, and other Acts, Deeds, and Assurances for effectually carrying that Act into execution; and the Corporation thereby created was empowered from Time to Time to appoint a Committee, to be called the Council of the said Institution, which Council should have such or so many of the Powers, Authorities, and Discretion by that Act given to and vested in the said Corporation, as the said Corporation should from Time to Time think proper to delegate to such Council; and by the said Act it is enacted, that such Sums of Money as had been, or at any Time thereafter should be paid, given, devised, or bequeathed to and for the Purposes of the said Institution, or any Part thereof, except such and so much thereof as the Exigencies of the said Corporation should call for the immediate Application or Expenditure of, should or might, at the Discretion of the said Corporation, be invested in the Purchase of any Lands, Tenements, or Hereditaments by the said Act authorized to be purchased by the said Corporation, and should and might from Time to Time in the meantime, and at such Discretion as aforesaid, be invested in the Name of the said Corporation, or in the Name or Names of any Person or Persons on behalf of the said Corporation, in any of the Public Funds, and such Stock, Funds, or Securities be varied at the Discretion of the said Corporation; and by the said Act it is further enacted,

that the General Meetings of the said Corporation should have full Power to superintend, regulate, and control all the Affairs and Concerns of the said Institution, and should have full Power and Authority from Time to Time to make such Rules, Orders, and Byelaws as to them should seem proper for governing, regulating, ordering, and managing the said Institution, and the Officers, Servants, and Persons employed in and about the Affairs thereof, and the Applications and Qualifications for Admission to the said School, and for auditing the Accounts of the said Institution, or otherwise relating thereto, and from Time to Time to alter and repeal such Orders, Rules, and Byelaws, or any of them, and to make others, and that all Rules, Orders, and Byelaws so made as aforesaid, being reduced into Writing, and the Common Seal of the said Institution affixed thereto, should be printed and binding on all Persons, provided that the same were reasonable, and not contrary or repugnant to the Statutes, Customs, or Laws of that Part of the United Kingdom called England, or any of the express Directions or Provisions of the said Act; that at a General Meeting of the Corporation of the Royal Naval School, held on the 15th June 1841, divers Rules, Orders, and Byelaws for governing, regulating, ordering, and managing the said Institution called the Royal Naval School, and made under the Provisions of the herein-before recited Act, were passed, and having first been reduced into Writing, and the Common Seal of the said Institution affixed thereto, were printed; and under the said Rules, Orders, and Byelaws no Child was eligible for Admission into the said School, other than the Sons of such Officers in Her Majesty's Navy and the Royal Marines as, according to the Regulations then existing, or any Regulations to be thereafter made by the Lord High Admiral of Great Britain, or the Commissioners for executing that Office, then were or thereafter might be entitled to Mess in the Ward Room, commonly called Ward Room Officers, and the Sons of Officers of any higher Rank in Her Majesty's Navy and the Royal Marines; that under the 8 & 9 Vict. c. xxii. the Committee for the Management of the Patriotic Fund became, on Payment by them of the Sum of 8,000*l.* to the Royal Naval School, which Sum they paid accordingly, entitled to the perpetual Right of nominating by their Chairman, as therein provided, Twelve Boys, qualified as to Parentage, Age, and otherwise, according to the Byelaws for the Time being in force for the general Regulation of the said School, and subject to the Exception and Restrictions contained in the said Act for Admission into the said School as Pupils there, in manner in the said Act mentioned; but the same Act preserved to the Corporation of the Royal Naval School the Powers and Authorities by the herein-before recited Act given to them, of making any new Byelaws, or altering or repealing the then existing Byelaws, or any of them, and the other Powers, Authorities, and Provisions in that Act mentioned, subject to a Proviso that such existing or any future Byelaws, and such Provisions as aforesaid, should not in any way alter, abridge, or affect the Powers by the Act under recital given to the said Committee for managing the said Patriotic Fund, and their Chairman for the Time being, to make the Nominations provided thereby; that by the 14 & 15 Vict. c. xxix. Power was given to the Royal Naval School, by Byelaws to be from Time to Time passed at any General Meeting of the Members of the said Corporation, to authorize the Admission into the said School of the Children of Persons not being Officers in Her Majesty's Navy or in the Royal Marines, upon such Terms and Conditions, subject to such Restrictions, and with such Privileges and Advantages, as should be provided in and by such Byelaws, or any of them; but the same Act or any such Byelaw is not to take away, lessen, or interfere with any Right, Privileges, or Advantages theretofore possessed or enjoyed by the Sons of Officers in Her Majesty's Navy or in the Royal Marines, then being Pupils in the said School, nor is that Act or any such Byelaw to extend to enlarge or vary the Qualification to be possessed by Boys admissible into the same School, on the Nomination of the Chairman of the Committee of the Patriotic Fund, in exercise of the Power given to the said Committee or the Chairman thereof by the herein-before recited Act of the 8 & 9 Vict. c. xxii., or to authorize the Chairman of the said Committee to nominate as a Pupil in the said School any Boy not being the Son of an Officer in Her Majesty's Navy or the Royal Marines of the Rank therein-before mentioned, but such Children, and such Children only, are by the Act under recital to be qualified and eligible for Admission into the said School as Pupils there, on the Nomination of the Chairman of the said Committee, as would have been qualified or eligible for Admission into the said School on such Nomination, according to the Byelaws passed on the 15th Day of June 1841, the Provision in the First Section of the said recited Act of the 8 & 9 Vict. c. xxii. (that the Qualification as to Parentage, Age, and otherwise to be possessed by Boys to be admitted into the said School, on such Nomination as aforesaid, shall be according to the Byelaws for the Time being in force for the general Regulations of the said School), to the contrary notwithstanding; and by the Act under recital the Corporation of the Royal Naval School is empowered to acquire and hold, for the Purposes of that Institution, Lands, Tenements, or Hereditaments, not exceeding 40 Acres, exclusive of Lands then vested in them, or in Trustees for them, or to be mortgaged to or in trust for them, or charged in their Favour, and is also empowered to invest the Monies of the Institution on Mortgage of Hereditaments of a clear and indefeasible Estate of Inheritance in Fee Simple in England or Wales, but not in Ireland; and by the same Act it is enacted, that Two Thirds at least of the Members of the Council of the Institution shall always be Officers in Her Majesty's Navy or in the Royal Marines; that at a General Meeting of the said Corporation of the Royal Naval School, held in the Year 1851, the Rules, Orders, and Byelaws so made and passed as herein-before mentioned were repealed, and divers other Rules, Orders, and Byelaws for governing, regulating, ordering, and managing the said Institution called the Royal Naval School, and made pursuant to the Provisions contained in the herein-before (in Part) recited Acts were passed, and having first been reduced into Writing, and the Common Seal of the said Corporation affixed thereto, have been printed, and thereby full Power and Authority is given to the Council for the Time being to direct the Affairs and Business of the Corporation in (amongst other Matters) the receiving and disposing of Money to be received or disposed of for the Purposes of the same, and in making all Contracts or Bargains in anywise concerning the same, and in extending or diminishing the Number of Pupils admitted at the said School, and generally in managing the said School, subject to the Rules, Orders, and Byelaws thereby made, or to be thereafter made from Time to Time, pursuant to the Provisions of the said recited Acts of Parliament; and the Council is empowered to fix and determine from Time to Time the Number of Boys to be admitted as Pupils into the School, and the Times of their Admission, and whether the Boys so to be admitted, or any and what Number of them, shall or shall not necessarily be the Sons of Officers holding such Rank in Her Majesty's Navy or in the Royal Marines as aforesaid, and the Sum of Money to

be paid for the Board and Education of each Boy or Class of Boys so to be admitted, and to make such Rules and Regulations for the good Government and Management of the School as the Council shall from Time to Time deem expedient; and under the said Rules, Orders, and Byelaws made and passed as last aforesaid, the Children primarily eligible for Admission into the said School are to be the Sons of such Officers in Her Majesty's Navy and the Royal Marines as according to the Regulations then existing, or any Regulation that might thereafter be made by the Lord High Admiral of Great Britain, or the Commissioners for executing that Office, then held or might thereafter be entitled to hold the Rank commonly called Wardroom Rank, and the Sons of Officers of any higher Rank in Her Majesty's Navy or the Royal Marines, and the Children of Persons not being Officers in Her Majesty's Navy or the Royal Marines, and the Children of Persons being Officers in Her Majesty's Navy and the Royal Marines, but not holding the Rank aforesaid, are also eligible for Admission into the said School upon certain Terms and subject to certain Restrictions; and in admitting Pupils into the said School, a Preference is always to be given to Sons of Members of the Corporation, and no Pupil can be admitted into the School under the Age of 8, or after the Age of 14 Years, nor can be allowed to remain there after the Age of 18 Years, unless (according to a Byelaw subsequently made) under special Circumstances to be allowed by the Council; and no Pupil can be admitted into the said School, either for the First Time or after any Vacation or Holiday, until the Medical Officer in that Behalf appointed by the Council shall have certified by Writing under his Hand that such Pupil is free from all contagious Disease; and by the said Rules, Orders, and Byelaws all Nominations theretofore made, or thereafter to be made as therein aforesaid, are to be entered in a Book to be kept for that Purpose, according to the Order in which the Payments therein-before mentioned should be made, and all Vacancies in the School are to be filled up according to the Priority of the Entry of such Nomination as aforesaid; and by the said Rules, Orders, and Byelaws, the Council is empowered at any Time, if they think fit, to admit any Child into the School without a Nomination on the additional annual Payments therein mentioned for his Board and Education being made, also to admit from Time to Time as Pupils into the said School such a Number of the Sons of Officers of the Rank therein-before mentioned as the Council shall deem expedient, without the Payment of any annual or other Sum for Board and Education or otherwise; and the Council are also empowered to admit from Time to Time as Pupils into the said School, such a Number of the Sons of Officers of the Rank therein-before mentioned as the Council should deem expedient, upon such reduced annual Payments as the Council should think fit; and by the said Rules, Orders, and Byelaws it is declared, that in admitting Pupils into the said School, either gratuitously or upon such reduced annual Payment as therein-before mentioned, a Preference shall always be given to the Sons of such Officers as may have fallen in the Service of their Country; that an Arrangement was recently come to between the Corporation of the Royal Naval School, acting by its Council, and Her Majesty's Commissioners of the Patriotic Fund appointed by Her Majesty's Commission, dated the 7th of October 1854, acting by their Executive Committee, to the Effect that the said Commissioners should, out of the Patriotic Fund, pay the Sum of 8,000*l.* Sterling to the Royal Naval School for the general Purposes of that Institution, and that in consideration of such Payment, the Commissioners for the Time being of that Fund should have the Right of nominating for Admission into the School of the Royal Naval School as Pupils there, Seven Boys originally, and other Boys from Time to Time for ever in their Places respectively as Vacancies shall occur, such Nominations to be made by the Executive Committee for the Time being of the said Commissioners, and such Boys so to be nominated to be the Sons of Naval and Marine Officers of or above Wardroom Rank, and such Admission to be subject to the Payment annually of 7*l.* and no more, to the Corporation of the said Royal Naval School, by the Parents or Guardians of each of such Pupils for the Time being boarded and educated in the said School; and all such Pupils to be entitled to have and enjoy the same Privileges and Advantages, and to be subject to the same Discipline and Restrictions, and be governed in the same Manner as the other Pupils for the Time being in the said School; and such Right of Nomination not to be affected by any existing or future Byelaw, and no future Byelaw to be applicable to the Pupils admitted on such Nomination as aforesaid, unless it extend generally to all the Pupils for the Time being of the said Institution being the Sons of such Officers as aforesaid; and that Doubts having been entertained of the Power of the said Corporation of the Royal Naval School to grant the Rights, the Subject of the herein-before recited Arrangement, that Arrangement was not further proceeded in; and although the Completion of such Arrangement would be advantageous to the Royal Naval School, yet from the Doubts aforesaid, that Object cannot be effectually accomplished without the Authority of Parliament.

On Payment of 8,000*l.* to the Royal Naval School, the Royal Commissioners of the Patriotic Fund, by their Executive Committee, empowered to nominate Seven Boys as Pupils at 7*l.* a Year, and to supply Vacancies in their Places for ever, § 1.

Seven Nominations may be made independently of Vacancies in the School, § 2.

Afterwards the Nominations to be made only on Vacancies occurring, § 3.

Nomination to be made by the Chairman or some other Person authorized for the Time being of the Executive Committee to make the same, § 4.

Nominees to be admitted into the School within One Month after such Nomination, § 5.

Power to Executive Committee of Her Majesty's Commissioners, by their Chairman or some Person authorized by them so to do, to remove Pupils, § 6.

Executive Committee or Secretary of Her Majesty's Commissioners to be furnished yearly, on request, with List of Pupils on their Nomination in the School; and to be informed of Vacancies as they occur in the Places of such Pupils other than Vacancies by Renewals, § 7.

On Rejection of a Nominee of the Royal Commissioners, their Secretary to be apprized in Writing of the Fact and Cause, § 8.

Royal Naval School not to be bound to provide at their Expense, for the Pupils of the Nomination of the Royal Commissioners, any extra Teaching, or anything not provided without extra Payment for the other Pupils, § 9.

Royal Commissioners of Patriotic Fund may appoint Two of their own Body to be Members of Corporation of Royal Naval School, and fill up Vacancies, § 10.

Act not to limit Powers of Royal Naval School to make and repeal Byelaws, &c., so that no Byelaws affect the Rights of Royal Commissioners or other Officers, § 11.

No future Byelaw to apply only to Nominees under this Act, § 12.

How Rights of Royal Commissioners under this Act to be exercised in case of the Commissioners being incorporated, or in the other Events mentioned, § 13.

Cap. cv.

"The Cardiff Waterworks Act, 1860."

Recites Incorporation in 1853, with a Capital of 45,000*l.*, and Power to borrow 9,000*l.*; proposes to extend Limits and Works and to raise further Monies.
Incorporation of Lands and Waterworks Clauses Acts and Parts of Companies Clauses Consolidation Act, §§ 2 to 5.
Limits for Water Supply, § 6.
Powers to make new Waterworks and to purchase Lands, § 7.
Power to take Water, § 8.
Limiting Quantity of Water to be taken from the River Ely, § 9.
For ascertaining Quantity of Water taken from River Ely, § 10.
Company not to interfere with Property of Penarth Harbour, Dock, and Railway Company without Consent, § 11.
Power to deviate, § 12.
Five Years for Completion of Works, § 13.
Company by Agreement may purchase and take on Lease Land for extraordinary Purposes, and Streams and Springs, § 14.
Owners may grant Easements, § 15.
Power for Justices to order Inquiry into State of Reservoirs, §§ 16 to 25.
Restricting Interference with Property of South Wales Railway Company, §§ 26 to 28.
Extending Sections of the recited Act as to Rates and Water Supply to this Act, § 29.
Penalties, §§ 30 to 36.
Power to raise additional Capital of 100,000*l.* by Shares, § 37 and §§ 39 to 47.
Power to borrow to the Amount of One Third of paid-up Capital for the Time being, §§ 48 to 51.

Cap. cvi.

"The Blyth Harbour and Dock Act, 1860."

Recites that by their Act of 1858 their original Act of 1854 was repealed, and the Company was authorized to continue and maintain so much of the Outer Works by the Act of 1854 authorized as was then completed, and to make and maintain the other Works (including the Remainder of the outer Works and a Tidal Basin and a Dock), by the Act of 1854 authorized; that they have proceeded to put the recited Act into execution, and have, under that Act, completed the Portion of the outer Works called the Eastern Breakwater, and nearly the whole of the other outer Works, consisting of the Western Breakwater and the dredging and deepening of the navigable Channel; that the Company cannot complete the outer Works, Basin, and Dock respectively within the several Periods limited, and it is expedient that further Time be granted for such Completion; that the Company require further Lands for the Purposes of their Undertaking, and it is expedient that the Company be authorized to purchase compulsorily the Lands so required; that the Company are under the recited Act empowered to acquire and intend to acquire the existing Ferry across the River Blyth from South Blyth to the North End of their Eastern Breakwater, and it is expedient that the Company be empowered to work or discontinue the same, and to establish and work other Ferries across the River Blyth, and to levy Tolls in respect of the existing Ferry and future Ferries; that up to the 31st Day of December 1859, the Company had expended 78,900*l.* and upwards in the Construction of the Works, and for the Purposes of their Undertaking, and are continuing such Expenditure, and by means thereof the Harbour has been greatly improved, and will be further improved, and the Accommodation and Convenience of the Public have been and are largely promoted; but the Rates which under the recited Act the Company are entitled to demand are insufficient to afford them a fair Return on the Capital expended, and it is expedient that the Company be empowered to demand the Rates by this Act granted; and that the recited Act be amended.
Lands Clauses Act incorporated, §§ 2, 3.
Extension of Time, *i.e.* the outer Works to be completed by 31st December 1860, the Basin by 31st December 1864, and the Dock by 31st December 1867, § 4.
Power to take Lands on deposited Plans for Purposes of Undertaking, § 5.
Admiralty Provisions, §§ 6 to 8.
Two Years for compulsory Purchase of Lands, § 9.
Power to work existing Ferry across River Blyth, § 10.
Power to establish other Ferries, and to make Byelaws, § 11.
Tolls for existing Ferry, and for future Ferries, § 12.
Ferries to be free on Payment of Tolls, and Recovery of Tolls, § 13.
Additional Rates on Coals, &c., § 14.
Provisions of recited Act to apply to Rates on Goods under this Act, § 15.
Company to deepen Channel up to Cowpen Quay, § 16.
Company to deepen Channel opposite Sir M. W. Ridley's Quay, and place Buoys in the River, § 17.
As to Depth to be maintained in Entrance Channel, § 18.
Suspension of Rates on default, § 19.
Questions to be settled by Justices and Appeal, §§ 20 to 22.
Three Fourths of the Rates to be applied annually in deepening the River and providing Mooring Buoys, § 23.
Power to increase or diminish Number of Directors, § 24.
Saving Rights of the Crown and of Owners, &c. of Netherton Colliery, §§ 25, 26.
Schedule (A. Ferry Tolls.)

Cap. cvii.

"The Wexford Free Bridge Act, 1860."

Recites that by the 10 & 11 Vict. c. ccxxx. for constructing and maintaining a Bridge across the River Slaney, near the Town of Wexford, with Approaches, and for taking down the present Bridge there, and by the 14 & 15 Vict. c. cxxiv. the Trustees were empowered to construct, according to the Plan referred to, a new Bridge across the River Slaney, at Wexford, which should be free to the Public without Payment of Toll; that by the said Acts the said Trustees were also empowered to take down and remove the existing Bridge across the said River at Wexford, and to purchase the Interests of the several Persons interested in the last-mentioned Bridge, and Provision was made for Payment to such Persons of Compensation for their respective Interests therein, and the Amount of such Compensation, having been ascertained and settled at the Sum of 10,000*l.*, has now been paid to the Persons entitled thereto; that by the first-recited Act the Trustees were authorized to raise for the Purposes thereof the Sum of 25,000*l.*, with Interest, and it was provided that Two Fifth Parts of the said Sum (amounting to 10,000*l.*), with Interest, should be paid by the Treasurer of the County of Wexford out of the County Cess, and that the Sum of 3,200*l.* was so raised and paid; that by the second-recited Act the Grand Jury of the County of Wexford were required at the Spring Assizes for the Year 1852 to present the Sum of 8,400*l.*, with Interest thereon, being (as stated in that Act) the Balance then unassessed and unpaid of the Sum of 10,000*l.* by the first-recited Act authorized to be paid by the said Treasurer as aforesaid, and the said Grand Jury did accordingly present the said Sum of 8,400*l.*, and that Sum has been levied and paid to the said Trustees; that the Master of the Rolls in Ireland has decided that the Sum of

1,600*l.* levied in the Year 1856 (being the last Portion of the said Sum of 8,400*l.*) was presented and levied in error, and is not legally applicable to the Purpose of building the said Free Bridge, and it is expedient that the said Trustees should obtain the Authority of Parliament to retain and to apply to that Purpose the said Sum of 1,600*l.*; that the Sums by the recited Acts authorized to be raised have been found insufficient for the Purpose of paying the said Compensation and completing the said Free Bridge; that the said Free Bridge has only been partially constructed, and the Period appointed by the second-recited Act for the Completion thereof and for the Removal of the existing Bridge is insufficient, and it is expedient that the Powers of the said Trustees for such Completion and Removal should be extended and amended, and that the other Powers granted to them by the said Acts should be continued, and that they should be authorized to construct Approaches to the said Free Bridge from the Roads leading from Wexford to Enniscorthy and to Castlebridge respectively, and to improve a Portion of the last-mentioned Road; and that for these Purposes they should be empowered to receive and expend, and the Grand Jury of the County of Wexford should be authorized to present, a further Sum of Money, and also a Sum sufficient to defray the Expense of the Construction of additional Approaches to the Southern End of the Free Bridge; that in accordance with a Resolution of the said Grand Jury, adopted at the Summer Assizes of the Year 1856, a Bill was introduced into Parliament in the Session held in the 20th and 21st Years of the Reign of Her present Majesty, to authorize the said Trustees to complete the said Free Bridge, but that Bill was not passed into a Law, and it is expedient that the said Trustees should be authorized to pay the Costs of promoting the said Bill in Parliament out of the Funds which they are authorized to raise.

Incorporation of recited Acts, § 3.
Trustees for carrying Act into execution, and Continuance of their Powers, § 4.
Incorporation of Lands Clauses Act, § 5.
Description of Works to be constructed, &c., §§ 6 to 10.
Admiralty Provisions, §§ 11 to 13, and §§ 15, 16.
Trustees to deposit in Bank 1,500*l.* to be applied towards Removal of old Bridge and Causeway, § 14.
Works when completed and opened to become County Works, § 17.
Three Years for compulsory Purchase, § 18.
Five Years for Completion of Works, § 19.
Grand Jury of County of Wexford authorized to present Money towards Cost of Works authorized by this Act, § 20.
Treasurer to pay Instalments half-yearly to Trustees, § 21.
Grand Jury may present a further Sum for the Construction of additional Approaches to the Bridge if they think fit, § 22.
Power to borrow, § 23.
Commissioners of Public Works in Ireland empowered to lend, § 24.
Application of certain Clauses of the first-recited Act (*i.e.* §§ 81 to 89 inclusive), § 25.
Former Presentment by Grand Jury confirmed, § 26.
Application of Monies, § 27.
Powers of Trustees to expire at the End of Ten Years, § 28.
Saving Rights of the Crown, § 29.
Schedule (Forms.)

Cap. cviii.

"The Cilgwrgan, Bettws, and Tregynon Road Act, 1860."

Recites that the making of a new Turnpike Road from the Oswestry and Newtown Railway, at or near Cilgwrgan, in the Parish of Llanmerewig, in the County of Montgomery, over the River Severn, to Pont Perchyll, and thence to Tregynon, in the same County, would be of great Advantage; that so much of the Turnpike Road included within the First District of the Montgomeryshire Roads as defined and authorized by an Act passed in the Fourth Year of the Reign of His late Majesty King William the Fourth, intituled "An Act for improving and maintaining certain Roads "in the Counties of Montgomery, Merioneth, Salop, and "Denbigh," as is situate between Pont Perchyll aforesaid and Aberbechan Wharf, might advantageously be widened, altered, and made available for the Purposes of such new Road, and that as the Construction of the Road will improve the Access to and facilitate and encourage the Traffic upon the Railway of the Oswestry and Newtown Railway Company, it is reasonable that they should be enabled to subscribe towards the Cost of such Construction.

Appointment of Trustees and Committees, §§ 3 to 6.
Road to which this Act is applicable, § 7.
Power to make Road according to deposited Plans, &c., § 8.
Trustees empowered to deviate, § 9.
Lands Clauses Act not to apply, § 11.
As to Construction of certain Provisions of General Turnpike Acts, § 12.
Freehold, &c. of Lands to remain in Owners of adjoining Lands, § 13.
Trustees to have Power of digging and using Lands, &c., § 14.
Trustees restrained from pulling down Houses not in Book of Reference, § 15.
Three Years for compulsory Purchase of Lands, § 16.
Five Years for Completion of Works, § 17.
For Protection of Property of Shropshire Union Railways and Canal Company, § 18.
For preventing Obstructions to Canal, § 19.
Saving Rights of Company, § 20.
Tolls, §§ 21 to 27.
Horses, &c., drawing Road Materials, Manure, &c. in Carriages with narrow Wheels to be liable to Toll, § 29.
Or if Road Materials are to be used in distant Townships, § 30.
Entrances to Fields, &c. to be made with hard Materials, § 31.
Power to borrow 7,500*l.*, § 32.
Power to Oswestry and Newtown Railway Company to subscribe 4,000*l.*, § 33.
Application of Monies to be borrowed, § 34.
Application of Tolls, § 35.
As to Mode of discharging Debt, § 36.
Mortgagees to take possession for Payment of Interest only, § 37.
No Tolls to be taken or Money laid out in Towns, § 38.

Cap. cix.

"The Croydon and Balham Hill Railway Act, 1860."

Proposes to authorize the London, Brighton, and South Coast Railway Company to make a Railway from the London, Brighton, and South Coast Railway in the Parish of Croydon to the West End of London and Crystal Palace Railway, near Balham Hill in the County of Surrey, with a Branch Railway connected therewith.

Incorporation of Lands and Railways and of certain Parts of Companies Clauses Acts, §§ 1 to 5.

Power to make Railway, §§ 6, 7.
Dimensions of certain Bridges, § 8.
Dimensions of certain other Bridges, § 9.
As to Road numbered 59 in the Parish of Croydon, § 10.
As to the Surrey and Sussex Roads, § 11.
Fences to be erected on each Side of the Railway for a Distance of 100 Feet, § 12.
Land for additional Stations, &c., § 14.
Two Years for compulsory Purchase, § 15.
Three Years for Completion of Works, § 16, 17.
Application of Funds, § 18.
Power to raise 100,000*l.* with or without a Preference not exceeding 5*l.* per Cent., §§ 19 to 28.
Company may cancel unissued new Shares, and issue others instead, § 29.
Power to borrow 33,000*l.*, §§ 31, 32.
Tolls, § 34.
As to short Distances, § 35.

Cap. cx.

"Consett Waterworks Act, 1860."

Incorporation of General Acts, §§ 1 to 4.
Limits of Act, § 5.
Incorporation of Company, with a Capital of 25,000*l.* in Shares of 5*l.*, and Power to borrow 6,250*l.*, §§ 6 to 12.
Meetings; Directors, §§ 13 to 20.
Power to make Waterworks, § 21, and §§ 23, 24.
Certain Springs not to be taken, § 22.
Provisions of Waterworks Clauses Act as to breaking up Streets, &c., to extend to Turnpike Roads, &c. within Limits of Act, § 25.
Reserving Right of the Stockton and Darlington Railway Company to take certain Water from certain Springs for Steam Engines and Station Purposes, §§ 26, 27.
Protecting Rights of Dean and Chapter of Durham, § 28.
Company may purchase Lands, not exceeding Five Acres, for additional Purposes, §§ 29 to 33.
Five Years for Completion of Works, § 34.
Limiting Pressure of Supply of Water, § 35.
For preventing Accidents from Reservoirs, §§ 36 to 44.
Rate at which Water to be supplied for domestic Purposes, §§ 45, 46.
Rates for Waterclosets and Baths, § 47.
For preventing of fouling of Water, § 48.
Supply of Water; Rates; Penalties, §§ 49 to 66.

Cap. cxi.

"The Watford and Rickmansworth Railway Act, 1860."

Proposes to make a Railway from the London and North-western Railway at Watford to Rickmansworth.
Incorporation of General Acts, § 2.
Incorporation of Company, with a Capital of 40,000*l.* in Shares of 10*l.*, and Power to borrow 13,000*l.*, §§ 3 to 9.
Meetings; Directors, §§ 10 to 17.
Power to make Railway, §§ 18, 19.
Inclination of Road, § 20.
Three Years for compulsory Purchase, § 22.
Four Years for Completion of Works, §§ 23, 24.
Court of Chancery may order Payment of surplus Deposit, § 25.
Tolls, §§ 26 to 33.
Mode of effecting Junction with the London and North-western Railway, §§ 34 to 36.
The London and North-western Railway Company to work the Railway, § 37.
London and North-western Company may contribute towards Funds of Company 10,000*l.*, with a Preference of 5*l.* per Cent., § 38.
Power for London and North-western Company to nominate Person to vote at Meetings of Company, §§ 43 to 45.
Saving Rights of London and North-western Railway Company, § 46.
Protecting Grand Junction Canal, §§ 47 to 50.

Cap. cxii.

"The Egleston Roads Act, 1860."

Recites 10 Geo. 4. c. xxvii.; proposes to continue the Term, and to add other Roads to the Trust.
Recited Act repealed, and this Act to be put in force, § 1.
All Arrears of Tolls and Monies vested in Trustees, §§ 4 to 6.
Trustees appointed, §§ 7 to 10.
Roads to which this Act is applicable, § 11.
Power to maintain the adopted Highways as Turnpike, § 12.
Trustees empowered to deviate from Plan, §§ 13 to 15.
Lands Clauses Act not to apply, § 16.
As to Construction of certain Provisions of General Turnpike Acts, § 17.
The Freehold and Inheritance of Lands to remain vested in Persons of whom they were purchased, § 18.
The Right of Way to cease when Lands are not wanted, § 19.
Trustees to have the same Power of cutting and digging as if they had purchased the Fee Simple, § 20.
Limiting the Time for the Purchase of Property, § 21.
Style of the Trust, § 22.
Present Tolls continued until new Tolls appointed, §§ 23, 24.
No Toll Gate to be set up upon the new Road, § 25.
Tolls, §§ 26 to 32.
Defining the Amount of the Debt, § 33.
Subscriptions to be paid as agreed, § 34.
Application of Monies and Tolls, § 35.
As to Mode of discharging Debt, § 37.
Act to be in force for 21 Years from 1st November 1860, § 39.

Cap. cxiii.

"Bolton and St. Helen's Turnpike Roads Act, 1860."

Recites 10 Geo. 4. c. lxxxv., that 7,501*l.* is owing upon the Trust; proposes to continue the Trust, and to regulate certain Railways or Tramways which now cross the Roads.
Act to be in force for 21 Years from 1st January 1861, § 3.
Act to be extended for Discharge of Debt and Maintenance of Roads, § 4.
Trustees, §§ 5, 6.
Repeal of recited Act, §§ 7 to 11.
Meetings of Trustees and Committees, §§ 12, 13.
Regulations as to Railways crossing the Roads on the Level, § 14.
Authority to alter Railway of John Fletcher and others, or to substitute another, and Regulations as to same, § 15.
Substituted Railway to be subject to Regulations of existing Railways, § 16.
Owners may remove Surface to make Railways under the Roads, § 17.
Enabling Trustees to allow future Railways to cross Roads, § 18.
Entrances to Fields, § 19 to 21.
Existing Toll Gates continued, § 22.
Additional Toll Gates, § 23.
Trustees may dispose of certain Toll Houses, § 24.
Tolls, §§ 25 to 30.

Road through Burton Wood not to be Portion of Trust after Payment of the Debt and Interest, § 31.
Application of Monies, § 32.
Trustees and Surveyors of Highways to enter into Arrangements for giving up Portion of Road in the Township of Burton Wood, § 33.
Trustees Power to collect Tolls to cease after Road through Burton Wood shall be given up to Township, § 34.
Reduction of Rate of Interest on present Mortgage Deed to 4*l.* per Cent., § 35.
Mortgagees to take possession only on Nonpayment of Interest, § 36.
Provisions as to paying off Mortgages, §§ 37 to 42.
Schedule. (Mortgagees.)

Cap. cxiv.

"The Dublin and Drogheda Railway Act, 1860."

Recites the several Acts relating to the Company; proposes to extend their Railway from Kells to Oldcastle, and to provide for Transfer of Stock.
Incorporation of General Acts, § 2.
Power to make Railway, §§ 3, 4.
Works to form Part of Undertaking, § 5.
Three Years for compulsory Purchase, § 6.
Five Years for the Completion of Works, §§ 7, 8.
Certain Roads to be crossed on a Level, §§ 11 to 13.
Tolls and maximum Charges, §§ 14 to 16.
Debenture Stock under Act of 1859 may be transferred, subject to the Provisions of the "Companies Clauses Consolidation Act, 1845," § 17.

Cap. cxv.

"The North British Insurance Company's Act, 1860."

Recites Contract of Copartnery of 2 Nov. 1809, Grant of Charter of 1 March 1824, a Supplementary Contract of Copartnery of 4 May 1824, and an Act of 8 & 9 Vict. c. 28., that their Capital now extends to 1,000,000*l.*, divided into 5,000 Shares of 200*l.*, proposes to alter the Number and nominal Value of the Shares, to enable the Company to extend their Business, and amend the Powers of the Directors.
Act 8 & 9 Vict. c. 28. repealed, § 2.
Object and Business of the Corporation, § 4.
Division of Expenses and Profits, § 5.
Capital Stock to consist of 100*l.* Shares, § 6.
Shares, Registration, and Transfer, §§ 7 to 10.
Corporation may hold a limited Number of Shares, § 11.
Memorial of Shareholders to be registered in Books of Council and Session, § 12.
Meetings; Directors; Voting; Byelaws, §§ 13 to 26.
Books to be kept separate for Fire and Life Business, § 27.
Investment of the Funds of the Corporation, § 28.
Corporation may purchase or sell Annuities issuable out of Land in Great Britain and Ireland, § 29.
Corporation may foreclose Mortgages or purchase Equity of Redemption, § 30.
Sale of Lands acquired by Foreclosure not to be delayed beyond Five Years, § 31.
Corporation may hold Lands without Licence in Mortmain, § 32.
Mode in which Shares may be transferred, and Policies assigned or discharged, § 34.
Transmission of Shares on Marriage, Death, or Bankruptcy of Shareholder, § 35.
Corporation not bound by Trusts, § 36.
Corporation may sue and be sued in England and Ireland and the Colonies, § 37.
Proof of Debts in Bankruptcy, § 38.
Arrestments of Shares to be loosed within Twelve Months, § 39.
Bankrupt Shareholder to forfeit Rights, § 40.
Executors and Trustees for bankrupt Shareholders, § 41.
Directors may sell Shares in certain Cases, and account for Proceeds, § 42.
Mode of advertising and conducting such Sales, § 43.
Power to acquire the Business of other Companies, § 44.
Arbitration, § 45.
Contracts of Copartnery and Royal Charter to continue in force, § 46.

Cap. cxvi.

"The Morayshire Railway (Junction) Act, 1860."

Recites that under their Act of 1846 the Morayshire Railway Company have constructed a Railway from the Elgin and Lossiemouth Harbour to the City or Royal Burgh of Elgin, and under their Act of 1856 a Railway from Orton to Craigellachie; proposes to authorize a Railway from Elgin to Rothes, to connect the Railways constructed by the Company as aforesaid; recites that under "The Abandonment of Railways Act, 1850," the Commissioners of Railways declared that the Share Capital of the Company should be reduced to 29,700*l.*, and that the Amount which the Company were authorized to borrow should be reduced to 9,900*l.*; that under their Act of 1856 the Company were authorized to raise the additional Sums of 25,000*l.* by Shares, and 8,333*l.* by borrowing on Mortgage or Bond; that the Capital which the Company have actually created consists of 4,108 ordinary Shares of 10*l.* each, upon which 39,349*l.* 10*s.* has been paid, 934 Five per Centum redeemable Preference Shares of 10*l.* each, upon which 9,340*l.* has been paid, and 422 Five per Centum perpetual Preference Shares of 10*l.* each, upon which 4,220*l.* has been paid, and the outstanding Debt of the Company amounts to 16,970*l.*; proposes to authorize the Company to raise, by the Creation of Shares in addition to their present Capital, and by Mortgage, such Sums of Money as may be necessary for the Purpose of constructing the Railway by this Act authorized, and to create Debenture Stock with a fixed Rate of preferential Dividend or Interest in substitution for their Mortgage and Bond Debt, or any Part thereof; also that the greater Portion of the said Five per Centum Preference Shares has been created subject to a Condition that the same may be redeemed by the Company, and it is expedient that the Company should be enabled to create Preference Shares at the same or a lower Rate of Interest for the Purpose of such Redemption.
Incorporation of General Acts, § 2, 3.
Power to make Railway, § 4.
Power to feu Lands, &c., §§ 5 to 8.
Two Years for compulsory Purchase, § 9.
Four Years for Completion of Works, §§ 10, 12.
Provision as to Tolls, § 13.
Charges for Weighing Machines, § 14.
Power to raise Capital of 40,000*l.*, §§ 15 to 18.
Power to borrow 13,300*l.*, §§ 19 to 21.
Company may create Debenture Stock with Interest not exceeding 4*l.* 5*s.* per Cent., §§ 22 to 28.
Power to create new Shares for the Purpose of redeeming existing Preference Shares, § 29.
Company may guarantee Dividend on and attach Preference to such new Shares, § 30.

Company may issue the new Shares in exchange for Preference Shares of the Class which such Shares were created to redeem, § 31.
Application of Monies raised by such new Shares, § 32.
Certain Provisions of Companies Clauses Act to apply to the new Shares, § 33.
Dividends on new Shares, § 34.
Saving Rights of existing Preference Shareholders, § 35.

Cap. cxvii.

"The Sovereign Life Assurance Company Act, 1860."

Recites Deed of Settlement constituting the Company in 1845, and its complete Registration in 1846, that Doubts had arisen with respect to the true Construction of certain Parts of the Deed of Settlement; proposes to enable the Company to sue and be sued in the Name of the Company, or the Secretary, or of any One of the Directors of the Company.
Company may sue and be sued in the Name of the Secretary or of any Director, §§ 2 to 4.
Members may sue and be sued by the Company, §§ 5 to 7.
Judgments, &c. to be enforced against the Company and the Members thereof, § 8.
Execution against former Members, § 9.
Reimbursement of individual Members, § 10.
Individuals paying under Execution to recover against the Company, § 11.
Contribution to be recovered from other Members, § 12.
Further Remedy in case of Bankruptcy of Members, § 13.
Remedy for Members who may be sued, § 14.
Criminal Proceedings to be in the Name of the Company or any Director or Secretary for the Time being, § 15.
Proprietors and Policy Holders may inspect Share Register to be kept at the Office of the Company, § 16.
Memorial of the Names of Secretary, Trustees, and Directors to be enrolled in Chancery, §§ 17 to 19.
Three Directors may issue Power of Attorney to sue for Foreign Debts, § 20.
Power to the Board of Directors to invest the Money of the Company in various Purchases and Investments in addition to those authorized by the Deed of Settlement, § 21.
Power to undertake Business of other Companies, § 22.
As to Assurances effected by the Company with other Companies, § 23.
Company may keep up Policies purchased, &c., § 24.
Annuities and Property on which Monies are secured vested in the Trustees of the Society, § 25.
Duty to be paid on Enrolment of Memorial of Trustees, § 26.
Duties under this Act to be deemed Stamp Duties, and subject to the same Regulations, § 27.
Trustees not to be personally liable, § 28.
Receipts of Trustees to be good Discharges, § 29.
Names of Trustees for the Time being to be entered on Court Rolls on every Change of Trustees, and the Lord to be entitled to the Fines, &c., § 30.
Shareholders may vote by Proxy, § 31.
Proxies to be lodged with Secretary, § 32.
Evidence of Majority of Votes at Meeting, § 33.
Power for Two Thirds of Proprietors to alter or repeal Provisions of Deed of Settlement, § 34.
Ordinary General Meeting, and Extraordinary, to adjourn if certain Number of Proprietors not present, § 35.
Company not to be incorporated by this Act, § 37.
Schedule. (Forms.)

Cap. cxviii.

"Doncaster and Tadcaster Turnpike Road Act, 1860."

Recites their Act of 1 & 2 Will. 4. c. xv., and that their Debt is 8,430*l.*, bearing Interest at 5*l.* per Cent.; proposes to repeal Act and extend the Term.
Act to commence on 1st October 1860, and to be in force 21 Years, § 3.
Act to be executed for Discharge of Debts and Maintenance of Road, § 4.
Trustees for executing Act, §§ 5, 6.
Repeal of recited Act and Saving of Rights, &c., §§ 7 to 16.
Meetings of Trustees, §§ 17, 18.
Toll Gates and Tolls, §§ 22 to 35.
Application of Monies, § 36.
Reduction of Rate of Interest on present Mortgage Debt to 2*l.* 15*s.* per Cent., § 37.
Interest not to accrue till Debt due to Treasurer from old Trustees paid, § 38.
Mortgagees to take possession only on Nonpayment of Interest, § 39.
Provisions as to Repayment of Mortgages, §§ 40 to 45.
Schedule.—(Mortgagees.)

Cap. cxix.

"The Auchterarder Muir Improvement Act, 1860."

Recites that certain Lands lying on the Western Side of the Burgh or Town of Auchterarder in the County of Perth, known as the Common Muir of Auchterarder, are at present uncultivated and waste, and the same might be rendered productive and valuable if properly improved and managed; that for upwards of Fifty Years the Rights to the said Common Muir of the Proprietor of the Estate and Barony of Auchterarder and of the various other Parties claiming to be interested therein have been the Subject of Litigation, but it has now been agreed that the said Litigation which has been asleep for some Years shall be abandoned, and that the said Lands shall be cultivated, managed, and disposed of, and the Revenues arising therefrom applied for the Improvement of the said Burgh or Town and its Vicinity, and the Benefit of the Inhabitants thereof, and it is expedient that Commissioners should be appointed for carrying out these Purposes.
Incorporation of Commissioners Clauses Act, § 2.
Appointment of Commissioners, §§ 3 to 9.
Qualification of Electors, § 10.
Mode of Election, § 11.
Chairman of Commissioners, § 12.
Annual Meeting of Commissioners, § 13.
Auditor of Accounts, § 14.
Auchterarder Muir vested in Commissioners for Purposes of Act, § 15.
Commissioners to receive Price of Portion of Muir taken by Crieff Junction Railway Company, § 16.
Commissioners to set apart Ground for Recreation and Market, § 17.
Market Dues for Cattle, &c., § 18.
Commissioners to maintain Curling Pond, § 19.
Commissioners may continue or close Quarry, § 20.
Power to improve, cultivate, and let Lands, § 21.
Power to feu out or let on long Leases Portion of Lands not exceeding Thirty Acres, § 22.
Power to dispose of Portion of Lands for a Burial Ground, § 23.

Power to borrow Money on Mortgage or Bond or by way of terminable Rentcharge, § 24.
Or on Cash Account, § 25.
Sinking Fund, § 26.
District defined, § 28.

Cap. cxx.

"The Symington Biggar and Broughton (Extension) Act, 1860."

Recites Incorporation of Company in 1858 for the Purpose of making a Railway from the Caledonian Railway, near the Symington Station in the County of Lanark, by Biggar, to Broughton in the County of Peebles; that by the said Act the Caledonian Railway Company were required to take and hold Shares in the Undertaking to the Extent of 7,500*l.*, and to work the Traffic on the said Railway thereby authorized upon the Terms and Conditions contained in the said Act, and in the Agreement therein recited and confirmed; proposes to extend the Company's Railway from Broughton to the County Town of Peebles, and that the Traffic on the proposed Extension from Broughton to Peebles might be conveniently worked by the Caledonian Railway Company, in connexion with the Traffic on the authorized Portion of Railway, which they are by the said Act required to work as aforesaid, and they are willing and it is expedient that they should be authorized to take and hold additional Shares in the Symington Biggar and Broughton Railway Company.
Incorporation of Lands and Railways Clauses Acts, §§ 2, 3.
Power to execute Works, § 4.
Certain Roads may be crossed on the Level, §§ 5 to 7.
Provisions of recited Act as to Acquisition of Lands in Feu applied to this Act, § 12.
Three Years for compulsory Purchase, § 13.
Five Years for Completion of Works, § 14, 30.
Confirming Agreements with the Earl of Wemyss and March, and with Sir Graham Graham Montgomery, Baronet, § 15.
Tolls, § 16.
Power to raise 75,000*l.* by Creation of Shares, § 17.
Caledonian Railway Company to contribute 15,000*l.*, § 18.
Caledonian Railway Company empowered to take further Shares, § 19.
Mode of voting by Caledonian Railway Company, § 20.
Power to Caledonian Railway Company to raise Money for the above Purposes, and to attach a Preference not exceeding 5*l.* per Cent., § 21.
Dividends on new Shares in Caledonian Railway Company, how to be paid, § 22.
Monies so raised not to be applied to any other Purposes, § 23.
Power to Company to borrow 24,900*l.*, § 24.
Incorporation of Portion of Companies Clauses Act, § 25.
Working Agreement with Caledonian Railway Company to apply to the Extension, § 26.
During Continuance of such Agreement, Tolls to be the same as on Caledonian Railway, § 27.

Cap. cxxi.

"Portadown, Dungannon, and Omagh Junction Railway Act, 1860."

Recites Incorporation in 1847 under the Title of "The Portadown and Dungannon Railway Company," and with Power to make a Railway from the Ulster Railway at Portadown in the County of Armagh, to the Town of Dungannon in the County of Tyrone, and to raise 154,775*l.* by Shares, and 51,585*l.* by borrowing; that by their Act of 1853 the Time limited by the Act of 1847 for the compulsory Purchase of Lands and Completion of the Railway was extended; that by "The Ulster and Portadown and Dungannon Railways Act, 1856," the Ulster Railway Company were empowered to become Shareholders in the Capital of the Portadown and Dungannon Railway Company, and to appoint One Director of that Company, and to enter into Arrangements for working the Portadown and Dungannon Railway; that in 1857 the Name of the Company was changed to the Name of "The Portadown, Dungannon, and Omagh Junction Railway Company," and they were empowered to relinquish a Part of the Railway authorized by the Act of 1847, near Dungannon, and to make a Railway, herein-after called the Extension Railway, from Dungannon, to join the Londonderry and Enniskillen Railway at Omagh, and to raise additional Sums of Money, not exceeding 100,000*l.* by the Creation of new Shares, and 33,000*l.* by borrowing, and to attach to any Shares forming Part of the original Capital of 154,775*l.* remaining unissued or forfeited or cancelled, a Preference or Priority in Payment of Dividend over the ordinary Capital, not exceeding the Rate of 6*l.* per Centum per Annum; and the Ulster Railway Company were authorized to subscribe an additional Sum of 40,000*l.*, and to take a Lease of the original Railway, and also to work the Extension Railway for a limited Period; and that Provision is thereby made for the Construction and Use of a Station at Omagh for the joint Use of the Company and of the Londonderry and Enniskillen Railway Company; that the Company have constructed, and some Time since opened for public Traffic, the original Railway from Portadown to Dungannon, and have commenced and are now proceeding with the Construction of the Extension Railway; proposes to make certain Deviations in the Line of the Extension Railway at or near Pomeroy, and at or near Termon, and to make a Branch Railway or Tramway to connect the Railway with the Lower Market at Omagh; that the Company have raised or issued the whole of the original Share Capital of 154,775*l.* (with the Exception of a Sum of 15,625*l.* or thereabouts, that is to say, 88,000*l.*, Part thereof, having been raised as ordinary Capital, and 51,150*l.* as Preference Capital), and have created and issued the Extension Capital of 100,000*l.*, with the Exception of a Sum of 11,250*l.*, and have borrowed 51,559*l.* 15*s.* 8*d.*, Part of the Sum of 51,585*l.* authorized to be borrowed by the Act of 1847; proposes to raise further Monies by the Creation of additional Shares and by Mortgage, and to authorize the Ulster Railway Company to become Lessees of the Extension Railway, and to take a Lease of the original Railway for a longer Period than the Term prescribed by the Act of 1857, and to make further Provision with respect to the Construction and Use of the Omagh Joint Station.
Incorporation of General Acts, §§ 2 to 5.
Power to make Deviations in Extension Railway, § 7.
Power to construct Branch Railway at Omagh, §§ 8, 9.
Company to abandon Parts of Line for which Deviations are substituted; Compensation, §§ 10, 11.
Certain Road may be crossed on a Level, §§ 12 to 15.
Two Years for compulsory Purchase, § 18.
Four Years for the Completion of Works, §§ 19, 20.
Power to raise additional Capital of 66,000*l.*, §§ 21 to 23.
Power to borrow 22,000*l.*, §§ 24, 25.
Extension of Powers as to Lease to Ulster Company, subject to Power to Board of Trade to determine Lease, §§ 27 to 30.
As to Joint Station at Omagh and Repeal of Section 47 of the Act of 1857, §§ 32, 33.
Facilities to Londonderry Company over Market Branch, § 34.
For preventing undue Competition between the Company and Londonderry Company, § 35.

As to the Fulfilment of Provisions of Act respecting the Londonderry Company, if that Company lease their Undertaking to the Dundalk and Enniskillen Railway Company, § 36.

Cap. cxxii.

"Disley and Hayfield Railway Act, 1860."

Proposes to make a Railway from a Point on the authorized Line of the Stockport, Disley, and Whaley Bridge Railway, in the Parish of Stockport, in the County of Chester, to Hayfield, in the Parish of Glossop, in the County of Derby, and to authorize the Company on the one Part, and the London and North-western Railway Company, the Manchester, Sheffield, and Lincolnshire Railway Company, and the Stockport, Disley, and Whaley Bridge Railway Company, respectively, on the other Part, to enter into such Arrangements as are herein-after mentioned with respect to the Railway and Works by this Act authorized.

Incorporation of Companies, Lands, and Railways Clauses Consolidation Acts, § 1.

Incorporation of Company, with a Capital of 45,000*l.*, and Power to borrow 15,000*l.*, §§ 3 to 10.

Meetings; Directors, §§ 11 to 15.

Power to make Railway and Works, §§ 16, 17.

As to Inclination of certain Roads, § 18.

Concerning the Sale and Working of Mines belonging to the Duchy of Lancaster, §§ 20, 21.

Saving the Rights and protecting the Works of the Manchester, Sheffield, and Lincolnshire Railway Company in respect of the Peek Forest Canal, §§ 22 to 29.

Communications with Stockport, Disley, and Whaley Bridge Railway, §§ 30 to 33.

For the Protection of Nathaniel Buckley, Esquire, § 34.

Provision as to Birch Vale Print Works, § 35.

Three Years for compulsory Purchase of Lands and for Completion of Railway, §§ 37 to 39.

Power to take Tolls, §§ 40 to 47.

Power to enter into Traffic Arrangements with London and North-western, Manchester, Sheffield, and Lincolnshire, and Stockport Railway Companies, § 48.

Duration and Conditions of Agreement, §§ 49 to 54.

Providing for Construction of Railway where the Marple, &c. Railway traverses the same Lands, § 55.

Junction may be made between Railway and Marple, &c. Railway, § 56.

Common Line may be made between Junction and Hayfield, § 57.

Saving Rights of the Duchy of Lancaster, § 58.

Schedule.—(Form.)

Cap. cxxiii.

"London and Blackwall Railway Act, 1860."

Recites the Act of 7 Will. 4. c. cxxiii. incorporating the Company, and the Act of 3 Vict. changing its Name; that the Railway authorized by "The London and Blackwall Extension Railway Act, 1845," belongs to the Company, and by means of it and the North London Railway, with which it unites, a Communication is effected with the Great Northern Railway, and also with the Midland and other Railways; that by the Authority of various Acts the Company have widened certain Parts of their Railway, and have purchased Lands and provided Sidings, Stations, and Works for Goods Traffic, and have erected Warehouses and Buildings for the Reception and storing of Goods; that the Expense incurred by the Company in effecting those Objects has been in excess of the Sums of Money which they were authorized to raise for those Purposes; that the Share Capital of the Company has, with the Exception of a small Portion thereof, been consolidated into Stock, and the Stock so consolidated represents the Sum of 1,382,210*l.*, and the Company are authorized to borrow 473,000*l.*, which has been raised, excepting the Sum of 8,000*l.* or thereabouts; that the Company have not created any Preference Shares; proposes to enable the Company to afford additional Accommodation for Goods Traffic at and near the Minories, and for such Purpose further to widen their Railway, to acquire additional Lands, to erect Stations and other Buildings, to construct a Branch Railway from the London and Blackwall Railway to the London Docks, and to enable the London Dock Company to assist in the Construction thereof; recites that the Great Northern and Midland Railway Companies are desirous of availing themselves of the Accommodation which the Company may provide for Goods Traffic in connexion with their Railway, and proposes to enable the Company and those Companies respectively to enter into certain Agreements; also proposes to authorize the Company to raise further Sums of Money in respect of their Expenditure in widening and improving their Railway, and in purchasing Lands as before mentioned, and also for the constructing the several Works by this Act authorized, and for purchasing the Lands required for those Works; and to convert their Mortgage and Bond Debt into a Debenture Stock.

Incorporation of Lands and Railways Clauses Acts, §§ 3, 4.

Power to widen, &c. Railway, and make Branch Railway, § 5.

Description of Works, § 6.

Property of John Earley Cook and certain Lands of W. M. Oppenheim not to be taken without Consent, §§ 7, 8.

Compulsory Powers to apply where Company require to buy the whole of a House or Manufactory, § 11.

Five Years for Completion of Works, §§ 12, 13.

Provisions of 2 & 3 Vict. c. xcv. for indemnifying Rectors and Impropriators of Tithes extended to this Act, § 14.

Company to restore Streets, Sewers, Drains, &c., §§ 15, 16.

Local Rates to be made good, § 17.

For Protection of Sewers in City of London, § 18.

Crossing of Streets, §§ 19 to 21.

Arches to be lighted, § 22.

Penalties and Rates to be recovered, § 23.

For Protection of Sewers of Metropolitan and other Boards, § 24.

Bridge over Upper East Smithfield, § 25.

Company to provide for Two Carriages to pass abreast in Upper East Smithfield during Construction of Bridge, § 27.

Lands belonging to the London Dock Company not to be taken without Consent, § 29.

Works within Dock Walls to be subject to Provisions in Dock Company's Acts, § 30.

Dock Company and Railway Company may make Agreements, § 31.

General Saving of Powers in Acts of Parliament relating to the London Dock Company, § 32.

Same Tolls as on London and Blackwall Railway, § 33.

Power to raise additional Capital of 300,000*l.*, §§ 34 to 36.

Power to borrow 100,000*l.* § 37.

Company may raise the Money authorized to be raised on Mortgage by the Issue of Debenture Stock with Interest not exceeding 5*l.* per Cent., §§ 40 to 50.

Agreements between Dock Company and Railway Company, § 51.

Power to London Dock Company to contribute Funds and hold Shares to the Amount of 73,000*l.*, § 52.

Arrangements with Great Northern and Midland Companies for Station Accommodation, § 53.
Saving Rights of London and North-western Railway Company and of North London Railway Company, §§ 55, 56.

Cap. cxxiv.

"Salisbury and Yeovil Railway Deviation Act, 1860."

Preamble recites Incorporation of Company under 17 & 18 Vict. c. ccxv. (Local), with Capital of 400,000*l.* in 20*l.* Shares, and Power to borrow One Third of that Sum for the Purpose of Construction of Main Line and Branch; that by the "London and South-western (Exeter Extension) Act, 1856," the latter Company were authorized to make a Railway from Yeovil to Exeter, and to subscribe to the Amount of 100,000*l.* to the Salisbury and Yeovil Company, and to enter into Agreements; that by the "Salisbury and Yeovil Railway Deviation Act, 1857," the Company were authorized to make a Deviation to Sherborne, and the South-western Company were empowered to guarantee the Mortgage Debt of the Company, which they have done to the Extent of 130,000*l.*; that under the "South-western Railway (Works and Capital) Act, 1858," the Company were authorized to make and have made a Lease of their Undertaking to the South-western Company, and by the "Salisbury and Yeovil Railway Act, 1858," were empowered to sell it absolutely to that Company, but no Sale has yet been made; that the Company's Main Line is open for Traffic, and the rest of the Works in progress; that under the Powers of "The London and South-western Exeter Extension Act, 1856," the South-western Company now hold Shares to the Amount of 100,000*l.* in the Undertaking of the Company, and those Shares are, according to the Provisions of that Act, distinguished in the Books of the Company as "Salisbury and Yeovil South-western Shares," and entitle the South-western Company to a preferential Dividend of 4*l.* per Cent. out of the Profits of the Company, and those Shares are also entitled to participate equally with other Shares in the Company in surplus Profits applicable to Dividend, after paying the said preferential Dividend, and a Dividend at the same Rate on other Shares in the Company; that the Company have not granted or been authorized to grant any Preference or Priority of Interest or Dividend on any other Shares or Stock; that in order to facilitate Communication between Southampton and other Places on the Lines of the Company and the South-western Company to the Eastward, and the Towns and Districts served by the Lines of the Bristol and Exeter Railway Company to the Westward, it is expedient that the Lines of that Company and of the Company should be connected at Yeovil, and that Facilities should be given for Interchange of Traffic there; also that the Company should be authorized to abandon the Construction of Part of their authorized Main Line in the Parishes of Bradford Abbas and Yeovil, including the authorized Terminus at Yeovil, and to make in substitution therefor a Deviation Railway to the Durston and Yeovil Line of the Bristol and Exeter Railway in the Parish of Yeovil; that it is expedient that the Bristol and Exeter Railway Company should be empowered to lay down additional Rails on Parts of their Undertaking in the Parish of Yeovil, including their Henford Station, for the Purpose of adapting the same to Engines and Carriages on the Narrow Gauge as well as on the Broad Gauge; also that the Company, and both or either of the other before-named Companies, be empowered to enter into Contracts for the Objects aforesaid, Stations, Station Arrangements, and other Matters connected therewith; that by the 43d Section of "The Salisbury and Yeovil Railway Act, 1854," it was enacted that, in an Event there mentioned, the Company, if required so to do by the Board of Trade, should lay down and thereafter maintain an additional or Second Line of Rails on the Railway for the greater Convenience and Accommodation of the Traffic thereon; and it was by that Section provided that in such Event it should be lawful for the Company to raise, by the Creation of new Shares, such an Amount of additional Capital as might be necessary for the Purpose; that that Event has not occurred, but the Company are desirous of doubling Parts of their Line of Railway irrespectively thereof; that the Power of raising additional Capital by the Proviso to that 43d Section given to the Company arises only in the Event there mentioned, and is insufficient for the Purpose, and it is expedient that it be repealed, and that the Company be authorized to raise further Money for doubling Parts of their Line of Railway and other Purposes, and to attach to the new Shares to be created for that Purpose a Preference or Priority in Payment of Dividend.
Incorporation of General Acts, § 1.
Repealing Proviso to Section 43 of First Act, § 4.
Power to make Deviations, § 5.
Description of Line, § 6.
Company to abandon Part of Line for which Deviation is substituted; Compensation, §§ 7, 8.
One Year for compulsory Purchase and Completion of Works, §§ 10, 11.
Bristol and Exeter Railway Company to lay down Mixed Gauge, § 12.
The Company and the Two Companies, or any one of them, may contract for Purposes of Act, § 13.
Approval of Contracts, &c. by Shareholders, § 14.
Forfeited Shares which cannot be sold may be cancelled, §§ 15 to 18.
Company may create new Shares in lieu of Shares cancelled, § 19.
Application of existing Capital, § 20.
Power to create new Shares, § 21.
Privileges may be attached to new Shares; Limitation, §§ 22, 23.
Disposition of new Shares, § 28.
Limit of Amount and Number of Calls, § 29.
Power to borrow, § 30.
Priority of existing Mortgages, § 31.
Application of Sum raised under this Act, § 32.
Incorporating certain Provisions of Companies Clauses Consolidation Act, § 33.
Guarantee of Loan by South-western Railway Company, § 34.

Cap. cxxv.

"Upper Mersey Dues Act, 1860."

Preamble recites that previously to the 1st Day of January 1858 the Mayor, Aldermen and Burgesses of the Borough of Liverpool levied on all Goods imported into and exported from the Port of Liverpool, not being the Property of Freemen of Liverpool, or of resident Freemen of London, Bristol, Waterford, or Wexford, divers Dues, called Town Dues, amounting to a large Amount in the whole, and likewise levied, under the Name of Anchorage Dues, divers other Dues on all Vessels entering the said Port from the Sea; that an imaginary straight Line is for the Purposes of this Act drawn across the River Mersey from Eastham Ferry Slip to the North-westerly Boundary of the present Garston Dock Quay, and so much of the said Port as lies to the North-westward or Seaward of the said imaginary Line is herein-after designated as "The Lower Mersey," and so

much of the said Port as lies to the South-eastward or Landward of the said Line is herein-after designated as "The Upper Mersey;" that by the 32d Section of "The Mersey Docks and Harbour Act, 1857," it is provided that such Powers, Rights, and Privileges of imposing or collecting the said Town Dues and Anchorage Dues as were at the Date of the passing of the said Act vested in or had been lawfully exercised by the said Mayor, Aldermen, and Burgesses should, for the Consideration therein mentioned, from and after the 1st Day of January 1858, be transferred to and vested in the Mersey Docks and Harbour Board, constituted by the said Act, but subject to all the Charges affecting the same; that by virtue of the said Act and of "The Mersey Dock Acts Consolidation Act, 1858," the said Town Dues and Anchorage Dues are made applicable to pay all Charges and Expenses incidental to the Maintenance or Improvement of the Docks of the Mersey Docks and Harbour Board at Liverpool and Birkenhead, and to the Payment of the Liabilities contracted in respect thereof; that the Mersey Docks and Harbour Board, in addition to the said Town and Anchorage Dues, levy for the Maintenance of the said Docks at Liverpool and Birkenhead, on all Vessels entering or leaving the said Docks, certain Dock Charges or "Dock Tonnage Rates" mentioned in the Schedule marked (B.) annexed to the said "Mersey Dock Acts Consolidation Act, 1858," and also (subject however to the Proviso in the said Act contained) on all Goods imported from Parts beyond the Seas, or Coastwise, into the Port of Liverpool, and brought into the said Docks, or landed at or deposited upon or carried over any Quay, Pier, Landing Stage, or Land belonging to the said Board, or exported to Parts beyond the Seas, or Coastwise from the said Port, which may at any Time previously have been brought into the Docks, or landed at or deposited upon or carried over any Pier, Quay, Landing Stage, or Land belonging to the said Mersey Docks and Harbour Board, other Dock Rates "or Dock Rates on Goods" mentioned in the Schedule marked (C.) annexed to the said last-mentioned Act; that by "The Mersey Dock Acts Consolidation Act, 1858," "The Mersey Docks and Harbour (Works) Act, 1858," and "The Mersey Docks (Money) Act, 1859," it is provided that the said Mersey Docks and Harbour Board may borrow at Interest on the Security of the Rates levied by them, inclusive of the said Town and Anchorage Dues, certain Sums of Money to be applied in the Maintenance, Construction, and Improvement of Docks at Liverpool and Birkenhead; that the said Mersey Docks and Harbour Board levy certain Harbour Rates specified in Schedule (D.) to the "Mersey Dock Acts Consolidation Act, 1858," annexed, on all Vessels coming into or going out of the River Mersey, and not entering the Docks of the Mersey Docks and Harbour Board, and such Harbour Rates are by such Act directed to be applied to the lighting and other Purposes in such Act mentioned; that it is expedient that so much of the said Town and Anchorage Dues as are levied on Goods or Vessels that are carried or pass along the Upper Mersey should be vested in the separate Body of Trustees, to be applied as in this Act directed on Payment to the said Mersey Docks and Harbour Board of the Consideration specified.

Establishment of Trustees to be called "The Upper Mersey Dues Trustees," § 2.
Constitution of Trustees and Appointment of First Trustees, § 3.
Qualification of Trustees, § 4.
Incorporation of Commissioners Clauses Act as to Qualification, § 5.
Election of Trustees, § 6.
Casual Vacancies, § 7.
Trustees re-eligible, § 8.
Qualification of Electors, § 9.
Method and Rules for electing new Trustees, §§ 10 to 15.
Incorporation of Parts of Commissioners Clauses Act, § 16.
Transfer of Upper Mersey Town and Anchorage Dues, § 17.
Trustees not to levy Dues not before lawfully leviable, § 18.
Amount of Compensation for Transfer of Upper Mersey Town and Anchorage Dues, § 19.
Mode of Payment of Price of Upper Mersey Dues, § 20.
Price to be a Charge upon the Upper Mersey Dues, § 21.
Power to appoint a Receiver, § 22.
Trustees may vary Town Dues, § 23.
Dues to be charged equally, § 24.
List of Goods to be furnished, § 25.
Application of Upper Mersey Dues, § 26.
Power to Trustees to borrow, § 27.
Accounts to be kept by Trustees, § 28.
Provision as to Sunday, § 29.
Recovery of Penalties, § 30.
Saving of Rights of Creditors, § 31.
Indemnity to Trustees from Claims of Creditors, § 32.
Saving Rights of Crown and Conservancy Commissioners, and of the Mersey and Irwell Navigation, § 34.

Cap. cxxvi.

"The North and South Lanarkshire Turnpike Roads Act, 1860."

Recites 1 Geo. 4. c. lxxxiv. and 10 Geo. 4. c. cxii.; that under those Acts certain Roads and Bridges were constructed and are called and known by the Name of the North and South Lanarkshire Turnpike Roads; and One Third Part of the Expense of acquiring Land and making and completing the Roads and Bridges by the First Act authorized was raised and contributed by the Trustees acting under the said Act and by other Persons who subscribed, advanced, or lent Money or the Value of Lands taken or damaged, on the Security of the Tolls leviable on the said Roads, and the remaining Two Third Parts of the said Expense were advanced and lent by the Commissioners for the Issue of Exchequer Bills, under the Authority of the said Act, and various Sums of Money were borrowed on the Security of the said Tolls for the Purposes of the said Roads; that by an Assignation dated the 20th Day of June 1848, made and granted by the Trustees acting under the recited Acts, they did, in pursuance of the Powers therein contained, assign and convey to John Strettell Brickwood, Esquire, the Secretary to the Public Works Loan Commissioners (formerly named and designed the Commissioners for the Issue of Exchequer Bills), and to his Successors in Office as Secretary for the Time being, the whole Tolls, Rates, and Duties, of every Description and Denomination, appropriated or due and leviable by the Trustees for the Time being under the Authority of the first-recited Act, or any other Act or Acts relating thereto, upon the said North and South Lanarkshire Turnpike Roads, so far as applicable to the Sum of 32,396*l.* 12*s.* 10*d.*, advanced by the said Commissioners, and the legal Interest falling due thereon, together with the Toll Gates and Turnpikes then erected or to be erected on the said Roads for collecting the said Tolls, for the Purpose of securing as therein mentioned the Repayment to the said Public Works Loan Commissioners of the said Sum of 32,396*l.* 12*s.* 10*d.*, and Interest thereon, but with and under the express Provision and Declaration, in Terms of the second-recited Act, that the said Assignation and the Sums therein contained should be postponed

until the Payment of the whole Sums borrowed or contracted by virtue or under the Security of the said Act, and subject to the other Provisions and Conditions specified in the said Assignation; and it was thereby declared that nothing therein contained should be construed so as to affect or prejudice the Right of the said Trustees or other Persons, Subscribers, and Creditors who had advanced and paid One Third of the Expense of making the said Roads, to a corresponding Proportion of the said Tolls, Rates, and Duties in virtue of the recited Acts; that by "The East and West Lanarkshire Turnpike Roads Act, 1849," the Road from the Bridge over Breich Water to Crumhaugh, and the Branch Road from Crumhaugh to Strathaven, which formed Part of the Roads made and maintained under the Authority of the first-recited Act, were separated therefrom, and, with a Portion of Road from Strathaven to Lochgate, which formed Part of the Glasgow and Shotts Turnpike Roads, were incorporated into One Trust, under the Name of "The East and West Lanarkshire Turnpike Roads," and by the said East and West Lanarkshire Turnpike Roads Act Provision was made for the Payment of the Subscriptions, Debts, and Engagements relating to the Roads included in the said Trust; that all the Monies borrowed on account of the said North and South Lanarkshire Turnpike Roads were paid off at and previous to the Term of Whitsunday, 1852, except the aforesaid Sum of 32,396*l.* 12*s.* 10*d.*, contained in and due by the said Assignation to the said John Strettell Brickwood, and the Amount of the Subscriptions, Advances, or Loans made and contributed for the Purposes of the said Roads as before mentioned; and at and since the said Term of Whitsunday, 1852, Two Third Parts of the surplus Tolls and Revenues levied and received by the said Trustees have been paid over yearly to the said Commissioners, and the remaining One Third Part of the said surplus Tolls and Revenues has been reserved for the Persons entitled thereto in respect of the said Subscriptions, Advances, or Loans; that various Portions of the said Subscriptions, Advances, or Loans consisted of the Value of, or Compensation or Damages for Injury done to, Lands taken or passed through in the Formation of Roads which now form Part of the said North and South Lanarkshire Turnpike Roads; but the said Trustees have not been able to obtain an accurate or complete Statement of such Subscriptions, Advances, or Loans, or of the Persons now representing the Parties who made and contributed the same, or of the Persons who claim to be Creditors of the said Road Trust; and the One Third Part of the said surplus Tolls and Revenues at and since the said Term of Whitsunday, 1852, which falls to be divided among such Subscribers and Creditors, has in consequence remained undivided, and the same, with certain surplus Balances of Monies received on account of the said One Third Part of the Expense of making the said Roads, has been accumulated with Interest from Year to Year, and on the 13th Day of December 1859 amounted to 4,351*l.* 16*s.* 10*d.*, which Sum is deposited in the Bank of Scotland in the Names of the Treasurers to the said Trustees; proposes to ascertain and fix the Amount and Particulars of the said Subscriptions, Advances, or Loans, and the Names and Descriptions of the Persons who are now in right of the same, and to divide the said accumulated Sum, and the One Third Part of the surplus Tolls and Revenues of the said Roads which may hereafter accrue, among the Parties entitled thereto, and to continue the Term of the Acts first and second before recited.

Incorporation of General Turnpike Act, § 3.
Roads to be managed and maintained, § 4.
Statement of Subscriptions, Advances, or Loans to be made out by Treasurers, § 5.
Notice to be published calling upon Subscribers and Creditors to lodge Claims, §§ 6, 7.
Treasurers to make up List of Subscriptions and Debts, § 8.
Special Meeting of Trustees to be called for the Consideration of the List, § 9.
Copies of List as approved by the Trustees to be deposited in Treasurers Office, § 10.
Application may be made to Sheriff to investigate Claims, § 11.
Appeal to the Lord Ordinary in the Court of Session, § 12.
List of Subscriptions and Debts to be registered in the Sheriff Court Books, and to be held as complete, § 13.
Account and Scheme of Division of accumulated Sum to be made out, § 14.
Dividends to be paid by the Trustees, § 15.
Subscribers and Creditors to be Trustees on the Roads, § 16.
Agreements may be made for Alteration or Removal of level Crossings, § 17.
Saving Assignation in favour of Public Works Loan Commissioners, § 18.
Continuation of recited Acts for 21 Years from passing of Act, § 19.
Tolls on Steam Carriages, § 20.
Trustees not to borrow Money on Credit of Tolls, § 21.

Cap. cxxvii.

"The Hereford, Hay, and Brecon Railway (Deviation) Act, 1860."

Recites Act of 22 & 23 Vict., c. lxxxiv, and proposes to enable the Hereford, Hay, and Brecon Railway Company to relinquish the Junction of their Line with the Shrewsbury and Hereford Railway, and in substitution therefor to form a Junction with the Newport, Abergavenny, and Hereford Railway.
Incorporation of General Acts, § 1.
Power to make Railway, § 4.
Description of Railway, § 5.
Junction with the Newport, Abergavenny, and Hereford Railway, §§ 6 to 8.
Company to abandon Part of Line, and Compensation, §§ 9, 10.
Deviation to form Part of Undertaking, § 11.
Two Years for compulsory Purchases, § 12.
Three Years for Completion of Works, §§ 13, 14.

Cap. cxxviii.

"The Tenbury and Bewdley Railway Act, 1860."

Recites that a Railway from the Tenbury Railway near Tenbury, in the County of Worcester, to the Severn Valley Railway at or near Bewdley, in the County of Worcester, would be of great public and local Advantage; that the Canal between Tenbury and Sousnet Wharf, known as the Leominster Canal, purchased by the Shrewsbury and Hereford Railway Company under the Powers of "The Leominster Canal Sale Act, 1847," and now belonging to them, is unconnected with any other Canal, and does not form Part of any System of Inland Navigation, and the public Advantage would be promoted by the Construction of a Railway in lieu of the said Canal; proposes to authorize the Oxford, Worcester, and Wolverhampton, the Severn Valley, and the Tenbury Railway Companies to contribute to the said Undertaking, and to enable the Company herein-after incorporated, and the Oxford, Worcester, and Wolverhampton, the Severn Valley, and the Tenbury Railway Companies, or some of them, to make Arrangements

with respect to the Maintaining, Working, and Use of the Lines of Railway belonging to the said Companies respectively, and the Regulation and Management of the Traffic, and the Division and Apportionment of the Profits.
Incorporation of General Acts, § 1.
Subscribers incorporated, with a Capital of 120,000*l.* in Shares of 10*l.*, and Power to borrow 40,000*l.*, §§ 3 to 10.
Power to each of the other Companies to contribute not exceeding 7,500*l.*, § 11.
Meetings; Directors, &c., §§ 12 to 20.
Line of Railway, §§ 21, 22.
Communications with the other Railways, §§ 23 to 26.
Three Years for the compulsory Purchase of Lands, § 28.
Five Years for Completion of Works, §§ 29, 35.
Provisions relating to Leominster Canal, §§ 31 to 34.
Tolls, §§ 36 to 45.
Powers to use Portions of other Railways, § 46.
Power to make Traffic Arrangements with the other Companies, §§ 47 to 57.
Provision as to Crown Lands, § 58.
Saving Rights of Crown, § 59.
Bridge over Severn to be constructed to the Satisfaction of the Admiralty, §§ 60 to 63.

Cap. cxxix.

"Buildings Improvement Act, 1860."

Recites that the Improvement, Construction, and Enlargement of Dwelling Houses and other Buildings in London, Liverpool, Manchester, and Birmingham, and the Neighbourhood thereof respectively, and the rendering them more healthful, safe, and commodious, would be a great public Advantage; that it is expedient to incorporate a Company for that Purpose, and to invest such Company with certain Powers.

II. This Act shall not apply to Farm Buildings, and shall extend only to the following Districts; (that is to say,)

First. The London District, comprising all Lands situate within a Distance of 15 Miles, measured in a straight Line from any Part of Saint Paul's Cathedral;

Second. The Liverpool District, comprising all Lands situate within a Distance of 10 Miles, measured in a straight Line from any Part of Saint George's Hall at Liverpool;

Third. The Manchester District, comprising all Lands situate within a Distance of 10 Miles, measured in a straight Line from any Part of the Exchange at Manchester;

Fourth. The Birmingham District, comprising all Lands situate within a Distance of 10 Miles, measured in a straight Line from any Part of the Town Hall at Birmingham;

And the Distance in each Case shall be the Distance above prescribed as measured upon the Ordnance Map.

Companies Clauses Act incorporated, § 3.

IV. In the Construction of this Act the following Words or Expressions, unless there be something in the Subject or Context repugnant to such Construction, shall have the following Meaning assigned to them respectively; (that is to say,)

The Word "Owner" shall apply to and include any Person or Corporation entitled to sell and convey Lands under the 7th Section of the "Lands Clauses Consolidation Act, 1845," and a Judge of the Court of Chancery in Chambers may in all Cases, where any Owner is a Minor and no Guardian has been appointed, appoint a Guardian to act on behalf of such Minor in all Matters arising under this Act;

The Expression "Building Improvements" shall include the Repairs of any Building, also the Construction of any new Building in substitution for or in addition to any existing or former Building, or any Drainage in connexion with Building or for Building Purposes, or the Re-construction of any old Building to which this Act applies; also all Works necessary or convenient for effecting any Improvements as above defined.

Incorporation of Company, § 5.

VI. The Objects of the Company shall be the promoting or executing Improvements or Repairs in Dwelling Houses and other Buildings, or the Construction of any new Building in substitution for or in addition to any existing or former Building, or any Drainage in connexion with Building or for Building Purposes, or the Re-construction of any old Building to which this Act applies, also all Works necessary or convenient for effecting any Improvements as above defined.

Capital of the Company to be 50,000*l.*, § 7.
Company may raise additional Capital by the Creation of new Shares, § 8.
First Ordinary Meeting, § 9.
Requisition for Extraordinary Meeting, § 10.
Quorum for General Meeting, § 11.
General Meeting may remove Directors and Auditors, § 12.
Directors to appoint Officers, § 15.
Quorum of Meeting of Directors, § 16.
Qualification of Auditors, § 17.
Newspapers for Advertisements, § 18.
Reserved Fund of 20,000*l.*, § 19.
Receipts of Guardians of Infants and Committees of Lunatics, § 20.
Provision for Cases of Bankruptcy or Insolvency, § 21.

XXII. Any absolute Owner of Lands may request the Company to advance Money for the Purpose of executing any Building Improvements, or themselves to execute any Building Improvements on or in respect of such Lands, and the Company may, if it think fit, accede to such Request upon such Terms as it thinks fit, and may take such Charge, or other Compensation or Security, from such Owner in respect of any Advance for or Execution of Building Improvements, as the Company thinks fit.

XXIII. A Contract for an Advance of Money for the Purpose of executing any Building Improvements on Lands, or for the Execution by the Company itself of any Building Improvements on Lands, may be entered into between the Company and any Owner of Lands, and the Terms of such Contract may from Time to Time, either before or after the same has been first sanctioned in manner herein-after mentioned, be rescinded or varied by the Parties to the Contract in such Manner as they think fit, and each of the Parties to the Contract shall perform on their Parts any Contract so entered into between them, subject to the following Proviso, that no Contract, or Variation in a Contract, or Rescission of a Contract between the Company and any Owner other than the absolute Owner, made in pursuance of this Section, shall be valid until it has received the Sanction of the Court of Chancery.

XXIV. In order to obtain the Sanction of the Court of Chancery, the Owner who has entered into such Contract, or the Company, or the Owner and Company jointly, may submit in a summary Manner to a Judge of the Court of Chancery in Chambers the proposed Contract as originally made, or any proposed Variation therein or Rescission thereof, together with such Particulars of the intended Building Improvements, the Manner of effecting such Improvements, the estimated Expense of effecting the same, and the Benefits to be produced by such

Improvements, and such other Particulars as may be required by the Judge for the Purpose of enabling him to decide upon the Expediency of giving his Sanction.

XXV. The Judge to whom such Matter is submitted may require Security for Costs by Bond or otherwise, in such Form as he thinks fit, to be given by the Owner or the Company respectively, or by the Owner and the Company jointly.

XXVI. Previously to giving his Sanction the Judge shall, if he think fit, make such Inquiries, by means of Builders, Surveyors, or others to be appointed by him, as to the Circumstances of the Lands on which the Improvements are to be made, and as to the Parties interested therein, and shall also cause Notice, in such Form as he shall think fit, to be served on all Incumbrancers on the Land, and such other Notices to be served on any other Persons as he may deem proper, to enable him to form a Judgment as to the Expediency of giving his Sanction.

XXVII. If the Judge, after hearing all Persons who may appear before him, is of opinion that any Contract submitted to him in pursuance of this Act, or any Variation therein or Rescission thereof, or any Portion of such Contract or varied Contract, will be beneficial to the Parties interested in the Lands to which such Contract or varied Contract relates, he shall give his Sanction thereto by Endorsement, or in such other Manner as he thinks fit, reserving, nevertheless, on the Instrument by which he gives his Sanction the Right of any Incumbrancer which, in his Opinion, ought to be reserved.

XXVIII. When the Lands on which any Building Improvements are proposed to be made, or any Part of such Lands are Lands held in right of any Church or other Ecclesiastical Benefice, the Judge of the Court of Chancery shall not give his Sanction to any Contract or varied Contract, or Rescission of a Contract, as to such Lands or so much thereof as is so held, unless and until the Bishop of the Diocese and Patron of the Benefice have signified their Consent to the said Judge by Writing under their Hands.

XXIX. When the Sanction of the Judge has been given to any Contract or varied Contract in pursuance of this Act, such Contract or varied Contract shall thenceforth be obligatory on the Parties thereto, and all other Parties interested in the Lands, except in so far as is otherwise provided by this Act.

XXX. Whenever any Building Improvements comprised in any Contract or varied Contract so sanctioned as aforesaid have been properly executed, any Judge of the Court of Chancery shall, on Application in a summary Way by the Company, and on sufficient Evidence being given of the complete Execution of such Improvements, make an Order, in the Form mentioned in the Schedule hereto, or as near thereto as Circumstances admit, or in such other Form as the Court may from Time to Time direct, charging the Inheritance of the Lands on which such Improvements have been made, or any other Lands agreed to be charged by such Contract or varied Contract, with the Amount of Principal and Interest payable to the Company under the Contract as so sanctioned, and every such Charge shall be by way of Annuity or other periodical Payment extending over a Term of Years, to be fixed by the Judge, and to commence from the Time when the Works have been executed to the Satisfaction of the Judge, such Term not to be more than 15 Years, and such Charging Order shall be duly stamped for denoting Payment of the proper ad valorem Stamp Duty, which would be payable on a Mortgage for securing the like Amount as the Principal Money thereby charged, and it shall be expressed in such Order that the Charge thereby created is subject to the Right of such Incumbrancer, if any, as may have had his Right reserved in manner aforesaid by the Court, and has not subsequently testified to the Court his Assent to such Right being postponed to the said Charge.

XXXI. If the Owner is desirous that the Inheritance of the Lands on which the Improvements are made should be charged with the Expenses of and incident to the Contracts, any Judge of the Court of Chancery, on the Application of such Owner or of the Company, may direct the Amount of the Costs, Charges, and Expenses properly incurred preparatory, in relation to, and consequent on the Contract, and the Application to the Court of Chancery to be taxed by any Taxing Officer of the Court of Chancery, and may include the Amount of such Costs, Charges, or Expenses when taxed, or such Part thereof as he thinks fit, in any Charging Order made by him as Payment of the Principal Monies thereby charged.

XXXII. Whenever any Order has been made in pursuance of this Act, charging any Principal or Interest Monies on any Lands, the Company, and any Person who may become entitled to the Benefit thereof by Assignment, shall be entitled to the Benefit of such Charge, subject to the Right of any Incumbrancer whose Rights may have been reserved in manner aforesaid by the Order of the Court, but in priority to every other then existing and future Charge and Incumbrance whatsoever upon or affecting such Lands, except Quitrents, Chief-rents, and other Charges incident to Tenure, Tithe Commutation Rentcharges, and any Charges created or to be created under any Act authorizing Advances of Public Money for Drainage respectively, or under any Acts creating Charges in respect of Improvements on Lands, and passed before this Act: Provided that, in case Part only of the Lands charged is subject to a Mortgage or other Incumbrance, the Charge created under the Authority of this Act shall have Priority over such Mortgage or other Incumbrance only to the Extent of a due Proportion of such Charge, to be ascertained and apportioned by a Judge of the Court of Chancery.

XXXIII. A Charge on Lands made by virtue of this Act shall not be deemed such an Incumbrance as to preclude a Trustee holding Trust Monies capable, according to his Trust, of being invested in the Purchase or on Mortgage of Lands, from investing the same in the Purchase of or upon a Mortgage of the Lands so charged, unless the Terms of his Trust expressly provide that the Lands to be so purchased or taken on Mortgage are not to be subject to any prior Charge.

XXXIV. The making by a Judge of the Court of Chancery of any Charging Order on Lands in pursuance of this Act shall be, both at Law and in Equity, conclusive Evidence to all Intents and Purposes of the Contract to which such Charge relates having been duly entered into by the proper Parties, and of all Acts, Notices, and Proceedings by this Act directed with reference to or consequent on such Contract having been duly had, served, and done, and of such Charge having been duly made and executed, and being a valid Charge under this Act on the Inheritance of the Lands appearing to be subject thereto.

XXXV. Every Charging Order made in pursuance of this Act, and relating to Lands in Middlesex, shall be registered in the same Manner respectively as if such Charge were made by Deed by the absolute Owner of such Lands without the Aid of this Act.

XXXVI. The Company may, by any Deed under their Seal stamped with the proper ad valorem Stamp, assign the Benefit of the Charging Order, or of any Portion of the Charge comprised therein, to any other Person, either absolutely or by way of Mortgage; and on such Assignment being executed the Assignee shall have the same Rights under the Order as the Company would have had if no such Assignment had been executed, and any Assignee of a Charging Order may, by

Deed stamped in manner aforesaid, assign the Charge to any other Person, either absolutely or by way of Mortgage.

XXXVII. Every Charge on Lands created by a Charging Order made in pursuance of this Act shall be recoverable in manner in which a Rentcharge granted by the Owner in Fee Simple of Lands is by Law recoverable.

XXXVIII. Every Owner on whose Application a Charge has been made under this Act, and every succeeding Tenant for Life, Tenant in Tail, and other Person having a limited Interest in the Land charged, shall, as between such Person and the Persons in remainder or reversion, be bound to pay the yearly or other periodical Payments of such Charge which become payable during the Continuance of his Interest; and in case he be in the actual Occupation of or entitled to an apportioned Part of the Rents and Profits of such Land up to the Time of the Termination of his Interest, shall also be bound to pay an apportioned Part of the yearly or other periodical Payment of such Charge which becomes due next after the Termination of his Interest, proportioned to the Time which elapsed between the Day for the previous Payment and the Day of such Termination: Provided always, that any such Person entitled in remainder or reversion, and becoming entitled in possession, shall not be liable to pay any Arrears of the Charge remaining unpaid at the Time of his Estate or Interest in remainder or reversion becoming an Estate or Interest in possession, exceeding the Amount of Six Months Payment of such Charge; provided also, that the Amount paid by such Person in respect of such Arrears, and any Costs occasioned by Nonpayment thereof, shall be a Debt from the Person who in the first instance ought to have paid the same, or from his Estate to the Person who paid the same, and shall be recoverable accordingly.

Drainage Works in the Metropolis to be under Superintendence of Metropolitan Board of Works, &c., § 39.

Act not to affect Lands or Buildings belonging to Public Departments, § 40.

Saving Rights of the Crown, § 41.

Schedule. (Form of Order.)

Cap. cxxx.

"Dorset Central Railway Act, 1860."

Recites that by the "Dorset Central Railway Act, 1856," the Company were incorporated, and authorized to make and maintain a Line of Railway (in this Act called "the First Section"), commencing by a Junction near to Wimborne with the Main Line of the Southampton and Dorchester Railway of the London and South-western Railway Company, and terminating near to Blandford; that by their Act of 1857 the Act of 1856 was repealed, but the Company were continued as an incorporated Company by their original Name, and were authorized to complete and maintain the original Main Line, and also to make and maintain the several additional Lines of Railway therein distinguished as Railways Nos. 1, 2, 3, 4, and 5 respectively; that the Railways Nos. 1, 2, and 3 form together One continuous Line of Railway, commencing by a Junction near to Blandford with the First Section, and terminating by a Junction near to Bruton with the Line of the Somerset Central Railway, and those Railways Nos. 4 and 5 are Branch Railways, each of them commencing by a Junction with that continuous Line, and terminating by a Junction with the Line of the Salisbury and Yeovil Railway; that the First Section and that continuous Line form together One Line of Railway from the South-western Railway near to Wimborne, to the Somerset Central Railway near to Bruton; that the Capital of the Company authorized by the Act of 1857 is 400,000*l.*, consisting of their original Capital of 100,000*l.*, by the Act of 1856 authorized for the original Main Line, and the additional Capital of 300,000*l.*, by the Act of 1857 authorized for the several new Lines of Railway by that Act authorized; that they have nearly completed their original Main Line; that the whole of the Company's original Capital of 100,000*l.* has been raised and expended for the Purposes of their original Main Line, and the Company under the Authority of the Acts of 1856 and 1857 respectively have borrowed in respect of that original Capital the Sum of 33,000*l.*, which is still on foot as Debenture Debt of the Company; that they have not called up their additional Capital of 300,000*l.*, and have not borrowed any Sum in respect thereof; that it is expedient to extend the Periods respectively limited by the Act of 1857, for the Completion of the several additional Lines of Railway, Nos. 1, 2, 3, and 5, and to authorize the Somerset Central Railway Company to contribute towards the Funds of the Company; and also to empower the Company and the Somerset Company to work over and use each other's Railways, Stations, Watering Places, Works, and Conveniences; proposes also to provide for the Transmission of Traffic over the Railways of the Company, the Somerset Company, the South-western Company, and the Salisbury and Yeovil Railway Company; to authorize the Somerset Company to appoint Directors of the Company, and to vote at Meetings of the Company; and to amend the Act of 1857.

Three Years for Completion of Railways, §§ 2, 3.

Power for Company to work over Somerset Central Railway, § 4.

Power for Somerset Company to work over Dorset Central Railway, § 5.

Terms for Company and Somerset Company working over each other's Railway, § 6.

The Three Railway Companies to afford Traffic Facilities to Company, § 7.

Terms for affording the Traffic Facilities, § 8.

Company may cancel forfeited Shares on Notice, or with Consent of Holders, and may issue new Shares instead thereof, §§ 9 to 14.

Power to create new Shares of different Classes, § 15.

Payment of preferential Dividend, § 16.

Contribution by the Somerset Company not to exceed 50,000*l.*, §§ 17, 18.

Directors and Votes for Somerset Company at Meetings of Company, §§ 19 to 26.

Power for Somerset Company to raise Monies for Contribution to Funds of Company, and to guarantee out of their own Revenues Interest to the Company, § 27, 28.

Payment of guaranteed or preferential Dividends, § 29.

Saving of existing preferential Shares of the Somerset Company, § 30.

Restriction of preferential Dividend on new Shares to 5*l.* per Cent., § 31.

Disposal of new Shares, §§ 33 to 39.

Scale for voting, § 40.

Extension of Time not to prejudice Contracts, § 41.

Saving Rights of Companies, § 44.

Cap. cxxxi.

"The Inverness and Ross-shire Railway Act, 1860."

Proposes to make a Railway leading from the Town of Inverness, in the County of Inverness, to the Village of Invergordon, in the County of Ross; to authorize the Inverness and Aberdeen Junction Railway Company and the Inverness

and Nairn Railway Company to subscribe to and hold Shares in the Undertaking, and to make and enter into such Agreements as are herein-after authorized, with respect to the Working and Use of the said intended Railway, and the Regulation and Management of the Traffic thereon, and the Division and Apportionment of the Profits arising therefrom; that it will be for the public Advantage that Provision should be made for the joint Accommodation of the Traffic of the Company at the Station at Inverness belonging to the Inverness and Nairn and Inverness and Aberdeen Junction Railway Companies, or One of them; and that the Company should be authorized to enter into Arrangements and Agreements with the said Companies respectively, or One of them, for the Maintenance, Working, and Apportionment of the said Station.

Incorporation of General Acts, § 1.
Subscribers incorporated, § 4.
Capital 215,000*l.*, in 10*l.* Shares, § 5.
Power to the Inverness and Aberdeen Junction Railway Company to contribute 15,000*l.*, and for the Inverness and Nairn Railway Company to contribute 10,000*l.*, with a Preference not exceeding 5*l.* per Cent., and to appoint Directors, §§ 8 to 13.
Power to borrow 71,600*l.*, §§ 16, 17.
Conversion of Loans into Capital, with fixed Dividend of 4*l.* 10*s.* per Cent., §§ 18 to 21.
Meetings; Directors, §§ 22 to 30.
Power to make Railway, §§ 31, 32.
Company to erect Quay on River Ness within Six Months from passing of Act, §§ 33.
Company may be required in a certain Event to make Openings in Bridge over the Ness, § 34.
Bridge over the Caledonian Canal to be built in such Manner as shall be determined on by the respective Engineers of the Canal and Railway, § 35.
For providing Mooring Posts at the said Bridge, § 36.
Hauling Paths to be made to a certain Distance from the Bridge, § 37.
Penalty for wilful Damage to Hauling Roads and Mooring Posts, § 38.
Power to construct Sidings along Caledonian Canal, § 39.
As to Construction of Bridge over Dingwall Canal, § 40.
Repeal of Part of Section 41 of 5 Geo. 4. c. xciii. (Dingwall Canal Act), § 41.
Masters of Vessels made answerable for Damage done to the Bridge, § 42.
Bridges over the Caledonian and Dingwall Canals and Beauly River to be constructed only with the Approval of the Admiralty, §§ 43, 44.
Providing for the Construction of Footways and Carriageways where the Railway skirts the Beauly and Cromarty Firths, § 45.
Admiralty Provisions, §§ 46 to 50.
Regulating Inclination of certain Roads, § 51.
Power to purchase Lands on Feu Duties, §§ 53 to 56.
Three Years for Lands to be purchased by Compulsion, § 57.
Five Years for Completion of Works, §§ 58, 86.
As to Communication with the Inverness and Nairn Railway, §§ 59 to 61.
Company to use the Inverness Station of the Inverness and Nairn Railway, § 62.
Tolls, §§ 63 to 73.
Power to agree as to Petty Customs with Magistrates and Town Councils of Inverness and Dingwall, § 74.
Power to enter into Agreements with Inverness and Nairn and Inverness and Aberdeen Junction Railway Companies as to Station at Inverness, § 75.
Arbitration in regard to Joint Station, § 76.
Power to make Traffic Arrangements with Inverness and Aberdeen Junction and Inverness and Nairn Railway Companies, §§ 77 to 85.
Saving Rights of the Crown, § 87.

Cap. cxxxii.

"The Leeds Overseers Act, 1860."

Recites that the Township of Leeds, in the County of York, is very populous, and its parochial Affairs are under the Management of a Board of Guardians and also of Overseers of the Poor; that by reason of such Population it is expedient that further Powers should be given to the Overseers, with reference to the Appointment of Collectors and other Officers and Servants, and with reference to the Rates to be levied by them; and that such Overseers should be invested with some of the Incidents of a Corporation, with a view of enabling them to take Securities and do other official Acts.

II. This Act shall apply only to the Township of Leeds.

III. The Term "Rate," as used in this Act, shall mean any Poor Rate now leviable or that may hereafter be leviable by the Overseers of the said Township, or any Supplement to such Rate; and the Word "Tenement" shall mean and include all Lands, Tenements, and other Property rateable to the Relief of the Poor by Law.

IV. Where anything is hereby authorized to be done in respect of the doing of which Powers are given by some other Act of Parliament, the Powers hereby given shall be deemed to be cumulative and not to take away such other Powers.

V. It shall be lawful for Her Majesty's Justices of the Peace of the Borough of Leeds, at their Special Sessions held for the Appointment of Overseers of the Poor of the said Township of Leeds, to nominate and appoint any Person who shall be rated to the Relief of the Poor of the said Township at the rateable Value of Thirty Pounds and upwards to be an Overseer of the Poor thereof, although the Person so to be appointed shall not be a Householder within the Township; provided that he shall be a Householder and reside within Three Miles from the Boundary of the said Township, such Distance of Three Miles to be measured in a straight Line from such Boundary, and is willing to serve the Office, but not otherwise; and it shall be sufficient in every such Appointment to describe such Person by his Name and Residence, and until a fresh Appointment of Overseers shall be made under the Provisions of this Act, the Overseers in Office at the passing of this Act shall continue to act until the next annual Appointment of Overseers.

VI. The said Justices shall, at the First Appointment of Overseers to be made after the passing of this Act, appoint such Number of Overseers as they may deem expedient, but such Number not to be less than 16, and such Number shall always be an even Number, for the said Township, of which Number One Half shall continue in Office for the Period of One Year only, and the remaining Half shall continue in Office for the Period of Two Years, or until their Successors are appointed, the Individuals so to be continued in Office for such Period of Two Years to be determined by the said Justices at the Time of such First Appointment, and after that Period the Justices of the Peace for the Time being of the said Borough shall appoint One Half of such Number to be Overseers annually to serve for a Period of Two Years; and such Overseers when appointed, and their Successors, herein-after respectively referred to as "the Overseers," shall be incorporated under the Name of the "Board of Overseers of Leeds," for the Purpose of entering into or taking any Contract or Security that may be entered into or taken by or with them in their Character of Overseers,

for the Appointment or Removal and Payment of Officers, or for the holding Land or Premises or Personal Property, compounding for Rates, or otherwise, as may be necessary for them in the Execution of their Duties; and shall for the Purposes aforesaid have a Common Seal, and a Capacity to sue and be sued in their Corporate Name respectively; and for all the several Purposes mentioned in this Act shall sit as a Board, so that there shall be not less than Five of the Overseers always present at the Meeting at which any Act shall be done, except at the making of a Rate or any Supplement to such Rate, at which not less than a Majority of the whole of the Overseers shall be present, and they shall choose One of themselves to preside thereat, who in case of an Equality of Votes at any Meeting shall have a Second or Casting Vote; and such Overseers may, under the Order of the Poor Law Board, purchase, hire, or otherwise hold Land and Buildings as Offices and Rooms for the convenient Discharge of their Business as such Overseers, and for the Collection of the Poor Rate and other Rates and Assessments levied in the said Township, and may from Time to Time appoint such Officers, Clerks, Collectors, Surveyors, and Servants to aid them in the Discharge of their Duties, with such Salaries, Wages, or other Remuneration, permanent or temporary, as the Poor Law Board shall from Time to Time sanction, and may pay the same out of the Poor Rate; all such Officers, Clerks, Collectors, Surveyors, and Servants being liable to the same Responsibilities, Penalties, and Forfeitures as they would have been if appointed under the Act of the Fourth and Fifth Years of the Reign of King William the Fourth, Chapter Seventy-six: Provided always, that notwithstanding the Provisions of this Act, the Overseers shall continue personally and individually liable to pay to the Town Council of the Borough of Leeds all Monies which may from Time to Time become payable to the said Council, either for Borough, Gaol, Watch, or other Rates, and also in like Manner shall continue liable to pay to the Board of Guardians of the said Township of Leeds all Monies which may from Time to Time become payable to the said Guardians under or by virtue of any Order or Orders to be made by them in the same Manner in all respects as the Overseers personally and individually would have been liable to pay to the said Town Council and the said Board of Guardians respectively, and with the same Remedies for the Recovery of the same Monies respectively, as if this Act had not been passed.

VII. Provided always, That every Officer, Clerk, Collector, Surveyor, and Servant already legally appointed by any former Overseers, or by the present or any preceding Board of Guardians of the said Township, and every Officer, Clerk, Collector, or Surveyor to be hereafter appointed under the Provisions of this Act, shall hold the said Office until he shall die or resign or be removed by the Poor Law Board, or be proved to be insane by Evidence which such Board shall deem sufficient, or until his Services shall be deemed by the Board of Overseers and the Poor Law Board to be no longer requisite; and upon any such Death, Resignation, Insanity, or Removal, the said Overseers shall give Notice thereof to the Poor Law Board, and proceed to appoint some Person to supply the Vacancy according to the Provisions of this Act; and in every Case of a Resignation the said Overseers shall transmit to the Poor Law Board a Statement of the Cause of such Resignation, so far as it may be known to them.

As to Suspension of Officers, § 8.
Provision in case of casual Incapacity of Officers, &c., § 9.
On an Overseer's dying, &c. Two Justices to choose another; Overseer removing to deliver his Accounts to the Clerk of Board of Overseers; Executors of Overseers to account in 40 Days, § 10.
Provisions as to unoccupied Premises, § 11.
Definition of Owner, § 12.
Provision if Name of Owner unknown, § 13.
Power of Overseers to amend Rate, § 14.
Separate Lists to be made of new Tenements, § 15.

Cap. cxxxiii.

"Mid-Wales Railway Act, 1860."

Recites Incorporation of Company by Mid-Wales Railway Act, 1859; that it is expedient to authorize a Deviation of the authorized Line and Extensions of it to join other Railways, to empower the Oswestry and Newtown, the Llanidloes and Newtown, and the Shrewsbury and Welchpool Companies to contribute Funds, and that those Companies as well as the Newtown and Machynlleth Company should have Power to make Working and Traffic Arrangements with the Company.
Lands and Railways Clauses Acts incorporated, §§ 2,3.
Power to abandon Part of authorized Line; Compensation, §§ 4, 5.
Power to take Lands, § 6.
Certain Property not to be taken without Consent, § 7.
Two Years for compulsory Purchase of Lands, § 8.
Four and Five Years for completing respective Portions of Railways, § 9.
Lands for extraordinary Purposes, § 10.
Power to make Railways, §§ 11, 12.
Certain Roads to be crossed on the Level, §§ 13 to 15.
For Protection of Hereford, Hay, and Brecon Railway, §§ 16 to 20.
Power to enter into Traffic Arrangements with the Companies or either of them, §§ 21 to 25.
Power to Company to increase their Share Capital, § 27.
Power to borrow further Sums, § 28.
Power to Shrewsbury and Welchpool and Oswestry and Newtown Companies to subscribe and hold Shares in Undertaking of the Company, and raise Capital for the Purpose, § 32.
Power to Llanidloes and Newtown Company to subscribe and hold Shares and to raise additional Capital for that Purpose, § 33.
Power to enter into Agreements with the Llanidloes and Newtown Railway Company as to Portion of authorized Line at Llanidloes, § 35.

Cap. cxxxiv.

"The Port Carlisle and Silloth Railway Companies Act, 1860."

Recites that by "The Port Carlisle Dock and Railway Act, 1853," the several Persons being Proprietors of Shares in the Carlisle Canal Company, incorporated by the Act 59 Geo. 3. c. xiii., amended by the Act 6 & 7 Will. 4. c. lx., were united into a Company by the Name of "The Port Carlisle Dock and Railway Company," for the Purpose of maintaining and working the Docks and Works at Port Carlisle made under the Dock Act, and also, until the same should be used for the Purpose of the Railway authorized by that Act, of maintaining and working the Canal and Works made under the Canal Act, and also of making, maintaining, and working the Railway and Works by that Act authorized, which Railway was authorized to be made in the Line of the said Canal, and to communicate with the Newcastle-upon-Tyne and Carlisle Railway at Carlisle, so as with it to form, and such intended Railway being made now forms with the Newcastle-upon-Tyne and Carlisle Railway One continuous Line of Railway Communication from the Dock of the Port Carlisle Company at Port Carlisle to Newcastle-upon-Tyne; that by the Port Carlisle Act the

Port Carlisle Company was authorized to raise the Sum of 35,000*l.* by the Creation of Stock, entitling the Holders thereof to a guaranteed Interest at the Rate of 5*l.* per Centum per Annum on the Amount actually paid on such Stock, subject to Reduction at the End of Seven Years, or to the Amount being paid off at any Time after the Expiration of Seven Years, which Interest is thereby made a First Charge on the Undertaking and Revenue of the Port Carlisle Company, and is directed to be paid before the Principal or Interest of any of the existing Mortgages or Charges upon the Undertaking created under the Canal Act and Dock Act (thereby repealed), and by that Act transferred to and made a Charge upon the Undertaking of the Port Carlisle Company, and before the Interest on any Debenture Shares or Stock to be created for paying off such Mortgages and Debts, or on any Money to be borrowed under the Authority of that Act for the Purpose of paying off the same Mortgages and Debts; that the Port Carlisle Railway has been completed and opened for Traffic, and the whole of the said Sum of 35,000*l.* Preference Stock has been raised, and the Interest thereof is now a First Charge on the Dock and Railway Undertakings of the Port Carlisle Company, and the Particulars of the original Stock of the Canal Company, and of the Mortgages and other Debts of that Company, and the Interest now due upon the same respectively, are set forth in the Schedule to this Act; that the said Sum of 35,000*l.*, authorized by the Port Carlisle Act, proved insufficient for the Construction of the said Railway, and of the Works connected therewith and with the Communications at Port Carlisle, and the Company have incurred various Liabilities on account of the said Undertaking, and further Sums are necessary to enable the Port Carlisle Company to discharge those Liabilities, and for other Purposes, and particularly to provide certain Accommodation which they are required and bound to provide for the Convenience of the North British Railway Company, who under "The Border Union (North British) Railways Act, 1859," are now entitled to use the Port Carlisle Company's Station at Carlisle, and for the better Accommodation of the Traffic of that Company; that the said Sum of 35,000*l.* Preference Stock is the only existing Preference Stock, and there are no existing Preference Shares in the Capital of the Port Carlisle Company; proposes to enable the Port Carlisle Company to raise an additional Capital of 40,000*l.* by the Creation of a Second Class of Preference Stock or Shares, entitling the Holders thereof to the Payment of Interest or Dividend next after the Dividend payable on the existing Preference Stock of 35,000*l.*, and to Priority over the existing Mortgages and other Debts and original Stock of the Canal Company particularly set forth in the Schedule to this Act annexed, the Owners of which shall have consented to allow such Priority; that the existing Mortgagees and Creditors, and other Persons entitled to the Mortgage and other Debts of the Canal Company set forth in the Schedule to this Act, and holding such Securities to the Amount of 72,037*l.* 10*s.*, have consented to the raising of such additional Sum of 40,000*l.* by Stock or Shares entitled to such Priority as aforesaid, and the Holders of the Sum of 1,500*l.*, the Residue of the said Securities, having received Notice of the Application for the said Bill have not assented thereto; that by the Act 18 & 19 Vict. c. cliii., relating to "The Carlisle and Silloth Bay Railway and Dock Company," the Carlisle and Silloth Bay Railway and Dock Company was incorporated, and authorized to make a Railway from the Port Carlisle Railway, near Drumburgh to Silloth Bay, in the Parish of Holme Cultram, and also a Dock with proper Basins and Works there, and a Pier or Jetty extending from such Dock into the Sea, and those Works have been completed and opened for Traffic; that by the Silloth Act the Port Carlisle Company and Silloth Company are authorized to enter into Agreements for the Use and Working of their respective Railways, and such Railways are now worked by a Joint Committee appointed by the said Companies; that the Silloth Railway was intended, with the Port Carlisle Railway and Newcastle-upon-Tyne and Carlisle Railway, to form One continuous Line of Railway communicating between the Silloth Dock and Newcastle-upon-Tyne, and amongst other Objects to open up a new Route for Traffic to and from Newcastle-upon-Tyne; that it is expedient that Provision should be made for enabling the Port Carlisle and Silloth Companies, or either of them, to run over and use that Portion of the Newcastle-upon-Tyne and Carlisle Railway which intervenes between the Port Carlisle Railway and the London Road Station of the Newcastle Railway, and to use the said London Road Station, and the Conveniences connected therewith and with the said Portion of Railway for the Purpose of obtaining Access to and from the said Station, and also to and from the Lancaster and Carlisle and Maryport and Carlisle Railways respectively, upon Terms to be ascertained as herein-after provided, and for affording all reasonable and proper Facilities and Accommodations upon the Newcastle Railway, and at the Stations thereon, for the Accommodation of Traffic passing or requiring to pass to, from, or over any Part of the Port Carlisle Railway or Silloth Railway.

Power to Port Carlisle Company to raise 40,000*l.* by Preference Shares, with Interest not exceeding 5*l.* 10*s.* per Centum, §§ 2, 3.

New Shares to bear preferential Dividend for Seven Years, § 4.

Dividend on new Preference Shares or Stock to be the Second Charge on the Undertaking, § 5.

Port Carlisle Company empowered after Seven Years to call in Second Preference Shares, § 7.

Order in which Shares shall be called in, and Notice thereof, §§ 8, 9.

Port Carlisle Company may create Preference Shares bearing a lower Rate of Interest to pay off Preference Shares bearing a higher Rate of Interest, §§ 10 to 12.

As to Division of new Second Preference Shares created to pay off Preference Shares bearing a higher Rate of Interest, § 13.

Certain Provisions of the Companies Clauses Consolidation Act extended to this Act, § 14.

Power to run over Portions of Newcastle and Carlisle Railways, &c., § 17.

Power to carry Passengers and Traffic over other Railways, § 18.

Newcastle Company to afford Facilities for Transmission of Traffic to and from their Railways, § 19.

Arbitration, § 20.

Port Carlisle Company may charge Tolls for Traffic over Newcastle Railways, § 21.

Newcastle Company to account to the other Companies for their Proportions of Tolls, § 22.

SCHEDULE.

	£	s.	d.
Amount of Principal Monies secured by Mortgages and Promissory Notes, and other Debts created by the Canal Company, and now a Second Charge on the Undertaking of the Port Carlisle Company - -	73,537	10	0

	£	s.	d.
Amount of Interest thereon, added to Principal Debt under Powers of the Port Carlisle Act - - - - - -	10,992	11	3
Amount of original Shares of the Canal Company now converted into original Stock of the Port Carlisle Company - - -	70,600	0	0

Cap. cxxxv.

"The Swansea Harbour Act, 1860."

Recites Acts of 1854 and 1859.
Extension of Time for Completion of Works to 1st Nov. 1860, § 3.
A Sum of 10,000*l.* to be set apart for the Completion of the Half-tide Basin, § 4.

Cap. cxxxvi.

"Stockport, Disley, and Whaley Bridge Railway (Capital) Act, 1860."

Recites Incorporation of the Company by "The Stockport, Disley, and Whaley Bridge Railway Act, 1854," for the Purpose of making a Railway from the London and North-western Railway, near Stockport, to Disley and Whaley Bridge, in the County of Chester, with a Capital of 150,000*l.*, divided into Shares of 20*l.* each, and with Power to borrow 50,000*l.*, and to take Tolls at the Rates therein mentioned for the Use of the Railway by that Act authorized, and of Carriages and Engines belonging to them, and to enter into Agreements with the London and North-western Railway Company, for the Use and Working by the last-named Company of all or any Part of the Railway, and the Use of the Works and Conveniences belonging thereto; that by their Act of 1855 the Company were empowered to make a Junction Railway from and out of the authorized Line of their Railway, to join the Cromford and High Peak Railway, but that Act did not authorize the Company to raise any additional Capital for the Purposes thereof; that by the same Act the London and North-western Railway Company were empowered, and the Cromford and High Peak Railway Company were required, to contribute towards the Undertaking of the Company; that by their Act of 1857 the Company were empowered to make a Railway (called "the Buxton Extension") from their said Junction Railway to Buxton, in the County of Derby, and to take upon or in respect of all their Railways a Scale of Tolls different from that prescribed by the firstly-recited Act; and by the Act now in recital the Buxton Extension was declared to be, for financial Purposes, a separate Undertaking, and the Company were authorized for the Purposes thereof to raise an additional Capital of 200,000*l.* by new Shares entitled to Interest or Dividend out of the net Profits of the Buxton Extension only, and to borrow 66,600*l.* on Mortgage of the Buxton Extension; and the London and North-western Railway Company and the Manchester, Sheffield, and Lincolnshire Railway Company were respectively authorized to subscribe towards the Undertakings of the Company; that the said Railway and Junction Railway by the firstly and secondly recited Acts authorized are complete and open for Traffic; that owing to the great Cost of the said Junction Railway, and other Circumstances, the actual Cost of the said Railway and Junction Railway by the firstly and secondly recited Acts authorized has considerably exceeded the Amount which the Company were authorized to raise for the Purposes thereof, and they are now indebted in a large Amount for Liabilities incurred for the Purposes of that Railway and Junction Railway; proposes to raise Money for the Discharge of those Liabilities and other Purposes of their original Undertaking; recites that the Company have not granted any Preference or Priority in Payment of Interest or Dividends on any Shares or Stock; that the Viaduct, on which the said Junction Railway is almost entirely constructed, materially facilitates the Construction of the Buxton Extension, but the original Undertaking of the Company does not derive from that Junction Railway any Advantage commensurate with the Cost thereof; and it is expedient that Powers should be given for uniting the said Junction Railway to the Buxton Extension, and for repaying the Cost or Part of the Cost thereof to the Funds of the original Undertaking out of the Funds of the Buxton Extension.
Incorporating certain Provisions of Companies Clauses Consolidation Act, § 2.
Additional Capital of 35,000*l.* in Shares, with or without a Preference, §§ 3 to 11.
Power to borrow on original Undertaking 10,000*l.*, §§ 12 to 14.
As between Shareholders of the Two Undertakings, Junction Railway may be made Part of the Buxton Extension, § 16.
Buxton Extension to repay Cost of Junction Railway, § 17.
Other Conditions may be attached thereto, § 18.
Saving Powers of Manchester, Sheffield, and Lincolnshire Railway Company, § 19.

Cap. cxxxvii.

"The Abergavenny Improvement Act, 1860."

Recites Act of 1854; proposes to enable the Commissioners to construct Works, and to supply the District with Water and Gas, and to improve Markets.
Limits of Act, § 3.
Execution of Act, § 4.
Incorporation of Gasworks Clauses Act, §§ 5, 6.
Power to construct Works, §§ 7, 8.
Four Years for compulsory Purchase of Lands, § 9.
Commissioners may conserve and cleanse Kibby Brook, § 10.
Abandonment of existing Reservoir, § 11.
Power for Justices to enforce Repair of Reservoir, §§ 12 to 21.
Water Rates and Supply of Water, §§ 22 to 28.
Power to purchase Easements, &c., §§ 30 to 34.
Gas, § 35.
As to an Agreement between Commissioners and Thomas Davis, § 36.
Gas to be consumed by Meter, on Request, § 37.
Penalty for tampering with Meter, § 38.
Maximum Price of Gas, § 39.
Quality of Gas, §§ 40 to 43.
Commissioners may remove Pipes from unoccupied Premises on giving Notice to Owner, § 45.
Power to lease or purchase Chapel Mill, § 46.
Power to erect new Town Hall, &c., § 47.
Power to hold Markets, § 48.
Tolls may be taken on Articles sold out of Market, § 49.
Limit of Rates, § 50.
Reservations out of Land sold, § 51.
Recovery of Rates, §§ 54 to 57.
Power to borrow 30,000*l.*, §§ 58 to 61.
Sinking Fund, § 62.
Application of Monies, § 63.

Cap. cxxxviii.

"The Marchburn, Kelso, and Lauder Road Act, 1860."

Recites 10 Geo. 4. c. lxvi.; proposes to repeal that Act, and to extend the Term.
Repeal of recited Act, § 1.
Powers of 1 & 2 Will. 4. c. xliii. applied to this Act, § 2.
Tolls, &c. vested in Trustees, § 5.
Tolls and Duties liable to existing Debts, § 6.
Trustees and Meetings of Trustees, §§ 7 to 11.
Roads to which this Act is applicable, § 12.
Toll Gates, § 13.
Present Tolls continued for a Term, § 14.
Tolls, §§ 15 to 20.
Application of Monies, § 22.
Act to be in force for 31 Years from passing, § 24.

Cap. cxxxix.

"Oswestry and Newtown Railway (Porthywaen Branch) Act, 1860."

Recites Incorporation of Company in 1855, with Power to make a Railway from the Great Western Railway at Oswestry, in the County of Salop, to join the Llanidloes and Newtown Railway at Newtown, in the County of Montgomery, and that such Railway will shortly be completed and opened; proposes to construct a short Branch Railway to connect their authorized Line of Railway with certain Lime Rocks at Porthywaen, in the Parish of Llanyblodwell, in the County of Salop.
Incorporation of General Acts, § 1.
Power to make Railway, §§ 3, 4.
Against Interference with the Porthywaen Tramway, § 5.
Limiting Powers for compulsory Purchase of Lands to Two Years, § 7.
Power to create new Shares to 10,000*l.*, § 9.
New Shares not to be Preference or Guaranteed Shares, § 10.
Power for Company to borrow One Third of additional Capital, §§ 12, 13.
Incorporating certain Provisions of Companies Clauses Consolidation Act, § 14.
Power to apply existing Capital, § 18.

Cap. cxl.

"The North British and Jedburgh Railways Amalgamation Act, 1860."

Recites that by "The North British Railway Consolidation Act, 1858," the Acts relating to the North British Railway Company were repealed, and their Provisions consolidated and amended; and by "The North British and Selkirk Railway Amalgamation Act, 1859," and "The Border Union (North British) Railways Act, 1859," further Powers were conferred upon the North British Railway Company; that by "The Jedburgh Railway Act, 1855," the Jedburgh Railway Company were incorporated and authorized to make a Railway from Jedburgh to the Kelso Branch of the North British Railway at or near the Roxburgh Station, and to raise 35,000*l.* by the Creation of Shares of 10*l.* each, and 11,500*l.* by Mortgage of their Undertaking, and the Jedburgh Railway Company and North British Railway Company were authorized to enter into Agreements with respect to the Use, Working, Management, and Maintenance of the Jedburgh Railway, and otherwise in relation thereto; that the Jedburgh Railway Company created 3,500 Shares for raising the Capital of 35,000*l.* authorized by their Act, but 442 of such Shares, representing 4,420*l.*, have not been issued, and the said Company have borrowed 11,500*l.*, or thereabouts, on Mortgage of their Undertaking; that the Jedburgh Railway is completed and open for public Traffic, and is used, worked, maintained, and repaired by the North British Railway Company; proposes to amalgamate the Undertaking and Capital Stock of the Two Companies with the Undertaking and Capital Stock of the North British Railway Company.
Repeal of Jedburgh Railway Act and Amalgamation of Companies and their Undertakings, § 1.
The Jedburgh Railway Company to continue incorporated for certain Purposes, § 2.
North British Railway Company to be seised and possessed of Estate and Effects of the Jedburgh Railway Company, § 3.
Saving of Rights and Liabilities, §§ 5 to 11.
Shares of Jedburgh Railway Company to be Preference Shares of North British Railway Company, and called North British Jedburgh Preference Shares, with a Dividend of 4*l.* 10*s.* per Cent., § 12.
Dividend on North British Jedburgh Preference Shares to be increased when Company divide on their ordinary Stock more than 4½ per Cent. per Annum, § 13.
Time of Payment of Preference Dividends, § 14.
Saving Rights of existing Preference Shares and Stock of North British Railway Company, § 15.
Jedburgh Preference Shareholders to have Lien on Jedburgh Railway, § 17.
How Lien to be made effectual; Appointment of Judicial Factor, §§ 18 to 23.
Certificate of Shares to be given, § 24.
Power for North British Railway Company to create new Preference Shares, with a Dividend not exceeding 5*l.* per Cent., §§ 25 to 30.
Incorporating certain Provisions of Companies Clauses Consolidation Act, § 31.
Power to borrow 11,500*l.* inclusive of Money already borrowed, §§ 32 to 35.
Level Crossings, §§ 38 to 40.
Feu Duties, &c. to be a First Charge on Jedburgh Railway, §§ 42, 43.
Tolls, §§ 44 to 46.

Cap. cxli.

"The Central Wales Extension Railway Act, 1860."

Proposes to incorporate a Company for making a Railway from the authorized Line of the Central Wales Railway at Llandrindod Wells, in the County of Radnor, to the Town of Llandovery, in the County of Carmarthen, and to authorize them and any or either of the following Companies; namely, the Shrewsbury and Hereford Railway Company, the Knighton Railway Company, the Central Wales Railway Company, the Vale of Towy Railway Company, and the Llanelly Railway and Dock Company, to enter into Traffic and Working Agreements with the Company.
Incorporation of General Acts, § 1.
Subscribers incorporated, with a Capital of 208,000*l.* in Shares of 10*l.*, and Power to borrow 69,333*l.*, §§ 3 to 7.
Directors; Meetings, §§ 11 to 17.
Power to make Railway, §§ 18, 19.
Level Crossing, §§ 20 to 22.
Lands are to be purchased by Compulsion within Three Years, § 25.

Five Years for Completion of Railway, §§ 26, 50.
As to Communication with the Central Wales and Vale of Towy Railways, §§ 27 to 29.
As to Junction with Mid-Wales Railway, §§ 30, 31.
For facilitating the Interchange of Traffic between Central Wales and Mid-Wales Railways; Reference in case of Dispute, § 32.
Tolls, §§ 33 to 40.
Power to enter into Traffic Agreements with the Five Companies, or any of them, and into Working Agreements, §§ 41 to 49.

Cap. cxlii.

"The Montrose and Bervie Railway Act, 1860."

Proposes to make a Railway from the Royal Burgh of Bervie or Inverbervie, in the County of Kincardine, to the Montrose Branch of the Scottish North-eastern Railway, in the Royal Burgh and Parish of Montrose and County of Forfar; and to authorize the Scottish North-eastern Railway Company to contribute Funds towards the proposed Undertaking, and to enter into Arrangements with respect to its Working and Management, and for the Use by the Company of a Portion of the said Montrose Branch, with its Stations and Conveniences, and to confirm an Agreement for some of those Purposes, a Copy of which is set out in the Schedule to the Act.
Incorporation of General Acts, § 1.
Subscribers incorporated, with a Capital of 70,000*l.* in Shares of 10*l.*, and with Power to borrow 23,000*l.*, §§ 3 to 8.
Meetings; Directors, §§ 9 to 15.
Power to make Railway, §§ 16, 17.
Construction of Line between certain Points, § 18.
Provision for Access to Shore; Admiralty Clauses, §§ 22 to 26.
Lands to be bought by Compulsion within Three Years, § 28.
Five Years for Completion of Works, §§ 29, 30.
As to Junction with Scottish North-eastern Railway, §§ 31, 32.
Confirming Heads of Agreement with Scottish North-eastern Railway Company, dated 20th March 1860, § 33.
Power to enter into Agreement as to Stations, &c., § 34.
Company may contract with the Scottish North-eastern Railway Company as to Working and Use of Railway, §§ 35 to 40.
Tolls, §§ 41 to 48.
Power for Scottish North-eastern Company to subscribe 15,000*l.*, §§ 49 to 51.
Schedule (Agreement with Scottish North-eastern Company).

Cap. cxliii.

"The Epping Railways (Dunmore Extension) Act, 1860."

Recites their Act of 1859; proposes to extend their Railway from Chipping Ongar to Great Dunmow.
Incorporation of General Acts, § 2.
Power to make Railway, §§ 3, 4.
Line not to be constructed nearer to "Olives" than 140 Yards, § 5.
Level Crossings, and Board of Trade Provisions, § 6 to 9.
Railway to form Part of Company's Undertaking as to Tolls and otherwise, § 10.
Three Years for compulsory Purchase of Lands, § 12.
Four Years for Completion of Works, §§ 13, 14.
Power to raise 95,000*l.* by Shares, §§ 15 to 17.
Power to borrow 31,600*l.*, § 18.

Cap. cxliv.

"The Caledonian Railway (Branches) Act, 1860."

Recites Incorporation in 1845, with Power to make a Railway for the Purpose of connecting the City of Carlisle with the Cities of Edinburgh and Glasgow and the Northern Parts of the Kingdom of Scotland; that a Branch Railway from the Caledonian Railway to the Royal Burgh of Lanark has been formed by certain Persons without the Authority of Parliament; that it would be attended with Advantage and Convenience to the Public and to the Caledonian Railway Company, if the said Company were authorized to acquire and improve the said Branch Railway, and to construct a Branch Railway therefrom to the Douglas Mineral Field, in the County of Lanark, with short connecting Branches; and also to construct a connecting Branch from their Main Line at Edinburgh to their Granton Branch.
Incorporation of Lands and Railways Clauses Acts, § 3.
Power to acquire Private Railway and Lands, and execute Works, § 4.
Description of Branch Railways, § 5.
Regulating the Dimensions of certain Bridges, § 6.
Three Years for compulsory Purchase, § 8.
Four Years for Completion of Works, § 9.
Tolls, § 10.
Power to raise 100,000*l.* by Creation of Shares with a Preference not exceeding 5*l.* per Cent., §§ 11, 12.
Power to borrow 33,300*l.*, § 13.
Incorporation of Portion of Companies Clauses Act, § 14.

Cap. cxlv.

"The West of Fife Mineral Railway (Kingseat Extension) Act, 1860."

Recites Acts of 1856 and 1857; proposes to extend the Railway.
Incorporation of Lands and Railways and Portion of Companies Clauses Act, §§ 2, 3.
Power to raise additional Capital of 12,000*l.*, and to borrow 4,000*l.*, §§ 5 to 14.
Power to make Railway according to deposited Plans, §§ 15, 16.
Two Years for purchasing Lands, § 19.
Four Years for Completion of Works, §§ 20, 21.
Railway and Extension to be One Railway, § 22.
Arrangement with Kinross-shire Railway Company, § 23.
Saving Rights of Kinross-shire and Edinburgh, Perth, and Dundee Railway Companies, § 25.

Cap. cxlvi.

"Wimborne Minster and Blandford Forum Turnpike Road Act, 1860."

Recites 1 Will. 4. c. ix., and that 1,800*l.* is owing upon the Credit of the Tolls; proposes to repeal recited Act, and to continue the Trustees.
Repeal of recited Act, § 1.
Monies and Property to vest in Trustees, §§ 4 to 6.
Trustees, §§ 7 to 11.
Road to which this Act is applicable, § 12.
Present Tolls continued till 1st February 1861, § 14.
For continuing, erecting, and removing Toll Gates, § 15.
Power to take Tolls, §§ 16 to 23.
No Money to be borrowed by Trustees, § 24.
Defining the Amount of the Principal Debt, § 26.
Arrears of Interest extinguished, § 27.
Application of Monies and Tolls, § 28.

Interest not to accrue until Expenses of obtaining Act are paid, § 29.
No Money to be taken or laid out in Towns, § 30.
Mortgagees to take possession for Interest only, 31.
As to Mode of discharging Debt, § 32.
The Trustees may grant Mortgages for the Sums contained in this Act, § 33.

Cap. cxlvii.

"The Hungerford Market and Charing Cross Bridge Act, 1860."

Recites 11 Geo. 4. c. lxx. and 6 Will. 4. c. lxviii., relating to the Hungerford Market Company, and 6 & 7 Will. 4. c. cxxxiii. and 6 Vict. c. xix., relating to the Hungerford Bridge Company; that in 1845 the Name of the Bridge Company was changed to their present Name, "The Charing Cross Bridge Company," and they were authorized to make improved Approaches to the Bridge; that by "The Charing Cross Bridge Approaches Act, 1849," and "The Charing Cross Bridge Act, 1851," respectively, further Provisions were made with respect to the Bridge Company; that in pursuance of the recited Acts, or some of them, the Bridge Company made the Charing Cross Bridge from Hungerford Market across the River Thames to the opposite Shore, and at or in connexion with the Northern Pier of the Bridge a Floating Stage or Landing Place for Passengers has been provided, and the Market Company take the authorized Tolls in respect of Passengers and Goods embarking and landing thereat; that an important Part of the Income of the Market Company is derived from the Tolls which they are authorized to take in respect of Passengers and Goods embarking on and from the Wharf and Pier and Causeway and the Floating Landing Place respectively, and the average yearly Amount of that Income for the Three Years ending with the Year 1859 exceeds 2,700*l.*; that almost the whole of the Income of the Bridge Company is derived from the Tolls which they are authorized to take for Passengers using the Bridge, and the average yearly Amount of that Income for the Three Years ending with the 31st Day of January 1860 exceeds 5,800*l.*; recites that in 1859 a Company (in this Act called "the Railway Company") were incorporated by the Name of "The Charing Cross Railway Company," and were authorized to make and maintain a Railway, commencing by a Junction near to London Bridge with the South-eastern Railway, crossing the River Thames by means of a Bridge to be erected at, or near to, or on the Site of the Charing Cross Bridge, and terminating at a Point in Hungerford Street, with a Branch Railway to form a Junction with the London and South-western Railway, and to appropriate, alter, and adapt to the Objects of the Undertaking the Charing Cross Bridge, and either wholly or partially to discontinue its then present User by the Public as a Passenger Thoroughfare, and to provide a substituted Thoroughfare or Thoroughfares instead thereof, and for the Purposes of those Works to take and use certain Lands; that the Lands which the Railway Company are so authorized to take and use comprise the Market House, Market Place, Wharf, Causeway, and other Landed Property of the Market Company and the Charing Cross Bridge, including the Northern Pier thereof, and Works or Conveniences connected with the Floating Landing Place there; that if only the Lands, Buildings, and Works of the Market Company and the Bridge Company respectively were taken and used by the Railway Company, the Market Company and the Bridge Company respectively would lose the Tolls to which they respectively are now entitled, and they claim that, in addition to the Purchase Monies which will be payable to them by the Railway Company, Compensation for the Loss of those Tolls should also be made to them by the Railway Company; that the Market Company and the Bridge Company have entered into the Agreements with the Railway Company of which Copies are given in the Schedule annexed, and it is expedient that those Agreements be confirmed; that it is expedient that while the Railway Company, in accordance with the Provisions of this Act, maintain the present Wharf, Causeway, Floating Landing Place, and Bridge respectively, and the Works and Conveniences connected therewith, all of which lie within the Limits of Deviation marked on the Plans deposited for the Purposes of the Railway Company's Act, or if and when they, in accordance with the Provisions of this Act, provide within those Limits other Accommodation instead of the same respectively, they be authorized to take for the same the Wharfages, Tolls, or Dues which the Market Company and the Bridge Company respectively are authorized to take for the present Wharf, Causeway, Floating Landing Place, and Bridge respectively; and that the Wharfages, Tolls, or Dues, Rights, Powers, and Privileges of the Market Company and the Bridge Company respectively, with respect to the present Wharfs, Pier, Causeway, Floating Landing Place, and Bridge respectively, and the Works and Conveniences connected therewith, be transferred to the Railway Company, and the Affairs of the Market Company and the Bridge Company respectively be wound up, and those Companies be dissolved; recites further that the Railway Company have not yet borrowed any Monies; and proposes to raise additional Capital.
Incorporation of Lands and Railways and of Parts of Companies Clauses Act, §§ 2 to 4.
Confirmation of scheduled Agreements, § 5.
Tolls of Market Company and Bridge Company may be transferred to Railway Company, § 6.
Powers and Duties of Market Company and Bridge Company transferred to Railway Company, § 7.
Evidence of Transfer, § 8.
Restrictions as to Powers of Railway Company under Act, § 9.
Power for Railway Company to lease Tolls, § 10.
Dissolved Company to wind up their Affairs, § 11.
Payments into Court by dissolved Company, § 12.
Dissolution of Market Company or Bridge Company, § 13.
General Saving of Rights, § 14.
Power for Railway Company to create a yearly Charge of 8,500*l.*, § 15.
Terms and Conditions of yearly Charge, § 16.
Power for Railway Company to create 120,000*l.* additional ordinary Capital, §§ 17, 18.
Railway Company may cancel unissued Shares and create new Shares instead, § 19.
General Power for Railway Company to dispose of Shares under Act, § 20.
Calls on new Shares, § 21.
Power for Railway Company to borrow 40,000*l.*, §§ 22, 23.
Power to borrow on Security of yearly Charge created under Act, §§ 24, 25.
Application of Monies raised by Shares and by borrowing, § 26.
Saving Rights of the Conservators of the River Thames, § 30.
Schedule (Agreements).

Cap. cxlviii.

"The Swansea Local Board of Health Waterworks Act, 1860."

Recites their Act of 1852; that nothing has been done under it; proposes to repeal it; and to authorize an improved System of Waterworks.

Repeal of recited Act and Saving of Rights and Liabilities, §§ 2 to 5.
Act to be executed by Local Board, § 7.
Incorporation of General Acts, § 8.
Certain Clauses of the Local Government Act, 1858, not to apply, § 9.
Appointment of Officers, &c., §§ 11, 12.
Lands, &c. to be held by Local Board as a Body Corporate, § 13.
Limits of Act, § 14.
Power to construct Works in accordance with Plans, § 15.
Limits of Vertical Deviation, § 16.
To take, alter, and divert Springs, &c., § 17.
Restricting Interference with Property of the South Wales Railway Company, §§ 18, 19.
Power to purchase Lands subject to Restrictions, §§ 20 to 26.
Five Years for compulsory Purchase, § 27.
Seven Years for Completion of Works, § 28.
Volume of Water to be discharged from Reservoirs for the Supply of the several Rivers, 29.
Penalty for Failure of Discharge of Compensation Water, § 30.
Gauge Basins and Water-measuring Wears to be erected, § 31.
Provision as to foul Water from Mines, § 32.
Provision in the event of the future Construction of a Mineral Railway or Tramway, § 33.
Reservoir Provisions, §§ 34 to 43.
Admiralty Provisions, §§ 44 to 46.
Rates; Supply of Water, &c., §§ 47 to 58.
Value of Property to be according to Poor Rate, §§ 59, 60.
Waterworks Account, § 61.
Power for Local Board to borrow 75,000*l.* on Security of Waterworks, &c., § 62.
Power to raise further Sums for Compensation for Minerals, § 63.
General District Rates and Estimates to include Sums payable thereout under this Act, § 64.
Waterworks Account to be primarily liable, § 65.
Rates not to be reduced under certain Circumstances, § 66.
For Security of Mortgagees, § 67.
Power to reborrow, § 68.
Certain Restrictions not to apply, § 70.
Sinking Fund, § 71.
Application of Receipts of Board, § 72.
Recovery of Penalties, §§ 75 to 82.
Saving the Rights of the Duke of Beaufort, § 84.
Saving Rights of Local Board under Public Health Act, § 85.

Cap. cxlix.

"The Conway and Llanrwst Railway Act, 1860."

Incorporation of General Acts, § 1.
Subscribers incorporated, with a Capital of 50,000*l.* in Shares of 10*l.*, and Power to borrow 16,666*l.*, §§ 4 to 10.
Meetings; Directors, §§ 11 to 21.
Power to make Railway, § 22, 23.
Two Years for compulsory Purchase of Land, § 25.
Three Years for Completion of Works, § 26.
Saving Rights of the Crown, § 27.
Admiralty Provisions, §§ 28 to 34.
Tolls, §§ 36 to 45.
Power for Company and the London and North-western Railway Company to make Working and other Agreements, §§ 46 to 52.
As to Junction with the Chester and Holyhead Railway, §§ 53 to 56.
Provision in case of Delay of the Irish Mail, § 57.

Cap. cl.

"The Mersey Docks (Ferry Accommodation) Act, 1860."

Recites that by "The Mersey Docks and Harbour Act, 1857," it was provided that the Landing Stage for Seagoing Steamers then being constructed by the Corporation of Liverpool in front of the Princes Dock at Liverpool should vest in the Board on the 1st Day of January 1858, if then completed, and if not, then on the Completion thereof; and that the same should for ever thereafter be maintained by the Board in a State of Efficiency, and in the Situation where the same was then being constructed; that the said Landing Stage at Liverpool has been completed and opened for public Use, and is called the Princes Landing Stage; that by "The Mersey Docks and Harbour (Works) Act, 1858," the Board were authorized to provide and erect a Floating Landing Stage in the Front of and connected with a Seawall authorized to be erected for inclosing Part of the Woodside Basin at Birkenhead; and by the same Act the Board were directed to appropriate and set apart for the Accommodation of the Traffic and for the general Purposes of Woodside Ferry exclusively, and without receiving any Payment for the same, such Portion of the Landing Stage thereby authorized to be constructed at Woodside aforesaid as should form the Southern End thereof, of the Length of 300 Feet; and such Portion, when so appropriated, should thenceforward be under the Control and Management in all things of, and be kept in good and substantial Repair by, the Birkenhead Improvement Commissioners, or other the Persons who for the Time being should be the Owners of the said Ferry; and the remaining Portion of such Landing Stage should be under the exclusive Control and Management of the Board, but should not be used except by Steam Vessels plying beyond the Port of Liverpool; that the said Seawall and Landing Stage at Woodside have not yet been completed; that great Inconvenience is experienced in the Passage of Carriages, Carts, and Vehicles between Liverpool and Birkenhead, by reason of the Difficulty in embarking and disembarking the same on and from the Ferry Boats plying between the opposite Shores of the River Mersey, and it would be a great public Accommodation if the Board were authorized to make Floating Bridges, Piers, or Jetties, between the Princes Landing Stage at Liverpool and the adjacent Quays, and between the said intended Landing Stage at Woodside and the said intended Seawall, so as to enable Carriages, Carts, and Vehicles to pass and repass to the said Landing Stages respectively at all States of the Tide; that it is expedient that the Period for completing some of the Works authorized to be constructed at Woodside by "The Mersey Docks and Harbour (Works) Act, 1858," and therein fifthly described, should be extended, and the said several Acts amended and altered.
Certain Parts of Mersey Dock Acts Consolidation Act incorporated, § 2.
Certain Parts of Lands Clauses Consolidation Act incorporated, § 3.
Works may be made according to deposited Plans, § 4.
Extension of Time for Completion of certain Works to 1st Nov. 1861, § 5.
Plans of Works to be submitted for the Approval of the Admiralty, § 6, and §§ 8, 9.
Exemption of certain Vessels, § 7.
Works at Birkenhead to be deemed Part of the Works referred to in Section 57 of the "Mersey Docks and Harbour Act, 1857," § 10.

Works at Liverpool to be paid for out of general Receipts of the Board, § 11.
Extension of Provisions to make Byelaws, &c., to Works authorized by this Act, § 12.
Ferry Boats may use Princes Landing Stage at Liverpool, and Part of North End of Landing Stage at Woodside; Protection of Tolls, § 13.
Tolls for Use of Floating Bridges, § 14.
Composition for Tolls, §§ 16 to 19.
Table of Tolls to be set up, §§ 20, 21.
Tolls may be reduced, § 22.
Tolls, &c. to be deemed Part of their general Receipts, § 23.
For settling Disputes respecting Tolls, &c., §§ 24, 25.
Power to erect Weighing Machines, § 26.
Weights allowed to be carried over Floating Bridges, Piers, and Jetties, § 27.
Carriages drawn by Steam, &c. not to pass over Floating Bridge, Pier, or Jetty, § 28.
Providing for the free and uninterrupted Conveyance of Goods from different Portions of Dock Estate, § 29.
Board may apply Income, &c. towards improving the Communication between Liverpool and the Birkenhead Docks, § 30.
Qualification of Restriction in Act of 1858, as to bringing Gunpowder into the Docks, § 31.
Constables may act within the Port and Harbour of Liverpool, § 32.
As to Byelaws regulating Master Porters, § 33.
Extension of Period for Continuance of existing Byelaws, § 34.
Application of Monies received by the Board for Fines, &c. in connexion with the Pilotage Service, § 35.
Offences committed by Pilots against Byelaws may be adjudicated upon by the Board or by the Pilotage Committee, § 36.
Saving Rights of Birkenhead Improvement Commissioners and of Seacombe Ferry, § 37.
Schedules (A. Tolls, B. Agreement).

Cap. cli.

"Watchet Harbour Act, 1860."

Recites that by "The Watchet Harbour Act, 1857," Provision was made for the Improvement of Watchet Harbour, in the County of Somerset, and the Watchet Harbour Commissioners were incorporated for putting the Act into execution, and Works therein specified for the Improvement of the Harbour were authorized, and the West Somerset Mineral Railway Company were required to lend to the Commissioners 10,000*l.*; that they have lent to the Commissioners 4,000*l.*, and the Repayment thereof with Interest is secured by Mortgage of the Watchet Harbour Fund provided for by the recited Act; that the Commissioners have not yet received any Income applicable for the Formation of the Sinking Fund required by the recited Act; that it is expedient that the Provisions of the recited Act, with respect to the Constitution and Election of the Commissioners be amended; that the Commissioners be empowered to execute the Works by this Act authorized by way of substitution for the Works by the recited Act authorized, to raise further Funds for the Improvement of the Harbour, and to repeal recited Act.
Limits of the Harbour, § 5.
Repeal of Act of 1857; Incorporation of Commissioners, §§ 6, 7.
Saving Rights and Liabilities, §§ 8 to 21.
Commissioners Clauses Act incorporated, § 22.
Provisions as to Commissioners, §§ 23 to 32.
Collector of Rates to make a yearly List of registered Shipowners, Vessels, and Tonnage, and certify its Accuracy, §§ 33, 34.
Certified List and Scale of Votes for registered Shipowners, §§ 35 to 37.
Commissioners to make a yearly Register of Harbour Ratepayers, § 38.
Period of Register, § 39.
Commissioners to make a yearly Alphabetical List of Persons paying Harbour Rates, § 40.
Votes of Harbour Ratepayers, §§ 41, 42.
Revisors of Lists to be appointed, § 43.
Triennial Revision of Lists, §§ 44 to 50.
Period for Election of Commissioners by registered Shipowners and by Harbour Ratepayers, §§ 51, 52.
Retirement from Office of elected Commissioners, § 53.
Place of Meetings for Elections by registered Shipowners and Harbour Ratepayers, § 54.
Meetings; Qualification, §§ 55 to 62.
Harbours, Docks, and Piers Clauses Act incorporated with Act, § 63.
Harbour exempt from Law of Sewers, § 64.
Map of Harbour, §§ 65 to 67.
Boundaries of Harbour, § 68.
Lands Clauses Act incorporated with this Act, § 69.
Commissioners may convey Piece of Land to West Somerset Railway Company, § 70.
Incapacitated Persons may sell Easements, &c., § 71.
Power to take Lands and execute Works, § 72.
Period for compulsory Purchase of Lands, § 73.
Commissioners to keep open Portion of Town Slip during Construction of the Works, § 74.
Power to purchase Easements, &c. by Agreement, § 76.
Land reclaimed by Works not to be taken without Consent of Commissioners of Woods, &c., § 77.
Works authorized, § 78.
Power to Lord of Manor and his Tenants to pass over Bed of the Harbour, § 79.
Construction of Slip on Eastern Side of new Pier, § 80.
Limits of Deviation for Works, § 81.
Works described to proceed simultaneously, § 82.
Periods for completing Works, § 83.
Commissioners may lay down Rails on Works, § 84.
Commissioners may allow Railway Companies to lay down Rails on Works, § 85.
General Works for Improvement of Harbour, § 86.
Removal of Obstructions from Harbour, § 87.
Consent of Woods and Forests to Works on Crown Lands, and of Admiralty for Works on Seashore, §§ 88 to 92.
Appointment of Harbour-masters and other Officers, § 93.
Power of Constables to go on board Vessels, § 94.
Lighthouses, § 95.
Dredging Engines, § 96.
Steam Tugs and Apparatus, § 97.
Provisions and Byelaws as to Ballast, §§ 98 to 106.
Navigation not to be interrupted, § 107.
Rates on Shipping, § 108.
Dues on Goods, § 109.
Rates and Dues vested in Commissioners, § 110.
Restriction as to taking Rates and Dues, § 111.
Certificate of Expenditure on Harbour, § 112.
Exemptions from Rates and Dues, § 113.
On Reduction or Increase of Dues on Iron Ore, a proportionate Reduction or Increase to be made on Coal, and vice versâ, § 114.
Power to borrow on Mortgage of Watchet Harbour Fund, 40,000*l.*, and Restrictions on borrowing, §§ 115 to 118.
Loan by Company to Commissioners, § 119.

Company may raise Amount of Loan by Creation of Shares, § 120.
Payments may be made by Commissioners by Mortgage, §§ 121 to 126.
Monies to be carried to the Credit of Watchet Harbour Fund, § 127.
Charges on Watchet Harbour Fund, § 128.
Application of Monies, § 129.
Accounts to be open to Inspection, and an Abstract to be published, § 130.
Saving Rights of the Crown; of Admiralty; of Trinity House; of Lord of Manor of Watchet, and Claimants under late Earl of Egremont, §§ 131 to 134.
For Protection of Lords of Manors and Landowners, § 135.
Schedules:
A. (Forms.)
B. (Rates on Shipping.)
C. (Dues on Goods.)
D. (Form of Mortgage.)
E. (Parcel of Ground.)
F. (Scale of Rates and Dues granted by Act of 6 Anne repealed.)

Cap. cliii.

"The Wimbledon and Dorking Railway Act, 1860."

Recites Incorporation of Company in 1857, with Powers to construct the Railway and Works in that Act mentioned, and to raise by Shares the Sum of 70,000*l.*, and by borrowing the Sum of 23,000*l.*; that by "The Wimbledon and Dorking and Epsom and Leatherhead Railways (Epsom Joint Station) Act, 1859," the Company and the Epsom and Leatherhead Railway Company were empowered to construct a Joint Station at Epsom; that the Company have raised by the Creation of Shares and expended the whole of the said Sum of 70,000*l.*, and have borrowed and expended the whole of the said Sum of 23,000*l.*; and they require a further Sum of Money for the Purposes of the recited Acts.
Power to raise 24,500*l.* by new Shares, with a Preference not exceeding 5*l.* per Cent., §§ 2 to 5.
Power to borrow to the Amount of One Third of paid-up Capital for the Time being, §§ 6, 7.

Cap. cliii.

"The Kilkenny Junction Railway Act, 1860."

Proposes to make a Railway from the Waterford and Kilkenny Railway at Kilkenny to the Great Southern and Western Railway at Mountrath, and to authorize the Company and the Waterford and Kilkenny Railway Company to make and carry out Working and other Arrangements with respect to the said intended Railway, and also to empower the Waterford and Kilkenny Railway Company to contribute towards the Expense of the Undertaking.
Incorporation of General Acts, §§ 1, 2.
Subscribers incorporated, with a Capital of 140,000*l.*, and Power to borrow 46,000*l.*, §§ 4 to 8.
Meetings; Directors, §§ 11 to 19.
Power to make Railway, §§ 20, 21.
Portion of Kilkenny Station, now occupied by the Irish South-eastern Railway Company, not to be taken by Company without Consent, § 22.
Passengers to be set down, and Ticket Stage to be erected, at certain Point in Townland of Newpark Lower, § 23.
Certain Works to be completed within a limited Period, § 24.
Deposit of Plans, § 25.
Roads to be crossed on a Level, §§ 26 to 28.
Communications with the Waterford and Kilkenny and Great Southern and Western Railways, §§ 29 to 32.
Land to be purchased by Compulsion within Three Years, § 34.
Five Years for Completion of Railway, §§ 35, 36.
Tolls, §§ 37 to 46.
The Waterford and Kilkenny Railway Company may acquire Shares in the Company to the Amount of 20,000*l.*, § 47.
Power to Waterford and Kilkenny Company to create new Shares with a Preference, §§ 48 to 50.
Power to enter into Traffic Arrangements with Waterford and Kilkenny Railway Company, §§ 51 to 56.

Cap. cliv.

"The Everton, &c. Drainage Act, 1860."

Recites 36 G. 3. c. 99., 41 G. 3. c. 136., and 53 G. 3. c. 160.; that several Powers and Provisions of the said recited Acts have been found defective and inconvenient, and it would be of Advantage to the Owners and Proprietors of the said Lands and Grounds if such Acts were repealed, and a new Act obtained placing the Works necessary for the Embankment and Drainage of such Lands and Grounds under the Control of One Commissioner to be appointed by the Proprietors generally, and of Five Committee-men, One to be appointed by the Proprietors of Lands and Grounds in each of the respective Townships of Everton, Scaftworth, Gringley-on-the-Hill, Misterton, and Walkeringham, and if better Provision were made for the Collection of the authorized Rates or Assessments, and such further Rates or Assessments as may be requisite to pay the Expenses of maintaining the present Works and any further Works that may hereafter be found to be necessary for the Embankment and Drainage of the said Lands and Grounds.
Appointment of Commissioner and Committee-men, § 3.
Repealing Acts and Saving Rights and Liabilities, § 4 to 11.
Commissioner and Committee-men to make a Declaration, § 12.
What shall be deemed a Refusal to act, § 13.
Commissioner not to be concerned in Contracts, § 14.
Committee-men may act as Justices, § 15.
Appoinment of Successor to Commissioner, § 16.
Commissioner may be removed by Justices in Quarter Sessions, § 17.
Appointment of Successors to Committee-men, § 18.
Proprietors may vote by Proxy, and Dean and Chapter of York by their Receiver, § 19.
Proprietor may vote in his own Election, § 20.
Allowance to Commissioner and Auditor, and Expenses of Committee-men, §§ 21, 22.
First Meeting of Commissioner and Committee-men, § 23.
Powers of Commissioner, § 27.
Powers of Committee-men, § 28.
Commissioner and Committee-men not to be personally liable, § 29.
Security to be taken from all Officers intrusted with Money, § 32.
Officers to account, § 33.
Accounts to be kept, §§ 34, 35.
Power to make Banks, &c., § 36.
Power to enter Lands and make Survey for additional Works, § 37.
Satisfaction for further Damages, § 38.
Power to take in Water in dry Seasons, § 39.
Not to injure the Drainage belonging to the Participants of

Hatfield Chase, nor Navigation of Idle and Bycarsdike, § 40.
Regulating the Height of the Bank on the South Side of the Idle and Bycarsdike, § 41.
Not to cut any Drain through Everton Pastures or the Lands adjoining, except at certain Distance from the Idle, § 42.
Commissioner may remove Obstructions, § 43.
Drains to be kept as Commissioner shall direct, § 44.
Penalty on Persons refusing or neglecting to remove Obstructions, § 45.
Costs of Repairs of internal Drains, § 46.
Commissioner and other Persons to pass along the Lands adjoining the Works, § 47.
Penalty on Persons damaging or destroying the Works, § 48.
If Ditches filled up, Fences to be made, § 49.
Bridges to be made over Drains where Passage to Land is obstructed, § 50.
Tunnel at Toft Hill not to be removed, § 51.
Indemnification to Proprietors of Lands from Injury by Breach in the Banks or from Inundation, § 52.
Right of Road from Haxey Gate and Soss, § 53.
Commissioner to make a fresh Determination, § 54.
Appeal against Commissioner's Determination, § 55.
Commissioner's Determination to be filed, § 56.
Commissioner to make Assessments, §§ 57, 58.
If Assessment insufficient to be increased by Consent, &c., § 59.
Application of Money, § 60.
As to new Works or Removal of present Steam Engines, § 61.
Tenants to pay Rates and to deduct same from their Rents, § 62.
Persons refusing to pay Rates, § 63.
Recovery of Assessments for Lands untenanted, § 64.
Trustees of Estates of Thomas Magnus and F. Clarkson to apply their Rents towards paying the Rates, § 65.
Damages, Penalties, &c., §§ 66 to 83.
Schedule (Form).

Cap. clv.

"Kilrush and Kilkee Railway and Poulnasherry Reclamation Act, 1860."

Proposes to make a Railway from Kilrush to Kilkee, and to embank and reclaim certain Waste Lands in the Estuary of Poulnasherry, in the County of Clare, the Soil of which is or is claimed to be in the Crown; and in order to provide for the Protection of the said Waste Lands when reclaimed from Inundation, and for the permanent Maintenance and Repair of the Works connected therewith, to appoint Commissioners, with Power to charge the Lands reclaimed with a Rate for that Purpose.
Incorporation of General Acts, § 3.
Subscribers incorporated, with a Capital of 45,000*l.* (*i.e.*, 37,800*l.* for the Railway, and 7,200*l.* for the Embankment), in Shares of 10*l.*, and with Power to borrow 15,000*l.* (*i.e.*, 12,600*l.* for the Railway, and 2,400*l.* for the Embankment), §§ 5 to 9.
Meetings; Directors, §§ 12 to 20.
Description of Works, § 21.
As to Deposit of Plans, § 25.
Level Crossings, §§ 26 to 29.
Lands to be purchased by Compulsion within Three Years, § 31.
Five Years for Completion of Railway, §§ 32, 69.
Tolls, §§ 33 to 40.
Power to Company to reclaim and make Catchwater Drains, &c. for Reclamation, § 41.
Power to Company to make Roads, § 42.
Plans to be deposited at the Admiralty previous to Commencement of any Work, § 43.
Consent of Commissioners of Public Works required before Execution of Works at Kilrush Pier, § 44.
Company not to injure the Drainage of adjoining Lands, § 45.
Company to have no exclusive Property in the Seaweed or Shells outside the Embankment, § 46.
Company to lay out Roads for the Use of Frontage Proprietors, § 47.
Waste Lands vested in the Company, § 48.
Compensation to be made for the Rights of the Crown, § 49.
Appointment of Commissioner, § 50.
Commissioner of Valuation to supply Vacancies, § 51.
Commissioner to sign Declaration before acting, § 52.
Evidence of Refusal to act, § 53.
Sittings and Adjournments of Commission, § 54.
Commissioner may appoint a Clerk, § 55.
Remuneration of Commissioner, § 56.
Power to summon Witnesses, § 57.
Value of Lands inclosed to be ascertained, and One Fifteenth of such Value to be apportioned among Proprietors of adjoining Lands, § 58.
Proprietors of Land to receive Amount in full Satisfaction of their Rights, &c. in the Lands, § 59.
Works, &c. to be maintained by Owners of reclaimed Lands, § 60.
Commissioners to be appointed for maintaining Works, § 61.
Chairman to be appointed, § 62.
Officers, § 63.
How Expenses of Salaries, &c. to be provided for, § 64.
How Contributions to be assessed, § 65.
For Recovery of Assessment, § 66.
Local Survey may be ordered by Admiralty if necessary, § 67.
Provision in event of Works going into Disuse or Decay, § 68.
Saving the Rights of the Lords of Manor, § 69.

Cap. clvi.

"The Milford Haven Dock and Railway Act, 1860."

Proposes the Construction of a Railway in extension of the Milford Railway to Newton Noyes, on the North Side of Milford Haven, and the Formation of a Pier there, and the embanking, deepening, and altering of Part of Castle Pill, and the Conversion of the same into a Dock, and the dredging and deepening of Portions of Milford Haven.
Incorporation of General Acts, § 3.
Subscribers incorporated, with a Capital of 140,000*l.* in Shares of 10*l.*, and Power to borrow 46,000*l.*, §§ 4 to 8.
Meetings; Directors, §§ 11 to 20.
Power to make Works, § 21.
Not to take certain Property without Consent, § 22.
Admiralty Provisions, §§ 24 to 30.
Gauge, § 31.
Power to dredge and buoy Portion of Milford Haven, § 33.
As to Junction with Milford Railway, §§ 34 to 37.
Two Years for Purchase of Lands, § 39.
Three Years for Completion of Railway and Ten Years for other Works, §§ 40, 42.
Any Land reclaimed by the Works not to be taken without the Consent of the Commissioners of Woods, &c., § 41.
Tolls for Use of Railway, §§ 43 to 51.
Rates payable on Ships, Passengers, Goods, and for the Use of Wharves, Cranes, &c., and for warehousing Goods, §§ 52 to 55.

Officers of Customs to have free Access to Docks without Payment of Tolls, § 56.
The Company may charge for warehousing, unloading, &c., § 57.
Masters of small Vessels to report within 12 Hours, § 58.
Company may maintain Lights, &c., § 59.
Power to appoint Meters and Weighers, § 60.
Appointment of Harbour, Dock, and Pier Masters, § 61.
Provisions with regard to Ballast, §§ 62 to 72.
Power to the Company to use the Milford Railway, § 73.
Power to the Milford Railway Company to use the Railway, § 74.
Power for the Company and other Companies to enter into Traffic Arrangements, §§ 75 to 79.
30 Geo. 3. c. 4. not to restrain or impede the Operation of this Act, § 80.
Saving Rights of the Crown, § 81.
Schedules (Rates).

Cap. clvii.

"The Waveney Valley Railway Act, 1860."

Recites that in 1851 the Waveney Valley Railway Company were incorporated for the making of a Railway from the Tivetshall Station of the Eastern Union Railway to Bungay in Suffolk; that they have constructed a Railway, which has long been open for Traffic, from Tivetshall to Harleston; and have also nearly completed the Construction of so much of the Remainder of the said Railway as lies between Harleston and a Place in the Village of Earsham within One Mile of Bungay; that by their Act of 1859 the Company were empowered to extend their Railway from the said Place in Earsham, across Bungay Common, to Day's Corner, in the Parish of Ditchingham, near Bungay, and they are now constructing such Extension; that by "The Waveney Valley Railway Extension Act, 1853," the Company were authorized to extend their Railway from Bungay to Beccles; but no Part of such Extension has been made, and the Power to make it under that Act has expired; and it would be advantageous to the Public and to the Company that the said Railway should be extended from Day's Corner to join the East Suffolk Railway at Beccles, and the Company are willing so to do.
Lands and Railways Clauses Acts incorporated, §§ 1, 2.
Power to construct Railway, § 3.
Describing Railway, § 4.
Level Crossings, §§ 5 to 8.
Communications with East Suffolk Railway; Engineer, §§ 9 to 13.
As to Bridge over Waveney, and Admiralty Provisions, §§ 14 to 22.
Three Years for compulsory Purchase of Lands for Railway, § 23.
Four Years for the Completion of Works, §§ 24, 25.
Maximum Tolls, § 27.

Cap. clviii.

"Epsom and Leatherhead Railway (South-western and Brighton) Act, 1860."

Recites Incorporation of Epsom and Leatherhead Railway Company in 1856; that it is expedient that the Epsom and Leatherhead Company be authorized to make, and the London and South-western Railway Company and the London, Brighton, and South Coast Railway Company jointly, or the South-western Company singly, be authorized to accept a Transfer of the Undertaking of the Epsom and Leatherhead Company, and that after the Transfer a Second Line of Rails be laid thereon; that Provision be made for the Winding-up of the Affairs and the Dissolution of the Epsom and Leatherhead Company; and that a Joint Committee shall be appointed for exercising the Powers of the South-western Company and the Brighton Company respectively under this Act, and for other Purposes in which those Two Companies respectively are interested; and to enable the South-western Company and the Brighton Company respectively to raise and apply Monies for the Purposes of this Act.
Incorporation of Part of Companies Clauses Act, §§ 2, 3.
Power to agree for Transfer of Epsom Railway to South-western and Brighton Companies, § 4.
Agreements with Shareholders and Creditors of Epsom Company as to Compensation, § 5.
Transfer to the Two Companies, § 6.
Transferred Premises vested in South-western Company to be Part of their Undertaking, § 7.
Transferred Premises vested in Brighton Company to be Part of their Undertaking, § 8.
Acts relating to transferred Premises to apply to the Two Companies, § 9.
Powers and Duties of Epsom Company as to transferred Premises to be had and performed by the Two Companies, § 10.
Two Companies to indemnify Epsom Company against those Duties, § 11.
Epsom Company to wind up their Affairs, § 12.
Payment into Court by Epsom Company, § 13.
Dissolution of Epsom Company and general Saving of Rights, §§ 14 to 22.
Rights as to Tolls on Railways transferred to the Two Companies, §§ 23, 24.
Contracts and Agreements between the South-western and Brighton Companies, §§ 25 to 32.
Joint Committee for Management of transferred Premises vested in the Two Companies jointly, §§ 33 to 38.
User of joint Property by the Two Companies, § 39.
Proceedings by and against the Two Companies with respect to joint Property, § 40.
Expenses, Tolls, Profits, Accounts, §§ 41 to 52.
General Lien for Payments to be made by the Two Companies to each other and to Joint Committee, § 53.
Detention of Trains for enforcing Payments, § 54.
Reference of Differences as to joint Property to Joint Committee, § 55.
Validity of Decision of Joint Committee, § 56.
Reference of Differences to Arbitrator, § 57.
Production of Books, &c. on Reference, § 58.
Joint Committee to be deemed a Railway Company within Railway Companies Arbitration Act, § 59.
Power for South-western and Brighton Companies to raise additional Capital of 30,000*l.* each, with or without a Preference not exceeding 5*l.* per Cent., §§ 60 to 73.
Power to each to borrow 10,000*l.*, §§ 74 to 76.
Saving Rights of Companies, § 80.

Cap. clix.

"The North British Railway (Stations) Act, 1860."

Proposes to enlarge the Company's Station at Edinburgh, and to make further Provision for securing the Use of the Citadel Station at Carlisle.

Incorporation of General Acts, § 2.
Power to Parties having limited Interests to feu Lands, §§ 3 to 6.
Power to purchase Lands for Enlargement of Station, § 7.
Company not to appropriate Site of Fruit and Vegetable Market until they have provided a new Site, § 8.
If Company and Corporation cannot agree, Disputes to be referred to Arbitration, § 9.
Corporation to have Access to Company's Premises to repair North Bridge, § 10.
Company not to injure Piers, &c. of North Bridge, § 11.
Height of Buildings at Edinburgh Station regulated, § 12.
Power to stop up Canal Street and Road in continuation thereof for Purpose of Station Enlargement, § 13.
Application of Compensation Monies paid to Corporation of Edinburgh, § 14.
Company not to take any Part of the Physic Gardens or Market Street for the Enlargement of Station, § 15.
One Year for compulsory Purchases, § 16.
Power to raise 30,000*l.* by Preference Shares at 5*l.* per Cent., §§ 17 to 19.
Power to borrow 10,000*l.*, §§ 20, 21.
Power to apply existing Capital, § 22.
Power to use Citadel Station, § 26.

Cap. clx.

"The Waterford and Limerick Railway Act, 1860."

Recites the several Acts relating to the Company; that it is expedient, for the Purpose of facilitating the Passage of Traffic, that the Company should be empowered to construct a Tramway from the Terminus of their Railway at Limerick to the Market Place in the City of Limerick, and to construct a short Line of Railway from the Terminus of their Main Line to the Wooden Bridge over the River Suir at Waterford, for the Purpose of affording better Communication with the City of Waterford; to construct a Pier or Wharf on the Bank or Shore of the River Suir, in connexion with such last-mentioned proposed Railway, for facilitating the landing and shipping of Passengers and Goods; for the Purpose of improving their Waterford Station, and affording increased Accommodation thereat, to purchase certain Lands in the Townland of Newrath, in the Parish of Kilculliheen, in the County of Waterford, and, for the Purposes of their Undertaking, certain additional Lands in the Townland of Puddingfield, in the Parish of Kilshane, in the County of Tipperary; that the Bridge authorized by the 14 & 15 Vict. c. cx. to be constructed over the River Suir at Fiddown, has been completed by and at the Expense of the Company, and it is expedient that Powers should be granted to the Company to transfer the said Bridge to the Grand Juries of the Counties of Waterford and Kilkenny, or either of them; that under the Provisions of the recited Acts, or some of them, the Company were authorized to raise by Shares Sums amounting in the whole to 840,000*l.*, and by borrowing on Mortgage or Bond Sums amounting in the whole to 280,000*l.*, and also to raise further Sums of Money in certain Events which have not occurred; and also by "The Limerick and Foynes Railway Act, 1853," to subscribe towards and become Shareholders in the Undertaking thereby authorized to the Extent of 17,500*l.*, and to raise that Sum, or any Part thereof, by the Creation of new Shares or Stock, or by Mortgage of the Undertaking of the Company; and that the Company have accordingly raised by Mortgage the whole of the said Sum of 17,500*l.*, and hold Shares for the Amount thereof in the Undertaking of the Limerick and Foynes Railway Company; that the Capital which the Company have actually created consists of 9,924 ordinary Shares of 50*l.* each, and 465 ordinary Shares of 12*l.* 10*s.* each, upon which 501,887*l.* 10*s.* have been paid; 4,942 Five per Centum Preference Shares of 50*l.* each, upon which 247,100*l.* have been paid; 17 Six per Centum Preference Shares of 50*l.* each, upon which 850*l.* have been paid; and 9,000 Six per Centum Preference Shares of 10*l.* each, upon which 90,000*l.* have been paid; and the outstanding Mortgage or Bond Debt of the Company amounts to 296,857*l.*; that in completing that Portion of the Waterford and Kilkenny Line situated between Dunkitt and Waterford, and in constructing the said Bridge over the River Suir at Fiddown, under the Powers contained in the said recited Act, and in building and completing a Terminal Station at Limerick, and in executing other Works in connexion with their Undertaking, Debts and Liabilities have been incurred by the Company; and that it is expedient to authorize the Company to raise further Sums of Money for the Purpose of discharging such Debts and Liabilities, and for carrying the Objects of this Act into effect; that whereas the Preference Shares have been created, subject to a Condition that the same may be redeemed by the Company, it is expedient that further Powers should be conferred on the Company, for the Purpose of the Redemption and Consolidation of their preferential Shares; and that the Company should be empowered to create Debenture Stock with a fixed Rate of preferential Dividend or Interest, in substitution for their Mortgage and Bond Debt, or any Part thereof; and that the Provisions of some of the recited Acts should be amended.
Qualification of Directors increased, § 2.
Repeal of Sections 18 and 23 of 8 & 9 Vict. c. cxxxi.,—§ 3.
Incorporation of General Acts, §§ 4, 5.
Power to make Tramway and Railway, and Pier or Wharf, §§ 6 to 8 and § 13.
Level Crossings, § 11.
Locomotive Power not to be used on Tramway, § 12.
Admiralty Provisions, §§ 14 to 18.
Two Years for compulsory Purchase of Lands, § 19.
Four Years for Completion of Works, §§ 20, 21.
Tolls on Tramway and Railway, § 22.
Company may take Rates for Pier or Wharf, § 23.
Tolls for Pedestrians on Pier, § 24.
Tolls on Vessels; Vessels or Boats not to be alongside the Pier or Wharf for any unnecessary Time, § 25.
Exemption of certain Vessels and Persons from Pier Dues, § 26.
Cranes, Weighing Machines, &c., § 27.
Limits of Power of Pier Master, § 28.
Use of Railway and Pier by Waterford and Kilkenny Railway Company, § 29.
Power to Company to transfer the Bridge over the River Suir at Fiddown, § 30.
Evidence and Effect of Transfer, § 31.
After Transfer, Bridge to be County Property and free to the Public, § 32.
Power to create Consolidated Preferential Stock, with Dividend not exceeding 5*l.* per Cent., § 33.
Preferential Stock to be applied in Redemption of existing Preference Shares, § 34.
Amount of Stock to be created, § 35.
Power to create additional Capital of 50,000*l.* by new Shares, with a Preference not exceeding 5*l.* per Cent., §§ 36 to 41.
New Shares may be converted into Consolidated Preferential Stock, § 42.

Power to borrow 16,600*l.*, §§ 43 to 45.
Company may create Debenture Stock, with Interest not exceeding 5*l.* per Cent., §§ 46 to 51.
Saving Rights of the Crown, of Trustees of Limerick Markets, and of Waterford Harbour Commissioners, §§ 56 to 58.

Cap. clxi.

"Llanelly Railway and Dock Act, 1860."

Recites that by "The Llanelly Railway and Dock Act, 1853," certain Acts therein recited relating to the Llanelly Railway and Dock Company were repealed, and some of the Powers and Provisions thereof were amended, and the Company were authorized to maintain their then existing Railways and Dock, and to make and maintain Additions thereto; and by that Act the total Capital of the Company was declared to be 264,000*l.*, and was divided into 2,000 ordinary Shares of 100*l.* each, and 560 substituted Shares of 25*l.* each, and 2,000 new Shares of 25*l.* each, which substituted Shares and new Shares the Company were authorized to issue either of One Class and with like Privileges, or of several Classes and with different Privileges, and respectively with any preferential Dividend not exceeding 6*l.* per Centum per Annum, and to borrow on Mortgage or Bond any Sums not exceeding in the whole 66,000*l.*; that the Railway of the Company known as the "Saint David's Railway" is connected with the Llanelly Station of the South Wales Railway by a short Branch or Siding of less than Half a Mile in Length, constructed on the Narrow Gauge by the South Wales Railway Company for the Use of the Company, and which has been ever since its Construction, and is now exclusively worked by the Company, and it is expedient that the Company and the South Wales Railway Company be authorized to enter into Arrangements with regard to such Branch Railway, and to carry into effect Contracts or Agreements with reference to vesting in the Company such Branch Railway; that another short Branch Railway of about a Quarter of a Mile in Length has been constructed by the Lessees of the Llanelly Local Board of Health, upon Lands belonging to the Local Board in the Parish of Llanelly, in the County of Carmarthen, such last-mentioned Branch Railway commencing on the Main Line of the Company near the Llanelly Tin Works, and extending to the Saint David's Railway, and it is expedient for the Increase of the Accommodation of the Traffic of the Company and of the Improvement of the Access from the Main Line to the Llanelly Station, that the Company should be empowered to purchase such last-mentioned Branch Railway; that by "The Vale of Towy Railway (Leasing) Act, 1858," the Company were authorized to take a Lease of the Vale of Towy Railway, for a Term not exceeding Ten Years; that no such Lease has yet been made, and it is expedient that a Lease in perpetuity of the Vale of Towy Railway to the Company be authorized; that before the 31st Day of December 1859, the Company had issued and called up the whole of their Share Capital, and had borrowed and secured by Mortgage and Bonds the whole Amount which they were authorized to borrow, and had converted the whole of their ordinary Shares into ordinary Stock of the Company, and had attached to the 2,000 new Shares a Preference of Dividend over the ordinary Stock of the Company to the Extent of 5*l.* per Centum per Annum, together with the Right to participate pari passu with such ordinary Stock in any Dividend beyond 5*l.* per Centum per Annum, and had attached to the 560 substituted Shares the Right to Interest at the Rate of 6*l.* per Centum per Annum up to the 30th Day of June 1860, and after that Date to Interest at the same Rate as should be payable upon the 2,000 new Shares; that the Company are also indebted in the further Sum of 22,000*l.* or thereabouts; that for the Purposes of enabling the Company to meet their existing Debts and Liabilities, and to provide additional Station and other Accommodation, and to purchase the said Branch Railways, and to provide and furnish with Engines, Tools, and Apparatus, Workshops and other Buildings requisite for the Preservation and Repair of the Company's Rolling Stock, and to provide additional Rolling Stock for the increasing Traffic on the Railway, and to provide increased and improved Dock Accommodation, and to purchase by Agreement the Land requisite for such Purposes, it is expedient that the Company be authorized to raise additional Funds, and to create Debenture Stock; that by "The Burry Navigation and Llanelly Harbour Act, 1858," the Commissioners for the Execution of that Act are empowered (with the Consent of the Company) to purchase the Docks, Reservoirs, or Channels, and certain other Works belonging to the Company, and it is expedient that the Company and the Burry Navigation and Llanelly Harbour Commissioners be authorized to enter into mutual Arrangements, and to agree with other Persons with respect to providing and guaranteeing Interest or Dividend on the Monies to be raised for the Construction of Machinery, Works, and Conveniences, Improvement of the Dock Accommodation, and other Purposes of the authorized Undertaking of the Company.
Incorporation of Lands and of Part of Companies Clauses Acts, §§ 2 to 5.
Arrangements with South Wales Company as to Branch from Saint David's Railway, § 6.
Arrangements with Llanelly Board of Health for Purchase of Branch from Main Line, § 7.
Powers of the Company with regard to such Branches when vested in them, § 8.
Agreements as to Compensation for the Branch Railways, &c., § 9.
Rights and Liabilities saved in respect of Branches when transferred, § 10.
Lands may be appropriated for Sidings, &c., § 11.
Lease of Vale of Towy Railway, § 12.
Provisions of Leasing Act to apply, § 13.
Company and Burry Commissioners may agree for Guarantee, § 14.
Agreements with other Persons for Guarantee, § 15.
Provisions as to Guarantee, § 16.
Agreements for exclusive Use of Wharves, &c., § 17.
Licences, §§ 18, 19.
Company may reserve exclusive Use of Portion of Dock, § 20.
Company and Burry Commissioners may make Agreements for Purposes of Act, § 21.
Company may purchase additional Lands by Agreement, § 22.
Increase of Capital 100,000*l.*, § 23.
Present Capital declared to be 364,000*l.*, § 24.
6*l.* per Centum Preference may be attached to new Shares, §§ 25 to 34.
Cancelling and re-issuing of Shares, §§ 35 to 40.
Further Power to borrow 22,000*l.* in respect of existing Capital, § 41.
Power to borrow 33,000*l.* in respect of new Capital, §§ 42, 43.
Priority of existing Shares over new Mortgages, unless Shareholders otherwise agree, § 44.
Power to create Debenture Stock with a Dividend not exceeding 5*l.* per Centum, §§ 45 to 51.
Saving Rights of Companies, of the Lord of the Manor, and of the Crown, §§ 59 to 61.

Cap. clxii.

"The Isle of Wight Eastern Section Railway Act, 1860."

Proposes to make Railways to connect Ryde with Ventnor and the East Coast of the Isle of Wight.
Incorporation of General Acts, § 1.
Subscribers incorporated, with a Capital of 125,000*l.* in Shares of 10*l.*, and with Power to borrow 41,600*l.*, §§ 3 to 9.
Meetings; Directors, &c., §§ 10 to 15.
Power to make Railway, &c., § 16.
Company to make a Road to Station at Ryde, § 17.
Protection of Sewer in Town of Ryde, § 18.
Company not to take Land North of Melville Street in the Town of Ryde, § 19.
Admiralty Provisions, §§ 20 to 24.
Work near Sandown Fort to be approved by Secretary of State for War, § 25.
Level Crossing, §§ 26 to 29.
Lands to be bought by Compulsion within Three Years, § 31.
Five Years for Completion of Works, §§ 32 to 34.
Tolls, §§ 35 to 43.
Powers to agree with London, Brighton, and South Coast and London and South-western Railway Companies, §§ 44 to 51.
Power for Two Companies to contribute 20,000*l.* each towards Company's Undertaking, §§ 52 to 54.
Power for Two Companies to guarantee out of their Revenues Interest to Company, § 55.
Authority of Shareholders for Contributions, § 56.
Payment of guaranteed or preferential Dividend, § 57.
Saving existing Preference Shares, § 58.
Power to agree with Ryde Commissioners, § 59.
Saving Rights of the Crown, § 63.

Cap. clxiii.

"The Sudbury and Clare Railway Act, 1860."

Proposes to construct a Railway from the Colchester, Stour Valley, Sudbury, and Halstead Railway at Sudbury, through Melford to Clare; recites that the Colchester, Stour Valley, Sudbury, and Halstead Railway is leased to the Eastern Union Railway Company, and the same is now worked by the Eastern Counties Railway Company under the Provisions of an Agreement bearing Date the 6th Day of February 1854, and made between the Eastern Counties Railway Company of the First Part, the Eastern Union Railway Company of the Second Part, and the Norfolk Railway Company of the Third Part, which Agreement was confirmed by "The Eastern Counties, and the Norfolk, the Eastern Union, the East Anglian, and the Newmarket Railways Act, 1854," and by which Act it was enacted that the Eastern Counties Company, subject to the Provisions of that Act, and in accordance with the Terms and Conditions of the said Agreement of the 6th Day of February 1854, might and should use, work, regulate, and manage the several Railways to which the said Agreement related and their own Railways as if they were One Undertaking, and were the Undertaking of that Company.
Incorporation of General Acts, §§ 1, 2.
Subscribers incorporated, with a Capital of 65,000*l.* in Shares of 10*l.*, and Power to borrow 21,000*l.*, §§ 3 to 9.
Meetings; Directors, §§ 12 to 17.
Power to make Railway, §§ 18, 19.
Level Crossings, §§ 20 to 23.
Authorizing Sale of Glebe Lands of the Vicarage of Clare for a Rentcharge, § 24.
Regulating the Junction with the Colchester, Stour Valley, Sudbury, and Halstead Railway, §§ 25 to 31.
Lands to be bought by Compulsion in Three Years, § 33.
Four Years for Completion of Railway, §§ 34, 35.
Tolls, §§ 36 to 43.
Power to contract with other Companies as to the Use of Railways, §§ 44 to 49.
Saving Rights of the Crown and the Duchy of Lancaster, § 51.

Cap. clxiv.

"The Denbigh, Ruthin, and Corwen Railway Act, 1860."

Proposes to make a Railway from the Terminus of the Vale of Clwyd Railway at Denbigh, to Corwen, in the County of Merioneth.
Incorporation of General Acts, § 1.
Incorporation of Company, with a Capital of 150,000*l.*, and Power to borrow 50,000*l.*, §§ 3 to 9.
Meetings; Directors, §§ 10 to 16.
Power to make Railways and Works, § 17.
Roads to be crossed on a Level, §§ 19 to 21.
Three Years for compulsory Purchase of Lands, § 24.
Five Years for Completion of Railways, §§ 25, 27.
Saving Rights of the Crown, § 26.
Tolls, §§ 28 to 37.
Special Provisions as to Works, §§ 38 to 47.
Protection of and Communication with Vale of Clwyd Railway, §§ 48 to 51.

Cap. clxv.

"The Moy Navigation Amendment Act, 1860."

Repeal of Act of 2 & 3 Vict. c. lxxiii. (Local), § 1.
Incorporation of Acts, § 2.
Certain Clauses of Docks and Piers Act not to be in force until required by Admiralty, § 3.
Commissioners; Electors; Meetings, §§ 6 to 13.
Commissioners to supply the Place of those going out of Office, § 14.
Saving of Rights and Liabilities, §§ 15 to 20.
Admiralty Provisions, §§ 21 to 24, and §§ 29 to 32.
Works, &c. to be executed, § 25.
Powers of Commissioners, § 26.
Passage to be left between Bonrishmore and Bartra Islands, § 27.
Limits of Commissioners Powers, § 28.
Reclaimed Land not to be taken without Consent, § 33.
Commissioners empowered to sell Materials, &c., § 34.
Four Years for the compulsory Purchase of Lands, § 36.
Seven Years for the Completion of Works, § 37.
Powers to appoint Meters and Weighers, § 38.
Pilotage Rates, § 39.
Regulations as to Pilots, §§ 40 to 44.
Commissioners may hire Lighters, § 45.
Power to levy Rates on Goods and to take Harbour Dues, §§ 46, 47.
Commissioners to issue Licences, § 48.
Rates to be charged for the Use of Cranes, § 49.
Commissioners may charge for Ballast, § 50.
Power to borrow 20,000*l.*, §§ 51 to 54.
Board of Trade to appoint Auditor, § 55.
Saving Rights of the Crown, of Lords of Manors, and of Corporation of Port of Dublin, § 56 to 58.
Schedules (Rates and Tolls).

Cap. clxvi.

"The Hayling Railways Act, 1860."

Proposes to construct Railways between the London, Brighton, and South Coast and the Direct Portsmouth Railways, in the Parish of Havant and Hayling Ferry.
Incorporation of General Acts, § 1.
Subscribers incorporated, with a Capital of 50,000*l.* in Shares of 10*l.*, and Power to borrow 16,600*l.*, §§ 3 to 9.
Meetings; Directors, §§ 10 to 14.
Power to make Railway, &c., § 15.
Provisions for Junctions of Railway with London and South-western, and London, Brighton, and South Coast Railways, §§ 16 to 21.
Admiralty Provisions, §§ 23 to 30.
Any Land reclaimed by the Works not to be taken without the Consent of the Commissioners of Woods, &c., § 31.
Lands to be bought by Compulsion within Three Years, § 32.
Four Years for Completion of Works, § 33.
Tolls, §§ 35 to 44.
Powers to make Agreements with London and South-western Company, § 45, and §§ 47 to 53.
Powers for London and South-western Railway Company to run over Railway, § 46.
Power for South-western Company to contribute not exceeding 10,000*l.* towards Company's Undertaking, §§ 54 to 56.
Power for South-western Company to guarantee Interest to Company, not exceeding 5*l.* per Cent., §§ 57 to 60.
Saving Rights of the Crown and of William Padwick, Esquire, § 64.

Cap. clxvii.

"The Bradford, Wakefield, and Leeds Railway Act, 1860."

Recites Acts of 1854 and 1859; proposes to empower the Company to construct a Railway to Ossett, in the West Riding of the County of York; to make and alter certain Roads, and to enter into Agreements with the Great Northern Railway Company.
Incorporation of General Acts, §§ 2, 3.
Power to take Lands, § 4.
Two Years for compulsory Purchase, § 5.
Power to construct Railways, § 7.
Power to make new Road, and widen and extend Intake Lane, &c., §§ 8, 9.
Agreements with Surveyors of Highways, &c., as to Contribution to and future Repair of Roads, § 10.
18 Months for Purchase of Lands, § 11.
Two Years for Completion of Works, §§ 12, 13.
Tolls, § 14.
Power to apply Corporate Funds to Purposes of Act, § 15.
Power to raise additional Capital of 33,000*l.* by Preference Shares at 4*l.* per Cent., §§ 16, 17, and §§ 19 to 22.
Dividends on new Shares not to be guaranteed, § 18.
Power to borrow to the Amount of One Third of paid-up Capital, §§ 23 to 25.
Power for Company and Great Northern Railway Company to enter into Working Arrangements, §§ 26 to 31.

Cap. clxviii.

"The Great Northern and Metropolitan Junction Railway Act, 1860."

Proposes to make an improved Junction between the Great Northern Railway and the Metropolitan Railway, by means of a short connecting Line commencing at or near the Place where the Great Northern Railway crosses under the Regent's Canal, in the Parish of Saint Pancras, in the County of Middlesex, passing on the Western Side of the Great Northern Railway Station at King's Cross, and terminating by a Junction with the authorized Line of the Metropolitan Railway, at or near King's Cross, in the same Parish, and to authorize Arrangements between the Great Northern Railway Company and Metropolitan Railway Company.
Incorporation of General Acts, § 3.
Power to make Works, § 4.
Describing Line of Railway, § 5.
As to Tunnel under Old Saint Pancras Road, § 6.
Notice to be given and Plans submitted before Commencement of Works, § 7.
If Company require to open the Road, only Half to be interfered with at once, § 8.
Tunnel to be completed within Three Months from the Commencement, § 9.
Protection and Restoration of Roads, §§ 10 to 13.
Local Rates to be made good, § 14.
Five Years for Completion of Works, § 15.
For Protection of Sewers of Metropolitan and other Boards, § 16.
Railway to form Part of Undertaking of Company making it, § 17.
Company may apply their Funds towards Purposes of Act, § 19.
Power to Great Northern Railway Company to raise additional Capital of 30,000*l.*, with a preferential Dividend of 4*l.* 10*s.* per Cent., §§ 20 to 26.
Power to borrow 10,000*l.*, § 27.
Money may be borrowed on Debenture Stock, § 28.
Saving Mortgages and Bonds, § 29.
Extending certain Sections of "Great Northern Railway Company (Increase of Capital) Act, 1853," § 30.
Incorporation of Part of Companies Clauses Act, § 32.
Agreements between Companies, § 33.

Cap. clxix.

"The Land Loan and Enfranchisement Company's Act, 1860."

Recites that the Cultivation of Great Britain has been improved and extended, and the Value of its Soil otherwise developed, by the Incorporation of Companies through which Landowners have been enabled to obtain and charge upon their Lands Advances for the Improvement thereof; that certain Persons desire to form themselves into a Company for the Extension of the said Objects to the whole of the United Kingdom, and their further Promotion, as well by the Means aforesaid as by advancing Money for the Enfranchisement of Land of Base Tenure, and the other Means herein-after provided.
Incorporation of Company, § 1.
Companies Clauses Consolidation Act incorporated with this Act, § 2.
Objects of Company, § 3.

IV. The original Capital of the Company shall be 50,000*l.*, divided into 2,500 Shares of 20*l.* each, and a Call of 10*l.* per Share shall be deemed to have been made and to be payable on the Day on which the Subscription List for the said Capital shall be complete, and none of the Powers of the Company, except such as may be necessary or expedient for enforcing Payment of the said Call, shall be put in force until the Lords of the Committee of Her Majesty's

Privy Council appointed for Trade and Foreign Plantations shall have certified in Writing that the said Call has been fully paid.

V. The Company may from Time to Time issue other Shares of 20*l.* each, until its Capital shall amount to 295,000*l.*, but the Company shall not apply, for the Execution by itself of any Works authorized by this Act, any Part of its Capital, either original or other, exceeding 49,000*l.*, and shall keep a distinct Account of all such Part of its Capital as shall be so applied.

VI. The Amounts of Calls, and the Times and Places for their Payment, shall, subject to the above Provision as to the First Call, be appointed by the Directors; provided that after the subscribed Capital shall exceed 100,000*l.*, no Call shall exceed 2*l.* 10*s.*, except, if the Company shall so direct, the First Call upon new Shares, in order to put them on an equal Footing with old Shares, or shall be payable at a less Interval than Three Months after the last preceding Call.

Number and Qualification of Directors, § 7.
Quorum and Votes at Meetings, § 8.

IX. The Company may from Time to Time purchase any Land by Agreement with the absolute Owner thereof, not being a Person under Disability, and may improve such Land, and may resell the same, whether improved or not, to any Person.

X. The Word "Landowner" shall herein-after mean, as to Lands in England, the Person who shall be in the actual Possession or Receipt of the Rents or Profits of any Land, whether of Freehold, Copyhold, Customary, or other Tenure, except where such Person shall be a Tenant for Life or Lives holding under a Lease for Life or Lives not renewable, or shall be a Tenant for Years holding under a Lease or an Agreement for a Lease for a Term of Years not renewable, whereof less than 25 Years shall be unexpired at the Time of making any Contract with the Company, without regard to the real Amount of the Interest of any Person so excepted; and in the Case where the Person in the actual Possession or Receipt of the Rents or Profits of any Land shall fall within the above Exceptions, then the Person who for the Time being shall be in the actual Receipt of the Rent payable by the Person so excepted, unless he shall also fall within the above Exceptions, shall, jointly with the Person who shall be liable to the Payment thereof, be deemed for the Purposes of this Act to be the Owner of such Lands; and as to Lands in Scotland, the Word "Landowner" shall denote and include every Fiar, Life-renter, or Heir of Entail who shall be in the actual Possession of the Land, or in receipt of the Rents payable on the Tacks, Leases, or Tenancies of the Tenants in the actual Possession thereof; and as to Lands in Ireland, the Word "Landowner" shall mean such Person as under the Act passed in the First and Second Years of the Reign of Her present Majesty, intituled "An Act to abolish Compositions "for Tithes in Ireland, and to substitute Rentcharges in lieu "thereof," shall have the First Estate of Inheritance, or other Estate or Interest equivalent to a perpetual Estate or Interest therein, and also any Tenant in Dower or by the Curtesy, or any Person having under the Limitations of any Settlement by Deed, Will, Act of Parliament, or otherwise, any Estate for Life or other particular Estate thereby created or limited out of or in any Estate of Inheritance, or by, out of, or in any such Estate or Interest as by or under the last-mentioned Act is to be deemed equivalent to a perpetual Estate or Interest; and as to Lands in any Part of the United Kingdom, the Word "Landowner" shall include a Corporation, and also such Persons as are empowered by the 26th Clause hereof.

XI. By the Improvement of Land shall herein-after be meant all or any of the following Matters:

1. The Drainage of Land, and the straitening, widening, deepening, or otherwise improving the Drains, Streams, and Watercourses of any Land;
2. The Irrigation and Warping of Land:
3. The embanking of Land from the Sea or tidal Waters, or from Lakes, Rivers, or Streams, in a permanent Manner:
4. The inclosing of Lands:
5. The Reclamation of Land, and its chalking:
6. The making of permanent Farm Roads, and permanent Tramways and Railways for Agricultural or Farming Purposes:
7. The clearing of Land:
8. The Erection of Labourers Cottages, Farmhouses, and other Buildings required for Farm Purposes, and the Improvement of and Addition to Labourers Cottages, Farmhouses, and other Buildings for Farm Purposes already erected, so as such Improvements or Additions be of a permanent Nature:
9. Planting for Shelter or for periodical Cuttings, which will increase the permanent Value of the Land:
10. The constructing or erecting of any Engine-houses, Waterwheels, Saw and other Mills, Kilns, Shafts, Wells, Tanks, Reservoirs, Dams, Leads, Pipes, Conduits, Watercourses, Bridges, Weirs, Sluices, Floodgates or Hatches, which will increase the Value of any Lands for Agricultural or Farming Purposes:
11. The erecting of any Engines or Machinery of a permanent Nature, so as the same be erected in connexion with and in the effecting of any Works of or Improvements in Drainage or Irrigation hereby authorized:
12. The Construction or Improvement of Jetties or Landing Places on the Seacoast, or on the Banks of navigable Rivers or Lakes, for the Transport of Cattle, Sheep, and other Agricultural Stock and Produce, and of Lime, Manure, and other Articles and Things for Agricultural and Farming Purposes, provided that the Commissioners shall be satisfied that such Works will add to the permanent Value of the adjoining Lands to an Extent proportioned to the Expense thereof.

XII. By "the Commissioners" shall herein-after be meant, as regards Lands in Great Britain, or in Jersey, Guernsey, Alderney, Sark, the Isle of Man, or the Islands thereto respectively belonging, the Inclosure Commissioners for England and Wales; and as regards Lands in Ireland, the Commissioners of Public Works in Ireland, under an Act of the First and Second Years of His late Majesty King William the Fourth, intituled "An Act for the Extension and Promotion "of Public Works in Ireland," and an Act of the Fifth and Sixth Years of the Reign of Her present Majesty, intituled "An Act to promote Drainage of Lands and Improvement of "Navigation and Water Power in connexion with Drainage "in Ireland," and the several Acts amending the same respectively.

XIII. All the Provisions of the Act of the Ninth and Tenth Years of the Reign of Her present Majesty, intituled "An "Act to authorize the Advance of Public Money, to a limited "Amount, to promote the Improvement of Land in Great "Britain and Ireland by Works of Drainage," and any and every other Act for the Time being in force relating to any of the aforesaid Commissioners, so far as the same concern or are auxiliary to the Proceedings and Inquiries of the Commissioners under the Authority of such Acts or any of them, and the Authentication of Instruments shall, except as in this Act otherwise provided, extend and be applicable to their Proceedings and Inquiries, and the Authentication of Instruments under this Act.

XIV. Any Landowner may enter into a Provisional Contract with the Company, either for the Advance by the Company of a certain Sum of Money for or towards the Execution of any Improvements on any Land in which he is interested, or for the Execution by the Company of any such Improvements at a certain Price, and for securing the Repayment of the Sum advanced, and a Commission thereon with Interest, or of the Price stipulated, with Interest, as the Case may be, by the Creation of a terminable Rentcharge, or in any other Manner sanctioned by this Act.

XV. Any Two or more Landowners may, with the Consent of the Commissioners, join in entering into any such Provisional Contract as aforesaid with the Company for the Improvement of the Lands of such Landowners respectively; but the Sum to be repayable under any such joint Contract shall be apportioned, so that a separate and distinct Sum may become charged upon the Land of each Landowner in the Manner herein-after specified.

XVI. When any Landowner has entered into a Provisional Contract with the Company under the Provisions of this Act, such Landowner or the Company, or the Landowner and Company jointly, may make Application to the Commissioners to sanction the proposed Improvements, and such Application shall contain such Particulars of the Land proposed to be improved, the proposed Manner and estimated Expense of effecting the Improvements, the annual Value of such Land, and the estimated Increase of such Value to be produced by the Improvements, as may enable the Commissioners to judge of the Expediency of investigating or further proceeding upon such Application; and every such Application shall specify the Estate or Interest of or claimed by the Landowner in the Land to which such Application relates.

Commissioners may issue Forms, § 17.
And may require Security for Expenses, § 18.
And cause Application to be investigated, § 19.
And require proposed Improvements or Provisional Contract to be modified, § 20.
Advertisements and Notices preliminary to Sanctioning Order, and Power of Dissent by Persons interested, § 21.
The same, in case of navigable Rivers and Canals, § 22.
Consents necessary in case of Church Lands, § 23.
In case of Dissent, Court of Chancery or Session may authorize Commissioners to proceed, 24.
Service and Costs in Applications under preceding Clause, § 25.
Representation of Persons under Disability for Dissents and Applications under preceding Clauses, § 26.
Commissioners Sanctioning Order, § 27.
Plans and Specifications to be authorized before Works commenced or continued, § 28.
Contents and Form of Sanctioning and Supplementary Orders, § 29.
Effect of Sanctioning Order, § 30.
Commissioners may modify original Sanctioning and Supplementary Orders, § 31.
Adjoining Lands, or Easements over them, may be sold for Purpose of Improvements, and Conveniences over adjoining Lands for the Execution of Improvements contracted for, § 32.
Works necessary to be made on adjoining Lands for Execution of Improvements may be made under Statute 10 & 11 Vict. c. 38., or Statute 10 & 11 Vict. c. 113.,—§ 33.
Sanctioning or Supplementary Order to protect from Impeachment of Waste, and to authorize getting Materials from Land, &c., § 34.
Provisions for Case of Change of Landowner; succeeding Landowner may complete Works, and receive Cost from Company, paying Compensation to preceding Landowner or his Representatives, § 35.
Commissioners may inspect Works, § 36.
On Completion of Works or Payment of Advance by Company Commissioners to execute Charge, § 37.
By way of periodical Payment for a Term of Years expressed in an absolute Order, § 38.
Expenses of Contract may be included in Charge, § 39.

XL. It shall be lawful for the Company to lend Money for the Payment of any Consideration or Compensation for Commutation or Enfranchisement under the existing or any future Copyhold Acts, or of any Expenses chargeable upon a Manor or Land under the same Acts; and to take for their Repayment any Charge under the same Acts, either directly from the Copyhold Commissioners, or by Transfer from the Person empowered to charge the Money so paid.

XLI. It shall also be lawful for the Company to lend Money for the Redemption of any Charge not by way of periodical Payment which shall be existing under the existing or any future Copyhold Acts upon any Manor or Land, and to take for their Repayment an absolute Order of Charge from the Commissioners upon the same Manor or Land, in such Form, and by way of periodical Payment extending over any such Number of Years as in the same Acts provided.

Company may lend on any Security without Assent of Commissioners, but Mortgage Debentures may be issued on Charges thus obtained only on Certificate of indefeasible Title, § 42.
Rentcharges to be recoverable as Tithe Rentcharges or Feu Duties, § 43.
Interest on Arrears of Rentcharges, § 44.
Company to have Charge for Principal Money from Time to Time unrepaid, with Priority over other Incumbrances, § 45.
Absolute Order to be conclusive Evidence of Charge, § 46.
Registry of Rentcharges in Ireland, Middlesex, Yorkshire, and Scotland, § 47.
Charges not to preclude Trustees from investing in Purchase or on Mortgage of Lands, § 48.
Proprietor of Scotch entailed Estate may avail himself of Act, and Rentcharge to be Charge on such Estate, § 49.
Charge to be held in trust for Landowner advancing the Money to the Company, or repaying same within 12 Months from Commencement of Charge, § 50.
Landowner may borrow from Company the Amount of certain Public Assessments, and charge same on Inheritance, in Form specified, together with Cost of Application, §§ 51, 52.
Company may issue Mortgage Debentures founded on appropriated Charges; Provisions relating thereto, § 53.
If Mortgage Debentures not paid Receiver may be appointed, § 54.
Receiver may recover Balance from Company, § 55.
Company may assign Charges or borrow on them by way of Mortgage, in Form and with Effect specified, §§ 56 to 59.
Transfers of such Mortgages, § 60.
Effect of Mortgages and Transfers, § 61.
Company to receive Rentcharge, &c. until Default, § 62.
Mortgagee or Transferee may give Notice on Default, § 63.
Rights of Mortgagee or Transferee after Notice, §§ 64, 65.
Mortgagee or Transferee may withdraw Notice by Agreement, § 66.
Company to keep Registers of Orders; of Apportionments, Assignments, and Mortgages of Charges; of Transfers of such Mortgages, and Issue of Mortgage Debentures, § 67.

Inspection of Registers, § 68.
Charges and Mortgage Debentures to be Personal Property, but Money authorized to be invested on Real Security may be invested therein or in Mortgages of Charges, § 69.
Tenants for Life to keep down Rentcharges, § 70.
Tenant may deduct Rentcharge, unless he has agreed to pay it, § 71.
Rentcharges may be apportioned, § 72.
Improvements to be upheld, and Conditions thereof certified, § 73.
Power to enter on neighbouring Lands for Repair of Works, making Compensation, § 74.
Farmhouses, &c. to be insured; Power to Company to insure in case of Default, § 75.
Persons interested may appoint Agents, § 76.
Assistant Commissioners may take Declarations and examine Witnesses, § 77.
Punishment of Persons giving false Evidence, § 78.
Summonses, Notices, &c., §§ 79, 80.
Rights of Crown saved, § 81.
Rights of Commissioners of Works and Public Buildings, § 82.
Rights of Duchy of Cornwall saved, § 83.
Rights of Duchy of Lancaster saved, § 84.
Rights of Admiralty saved, § 85.
Admiralty Provisions, §§ 86 to 88.
Saving Rights of Secretary of State for War, § 89.
Rights of Commissioners of Sewers saved, § 90.
Works connected with Thames to be executed under Direction of Conservators of Thames, and approved by the Admiralty, §§ 91, 92.
Metropolitan Board of Works, &c. protected, § 93.
Water Companies and Commissioners protected, § 94.
Rivers, Canals, &c. protected, § 95.
Schedules (Forms).

Cap. clxx.

"The Scottish Drainage and Improvement Company's Amendment Act, 1860."

Recites that by "The Scottish Drainage and Improvement Company's Act, 1856," the Company were incorporated for the Purpose of undertaking and assisting the Improvement and Reclamation of Land, making Roads, and erecting Farm Buildings, and other Purposes, and Provisions were made for facilitating the Execution of such Improvements, and for carrying into effect the Purposes of the Company; proposes to alter and amend Act.

III. The Definition of the Word "Landowner" in the Third Section of the recited Act shall be and is hereby repealed; and in the Construction of the recited Act and this Act the Word "Landowner" shall denote or include every Person being a Fiar, Life-renter, Heir of Entail, Heir Apparent, or Disponee, or having a limited, but not less than a Life Interest in the Land, and the Husband, Tutor, Curator, or other Guardian or Trustee of any such Person, and every Trustee having, or acting for or representing a Person having a like Interest in the Land, which Persons respectively shall be in the actual Possession of the Land or in receipt of the Rents payable on the Tacks, Leases, or Tenancies of the Tenants in the actual Possession thereof.

IV. The Fourth Section of the recited Act shall be and is hereby repealed; and the Improvements which may be made under the Provisions of the recited Act or this Act, with the Approval of the Inclosure Commissioners, as herein-after mentioned, shall be in respect of One or more of the following Matters:

First. The Drainage of Lands;
Second. The Irrigation and Warping of Land;
Third. The embanking of Land from the Sea or tidal Waters, or from Lakes, Rivers, or Streams, in a permanent Manner;
Fourth. The inclosing and dividing of Land, and the making and straightening of Marches, by Walls, Hedges, and Dikes, and by Iron Wire or other Fences, or otherwise;
Fifth. The improving of Drains, Streams, or Watercourses of Land;
Sixth. The Reclamation of Land;
Seventh. The making of permanent Farm Roads, and permanent Tramways and Railways for Agricultural or Farming Purposes;
Eighth. The clearing of Land;
Ninth. The Erection of Farmhouses and other Buildings required for Farm Purposes, and the Improvement of and Additions to Farmhouses and other Buildings for Farm Purposes already erected, so as such Improvement or Additions be of a permanent Nature;
Tenth. The planting for Shelter, or for any beneficial Purpose which will increase the permanent Value of the Land;
Eleventh. The Construction or Erection of any Engine-houses, Waterwheels, Saw and other Mills, Kilns, Shafts, Wells, Tanks, Reservoirs, Dams, Leads, Pipes, Conduits, Watercourses, Bridges, Weirs, Sluices, Floodgates, and Hatches, which will increase the Value of any Land for Agricultural and Farming Purposes, and so as such Operations shall be of a permanent Nature;
Twelfth. The Erection of any Engines or Machinery of a permanent Nature, in connexion with, and in the effecting of, any Works or Improvements in Drainage or Irrigation by the recited Act or this Act authorized;
Thirteenth. The Construction or Improvement of Jetties or Landing Places on the Seacoast, or on the Banks of navigable Rivers or Lakes, for the Transport of Cattle, Sheep, or other Agricultural Stock and Produce, and of Lime and Manure, and other Articles and Things for Agricultural and Farming Purposes; provided such Works shall, in the Opinion of the Inclosure Commissioners, add to the permanent Value of the adjoining Lands to an Extent proportioned to the Expense thereof.

V. It shall not be necessary under the 33d Section of the recited Act, where any Improvements are to be executed by a Landowner, by means of Money to be advanced by the Company to such Landowner as therein mentioned, that the Execution of the Improvements by such Landowner shall be under the Superintendence of the Company.

VI. The Proviso at the End of Section 34 of the said recited Act shall be and is hereby repealed, and instead thereof it is hereby provided that in the Case of any such joint Contract as in that Section mentioned, or in the event of any Landowner applying for the straightening of Marches or making March Fences, the Improvement shall not be executed by the Landowners, or any of them, but either by the Company or by such Contractor as may be arranged or agreed between the Company and the said Landowners; and for straightening Marches or constructing March Fences, any One or more of the Proprietors interested may apply for the Execution of such Works by the Company or by a Contractor, subject to the Approval of the Inclosure Commissioners.

Sections 39, 42, 43, and 44 of recited Act repealed, § 7.

Inclosure Commissioners, if satisfied, to sanction by Order the proposed Improvements, § 8.
Inclosure Commissioners to make Provisional Order, § 9.
Provisional Orders not to be made until Notice of Application has been given by Advertisement, § 10.
Consent of Presbytery and Patron to be had in case of Church Land, § 11.
Charge in arrear to bear Interest, § 12.
Farmhouses, &c. to be insured; Power to Company to insure in case of Default, § 13.
Company, if required, to certify to Commissioners State of Improvements, &c., § 14.
Schedule (Provisional Order).

Cap. clxxi.

"The London, Brighton, and South Coast Railway Act, 1860."

Recites the "Consolidation Act," 9 & 10 Vict. c. cclxxxiii. which constituted the London, Brighton, and South Coast Railway Company; that by 16 & 17 Vict. c. clxxx., the West End of London and Crystal Palace Railway Company were incorporated and authorized to make certain Railways and Works, consisting of, first, a Railway commencing at a Point on the London and South-western Railway near its Junction with the Windsor, Staines, and Richmond Railway, in the Parish of Saint Mary Battersea, in the County of Surrey, and terminating in the Crystal Palace Park, in the Hamlet of Penge, in the same Parish; secondly, a Railway from the First Railway to join by a double Junction the London, Brighton, and South Coast Railway at or near the Norwood Station on that Railway; thirdly, a Railway commencing from a Point on the First Railway in the said Parish of Saint Mary Battersea, and terminating near the South End of the Bridge then in course of Erection across the River Thames to lead from Chelsea to Battersea Park, being the Bridge authorized by the Public General Act, 9 & 10 Vict. c. 39., and now completed; and fourthly, a Wharf or Landing Place near to or adjoining the South End of that Bridge; and that by the Act now in recital the West End Railway Company were authorized to take the Tolls therein specified; that the West End Railway is complete and open for Traffic; that by their Extension to Farnborough Act, 1854, the West End Railway Company were authorized to make an Extension Line of Railway (herein-after called "the Farnborough Extension"), commencing by a Junction with the West End Railway near the said Norwood Station, and terminating at Farnborough, in the County of Kent; that by their Act of 1857 the West End Railway Company were authorized to sell the West End Railway, or any Part thereof, to the Company, and the Company were authorized to purchase the same for such Consideration and on such Terms and Conditions as those Two Companies might mutually agree on; that by virtue of Three several Agreements the West End Railway Company have purchased several Pieces of Land at Battersea from the Battersea Park Commissioners, for the aggregate Sum of 65,797*l.* 12*s.* 6*d.*, and have agreed to pay the same by Instalments, and Interest at 4*l.* per Centum upon the Sums unpaid; that by their Act of 1858 the aforesaid several Agreements were confirmed, and by the same Act the West End Railway Company were authorized, for the Purpose of paying the Purchase Money for the said Lands so agreed to be purchased of the said Battersea Park Commissioners, and for such other Purposes as are therein expressed, to raise any Sum or Sums of Money not exceeding in the whole the Sum of 70,000*l.*, by the Creation of new Shares or Stock, in manner therein expressed, but that no Part of that Capital has been created; that the West End Railway Company have sold and transferred, and the Company have purchased, the West End Railway (not including the Farnborough Extension), together with all Appurtenances belonging thereto, and also, amongst others, the said Three several Agreements between the Battersea Park Commissioners and the West End Railway Company, and the Rights and Liabilities of that Company under the same, and that it is expedient to confirm such Sale; that the West End Railway Company have agreed to sell the Farnborough Extension to the London, Chatham, and Dover Railway Company, and it is expedient to provide for the Dissolution of the West End Railway Company; that by "The West London Extension Railway Act, 1859," the London and North-western Railway Company and the Great Western Railway Company were, for the Purposes of making and maintaining the Railways, Dock, and Works by that Act authorized, and the carrying of that Act into execution, united into One Company by the Name of the West London Extension Railway Company, with a Capital of 300,000*l.*, of which the Company were required to contribute not less than One Sixth; and by that Act the West London Extension Railway Company were empowered to enter upon, take, and use all or any of the Lands shown upon the Plans deposited as in that Act mentioned, and to make and maintain (amongst other Railways and Works) a Railway, being the Main Line, to commence by a Junction with the West London Railway, in the Parishes of Saint Mary Abbots Kensington and Fulham, or One of them, in the County of Middlesex. to cross the River Thames by means of a Bridge, and to terminate by a Junction with the authorized Line of the Victoria Station and Pimlico Railway Company, in the Parish of Saint Mary Battersea, in the County of Surrey, and certain other Railways and Works therein described; and by Section 57 of that Act it was provided, that in a certain Event the Powers of the West London Extension Railway Company, as to making a certain Portion of the Main Line at Battersea, should cease; proposes to make a Deviation (to be called "the Ford Deviation") of the Chichester Line, at or near the Ford Station on that Line, with a Bridge for carrying the same over the River Arun, and to discontinue the Use of the Portion of that Line lying between the Commencement and Termination of the Ford Deviation, together with the existing Bridge carrying that Line over that River; to make a Railway (to be called "the Mid-Sussex Junction") from the Ford Deviation, to join the Mid-Sussex Railway in the Parish of Hardham, in the County of Sussex; to make a Tramway (to be called "the Arundel Tramway") from the Mid-Sussex Junction to Arundel; to make a Railway (to be called "the Littlehampton Branch") from the Ford Deviation to Littlehampton; and to make a Deviation (to be called "the Southover Deviation") of the Hastings Line, in the Parishes of Southover and South Malling, in the County of Sussex, with a Bridge for carrying the same over the River Ouse, and to discontinue the Use of a Portion of that Line lying between the Commencement and Termination of the Southover Deviation, together with the existing Bridge carrying that Line over that River; recites that in order to secure the Formation of the Junction and other Works, and the Cesser of the Powers referred to in the said 57th Section of "The West London Extension Act, 1859," it is expedient that the Company should be empowered to make a Deviation (to be called "the Battersea Alteration") of the West End Railway, in the Parish of Saint Mary Battersea, in the County of Surrey, to terminate by a Junction

with the Railway of the Victoria Station and Pimlico Railway Company, at or near the South End of the Bridge for carrying that Railway over the River Thames, and comprising a Junction with the West London Extension Railway in the same Parish, with Rails and Works adapted for the Broad Gauge as well as the Narrow Gauge, and to discontinue the Use of so much of the West End Railway as will be rendered unnecessary by such Alteration; and to empower the Company on the one hand, and the Great Western Railway Company, the London and North-western Railway Company, and the West London Extension Railway Company, or any One or more of them, on the other hand, to enter into and carry into effect such Traffic Arrangements and other Arrangements as herein-after provided for with reference to the Battersea Alteration and the Junction comprised therein and the West End Railway; proposes to empower the Company to make, in connexion with the Mid-Sussex Junction, a new Cut or Channel for the River Arun, in the Parishes of Burpham and South Stoke, or One of them, in the County of Sussex; and with the Consent of the Parties interested therein to purchase the Bridge over the River Adur, at or near Old Shoreham, in the County of Sussex, built under the Powers of an Act of Parliament for that Purpose, and vested in the Duke of Norfolk, and other the Person or Persons for the Time being entitled in Possession to certain Settled Estates; recites Act of 1859 incorporating the Mid-Sussex and Midhurst Junction Railway Company, and that by that Act "the Company" were authorized to enter into Agreements for working that Railway; that that Railway, together with the Mid-Sussex Railway (which, under an Agreement made by virtue of "The Mid-Sussex Railway Act, 1857," the Company now work, and which, under "The London, Brighton, and South Coast Railway (New Lines) Act, 1858," and "The London, Brighton, and South Coast Railway Company's Act, 1859," they have Powers to use, and also to take on Lease and purchase,) will form a continuous Line of Railway connected with the Undertaking of the Company; proposes to enable the Company to subscribe towards the Undertaking, and give Guarantees to the Mortgagees, and (to the Extent herein-after limited in that Behalf) appoint Directors of the Midhurst Company; recites that at the Time of the passing of their Capital Act of 1858 the Sums which the Company were authorized to raise for the Purposes of their Undertaking, by Shares or Stock, and by borrowing (including 200,000*l.* by that Act authorized to be raised), amounted to 8,000,000*l.*; that by their New Lines Act, 1858, and by their Act of 1859 the Company have been authorized to raise, by Shares or Stock, 255,000*l.*, and by borrowing, 83,000*l.*; that the estimated Expense of the proposed Works herein-before described and authorized by this Act is 250,000*l.*; proposes to raise further Monies and amend Acts.

Incorporation of Lands and Railways and of Parts of Companies Clauses Acts, §§ 2 to 5.

Power to make new Works, § 6.

Saving Rights of Battersea Commissioners, § 7.

VIII. The Railways and Works by this Act authorized comprise the following:

(The Ford Deviation.)—A Deviation Railway (No. 1) commencing in the Parish of Ford, in the County of Sussex, by a Junction with the Chichester Line, at or near the Ford Station on that Line, and terminating in the Parish of Leominster, in the same County, by a Junction with the Chichester Line, at or near the Bridge, No. 248, carrying an Occupation Road over that Line, together with a Bridge for carrying the Ford Deviation over the River Arun:

(The Mid-Sussex Junction.)—A Railway (No. 2) commencing in the said Parish of Leominster, near the Bridge which carries the Chichester Line over the River Arun, and forming a Junction there with the Ford Deviation, and terminating in the Parish of Hardham, in the County of Sussex, by a Junction with the Mid-Sussex Railway, near the crossing by that Railway of an Occupation Road leading from the Arundel and Horsham Road to Sharp's Mill:

(The Arundel Tramway.)—A Tramway (No. 3) commencing in the said Parish of Leominster, by a Junction with the Mid-Sussex Junction in or near a Field called Little Hanger, numbered 127 in the Tithe Commutation Map of that Parish, and terminating in the Parish of Arundel, in the County of Sussex, at or near the Southward End of the Wharves and Premises now or late occupied by Thomas Marshall and William Fry, on the East Side of the River Arun:

(The Littlehampton Branch.)—A Railway (No. 4) commencing in the Parish of Littlehampton, in the County of Sussex, in or near a Field adjoining the Ferry Road on the Eastward Side of that Road, now or late occupied by Thomas Staples, and terminating by a Junction with the Ford Deviation in the said Parish of Leominster, near the Bridge carrying the Chichester Line over the River Arun there:

(The Southover Deviation.)—A Deviation Railway (No. 6) commencing in the Parish of Southover, in the County of Sussex, by a Junction with the Hastings Line to the Westward of the crossing by that Line of the River Ouse, and terminating in the Parish of South Malling, in the same County, to the Eastward of that Crossing, together with a Bridge for carrying the Southover Deviation over the River Ouse:

(The Battersea Alteration.)—A Railway (No. 7) wholly in the Parish of Saint Mary Battersea, in the County of Surrey, commencing by a Junction with the West End Railway to the Southward of a Footbridge carrying a public Footway over that Railway, at or near Long Hedge Farm, and terminating by a Junction with the Railway of the Victoria Station and Pimlico Railway Company, as authorized to be constructed, at or near the South End of the Bridge by which that Railway is to be carried over the River Thames, including a Junction of the Battersea Alteration with the West London Extension Railway, at or near the said Property, numbered as aforesaid 197, in the said Parish of Saint Mary Battersea:

A new Cut or Channel for the River Arun, in the Parishes of Burpham and South Stoke, or One of them, in the County of Sussex, commencing to the Southward of Offham Farmhouse, and terminating to the Northward of that Farmhouse, and the Diversion of the Waters of the River Arun into that new Cut or Channel.

Battersea Alteration to be made on both Gauges, § 9.

Protection of London and South-western Railway Company, §§ 10 to 15.

Nothing to affect Rights of London, Chatham, and Dover Company under 16th Section of East Kent Railway, Western Extension, Act, 1858, § 16.

Admiralty Provisions as to crossing of the River Arun, §§ 17 to 21.

Saving Rights of Commissioners of the Port of Arundel, § 22.

For Protection of Land under the Jurisdiction of the Commissioners of Sewers within the Rape of Arundel, § 23.

Power to divert Sewers and Watercourses within the Levels, § 24.
Providing for the Dimensions of the Arun River Diversion, § 25.
Saving Rights of Commissioners of Sewers for the Rape of Arundel, § 26.
For Protection of the Navigation of the River Ouse in carrying Southover Deviation across same, §§ 27 to 35.
Admiralty Provisions, §§ 36 to 40.
As to Use of Locomotive Engines, &c. on Tramway, § 41.
Level Crossing, §§ 42 to 44.
Dimensions of certain Bridges, § 45.
As to Communications with other Railways, § 46, 47.
Three Years for compulsory Purchase of Land, § 49.
Four Years for Completion of new Works, §§ 50, 53.
Battersea Alteration to be completed within a certain Time, § 51.
As to Works on Land of Southby's Trustees, § 52.
Tolls, § 55.
Company to discontinue Use of unnecessary Lines, § 56.
Site of discontinued Works to be deemed superfluous Lands, § 57.
Repeal of Section 57 of West London Extension Railway Act, § 58.
Suspension of Powers of West London Extension Company relating to certain Works at Battersea, § 59.
Provision for reinstating West London Extension Company in case the Brighton Company do not execute the Battersea Alteration within a certain Time, § 60.
Reference of Disputes between Company and West London Extension Company to Arbitration, § 61.
The North-western and Great Western Railway Companies to have the Use of the Battersea Alteration, § 62.
Company may purchase Adur Bridge and Property connected therewith, § 63.
Purchase from West End Railway Company confirmed, and to include Rights under Act of 1858, § 64.
Eventual Dissolution of West End Railway Company, § 65.

LXVI. The Company, with the Sanction of Three Fifths of the Votes of the Shareholders in "the Company" present, personally or by Proxy, at any Meeting convened with Notice of this Object, may from Time to Time exercise all or any of the following Powers; (that is to say,)

The Company may to any Extent not exceeding in the whole 30,000*l.* subscribe for, and take and hold Shares in the Capital of the Midhurst Company;

The Company may guarantee and secure to any Persons lending to the Midhurst Company the Money, or any Portion of the Money which that Company is authorized to borrow on Mortgage or Bond, the Repayment of any Money so lent, or any Part thereof, with or without the Interest thereon or any Part thereof, or the Payment of such Interest alone or any Part thereof, or the Payment for any specified Period of such Interest or any Part thereof; but no such Guarantee shall be in force after the Expiration of Six Months from the opening throughout for public Traffic of the Mid-Sussex and Midhurst Railway;

The Company may from Time to Time, out of their Income applicable to Dividend on their ordinary Shares and Stock (but not out of any other Fund), discharge any Monies which they may be called upon to pay upon or in respect of any such Guarantee; and to the Extent of the Sums so paid by the Company the Company shall be Creditors of the Midhurst Company instead of the Persons to whom such Sums shall be so paid, and shall be entitled to the Benefit of, and may enforce the Mortgages or Bonds for securing the same held by such Persons as fully and effectually as such Persons themselves or their Representatives might do if not paid off:

Provided always, that every such Guarantee shall be subject and without Prejudice to any Mortgages or Bonds then charged or attaching upon the Undertaking of the Company, and to any Preference or Priority in Payment of Interest or Dividend on any Shares or Stock theretofore granted by the Company by or in pursuance of or confirmed by any Act of Parliament, or then otherwise lawfully subsisting.

Power to appoint Directors, §§ 67 to 72.
Power to enter into Traffic Arrangements with the Three Companies relating to Battersea Alteration, §§ 73 to 80.
Power to raise 355,500*l.* by Shares, with or without a Preference not exceeding 5*l.* per Cent., §§ 81 to 92.
Power to borrow 116,833*l.* 6*s.* 8*d.*, §§ 93 to 95.
Extending Powers for Conversion of Shares into Stock, § 96.
Extending to Monies borrowed under this Act certain of the Powers of Brighton Railway Acts for Conversion of Debt into Debenture Stock, § 97.
Separate Account of Application of Debenture Stock to be kept, § 98.
Company not to interfere with the Bed of the River Thames without Consent of Conservators, § 99.
Saving Rights of Conservators of the River Thames, of the Commissioners of Woods, and of the Crown, §§ 100 to 102.

Cap. clxxii.

"The Mid-Sussex and Midhurst Junction Railway Deviation Act, 1860."

Recites Incorporation of Company in 1859, with a Capital of 70,000*l.*, and Power to borrow 20,000*l.*; that the Company are proceeding with the Construction of the said Railway, and have raised Part of their Capital, but they have not yet borrowed any Money under the Provisions of the said Act; that it is expedient that the Company be enabled to divert a Portion of the said authorized Line of Railway from the Coultershaw Branch of the Mid-Sussex Railway to the Town of Midhurst, in the County of Sussex, and to relinquish a Portion of the said authorized Line of Railway hereafter mentioned; and to enable the London, Brighton, and South Coast Railway Company to contribute to the Undertaking by this Act authorized, and to enter into Working and Traffic Arrangements with the Company.
Incorporation of Companies and Lands and Railways Clauses Acts, § 2.
Power for Company to make Deviation Line and to take Lands according to amended Plans and Sections, § 4, 5.
Restriction upon Company as to Erection of Stations, &c.; Land in Occupation of Joseph Hicks not to be taken without his Consent in Writing, § 6.
One Year for compulsory Purchase of Lands, § 7.
Two Years for completing Railway, §§ 8, 14.
Railway and Works authorized by this Act, § 9.
Abandonment of Portion of Railway, and Compensation, §§ 10 to 12.
Deviation Line to be Part of the Mid-Sussex and Midhurst Junction Railway, § 13.
Power for London and Brighton Company to contribute 30,000*l.* towards Funds of Company, or to raise Monies for the Purpose, §§ 18, 19.
Power to enter into Agreements, subject to Board of Trade, §§ 20 to 26.

Cap. clxxiii.

"The Petersfield Railway Act, 1860."

Proposes to make a Railway from the Mid-Sussex and Midhurst Junction Railway to Petersfield.
Incorporation of General Acts, § 2.
Incorporation of Company, with a Capital of 100,000*l.*, and Power to borrow 33,000*l.*, §§ 3 to 7.
Power to enter into Traffic Arrangements with London and South-western Railway Company, §§ 9 to 15.
Meetings; Directors, §§ 16 to 22.
Railway to be made according to deposited Plan and to amended Plans and Sections, §§ 23, 24.
Company not to construct certain Works, § 25.
Line of Railway, § 26.
Protection of a certain Road, § 27.
No Junction of Railway with the London and Portsmouth Railway without Consent, § 28.
Lands to be purchased within Three Years, § 30.
Four Years for Completion of Railways, &c., §§ 31, 32.
Saving Rights of the Mid-Sussex and Midhurst Junction Railway Company and the Direct London and Portsmouth Railway Company, § 33.
Tolls, §§ 34 to 44.

Cap. clxxiv.

"West London and Crystal Palace Railway (Transfer of Farnborough Extension and Dissolution of Company) Act, 1860."

Preamble recites that by the "West London and Crystal Palace Railway Act, 1853," the West End of London and Crystal Palace Railway Company were incorporated and empowered to make and maintain the Railways and Works therein described, and for that Purpose to raise a Capital of 360,000*l.* in 36,000 Shares of 10*l.* each, and to borrow any Sum not exceeding 100,000*l.*; that by the "West London and Crystal Palace Railway (Extension to Farnborough) Act, 1854," the Company were empowered to make and maintain a Railway, commencing by a Junction with One of their authorized Lines of Railway near the Norwood Station, and terminating at Farnborough, in the County of Kent, and to raise an additional Share Capital of 80,000*l.*, and to borrow (in addition to the Sum before authorized) any Sum not exceeding 26,666*l.* 13*s.* 4*d.*; that by the "West London and Crystal Palace Railway Act, 1856," the Company were empowered to raise an additional Sum of 150,000*l.* by the Creation of new Shares, or partly by Shares and partly by Mortgage or Bond, and from Time to Time to create and issue any new Shares thereby authorized, with a preferential Dividend not exceeding the Rate of 7*l.* per Centum per Annum, and by the same Act the Company were empowered to give to the Holders of the Shares in the Capital of the Company the Option of having such Shares converted into Half Shares, One of such Half Shares to be called "Deferred Half Share," and the other to be called "Guaranteed Half Share," and to fix the yearly Dividend to be paid on such Guaranteed Half Share; that by the "West London and Crystal Palace Railway Act, 1857," the Company were authorized to sell their Undertaking, or any Part thereof, to the London, Brighton, and South Coast Railway Company, who were authorized to purchase the same on such Terms and Conditions as those Two Companies should mutually agree upon; and for the Purpose of such Purchase the Brighton Company were empowered to create Stock, either with or without Preference or Priority in Payment of Interest or Dividend, and in addition to the Amount authorized to be raised by any of the Acts relating to the last-mentioned Company then in full Force, for such Sum as should be necessary for such Purpose, not exceeding the Amount of Capital authorized to be raised for the Purposes of the Undertaking of the Company by Shares, and the Amount authorized to be raised by borrowing, and such Amounts were to be raised wholly by Stock, or partly by Stock and partly by borrowing on Mortgage or Bond as therein mentioned; and by the same Act it was enacted that from and after such Purchase, the West End of London and Crystal Palace Railway, or such Part thereof as should be so purchased, should thenceforth be and become amalgamated with and form Part of the Undertaking belonging to or under the Control of the Brighton Company, and that from thenceforth all the Provisions contained in the now reciting Act, or in any other Act relating to the Railway and Works comprised in the Undertaking which should so become amalgamated with the Brighton Company, should, with reference to such Railway and Works, be applicable to the Brighton Company; that by the "West London and Crystal Palace Railway Act, 1858," the Company were empowered for the Purposes of the said Act to raise a further Capital of 70,000*l.* by the Creation of Shares or Stock, but no Part of such Capital has been raised; that by an Agreement bearing Date the 12th Day of April 1858, between the Company on the one Part and the East Kent Railway Company (since called the London, Chatham, and Dover Railway Company) of the other Part, the East Kent Railway Company became entitled to run over with their Engines and Carriages the Lines of the Company between Beckenham and the Terminus on the South Bank of the River Thames, on the Terms and Conditions stated in the said Agreement; that by the "East Kent Railway (Western Extension) Act, 1858," it was enacted that the East Kent Railway Company, their Lessees and Assigns, Officers and Servants, might use and run over with their Engines and Carriages of every Description belonging to or employed by them, and for the Purposes of Traffic of all Kinds, the Lines of the said Mid-Kent Railway (Bromley to St. Mary's Cray) Company, and of the Company, and also all Stations, Sidings, Engines, Machinery, Works, Conveniences, and Accommodations belonging to or connected with those Lines respectively, upon such Terms and Conditions, and upon Payment of such Tolls or other Consideration as might be agreed upon between the Company and the Owners of such Railways, or, in default of Agreement, as should be determined by Arbitration, and the respective Owners for the Time being of those Lines should make all Arrangements requisite for such User, and for giving effect to such Conditions and Regulations; and it was thereby provided that nothing therein contained should in any Manner affect or prejudice the said Agreement, dated the 12th Day of April 1858, between the East Kent Railway Company and the Company; that by an Agreement bearing date the 2d Day of April 1859, between the Company of the one Part and the said London, Chatham, and Dover Railway Company of the other Part, it was amongst other Things agreed that the Company should sell, and that the said London, Chatham, and Dover Railway Company should purchase, at or for the Price of 100,200*l.*, the completed Portion of the Extension to Farnborough Line, and it was by the said Agreement further agreed that the Company should provide for the London, Chatham, and Dover Railway Company such Accommodation for Engines, Carriages, and Stores, as well as for Goods and Passenger Traffic, at the Battersea Station of the Company, as the said

London, Chatham, and Dover Railway Company might require, the Extent and Nature of such Accommodation, and the Terms of Payment in respect thereof, to be agreed upon between the Two Companies, or in the event of Difference, to be settled by Arbitration; that by the "West London and Crystal Palace (Extension of Time) Act, 1859," an Extension of Time was authorized for the Completion of a Portion of the Company's Railways and Works; that the Company have completed the whole of the Railways and Works authorized by the "West London and Crystal Palace Railway Act, 1853," and at the Date of the lastly-recited Agreement the Company had also completed a specified Portion of the Railway authorized by the "West London and Crystal Palace Railway (Extension to Farnborough) Act, 1854;" that the whole of the 36,000 Shares of 10*l.* each, authorized by the "West London and Crystal Palace Railway Act, 1853," and the whole of the 8,000 Shares of 10*l.* each, authorized by the "West London and Crystal Palace Railway (Extension to Farnborough) Act, 1854," have been created and issued; that the said 36,000 and 8,000 Shares have been since converted into Half Shares of 5*l.* each, distinguished respectively as Class A, or Deferred Half Shares, and Class B, or Guaranteed Half Shares (such Guaranteed Half Shares being entitled to a preferential Dividend of 7*l.* per Cent. per Annum), and when so converted the said 36,000 and 8,000 10*l.* Shares were represented by 44,000 Class A, or Deferred Half Shares of 5*l.* each, representing a paid-up Capital of 220,000*l.*, and by 44,000 Class B, or Guaranteed Half Shares of 5*l.* each, also representing a paid-up Capital of 220,000*l.*; that at a General Meeting of the Company, held on the 2d Day of February 1857, the Company resolved, in exercise of the Powers in that Behalf in the "West London and Crystal Palace Railway Act, 1856," contained, to raise the Sum of 112,500*l.* Part of the said Capital of 150,000*l.* authorized by the last-mentioned Act, by the Creation of 11,250 Shares of 10*l.* each, and to attach to such Shares a preferential Dividend of 6*l.* per Cent. per Annum; that certain of the said last-mentioned Shares were subsequently cancelled, and at the Date of the Indenture herein-after mentioned, bearing Date the 30th Day of June 1859, there were existing 5,683 of such 6*l.* per Cent. Shares, on which the aggregate Sum of 19,066*l.* had been paid up; that in further pursuance of the Powers vested in them as aforesaid the Company have from Time to Time borrowed on Mortgage divers Sums of Money which on the 30th Day of June 1859 amounted to the Sum of 163,350*l.*; that in pursuance of the Powers in that Behalf contained in the "West London and Crystal Palace Railway Act, 1857," the Company have sold, and the Brighton Company have purchased the whole of the Railways and Works of the Company (excepting only the Railway and Works authorized by the "West London and Crystal Palace Railway (Extension to Farnborough) Act, 1854,)" upon the Terms and Conditions set forth in an Indenture dated the 30th Day of June 1859, and made between the Company of the one Part, and the Brighton Company of the other Part, and subject to the said Mortgage Debt of 163,350*l.*, and to the several other Obligations and Liabilities of the Company mentioned or referred to in the said Indenture and Schedule; that the Brighton Company have been put into possession of the Railways and Works so purchased by them as aforesaid, and in part Performance of the said Contract on their Part have, in accordance with the "West London and Crystal Palace Railway Act, 1857," created the following Amounts of Stock in the Undertaking of the Brighton Company, with such Preference or Priority in Payment of Interest thereon as follows; that is to say,

Firstly, 220,000*l.* Stock, to bear Interest at the Rate of 7*l.* per Cent. per Annum in perpetuity;

Secondly, 19,066*l.* Stock, to bear Interest at the Rate of 6*l.* per Cent. per Annum in perpetuity;

Thirdly, 220,000*l.* Stock, to bear Interest at the Rate of 4*l.* per Cent. per Annum from the 1st Day of January 1865, and thenceforth in perpetuity;

that in further pursuance of the said Contract of the 30th Day of June 1859 the said Sum of 220,000*l.* Stock firstly herein-before mentioned has been issued to and accepted by the Holders of the said 44,000 Class B, or Guaranteed Half Shares in the Company, and in exchange therefor, and the said Sum of 19,066*l.* Stock secondly herein-before mentioned has been issued to and accepted by the Holders of the said 5,683 6*l.* per Cent. Preference Shares in the Company, and in exchange therefor; and the said Sum of 220,000*l.* Stock thirdly herein-before mentioned has been issued to and accepted by the Holders of the said 44,000 Class A, or Deferred Half Shares in the Company, and in exchange therefor, and the several Certificates of Shares in the Company have been delivered up and cancelled; that it is expedient that the said recited Agreement of the 2d Day of April 1859 should be confirmed, and that all requisite Powers for carrying the same into effect should be conferred upon the Company and the London, Chatham, and Dover Railway Company; that it is expedient that the Company, after such Sale has been effected, should be dissolved; that under the herein-before recited Acts, the Period limited for the compulsory Purchase of Lands for the Portion remaining to be completed of the said Extension to Farnborough Railway and Works will expire on the 8th Day of August 1860, and the Period limited for the Completion of that Portion of Railway and those Works will expire on the 1st Day of January 1861, unless the same be by Authority of Parliament further continued; that the London, Chatham, and Dover Railway Company are willing to undertake to complete the remaining Portion of the Extension to Farnborough Line, if sufficient Time be allowed and the requisite Powers for the Completion thereof be conferred upon them.

Powers for Completion of Farnborough Extension vested in London, Chatham, and Dover Railway Company, § 2.

Extending Time for compulsory Purchase of Land, § 3.

Extending Time for Completion of Railway; Security for Completion, §§ 4, 5.

The Company may sell the Bromley Extension Railway to the London, Chatham, and Dover Railway Company, § 6.

Form and Effect of Conveyance, §§ 7, 8.

Contracts not to be affected, § 9.

Actions, &c. not to abate, § 10.

Purchasers may raise Money for the Purpose, § 11.

Purchase Money how to be raised, § 12.

New Stock to be distinguished, § 13.

Application of divisible Profits of Farnborough Extension, § 14.

Farnborough Stock and Securities not to attach on general Profits, § 15.

Disposition and Transfer of Stock, § 16.

Application of Monies raised under Act, § 17.

After Conveyance, Crystal Palace Railway Company to be dissolved, § 18.

All Acts done by the Company to be valid notwithstanding Dissolution, § 19.

Agreement of 12th April 1858 to remain in force as regards Remainder of Railways, § 20.

Provisions of Company's recited Acts not to be affected with

respect to maintaining Extension to Bromley Railway, § 21.
Tolls and maximum Charges, § 22.
Schedules.—1. Agreement of 2d April 1859.
2. Form of Conveyance.

Cap. clxxv.

"The Manchester and Milford Railway Act, 1860."

Proposes to make a Railway from Llanidloes, in the County of Montgomery, to Pencader, in the County of Carmarthen.
Incorporation of General Acts, §§ 1, 2.
Subscribers incorporated, with a Capital of 555,000*l.* in Shares of 10*l.*, and borrowing Powers of 185,000*l.*, §§ 4 to 9.
Meetings; Directors, §§ 12 to 19.
Power to make Railway, §§ 20, 21.
Level Crossings, §§ 22 to 25.
Three Years for Lands to be purchased by Compulsion, § 28.
Five Years for Completion of Railway, §§ 29, 44.
As to Communication with other Railways, §§ 30 to 34.
Tolls, §§ 35 to 42.
Saving Rights of the Crown, § 43.

Cap. clxxvi.

"The Royal College of Surgeons of Edinburgh (Widows Fund) Act, 1860."

Preamble recites that by Royal Charter or Letters Patent, under the Seal appointed by the Treaty of Union to be kept and used in Scotland in place of the Great Seal formerly used there, bearing Date 14th March 1778, His Majesty King George the Third did of new incorporate the then Members of the College and Corporation of Surgeons of the City of Edinburgh, and the Persons who should thereafter be legally admitted Members thereof, into One Body Politic and Corporate, by the Name of "The Royal College of Surgeons of the City of Edinburgh," with the Privileges and under the Regulations therein contained; and did further grant Authority for the Establishment and Regulation of a Scheme for raising a Fund for a Provision for the Widows and Children of the Members of the said Incorporation, and of their Clerk, in manner as therein at Length set forth; that by the 27 Geo. 3. c. 65. the said Royal Charter or Letters Patent, and all the Regulations, Ordinances, and Appointments therein contained, relative to the said Scheme, and all the Proceedings had in consequence thereof, agreeably to the Terms of the said Charter or Letters Patent, were, in so far as the same were not altered by the said recited Act, ratified and confirmed, and directed to be carried into execution, subject to the Alterations mentioned in the said Act; that by the 53 Geo. 3. c. lxxvi. the said first-recited Act was in part altered and amended; that under and in virtue of the said Two recited Acts the said Widows Fund Scheme has continued to be administered down to the present Time; that the said Royal College have also, by their Byelaws, established another Fund, called their Auxiliary Widows Fund, and have from Time to Time made Provision for the Support and Increase of the same from various Sources within their own Control; and by a Resolution, dated the 4th November 1825, enacted and declared, inter alia, that the said Auxiliary Widows Fund should be kept separate and distinct from the said original Widows Fund, and should be reserved for the Purpose of remedying any Defects in the System established by Act of Parliament; and that in the event of a Member dying before his Fourth annual Contribution became due, in which Case his Widow was excluded from the Benefit of the Fund, the Annuity that would have been due to such Widow if the Four yearly Contributions had been paid, should be paid to her out of the said Auxiliary Fund; that by the 13 & 14 Vict. c. xxiii. it was enacted that, with respect to the said Widows Fund Scheme, it should be lawful for the said College, by any Byelaw to be made by them and approved by the Lord Advocate of Scotland for the Time being, to declare that it is expedient to stop the Admission of new Members Contributors to the said Scheme (except as therein-after mentioned), so as ultimately to bring the said Scheme to a Close, and to establish Rules for giving effect to such Declaration; and that upon the making and Approval of such Byelaw as aforesaid so much of the said recited Acts, passed respectively in the 27th and 53d Years of His Majesty King George the Third, as provides, that all Persons admitted Members of the said College and Corporation after the Date of the said Charter in the said Acts mentioned, or after the passing of the said last-mentioned Acts, should, in consequence of such Admission, be held to accede to the said Scheme, and should make such Payments for the Benefit of the said Fund as by the said Acts is severally provided, and that the Treasurer of the Corporation should pay over to the Collector of the Scheme the Half of the Entry Money paid by each and every Person who should be thereafter admitted Members of the said College and Corporation (the same being for the Purpose of raising and augmenting the Capital Stock of the said Fund), should be repealed as to all Persons so to be admitted after a Day to be named in that Behalf in the said Byelaw, and that no Person so to be admitted after the said Day, nor his Widow nor Children, should have any Benefit from the said Fund, except Persons entitled to Admission as being Sons or Sons-in-law of then existing or deceased Fellows, or as having been or become Freedom Apprentices to such Fellows before the making and Approval of such Byelaw, and their Widows; that by the said last-recited Act, alternative Power is given to the said College, on the making and Approval of such Byelaw as aforesaid, to wind up the said Scheme, either by continuing the same under the Management of Trustees, elected as formerly, until the Rights of all Parties having or thereafter becoming entitled to an Interest therein should have ceased and determined, or by entering into an Agreement or Contract with an Insurance Company, whereby such Company, in consideration of their obtaining a Transfer of the whole Fund established by the said recited Acts, together with all Debts due thereto, should undertake all Obligations, whether present or future and contingent, attaching to the said Fund; that by the last-recited Act the Provisions of the first and second recited Acts for the Regulation from Time to Time of the Rates of Annuity to be paid to the Widows of Fellows of the said College, and also of the Mode in which the said Fund should from Time to Time be increased, were repealed, contingently upon the Execution of an Agreement or Contract with an Insurance Company as aforesaid; but the said Act contained no express Repeal of the said Provisions, in the event of the said College resolving to wind up the said Scheme under the Management of Trustees; that with respect to the said Auxiliary Widows Fund alternative Power is also given to the said College by the said last-recited Act either to retain the said Auxiliary Fund under their own Management and Control, or, in the event of their entering into an Agreement with an Insurance Company of the Nature above mentioned, in regard of the original Widows Fund, to combine with that Transaction a Transfer also of the said Auxiliary Widows Fund, it

being in that Case provided, that the Insurance Company should undertake to pay the same Amount of Annuity to all Widows of Fellows who had died or might die before Payment of their Fourth annual Contribution, as to those of other Fellows of the College; that the said Royal College did, on the 5th Day of June 1851, enact a Byelaw, declaring in Terms of the said last-recited Act, that it was expedient, as from and after the 16th Day of May 1851, to stop the Admission of new Members Contributors to the said Scheme, excepting as regards those privileged Parties whose Rights are specially reserved by the said last-recited Act, and postponing the Consideration of the Mode of winding up the said Scheme till such Time as the College might resolve to decide regarding the same; that the said Byelaw and Declaration having been submitted to the Lord Advocate for the Time was duly approved of by him; that by Royal Charter of 11th March 1851, and in conformity with the said last-recited Act, Her Majesty did, upon a Surrender by the said College of their former Charter, of new incorporate the said College under the Name and Style of "The Royal College of Surgeons of Edinburgh," and under the new Form of Constitution, and with the Powers and Privileges therein mentioned; that it is by the said new Charter, inter alia, declared that from and after the Date thereof the Admission of any Candidate for the Fellowship, being the Son or Son-in-law of any Fellow who might have entered the College before the said Date, or who before the said Date might have served, or might then be actually serving, an Apprenticeship to a Fellow of the College for the Freedom of the City of Edinburgh (being the Parties to whom the Privileges of the Widows Fund are specially reserved by the last-recited Act), should continue to be conducted after the same Mode as that theretofore in use, subject to such Modifications thereof as the College might direct and determine by any Byelaw or Byelaws to be from Time to Time passed by them; and that, except as regards Persons coming under one or other of the said Denominations, the Admission of all Candidates for the Fellowship should always be determined by way of Ballot; that the former Mode of admitting all Candidates for the Fellowship, with the Privileges of the Widows Fund, was by actual Examination of the Candidates literary and professional Qualifications; and the College did, upon the 10th of May 1852, resolve that the same Mode of Admission of these Candidates should be continued, excepting as regards such of them as might renounce their Right of Accession to the Widows Fund, who would in that Case fall to be elected by Ballot and without Examination, as ordinary Fellows under the new Charter; that the College did, on the 5th of May 1852, resolve to continue the Management of the Widows Fund under Trustees, as formerly, and not for the present to adopt the Alternative of transferring the same to an Insurance Company; that it is expedient, in consequence of the Change effected in the Constitution of the said College by their new Charter above mentioned, to have regard to the Time when a comparatively small Number of the Fellows thereof will be Contributors to the Widows Fund, and also to that more distant Time when, the Contributors having all died out, the Fellows of the College will have ceased to have any Interest in the Fund; and to provide for a Continuance of the Management of the said Fund in these Events; that it will be for the Benefit of the Fund, and is necessary in order to maintain the Data upon which the Calculations in reference thereto have been based, to render unalterable the present Mode of Admission of the privileged Candidates by Examination as aforesaid; that it is expedient to consolidate into One Fund the original Widows Fund and the Auxiliary Widows Fund, and to provide that One uniform Rate of Annuity shall henceforth be drawn by all the Widows without Distinction; also to obtain more express legislative Power in regard to the Mode in which the said consolidated Fund may hereafter be invested; that in consequence of the Progress of the said Scheme having been arrested in manner above mentioned, and of its necessarily coming to a Close at some uncertain future Period, it has become expedient to remodel the said Scheme, so as to maintain and secure for the future a constant due Proportion between the Amount of the Fund and the Claims which may be expected to come against it, and, as far as possible, to secure that the Exhaustion of the said Fund and the Termination of the said Claims may be simultaneous.

Repeal of Acts 27 Geo. 3. and 53 Geo. 3., and partially of 13 Vict.,—§ 1.

Parties interested in the Fund, § 3.

Funds vested in Trustees; Quorum, § 4.

Stated Meetings of Contributors; other Meetings; Contributors in arrear disqualified from voting; Quorum of General Meetings, § 5.

Seniority of Trustees; Rotation of Trustees; Trustees re-eligible; Vacancies, how supplied, § 6.

Trustee in arrear of Rates disqualified from acting, § 7.

Stated Meetings of Trustees, § 8.

Mode of Investment of Funds, § 9.

Provision for compounding for Obligations of the College, § 10.

Annual Contributions of present Contributors, § 11.

Annual Contributions of future Entrants, § 12.

Entry Money; Age Taxes, § 13.

Marriage equalizing Tax, § 14.

Intimation of Marriage, &c. to Collector; Certificate of Contributor's Age and Wife's Age; Forfeiture for neglecting same, § 15.

Annuities to Widows; Deduction in certain Cases of Contributors not having paid Twelve Years Rates; Annuities to cease in Case of Widows again marrying, § 16.

Certificates of Widows being alive and unmarried, § 17.

Annuities not assignable or attachable by Creditors; Annuities may be computed pro tanto of Marriage Provisions, § 18.

Cases of Forfeiture from allowing Rates, &c. to run in arrear; Mode of reponing Contributor or his Widow in case of Forfeiture, § 19.

Deduction from Widows Annuities where Contributor dies in arrear, § 20.

Periodical Investigations into State and Prospects of Fund, § 21.

Periods and Mode of Investigation, § 22.

Reports thereof in certain Cases to be printed; Mode of dealing with same; Annuity may be raised or diminished, § 23.

Present Collector; Mode of Appointment of future Collectors; Extent of Collector's Power of Management, § 24.

Collector to keep a Sederunt Book, and sign all Receipts, § 25.

To keep Books, and to prepare annual States, &c., § 26.

To prepare States of Arrears; Diligence to be raised for Recovery thereof, § 27.

Collector to carry on all Suits in Name of Trustees, § 28.

Collector to find Caution, § 29.

Money to be lodged in a Bank, § 30.

Collector's Salary, § 31.

Trustees may sue and be sued in Name of Collector, § 32.

Trustees not liable for Omissions, nor in solidum, § 33.
Trustees may make Regulations, to be approved of by Contributors, § 34.
Fund may be transferred to an Insurance Company, in consideration of their undertaking its Obligations, § 35.
Persons not Contributors may be assumed as Trustees; Management by Trustees not Contributors, § 36.
Not lawful for the College to alter present Mode of Admission or Rates of Entry Money of privileged Candidates for Fellowship, § 37.
Rate of Interest; Penalties, § 38.

Cap. clxxvii.

"London, Chatham, and Dover Railway (Metropolitan Extension) Act, 1860."

Preamble recites that in 1853 a Company was incorporated by the Name of the East Kent Railway Company (but now by virtue of the "London, Chatham, and Dover Railway Act, 1859," styled the London, Chatham, and Dover Railway Company, and herein-after referred to as "the Company"), for the Purpose of constructing a Railway from Strood to Canterbury, with Branches to Faversham Quays and Chilham; that by the "East Kent Railway (Extension to Dover) Act, 1855," (after reciting that the Railway by the first-mentioned Act authorized was intended to form a Portion of a direct Line of Railway between London and Dover, by Canterbury, and between London and Ports and Places on the Eastern Coast of Kent,) the Company were authorized to extend their Line of Railway from Canterbury to Dover, and to make Branch Railways or Tramways to connect such Extension Railway with the Admiralty Pier at Dover, and Dover Harbour; that by "The East Kent Railway (Western Extension) Act, 1858," the Company were authorized to construct a Railway (therein called the Western Extension) from the East Kent Railway, at or near Strood, to join the authorized Line of the Mid-Kent Railway (Bromley to Saint Mary's Cray), and to raise further Monies by the Creation of Shares and by borrowing, with the Option (which Option they have exercised) of charging those Monies on the Western Extension alone, and by the same Act the Company were empowered to use and run over the Lines of the Mid-Kent Railway (Bromley to Saint Mary's Cray) Company and of the West End of London and Crystal Palace Railway Company (herein-after called the Crystal Palace Railway Company); that they have completed and opened for public Traffic the Railway from Strood to Canterbury by the firstly-recited Act authorized, and are proceeding with the Construction of the Remainder of the Railways by the recited Acts authorized; that the London, Brighton, and South Coast Railway Company (herein-after called the Brighton Company) have become the Purchasers of the whole of the Lines of the Crystal Palace Railway Company, except the Extension of their Railway to Farnborough (herein-after called the Farnborough Extension Railway), and the Company having obtained by the said last-recited Act running Powers over that Extension Railway have since agreed (subject to the Approval of Parliament) for the Purchase thereof; that the Construction of Lines of Railway (Nos. 1 and 2) from the Farnborough Extension Railway to Herne Hill, in the Parish of Lambeth, thence into the City of London, there communicating by means of the proposed Junction Railways in connexion with the intended Railway No. 2 with the Metropolitan Railway, and diverging to West Smithfield, would not only afford the most direct and independent Railway Communication between Dover, the Eastern Parts of Kent, and the Ports and Places and Government Establishments therein, and the Centre of the Metropolis, but would also, by means of the Metropolitan Railway, the Great Northern Railway, and the Great Western Railway, afford direct and uninterrupted Railway Communication between the North, the West, and the South-east of England, and would be of National Importance; that the Construction of the proposed Railway (No. 1) from the Farnborough Extension Railway to Herne Hill, and of a Railway (No. 3) in continuation of that Line, so as to afford Access to the Victoria Station and Pimlico Railway, would ensure to Dover, Kent, and the Government Establishments a direct Communication with the Western and Southern Parts of the Metropolis, the Great Western Railway, and the London and North-western Railway, and the Districts traversed by those Railways, and would be of great public and local Advantage; that a Junction Railway to connect the intended Railway (No. 3) with the intended Railway (No. 2), and Two Junction Railways to connect the intended Railway (No. 1) with the Railways of the Brighton Company, and also Two Junction Railways to connect the intended Railway (No. 3) with the London and South-western Railway, would be of Advantage; that it is expedient to authorize Contracts and Arrangements with reference to the working of the Railways, and the other Purposes herein-after mentioned, between the Company of the one Part, and the Great Northern Railway Company, the Great Western Railway Company, the Metropolitan Railway Company, and the Victoria Station and Pimlico Railway Company, or any One or more of them, on the other Part; also to authorize Contracts and Arrangements with reference to the Construction of Works and other Purposes between the Company on the one Part, and the Lord Mayor, Aldermen, and Commons of the City of London in Common Council assembled, and any District Boards of Works in the Metropolis, or any One or more of those Bodies, on the other Part; that with a view to ensure speedy and uninterrupted Communication between London and other Parts of England traversed by the Railways of the Company and the Railways communicating or which will communicate therewith, and the Continent of Europe, it is expedient that the Company should be empowered to purchase, hire, or provide and work Steam Vessels, Wharves, Quays, and Jetties, or Piers in connexion with their Railways, or to contribute towards the Funds of any Steam Boat Companies willing to work their Vessels in connexion with those Railways, and to make Contracts with such Companies for those Purposes; and that the Company should be authorized to raise Money for the Purposes aforesaid.
Incorporation of General Acts, § 2.
Power to construct Works, § 5.
Description of Works, § 6.
Land for extraordinary Purposes, § 7.
Three Years for compulsory Purchase of Lands, § 8.
Provisions for Junction of Railway No. 3, and Access to Victoria Station and Pimlico Railway, § 9.
Company to have Right of User of the Line of the Brighton Company between certain Points, § 10.
Extending previous Provisions to Line of West London Extension Railway Company, if made, § 11.
Provision as to Interruption of Traffic, § 12.
Confirming Agreement with Governors of Dulwich College, § 13.
Confirming Deed for Protection of Emmanuel Parsonage Lands, § 14.
Cutting in Laurie Park to be covered in, § 15.

Branches to Brighton Company's Line not to be made without their Consent, § 16.
Traffic on Brighton Railway not to be obstructed, § 17.
Restricting the taking of Land of Brighton Company, § 18.
As to Bridges under Brighton Railway and over Crystal Palace Railway, § 19.
Maintenance of Bridge and Works over Brighton Company's Line, § 20.
Company to pay to Brighton Company Expenses of Watchmen, § 21.
Not to interfere with Brighton Railway without Consent, § 22.
Company to pay all Damages sustained by Brighton Company, § 23.
Qualified Repeal of 16th Section of East Kent Act, 1858, § 24.
Repeal of Sections requiring Brighton Company to give Facilities to Company's Traffic, § 25.
No Part of the Land to be used for the Metropolitan Market to be taken without Consent, § 26.
Streets in the City of London not to be taken for the Purposes of Railway, § 27.
Land belonging to the Bridge House Estate not to be taken, § 28.
Line of Railway not to be deviated opposite the Orphan School, § 29.
For Protection of Metropolitan Board of Works and their Southwark Improvements, § 30.
As to Footways and Carriageway, § 31.
Buildings on Lands fronting Street to be approved by Board of Works, § 32.
Monies to be paid to Treasurer, § 33.
Company to give Notice to Board of their Intention to take certain Lands, § 34.
Mode of effecting Communications with Metropolitan Railway, § 35.
Expenses of Communications to be borne by the Company, § 36.
Signals, &c. to be erected, &c., and Persons to be provided by the Metropolitan Railway Company to prevent Danger at Point of Junction, § 37.
Junctions with Lines of other Companies, §§ 38 to 40.
Land of the Metropolitan Railway Company not to be taken, § 41.
Provision for Junctions of Railway with London and South-western Railway, § 42.
Arrangements with London and South-western Railway Company, §§ 43 to 47.
Arrangements as to crossing West London Extension Railway, §§ 48 to 54.
Limit of Lands of Charing Cross Railway Company to be taken, &c. by Company; Arrangements as to Charing Cross Railway, §§ 55 to 57.
For preventing Interference with the Embankment of the Thames, § 58.
Admiralty Provisions, §§ 59 to 61.
Works affecting River Thames, § 62.
Bridge and Works in the River Thames to be executed under the Direction of the Conservators of the River Thames, § 63.
Sum to be invested before Bridge commenced, § 64.
Company not to interfere with the Bed of the River, § 65.
Saving Rights of the Conservators of the River Thames, § 66.
Company not to take Gravel, &c. from River without Consent of the Conservators, § 67.
Lights to be exhibited, § 68.
Bridge not to be erected within a certain Distance of Blackfriars Bridge, § 69.
Company to enclose Arches, § 70.
Width and Headway of Streets, §§ 71 to 73.
Arches to be lighted, § 74.
Not to stop up or divert specified Streets in Christchurch Parish, § 75.
Provisions as to the Construction of the Railway in the Parish of Saint Mary Newington, § 76.
Provision as to the Construction of the Railway in the Parish of Saint George the Martyr, § 77.
Width and Headway for Thoroughfares in Saint Mary Lambeth, § 78.
Provisions as to Poplar Walk, § 79.
Width and Headway for Penge Roads, § 80.
For Protection of other Roads in Penge, § 81.
Company to restore Streets of District Board of Works, § 82.
For Protection of Sewers of the Commissioners of Sewers of the City of London, Metropolitan and other Boards, § 83.
Company to restore Sewers, Drains, &c. in Metropolis, § 84.
Drainage Works in the Metropolis to be subject to Vestry or District Board, and their Rights saved, § 85.
Questions of disputed Compensation in London to be heard in the Lord Mayor's Court of the City of London, § 86.
Works in connexion with the Southwark and Vauxhall Water Company to be executed by that Company, § 87.
Southwark Company not to be liable for Damage arising from Alteration of Mains or Pipes, § 88.
In default of Southwark Company the Company may execute the necessary Works, § 89.
As to Levels of the Surrey and Sussex Roads, § 90.
Width and Headway for such Roads, § 91.
Precaution during Works, § 92.
Traffic on the Road not to be stopped during the Works, § 93.
Works connected with the Surrey and Sussex Roads to be under the Superintendence of Road Surveyor, § 94.
Provisions as to Works for crossing Roads, §§ 95 to 99.
Five Years for the Exercise of the Powers of this Act, §§ 100, 101.
Tolls, §§ 102 to 113.
Traffic Arrangements, &c., §§ 114 to 122.
New Traffic included in Arrangements with Victoria Station and Pimlico Railway Company, § 123.
Contracts with Corporation and Boards of Works, § 124.
Power to Company to create new Shares to the Amount of 1,750,000*l.*, § 125.
Application of divisible Profits of Metropolitan Extensions, § 126.
Metropolitan Extension Shares not to participate in General Profits, § 127.
For ascertaining divisible Profits, § 128.
Privileges may be attached to new Shares not exceeding 6*l.* per Cent., §§ 129 to 137.
Power to borrow for new Undertaking 550,000*l.*, § 138.
Further borrowing Power to the Amount of 33,000*l.*, §§ 139, 140.
Incorporating certain Provisions of Companies Clauses Consolidation Act, § 141.
Power to provide and use Steam Vessels, &c., § 142.
Charges for Use of Steam Boats, § 143.
For securing Equality of Treatment, § 144.
Provisions of former Acts to apply to Rates authorized to be taken, § 145.
Company empowered to make Byelaws, § 146.
Provision for Cesser of Powers as to Steam Ships on Report from Board of Trade, § 147.

Company to make good Parochial Rates until Works are assessed, § 148.
Penalties, and Recovery of Rates; Recovery of Monies by Distress; Costs of Distress; several Names in One Warrant, §§ 149 to 152.
Saving Rights of the Crown, of Admiralty, of the Corporation of London, and of Metropolitan Board of Works, Vestries, and District Boards, §§ 153 to 156.
Act not to confer certain Powers on Metropolitan Board of Works, § 157.
Saving Rights of the Railway Companies, § 158.

Cap. clxxviii.

"The Monkland Railways (Branches) Act, 1860."

Recites that by the 11 & 12 Vict. c. cxxxiv. the Monkland and Kirkintilloch Railway Company, the Ballochney Railway Company, and the Slamannan Railway Company were dissolved, and that the Proprietors of Shares in the said Companies were united and incorporated into One Company under the Name of "The Monkland Railways Company;" that by the 20 & 21 Vict. c. lxxviii. the said Monkland Railways Company were authorized to form a Railway from Clarkston to Cowdenhead, with Branch Railways therefrom to Planes and to Craigmill, and a Railway from Kipps to Browneyside; that it was by the said second-recited Act provided that the said Railways and Branch Railways thereby authorized to be made should be completed within Three Years from the passing of the said Act, and that on the Expiration of such Period the Powers for executing the said Railways and Branch Railways, or otherwise in relation thereto, should cease to be exercised, except as to so much thereof as should then be completed; and if not completed and opened for public Traffic within the said Period of Three Years, then and from thenceforth it should not be lawful for the said Company to declare or pay any Dividend on their ordinary or unguaranteed Capital until the said Railways and Branch Railways should have been completed and opened for public Traffic; that the Company have, since the passing of the said second-recited Act, proceeded with the Execution of the said Railways and Branch Railways, and have also executed an Extension of the said Branch to Craigmill, commencing at the Northern Terminus thereof, about Half a Furlong to the Westward of Craigmill, and terminating about a Furlong to the Northward of Craigmill; that the Company are in course of executing a Branch Railway from the said Branch to Craigmill, commencing about Three Quarters of a Furlong to the Eastward of the Farm Steading of Standhill, and terminating about a Furlong to the South-westward of Craigmill, and a Branch Railway from the said Railway from Clarkston to Cowdenhead, commencing about Half a Furlong to the Eastward of Loadmanford Farm Steading, and terminating near to Stepends Farm Steading; that the Company are also in course of executing Two Deviations of the said Railway from Clarkston to Cowdenhead, the first of which Deviations commences at a Point about Two Furlongs to the Westward of the Farm Steading of Mosshouses, and terminates at a Point about Two and a Half Furlongs to the Westward of Reziehill Cottage, and the second of which Deviations commences at a Point about Half a Furlong to the Westward of Forestfield Inn, and terminates at a Point about Two Furlongs to the North-eastward of the Farm Steading of Easter Braco; that it is expedient that the said Extension Branch Railways and Deviations should be incorporated with the Undertaking of the Company, and, so far as necessary, completed by them, and that the said Deviations should be substituted for the respective Portions of the said Railway from Clarkston to Cowdenhead which were by the second-recited Act authorized to be formed between the said respective Points at which the said Deviations respectively commence and terminate, and that such Portions should be relinquished; that it would be attended with Advantage and Convenience to the Public and to the Company if the Company were authorized to form Railways to connect the said Railway from Clarkston to Cowdenhead with Shotts Ironworks, and with the Shotts Branch of the Wilsontown, Morningside, and Coltness Railway; that it is also expedient that the Period limited by the said second-recited Act for the Completion of the said Railways and Branch Railways thereby authorized should be extended, and that for these and other Purposes the said Act should be amended.

Incorporation of Lands and Railways, and Portions of Companies Clauses (Scotland) Acts, §§ 1, 2.
Power to apply Company's existing Funds towards Purposes of this Act, § 5.
Power to raise additional Capital of 50,000*l.*, with or without Preference, § 6.
Dividends on Preference Shares how to be paid, § 7.
Reserving Priorities in Payment of Dividends, § 8.
New Shares to be considered the same as original Shares; Calls, §§ 9, 10.
Power to borrow 16,600*l.* on Mortgage, § 11.
Monies to be applied only to Purposes of Act, § 12.
Power to execute Works according to deposited Plans, &c., § 13.
Works partly executed to form Part of Company's Undertaking, § 14.
Deviations to be in lieu of corresponding Portions of authorized Line, § 15.
Compensation to be made where Contracts have been entered into or Notices given for the Purchase of Lands, § 16.
Reserving Action at instance of Judicial Factor on Estate of Bedlormie, § 17.
Regulating crossing of Avenue to Auchengray House, and Junction with Shotts Branch of Wilsontown, Morningside, and Coltness Railway, §§ 18, 19.
Shotts Branch not to be interfered with, except for forming Junction, § 20.
Level Crossings and Board of Trade Provisions, §§ 21 to 23.
Power to stop up a certain Road, § 24.
Regulating the Dimensions of a certain Bridge, § 25.
Lands for extraordinary Purposes, § 26.
Provisions of 20 & 21 Vict. c. lxxviii., as to Acquisition of Lands in Feu applied to this Act, § 27.
Three Years for compulsory Purchase of Lands, § 28.
Extending Period for Completion of certain of the Works authorized by 20 & 21 Vict. c. lxxviii.,—§ 29.
Four Years for Completion of Works authorized by this Act, § 30.
Tolls, § 31.
Providing for Use of Railway between Shotts Ironworks and Stane by the Edinburgh and Glasgow Railway Company, § 32.
Providing against Agreements for diverting Traffic, § 33.
As to Use of Wilsontown Railway by Engines, &c. of Company, § 34.
Company may fund their Debt and issue Certificates of Funded Debt, § 35.
Provisions of 20 & 21 Vict. c. lxxviii. as to Funded Debt applied to this Act, § 36.

Company may raise Money by the Issue of Preference Shares in lieu of borrowing, § 37.
As to Postponement of certain Dividends, if Railways, &c. authorized by 20 & 21 Vict. c. lxxviii. not opened before 27th April 1861, § 38.
Dividend suspended if Railways by this Act are not opened within a limited Period, § 39.

Cap. clxxix.

"Hay Railway Act, 1860."

Recites that by 51 Geo. 3. c. cxxii. the Hay Railway Company were incorporated, and were authorized to make and maintain a Railway or Tramroad, to be called the Hay Railway, from the public Wharf of the Brecknock and Abergavenny Canal, in the Parish of St. John the Evangelist, in the County of Brecon, to Parton Cross, in the Parish of Eardisley, in the County of Hereford, and Works and Conveniences connected therewith, and to purchase and take Lands for the Purpose, and to raise a Capital of 50,000*l.* in Shares of 100*l.* each, and, if necessary, an additional Sum of 15,000*l.* by Shares, or by borrowing on Promissory Notes, and also to raise a further Sum of 15,000*l.* on Mortgage; further Provision with respect to the Company was made by 52 Geo. 3. c. cvi.; that the Company accordingly made the Hay Railway, and raised a Capital of 42,500*l.*, in 425 Shares of 100*l.* each, and borrowed divers Sums of Money; that the Capital of the Company now consists of 42,800*l.*, in 428 Shares of 100*l.* each, which are all fully paid up, and that the Company have no Mortgage or Bond Debt; that by the 22 & 23 Vict. c. lxxxiv. (in this Act called the Act of 1859), the Hereford, Hay, and Brecon Railway Company (in this Act called the Hereford Company) were incorporated, and were authorized to make and maintain a Railway commencing at or near to the Town of Brecon, and in the Parish of St. John the Evangelist, in the County of Brecon, and terminating near to the City of Hereford by a Junction with the Shrewsbury and Hereford Railway, in the Parish of Holmer, in the County of Hereford, and in order thereto to enter upon, take, and use Lands, including Parts of the Hay Railway and Lands of the Company; but it was provided that it should not be lawful for the Hereford Company to enter upon, take, or use any of the Lands or Property of the Company, without the previous Consent in Writing of the Company under their Common Seal; that the taking by the Hereford Company of the Portions of the Hay Railway and Lands of the Company which by the Act of 1859 the Hereford Company are authorized to take, would be prejudicial to the Hay Railway; that if the Hay Railway and the Lands of the Company were the Property of the Hereford Company, Parts thereof might with Advantage to the Public as well as to the Hereford Company be made use of, under the Powers and Provisions of the Act of 1859, for Purposes of the Hereford Railway by that Act authorized; that the Company and the Hereford Company respectively are willing, and it is expedient that the Hay Railway and the Property of the Company be vested in the Hereford Company, according to the Provisions in that Behalf of this Act, and in order thereto Heads of Arrangement, a Copy of which is given in the Schedule to this Act annexed, have been entered into on behalf of those Two Companies, and it is expedient that those Heads of Arrangement be confirmed and carried into effect according to the Provisions in that Behalf of this Act; that by the Mid-Wales Railway (Extension) Act, 1860, the Mid-Wales Railway Company is (amongst other things) authorized to construct a Railway, therein called Number 4, commencing by a Junction with the authorized Line of the Hereford, Hay, and Brecon Railway, in the Parish of Aberllyfin, and terminating near the East End of a Tunnel on the Hay Railway, in the Parish of Llanfihangel-tal-y-llyn, and the Mid-Wales Railway Company may require to take and use a considerable Portion of the said Hay Railway in and for the Construction of the said Railway No. 4.; that by the Brecon and Merthyr Railway (Extensions) Act, 1860, the Brecon and Merthyr Tydvil Junction Railway Company is (amongst other things) authorized to construct certain Railways and Works therein described, and that Company may require to take and permanently use another and considerable Portion of the said Hay Railway, in and for the Construction of their said intended Railways and Works, or some of them; that it is expedient that Provision be made for the winding up of the Affairs and the Dissolution of the Company; that it is expedient that when the Hay Railway is vested in the Hereford Company, they be authorized to appropriate and use Parts thereof for the Purposes of the Hereford Railway, and to discontinue the User of Parts thereof, and to maintain and work the Parts thereof from Time to Time not so appropriated or discontinued, but subject to the Provisions herein-after contained.
Incorporation of Parts of Lands and Railways Clauses Acts, § 2.
Act to commence on Third Wednesday after passing, § 5.
Heads of Arrangement in Schedule confirmed, subject to Provisions of this Act, § 6.
Railway and Property of Company vested in Hereford Company, who are to represent and perform Duties of Company, §§ 7 to 9.
List of Hay Shareholders to be delivered to Hereford Company, and a Duplicate made and retained by Company, §§ 10, 11.
Allotment of Hereford Shares, and Payment of Interest to Hay Shareholders, § 12.
Payment for Shares to Hay Shareholders, and Mode of Payment, §§ 13, 14.
Hereford Company to make Allotments and Payments before entering on Lands of Company, § 15.
Dividends on Hereford Shares allotted, 16.
Hereford Directors to issue Certificate of Hereford Shares allotted to Hay Shareholders, § 17.
Hereford Directors may require Certificates of Hay Shares to be exchanged for Certificates of Hereford Shares, § 18.
Certificates of Hay Shares to be available till Certificates of Hereford Shares issued, § 19.
Monies to be applied only to Purposes of Act, § 20.
Company to wind up their Affairs, § 21.
Distribution of net Assets of Company, § 22.
Where Creditors cannot be found after 12 Months, Monies may be paid into Court of Chancery, § 23.
When all Monies are paid and Claims discharged, Company to be dissolved, § 24.
Appropriation and User by Hereford Company of Parts of Hay Railway, § 25.
Hereford Company may discontinue User of Parts of Hay Railway, § 26.
Hereford Company may maintain and work Hay Railway, and take Tolls authorized by Acts of 1811 and 1812, § 27.
Part of the Hay Railway to be transferred to the Mid-Wales Railway Company, and Part to the Brecon and Merthyr Tydvil Junction Railway Company, §§ 28, 29.
On Transfer, Obligations of Hereford Company cease as to Portions transferred, § 30.
Sale of Parts of Property of Company vested in Hereford Company, § 31.

Adjoining Owners to have Option of purchasing the Frontage of their Lands, § 32.
Hereford Company to give Notice to adjoining Owners of Portions of Land they are entitled to purchase, and the Time within which Purchase must be effected; if Offer not accepted, may be otherwise disposed of, §§ 33, 34.
Declaration to be Evidence of Refusal, § 35.
Arbitration in case of Dispute, § 36.
How Appointment of Arbitrator is to be made, § 37.
Settlement of Costs of Arbitration, § 38.
Purchasers to be under the same Obligation as to Fences and otherwise as the Hay Railway Company were under prior to their Dissolution, § 39.
Rights of crossing Hay Railway by Owners and Occupiers of adjoining Land preserved, § 40.
Compensation to be made in respect of Wharves, § 41.
Provisions as to Roads over or under Railway, §§ 42, 43.
When Hereford Company discontinue the Working and User of such Parts of the Hay Railway as are not appropriated for the Purposes of the Hereford Railway, then, subject to the Provisions of this Act, the Acts of 1811 and 1812 shall thereupon be repealed, § 44.
General Saving of Rights under repealed Acts, § 45.
Provisions of other Acts continued, § 46.
Contracts, &c. preserved, § 47.
Actions not to abate, &c., § 48.
Debts, Tolls, &c. to be paid, and Penalties recoverable, §§ 49 to 51.
Byelaws, Resolutions, &c. continued, § 52.
Books, &c. continued Evidence, § 53.
Officers, &c. continued, § 54.
Saving Rights of Mortgagees and Creditors of the Two Companies, § 57.
Saving of Protections under recited Act, § 58.

SCHEDULE.

Heads of Arrangement between the Hay Railway Company and the Hereford, Hay, and Brecon Railway Company.

1st. The Railway, Lands, Property, and Effects of the Hay Company to be vested by Act of Parliament in the Hereford Company, with full Power for them to appropriate, use, sell, and dispose of the same.

2d. In consideration of such vesting, the Hereford Company to allot to every Shareholder of the Hay Company in respect of every 100*l.* Share of the Capital of the Hay Company held by him Two fully paid-up Shares of 20*l.* each of the Capital of the Hereford Company; and to pay to him on such Allotment, and by way of Interest, the Sum of 2*l.* 8*s.*, or, at his Option, instead of such Allotment and Payment, to pay to him in respect of every such 100*l.* Share the Sum of 20*l.*, with 4*l.* per Centum per Annum Interest thereon from the 6th Day of June 1859, up to the Day of Payment.

3d. If the Hereford Company repay to the Hay Company any Sums expended by them after the 6th Day of June 1859, on Repairs of the Hay Railway, the Amount so repaid to be deducted rateably from the Interest so payable by the Hereford Company to the Shareholders of the Hay Company; and the Profits of the Hay Company from the 6th Day of June 1859 to belong to the Hereford Company.

4th. The Hereford Company to apply for and use their best Exertions to obtain in 1860 an Act for giving full Effect to these Heads of Arrangement, with all proper incidental Provisions, and, if requisite, to renew the Application in 1861.

5th. The Hay Company to consent to and assist the respective Application, but only if the Provisions of the Bill are consistent with and sufficient for the Purpose of carrying into effect the Objects of these Heads of Arrangement.

6th. The Hereford Company to bear and pay all Expenses of and incidental to the applying for and obtaining of the Act, and the carrying of these Heads of Arrangement in all respects into effect.

(Signed) HENRY ALLEN,
Chairman of the Hay Railway Company.
J. WILLIAMS VAUGHAN,
Chairman of the Hereford, Hay, and Brecon Railway Company.

Cap. clxxx.

"The Horsham and Guildford Direct Railway Act, 1860."

Recites that the making of a Railway, commencing by a Double Junction with the Mid-Sussex Railway in the Parishes of Horsham and Itchingfield in the County of Sussex, to the London and South-western Railway near Guildford, to be called "The Horsham and Guildford Direct Railway," would be of local and public Advantage.
Incorporation of General Acts, § 1.
Subscribers incorporated, with a Capital of 160,000*l.* in Shares of 10*l.*, and Power to borrow 50,000*l.*, §§ 3, 4, and § 6.
Calls, § 5.

VIII. The Mid-Sussex Railway Company and the London, Brighton, and South Coast Railway Company, or either of them, and the Company, may from Time to Time enter into Agreements with respect to the following Purposes or any of them; (that is to say,)

The Maintenance, Use, and Working by the Mid-Sussex Railway Company and London, Brighton, and South Coast Railway Company, or either of them, of all or any Part of the Railway and the Use of the Works and Conveniences belonging thereto; the Conveyance by the Mid-Sussex Railway Company and London, Brighton, and South Coast Railway Company, or either of them, of the whole or any Part of the Traffic upon the said Railway:
The Division and Apportionment of such Traffic between the said Companies respectively:
The Supply of any Working or Rolling Stock required for such Purposes:
The Management, Maintenance, and Repair of the Railway:
The Costs and Expenses of such Working, Management, Maintenance, and Repair:
The Forwarding, Interchange, and Transmission upon or over the respective Railways of the said Companies of any Passenger or other Traffic which may be conveyed upon and from the Railways of the Mid-Sussex Railway Company and the London, Brighton, and South Coast Railway Company, or either of them, to and along the Railway, or any Part thereof, or which may be conveyed upon and from the Railway to and along the Mid-Sussex Railway and the London, Brighton, and South Coast Railway, or either of them, or any Part thereof:
The Collection, Delivery, and general Conduct of such Traffic:
The fixing of the Tolls, Rates, and Charges to be levied or taken by the said Companies or either of them in respect of the Traffic conveyed over their respective Railways or any Part thereof respectively, not exceeding the maximum Tolls, Rates, and Charges authorized by the Acts of Parliament relating to such Railways respectively:
The Collection, taking, and levying of the said Tolls, Rates, and Charges:
The Division between the said Companies of the Receipts arising from the Traffic upon their respective Railways or any Part thereof respectively, subject to any Deductions to be made therefrom, or any Rent or other Consideration to

be paid by either of the said Companies to the other of them by virtue of the said Agreements.
Duration of Agreement; not to affect Persons not Parties thereto; to be approved by Board of Trade; may be renewed, with the Approval of the Board of Trade; inoperative until approved by the Board of Trade, §§ 9, 10.
Working Arrangements to be approved by Majority of Three Fifths of the Votes of the Shareholders at a Meeting specially convened for the Purpose, § 11.
Meeting to be convened by Circular and Advertisement, § 12.
First Ordinary Meeting to be held within Three Months after passing of Act, § 14.
Arrears may be enforced by Appointment of a Receiver, § 15.
Directors, §§ 16 to 20.
Newspapers for Advertisements, § 21.
Railway to be made according to deposited Plans, § 22.
Line of Railway, § 23.
Provision as to making Railway through Lands of J. Tickner in the Parish of Bramley, § 24.
Level Crossings, and Board of Trade Provisions, §§ 25 to 27.
Land for extraordinary Purposes not to exceed Six Acres, § 28.
Three Years for compulsory Purchase of Land, §§ 29, 32.
Four Years for Completion of Railway, &c., § 30.
Company to construct certain Portion of Railway within 12 Months, § 31.
As to Communications with the Mid-Sussex Railway and the London and South-western Railway, § 33.
Communications with the said Railways to be made at the Expense of the Company, § 34.
Signals to be erected, &c., and Persons appointed by the Company to prevent Danger at Point of Junction, § 35.
Company not to take Property of the Mid-Sussex and London and South-western Railways, or interfere with the Railways or Works, § 36.
Company not to acquire any Ownership in Land of Mid-Sussex or London and South-western Companies, § 37.
Power to the London, Brighton, and South Coast Company to subscribe to the Undertaking, § 38.
Power for the subscribing Companies to raise Money by Shares, § 39.
Disposition of new Shares, § 40.
Qualifications of new Shareholders, § 41.
Defining Profits applicable to preferential Dividends, § 42.
Saving existing Preference Shares, § 43.
Powers of their Acts applied to the raising of such Money, § 44.
Power to agree for Use of Portion of London and South-western Railway, but Agreement not to affect Persons not Parties thereto, §§ 45, 46.
Saving Rights of the Mid-Sussex and London and South-western Companies, § 47.
Tolls, §§ 48 to 56.
SCHEDULE (Classification of Articles for Tolls).

Cap. clxxxi.

"Macclesfield District Gas Act, 1860."

Recites that the Macclesfield Gas Company were incorporated by 7 Geo. 4. c. viii., for supplying Macclesfield, Sutton, and Hurdsfield, in the Parish of Prestbury and County of Chester; that at the Time of the passing of the said Act the Borough of Macclesfield comprised only the Township of Macclesfield, but that by the Public General Act, 5 & 6 Will. 4. c. 76. (herein-after called "the Municipal Corporation Act,") Parts of the adjoining Townships of Sutton and Hurdsfield were for Municipal Purposes added to and now form Part of that Borough; that by the 15 & 16 Vict. c. x. (herein-after called "the Improvement Act,") it was enacted that the Mayor, Aldermen, and Burgesses of Macclesfield (herein-after called "the Corporation") should, by the Council of the Borough of Macclesfield, be within and for the Borough of Macclesfield (as defined by the Municipal Corporation Act) the Local Board of Health, under "The Public Health Act, 1848," and that Parts of that Act were incorporated with the Act now in recital; that by the Improvement Act the Corporation, acting by the Council of the said Borough, were empowered to purchase Lands by Agreement, and to erect and make thereon all necessary Works for lighting the Streets, Market Houses, and other public Buildings in Macclesfield with Gas or other Light; and for those Purposes to do other Works in that Act mentioned or referred to, and also to levy a separate Rate, to be called "the Lighting Rate," not exceeding One Shilling in the Pound in any One Year, upon the full net annual Value of the Property assessed thereto, and to borrow on Mortgage for the Purposes of that Act any Sum not exceeding 20,000*l.*; that the Improvement Act prohibits any Application to Parliament by the Corporation for further Powers, or for Power to raise further Sums of Money for the Purposes of that Act, or for the Purposes of any further or other Act, until the Local Board should, by Notice given for Two consecutive Weeks in a Newspaper published in Macclesfield, or if none, then in the Newspaper published nearest to Macclesfield, have called a public Meeting of the Ratepayers of the said Borough, at which Meeting the Corporation should cause to be stated the Object of the intended Application to Parliament, nor unless at such Meeting the Corporation should be authorized, by a Majority of the Ratepayers present at such Meeting, to make such Application; and that that Act also provides for the Mode of voting at such Meeting, and for taking a Poll, if demanded; that the Corporation have not erected any Gasworks, but have from Time to Time contracted with the Company for the Supply of Gas to Street Lamps and for other public Purposes within the said Borough; that the Corporation have not borrowed any Money on the Security of the Lighting Rate or of the General District Rate under the Powers of the Improvement Act; that it would be for the public Advantage that the Powers of the Local Board to construct Works and supply Gas within the Borough should, in either of the Events in this Act in that Behalf mentioned, extend to Gas for private Use as well as for public Purposes; that it is expedient that the Provisions of the Improvement Act relating to lighting, to the Erection of Works for that Purpose, and to the Lighting Rate, should be repealed, and other Provisions made in lieu thereof; that it is expedient that the Local Board should be empowered to purchase the Undertaking of the Company, and that the Company should be empowered to sell the same; and that it is expedient that upon and from such Purchase the Local Board should supply Gas to the whole of the Townships of Sutton and Hurdsfield, and should also be empowered to supply Gas to the adjacent Townships of Titherington and Upton, in the said Parish.
Act to be executed by Local Board, § 3.
Incorporation of General Acts, § 4.
Limits of Act, § 6.
Certain Sections of 15 & 16 Vict. c. x. repealed, § 7.
Local Board to continue possessed of Lamps, &c., § 8.
Saving former Lighting Rates, existing Contracts, &c., §§ 9, 10.
Actions not to abate, § 11.
Saving previous Rights and Liabilities, § 12.
Power to purchase certain Lands, § 13.

Powers as to Construction of Gasworks, &c., § 14.
Restrictions on Erection of new Works, §§ 15, 16.
Power of Local Board to erect Gasworks not to be exercised until either the Undertaking of the Company shall have been purchased by them, or until Two Years and Three Months have elapsed from the passing of this Act, without the Company having obtained the Repeal of 7 Geo. 4. c. viii. &c., § 17.
Gas to be consumed by Meter, on Request, § 18.
Provision of Service Pipes, § 19.
Local Board may remove Pipes from unoccupied Premises, on giving Notice to Owner, § 20.
Maximum Price of Gas, § 21.
Local Board may contract for Lighting, § 22.
Power to lay Pipes against Buildings, § 23.
Quality of Gas, § 24.
Local Board to erect a Meter to test Purity of Gas, § 25.
Power to test the Purity of the Gas, § 26.
Cost of Experiment to be paid according to Event, § 27.
Power to Company, with Consent of Proprietors, to sell their Undertaking, § 28.
Evidence and Effect of Transfer, § 29.
Conveyances, &c. to remain valid, § 30.
Actions, &c. not to abate, § 31.
Gas Rates due at Time of Transfer to be recovered by Local Board, § 32.
Debts due to and by Company to be paid to and by the Local Board, § 33.
Present and future Rights and Liabilities under other Acts saved, § 34.
Terms of Transfer, § 35.
Application of Compensation for Transfer and other Monies by Company, § 36.
Receipt to be sufficient Discharge, § 37.
Proofs of Proprietorship of Company, § 38.
Power to enter into Contracts, § 39.
Annuities to represent Shares in Company, § 40.
Local Board to issue Certificates for Annuities, § 41.
Provision in case of Loss of Certificates of Shares in Company, § 42.
Number of Annuities for which Certificate is to be issued, § 43.
Certificates to be numbered, § 44.
Certificates of Annuities to be renewed when lost, &c., § 45.
Certificates for altered Numbers of Annuities, § 46.
Certificate to be Evidence, § 47.
Register of Gas Annuitants, § 48.
Gas Annuitants Address Book, § 49.
Annuities to be Personal Estate, § 50.
Transfers of Annuities to be by Deed duly stamped, § 51.
Transfer of Annuities to be registered, § 52.
Closing of Transfer Books, § 53.
Transmission of Annuities by other Means than Transfer to be authenticated by a Declaration, § 54.
Contents of Declaration in all Cases, § 55.
Contents of Declaration in case of Transmission by Marriage, Will, &c., § 56.
Local Board not bound to regard Trusts, § 57.
Commencement and Payment of Annuities, § 58.
Annuities recoverable by Suit, § 59.
Annuities recoverable by Receiver, § 60.
Arrears may be enforced by Appointment of a Receiver, § 61.
Local Board may redeem Annuities, § 62.
Eventual Dissolution of Company, § 63.
Lighting Rate, § 64.
Gasworks Account, § 65.
Power for Local Board to borrow on Security of Gas Rents, &c., § 66.
General District Rates and Estimates to include Sums payable thereout under this Act, § 67.
Gas Rents to be primarily, and Lighting Rate secondly liable, § 68.
Rates not to be reduced under certain Circumstances, § 69.
Power to reborrow, § 70.
Forms of Mortgage, &c., § 71.
Certain Restrictions not to apply, § 72.
Application of Monies received by Local Board, § 73.
Contracts for Supply of Gas, &c. not to disqualify Members of Local Board, § 74.
Liability to Rates not to disqualify Justices, § 75.
Costs of Distress, § 76.
Recovery of Sums under 50*l.*, § 77.
Penalties not cumulative, § 78.
Application of Penalties, § 79.
Forms in Schedules of Public Health Act may be used, § 80.
Fund for Payment of Wages, &c., § 81.
Authentication of Notices, &c., § 82.
Forms of Conveyance, &c., § 83.
Saving Rights of Corporation and Local Board, § 84.
Local Board not to be exempt from Provisions of 22 & 23 Vict. c. 66.,—§ 85.
SCHEDULES:
(A.) Description of Lands to be taken.
(B.) Form of Certificate of Annuity.
(C.) Form of Transfer of Proprietors Annuity.

Cap. clxxxii.

"The Athenry and Tuam Railway (Leasing or Sale) Act, 1860."

Recites that by the 21 & 22 Vict. c. cxii. the Athenry and Tuam Railway Company were incorporated; that the Company and the Midland Great Western Railway of Ireland Company were authorized to enter into Arrangements with respect to the Use and Working of the Railway of the Company; that the Railway communicates directly with the Undertaking of the Midland Great Western Railway Company, and that the Railway of the Company might be worked with greater Convenience and Economy if the same were leased or sold to the Midland Great Western Railway; that the Agreement in the Schedule to this Act annexed has been entered into for a Lease of the Railway to the Midland Great Western Railway Company, and proposes that such Agreement be confirmed, and that the Company be empowered to grant such Lease, and that they should also be empowered to sell to the Midland Great Western Railway Company the Undertaking of the Company, or Part thereof.
Power to Company to grant and Midland Great Western Company to accept Lease of Railway, § 3.
Terms and Conditions of the Lease, § 4.
Effect of Lease, § 5.
Lease may be renewed, § 6.
Evidence of Consent of Companies to Leases, § 7.
Power to sell, § 8.
Form and Effect of Conveyance, § 9.
Notice of Copy, and Deposit of Copy, § 10.
Powers of Company to cease and determine upon Execution of Conveyance, § 11.
Conveyances, Contracts, &c. to remain in full Force, § 12.
Actions not to abate, § 13.
Present and future Rights, &c. under existing Act saved, § 14.
Power to Midland Great Western Company to apply Funds to the Purposes of this Act, § 15.

SCHEDULE.

An Agreement made the 26th Day of April in the Year of our Lord 1859, between the Athenry and Tuam Railway Company (herein-after called the Athenry and Tuam Company) of the First Part, and the Midland Great Western Railway of Ireland Company (herein-after called the Midland Company) of the Second Part. Whereas the Promotion of the Bill now passed into an Act for incorporating the Athenry and Tuam Railway Company in the last Session of Parliament was opposed by the Midland Company, and thereupon, for settling the Differences between the Promoters of the Bill and the Midland Company, certain Heads of Agreement were, on the 15th Day of June 1858, entered into between Denis Kirwan, Robert Bodkin, and Charles Blake, Esquires, Three of the said Promoters, of the one Part, and John Ennis, Esquire, M.P., Sir Percy Nugent, Baronet, and George Augustus Boyd, Esquire, Three of the Directors of the Midland Company, of the other Part, which Heads of Agreement were duly signed by the said Parties respectively; and it was thereby agreed, in consideration of the several Conditions therein-after contained—

First. That the Midland Company should abandon such Opposition:

Second. That the Bill should be passed as altered in the Copy thereto annexed:

Third. That the Athenry and Tuam Company should, in the next Session of Parliament, or as soon after as they could be in a Position to comply with the Requirements of the 140th Standing Order of the House of Commons, apply to Parliament for an Act enabling that Company to grant and the Midland Company to take a Lease of the Athenry and Tuam Line:

Fourth. That when such Act should have passed, and the Athenry and Tuam Railway, with all proper Stations, Goods Stores, Sidings, Watering Places, and other Works and Conveniences, should have been completed, ready for being opened for public Traffic, and in good Order and Condition, the Athenry and Tuam Company should grant and the Midland Company should accept a Lease of such Railway for the Term of Ten Years, at a Rent of 4,000*l.* per Annum to be thereby reserved, such Rent to commence and be computed from the Day upon which Possession of the said Line should be tendered to and accepted by the Midland Company, the Line to be maintained by the Athenry and Tuam Company in good working Order and Condition for the First Year of such Lease, and to be restored by the Midland Company at the Expiration of the Lease in the like Order and Condition, reasonable Wear and Tear thereof only accepted: And in the said Heads of Agreement were contained Provisions for referring to Arbitration any Differences in dispute between the Two Companies as to the Completion or Order and Condition of the Line, and for settling the Terms of the Lease, and for the Concurrence of the Midland Company in the Application to Parliament for the Power to lease, and for restraining the Athenry and Tuam Company from extending their Line beyond Tuam to or towards Castlebar, Westport, or Ballina, or promoting or assisting any such Extension by any other Company or Persons, and for a formal Agreement being prepared embodying the said Heads of Agreement, and for the said Agreement ceasing and determining in a certain Event; and the contracting Parties thereby undertook to use their best Endeavours to procure the Approval of their respective Companies to the said Heads of Agreement: And whereas the said Midland Company did abandon such Opposition, and the said Bill passed into Law as so altered, and the Athenry and Tuam Company, thereby incorporated, and the Midland Company, respectively, approved of and consented to the said Heads of Agreement, and these Presents are a formal Agreement, embodying the said Heads of Agreement as thereby provided for, and are to be taken as substituted for and superseding, as to all Matters herein contained in the said recited Agreement: Now therefore it is hereby agreed by and between the Athenry and Tuam Company of the one Part and the Midland Company of the other Part, as follows:—

First. In the next Session of Parliament, or as soon thereafter as they shall be in a Position to comply with the Requirements of the Standing Order of the House of Commons for the Session 1858, No. 140, or otherwise with the Standing Order of the House of Commons for the Time being, the Athenry and Tuam Company shall and will, at their own Expense, apply to Parliament for and use their best Endeavours to obtain an Act authorizing and enabling the Athenry and Tuam Company to grant and the Midland Company to take a Lease of the Athenry and Tuam Railway for the Term of Ten Years at the least, and upon such Terms and Conditions as may enable the Two Companies to carry into effect the Provisions herein-after contained as to such Lease; and in case on their First Application the Athenry and Tuam Company shall not succeed in obtaining an Act of Parliament so authorizing and enabling the Two Companies, the Athenry and Tuam Company shall and will, in the next Session of Parliament, in like Manner, and at their own Expense, again apply for and use their best Endeavours to obtain such an Act of Parliament, and so in each succeeding Session until the Expiration of the Period fixed and limited by the Athenry and Tuam Railway Act, 1858, for the Completion of their Railway; and if at the Expiration of such last-mentioned Period the Athenry and Tuam Company shall not have succeeded in obtaining such Act, then no further Applications shall be made by them for that Purpose, and neither of the said Companies shall be any longer under any Obligations as to the Lease herein-after mentioned, and this Agreement shall be wholly at an end and void:

Second. The Midland Company shall and will assist and further, as assenting Parties, such Application or Applications to Parliament, as mentioned in Clause First of this Agreement, by doing, at their own Expense, all such Acts and taking all such Steps as may be from Time to Time required on their Part by the Standing Orders of either House of Parliament, or otherwise as may be necessary or proper, in order to or in connexion with the applying for and procuring the passing of the Act so to be applied for by the Athenry and Tuam Company:

Third. That in case the said Athenry and Tuam Railway Company shall not before the 30th October in the Year 1860 have published the Notices required by the Standing Orders of Parliament, and take the necessary Steps for promoting such Bill and carrying same into a Law, it shall be lawful for the Midland Company to publish Notices and to do all such other Acts as shall or may be required for obtaining such Act in the then next or any succeeding Session of Parliament; and in such Case that the said Athenry and Tuam Company shall pay to the said Midland Company, in consequence of such Neglect or Default of such Athenry and Tuam Company, all such Costs and Expenses as may be incurred by the said Midland Company:

Fourth. In anticipation of the procuring of such Act of Parliament, the Athenry and Tuam Company shall and will, at their own Expense, construct and complete, with all reasonable Despatch, and in good and sufficient working Order and Condition, their said Railway, fit to be opened for public Traffic, with all necessary and proper Sidings, Stations, Engine Houses, Goods Stores, Sheds, and other Buildings, and all Turn-tables, Watering Places, Signals, Telegraphs, and other Works and Conveniences; the said intended Railway to

be equal, as an average working Line (so far as the Parliamentary Plans will permit), to that Portion of the Midland Great Western Railway Line between Ballinasloe and Galway: And should there be any Dispute between the Midland Railway Company and the Athenry and Tuam Company as to the State of the Line, when proposed to be given up to the Midland Company, such Question shall be referred to the Decision of an eminent impartial Engineer, to be agreed on by the Two Companies, as Umpire, or if the Parties cannot agree, then the Board of Trade shall nominate such Umpire:

Fifth. If and when such Act of Parliament as herein-before mentioned shall have been obtained, and the said Railway, with all its Buildings, Works, and Conveniences, shall have been duly constructed and completed, in accordance with the last preceding Clause, and shall be ready to be opened for public Traffic, the Athenry and Tuam Company shall grant and the Midland Company shall accept a Lease of said Railway, Buildings, Stations, Works, and Conveniences of the Athenry and Tuam Company, together with the Use of the Quarries and Ballast Pits or Banks of the Athenry and Tuam Company for the Purpose of procuring Materials therefrom for the Maintenance and Repair of the Line, for the Term of Ten Years, to commence and take effect from the Day on which the said Railway shall be fit to be opened for public Traffic, as herein-before provided, and Possession thereof shall have been duly offered by the Athenry and Tuam Company to the Midland Company; and the Rent to be reserved in such Lease shall be the fixed Sum of 4,000*l.* per Annum, to be payable half-yearly during the said Term:

Sixth. The Athenry and Tuam Company shall and will, at their own Expense in all respects, maintain and keep the said Railway, Buildings, Works, and Conveniences, during the First Year of the Term of the said Lease, in good and sufficient Repair, working Order and Condition, and the Midland Company shall and will, at their own Expense in all respects, maintain and keep the same, during the Residue of the said Term, in good and sufficient Repair, working Order and Condition, and at the Expiration of the said Term shall and will leave and deliver up the same in the like good and sufficient Repair, working Order and Condition, reasonable Wear and Tear thereof only excepted:

Seventh. The Athenry and Tuam Company shall and will also use or permit the said Midland Company to use the compulsory Powers vested in the said Athenry and Tuam Company for the Purpose of purchasing extra Gravel Hills, Land, or Quarries which the said Midland Company shall require, upon being thereunto required by said Midland Company, such last Company paying to or indemnifying the said Athenry and Tuam Company of, from, and against all Sum or Sums of Money which may be payable to the Landowners or otherwise by reason of the Purchase of such extra Land, or the Use thereof, by the said Midland Company:

Eighth. The formal Lease to be prepared and executed shall contain all necessary Covenants and Terms for carrying into effect the Provisions of this Agreement with respect thereto, and (subject thereto, and so far as is consistent therewith) all such Provisions, Conditions, Covenants, and Agreements as are in the like Cases required and directed by the "Railways Clauses Consolidation Act, 1845," and a Clause or Provision for referring any Dispute or Difference that may arise thereunder to Arbitration, under the Provisions of the last-mentioned Act; and such formal Lease shall, in case of Dispute or Difference as to the same or the Terms thereof, be settled on behalf of both Parties by John Horatio Lloyd, Esq., of the Inner Temple, Barrister-at-Law, or in case of his Death, or of his Refusal or Incapacity to act, by some Barrister to be named for that Purpose by the Attorney General for Ireland for the Time being; and the formal Lease as so settled by the said John Horatio Lloyd or such other Barrister as aforesaid shall be adopted by both the Companies Parties hereto, and shall be executed by them respectively within One Calendar Month after it shall be so settled, or so soon thereafter as conveniently may be:

Ninth. The Athenry and Tuam Company shall not nor will at any Time during the Continuance of this Agreement, or of the Lease to be executed in pursuance thereof, extend, or obtain or apply for Powers to extend, their Line of Railway beyond their present or intended Terminus at Tuam, to or towards or in the Direction of Castlebar, Westport, or Ballina, in any way directly or indirectly promote, or assist or encourage any other Company or Persons in promoting, any new or extended Line of Railway from Tuam aforesaid to or towards or in the Direction of the said Three Places or any of them, without the distinct Sanction and Consent of the Midland Company in Writing under their Common Seal first had and obtained:

Tenth. If any Dispute or Difference shall arise between the Companies Parties hereto, the Settlement of which is not herein-before otherwise provided for, as to whether the said Railway, with its Buildings, Works, and Conveniences, has been duly constructed or completed, or is in good and sufficient Order and Condition, or as to the Meaning of this Agreement, or as to the due Performance of and Compliance with the same by either of the said Companies, or as to any other Matter or Thing arising out of or connected with this Agreement, and not hereby referred to Arbitration in any other Manner, concerning every such Dispute or Difference, as and when it may arise, the same shall be referred to and decided by Arbitration in the Manner provided in that Behalf by the "Railways Clauses Act, 1845."

In witness whereof the respective Companies have affixed their Seals hereto, the Words "the Settlement of which is not "herein-before otherwise provided for" being first interlined in the 10th Clause on the 4th Page hereof previous to the sealing hereof.

Sealed by the Athenry and Tuam Railway Company in the Presence of (the Words "of Ireland Company" written on an Erasure on the Sixth Line from Top of First Page; the Word "settling" on an Erasure on the Tenth Line from Top of First Page; "Line" on an Erasure, Twenty-fourth Line, First Page; the Word "First" on an Erasure, Sixteenth Line from Bottom, Second Page; "Thirtieth" on an Erasure, Ninth Line from Bottom, Second Page; "Purpose of" interlined on Tenth Line from Bottom, Third Page; the Words "the Settle-"ment of which is not herein-before "otherwise provided for" interlined between the Thirteenth and Fourteenth Lines, Fourth Page; and "im" to make the Word "impartial," at the Beginning of the Twelfth Line from the Top of the Third Page)

J. F. Nicoll,
Secretary, Athenry and Tuam Railway Company.

L.S.

And by the Common Seal of the Midland Great Western Railway of Ireland Company in Presence of

W. P. Kirwan.

L.S.

Cap. clxxxiii.

"Bedford and Cambridge Railway Act, 1860."

Proposes the Establishment of direct Railway Communication between Bedford and Cambridge by means of a Railway commencing by a Junction with the Bletchley and Bedford Branch of the London and North-western Railway at Bedford, having Junctions with the Great Northern Railway at Sandy, and terminating by a Junction with the Eastern Counties Railway at Cambridge; recites that the Persons in this Act named, with others, are willing, at their own Expense, to carry the Undertaking into effect; that the London and North-western Railway Company (herein called "the North-western Company") are interested in the Undertaking, by reason of the Traffic which would be thereby brought upon their Railway, and otherwise, and that it is expedient that they be authorized to contribute towards the Funds of the Company by this Act incorporated (herein called "the Company"), and to appoint Directors thereof, and to vote at Meetings thereof; that it is expedient that the Company on the one hand, and the North-western Company, the Great Northern Railway Company, and the Eastern Counties Railway Company (herein called "the Eastern Counties Company"), respectively, on the other hand, be authorized to enter into Arrangements with respect to the following Matters, or some of them; that is to say, the working of the Railway by this Act authorized, the Traffic of the Companies Parties to the Arrangements, the User of the Stations of the North-western Company at Bedford and of the Eastern Counties Company at Cambridge, and the Division and Apportionment of Tolls, Fares, Rates, and Charges arising from their respective Traffic.

Incorporation of Companies, Lands, and Railways Clauses Acts, § 2.

Subscribers incorporated, with a Capital of 240,000*l.* in Shares of 10*l.*, with Power to borrow 80,000*l.*, §§ 4, 5, and § 7.

Calls, § 6.

Arrears may be enforced by Appointment of a Receiver, § 8.

Monies to be applied only to Purposes of Act, § 11.

Meetings; Directors, §§ 12 to 17.

Newspaper for Advertisements, § 18.

Power to make, &c. Railway according to deposited Plans, § 19.

Power to purchase Railway between Potton and Great Northern at Sandy, § 20.

Three Years for compulsory Purchases, § 21.

Five Years for Completion of Works, § 22.

Purchase of Lands for additional Stations, &c., § 23.

Railway authorized, § 24.

Provision as to Construction of a certain Part of the Railway herein named, § 25.

For Protection of the Navigation of the River Ouse, § 26.

For Protection of the Great Northern Railway Company, § 27.

Communication with Great Northern Railway to be made under the Direction of their Engineer, § 28.

As to Expense of Signals, Watchmen, &c., § 29.

Not to take Lands, &c. of Great Northern Railway Company, § 30.

Junctions with North-western and Eastern Counties Railways to be made in manner most approved, § 31.

Works at Junctions with North-western and Eastern Counties Railways to be done to Satisfaction of Engineers, § 32.

As to Expense of Signals, Watchmen, &c. at Point of Junction with the North-western Railway, § 33.

As to Expense of Signals, Watchmen, &c. at Point of Junction with Eastern Counties Company, § 34.

Level Crossing and Board of Trade Provisions, §§ 35 to 39.

Bond for Completion of Railway, § 40.

Tolls, §§ 41 to 48.

Power for North-western Company to contribute towards Company's Undertaking, § 49.

Power for North-western Company to appoint Directors of Company, § 50.

Rotation of Directors so appointed, § 51.

Removal of such Directors, § 52.

Supply of Vacancies in Office of such Directors, § 53.

Powers of Directors not dependent on North-western Company appointing, § 54.

Nominees of North-western Company to vote at Meetings of Company, § 55.

Instruments of Appointment and Removal of Directors and of Appointment and Revocation of Nominees, § 56.

Validity of such Instruments and Acts thereunder, § 57.

North-western Company to give Notice to Company of Appointment, &c. of Directors and Nominees, § 58.

Power of North-western Company to appoint Directors to cease, § 59.

Joint Committee of Directors, § 60.

Power for Company and the North-western and Eastern Counties Companies to agree for Purposes authorized, § 61.

Purposes for which the Agreements may be made, § 62.

Restrictions on Agreements between Company and the North-western and Eastern Counties Company, § 63.

No Agreement valid without Sanction of Shareholders, § 64.

Meetings to be called by Circular and Advertisement, § 65.

Public Notice to be given of Intention to enter into or alter any such Agreement, § 66.

Approval of Board of Trade, § 67.

Agreements between Companies may be modified by Board of Trade, § 68.

Confirmation of Agreement, § 69.

Joint Committee for Purposes of Agreements, § 70.

Tolls for Traffic partly on North-western Railway and partly on Railway, § 71.

Tolls for Traffic partly on Great Northern Railway and partly on Railway, § 72.

SCHEDULE.

ARTICLES OF AGREEMENT made the 3d Day of May, in the Year of our Lord 1860, between the London and North-western Railway Company (herein-after called the North-western Company) of the one Part, and William Henry Whitbread, of Southill, in the County of Bedford, Esquire; the Right Honourable George John Earl De La Warr, of Bourn, in the County of Cambridge; William Stuart, of Kempston, in the County of Bedford, Esquire, M.P.; Thomas Barnard, of Cople House, in the County of Bedford, Esquire; and William Ekin, of Cambridge, Esquire; on behalf of themselves and the other Promoters of the Bedford and Cambridge Railway (herein-after called "the Promoters"), of the other Part: Whereas Railways have been constructed between the City of Oxford and Bedford, and it would be attended with Advantage to the Public if a Connexion by Railway were completed from Bedford to Cambridge, so as to form an uninterrupted Railway Communication between the Eastern and Western Counties of England, viâ Oxford, Bedford, and Cambridge: And whereas the Promoters have deposited Plans and Sections, and are applying to Parliament for an Act of Incorporation, enabling them to make and maintain a Railway commencing by a Junction with the Bletchley and Bedford Branch of the London and North-western Railway at Bedford, and terminating

by a Junction with the Eastern Counties Railway at Cambridge: And whereas the proposed Capital of the intended Company is adapted for the Construction of a single Line of Railway only, but the intended Company may hereafter be authorized to raise further Capital with a view to making a double Line of Railway, or otherwise extending their Works: And whereas the Parties hereto have determined to enter into the Agreement herein-after appearing: Now, therefore, these Presents witness, that in pursuance of that Determination, and in consideration of the Premises, and for the Considerations herein-after appearing, the London and North-western Railway Company do hereby covenant with the Promoters, and the Promoters do hereby covenant with the London and North-western Railway Company, as follows; (that is to say,)

ARTICLE 1.—The Expression "the Railway" wherever herein-after employed shall mean and include the intended Railway as authorized by the intended Act, and the Stations, Works, and Conveniences connected therewith. The Word "Traffic" wherever herein-after employed shall, where the Context permits, mean and include all Passenger, small Parcel, Animal, Goods, Mineral, and other Traffic whatsoever, whether local or through, and also Mails, to be conveyed by the North-western Company on the Railway, or any Part thereof.

ARTICLE 2.—The intended Company shall in due Time after the passing of the intended Act for the Bedford and Cambridge Railway, make and complete the Railway with a single Line of Railway on the Narrow Gauge, with proper and sufficient Sidings and Turn-out and Passing Places, and with proper and sufficient Stations, Station Houses, Station Fixtures, Fittings and Furniture, Sheds, Cranes, Water Tanks, Signals, and all other necessary or proper Works and Conveniences, and with proper and sufficient Dwelling Houses at level Crossings where necessary, but with Land and Bridges over the Railway sufficient for a double Line of Railway, and so that the Railway shall, at the latest by the Time limited by the Act, be approved by the Government Inspector of Railways as being in all respects fit to be opened and used for public Traffic; and the Contract or Contracts for the Execution of the Railway and the Works and Conveniences thereof shall contain the usual Provision for the Maintenance thereof by the Contractors for One Year after the Completion thereof respectively.

ARTICLE 3.—If required so to do by the North-western Company at any Time after the Expiration of Three Years after the opening of the Railway for public Traffic, the intended Company will, upon Request in Writing to that Effect from the North-western Company according to Article 24., and if and when the Funds of the intended Company necessary for this Purpose are raised, lay down and complete, to the reasonable Satisfaction of the Engineer of the North-western Company, an additional Line of Rails on the Narrow Gauge upon the whole or any Part of the Railway, with all proper and sufficient Sidings and Turn-out and Passing Places, and all proper Stations and other such Works and Conveniences as are specified in Article 2. of this Agreement.

ARTICLE 4.—Before the opening of the Railway for public Traffic, the intended Company shall, to the reasonable Satisfaction of the Engineer of the North-western Company, make all such Arrangements as shall be proper and sufficient for enabling the North-western Company on and after the opening of the Railway for public Traffic, to use the Railway according to this Agreement.

ARTICLE 5.—On and for ever after the opening of the Railway for public Traffic, the North-western Company may and will, with Engines and Carriages, use the Railway and the Works and Conveniences thereof for the Purposes of all Traffic thereon as they are and from Time to Time may be authorized or permitted by the intended Act and "The Railways Clauses Consolidation Act, 1845," and any and every other Act from Time to Time in force and applicable in that Behalf; and the intended Company shall, to the reasonable Satisfaction of the Engineer of the North-western Company, afford to the North-western Company all such Accommodation and Facilities as shall be proper and sufficient for the safe and convenient User by them of the Railway and every Part thereof, and the Reception, Conveyance, and Delivery of Traffic.

ARTICLE 6.—If at any Time after the opening of the Railway for public Traffic additional Sidings or other Works are requisite for the due Development or the safe and convenient Reception, Conveyance, or Delivery of Traffic, the same shall, as and when required, according to Article 24., by the North-western Company, be provided by and at the Expense of the intended Company, who shall provide and complete the same to the reasonable Satisfaction of the Engineer of the North-western Company; nevertheless the total Cost of such additional Sidings or other Works shall not exceed the Sum of 10,000*l.*, exclusive of any Expenditure for the Public Safety consequent on any Requirement of the Board of Trade.

ARTICLE 7.—On and for ever after the opening of the Railway for public Traffic, the North-western Company will, at their Expense, work the Railway and convey Traffic thereon in a proper Manner, and so as fairly to develop the Traffic of the District to be served by the Railway, and will run not less than Four Trains a Day with Passenger Carriages each Way between Bedford and Cambridge, and not less than Two Trains a Day with Passenger Carriages each Way between Oxford and Cambridge (Sundays and close Holidays excepted).

ARTICLE 8.—The North-western Company will, at their Expense, provide and employ all Station Masters, Booking Clerks, Porters, Engine Drivers, Guards, Watchmen, Workmen, and Servants, and all other Officers of the intended Company, except the Secretary, who shall be appointed and paid by the Directors of the intended Company; and will provide all such locomotive Power, Engines, Carriages, Trucks, and Rolling Stock, Plant, Stores, Materials, and Labour as shall be proper and sufficient for the Working and User of the Railway by the North-western Company, and the Reception, Conveyance, and Delivery by them of Traffic thereon; and the intended Company shall not be bound to employ or provide any such Persons or Things.

ARTICLE 9.—So far as from Time to Time lawfully may be the North-western Company shall, on and for ever after the opening of the Railway for public Traffic, have, exercise, and enjoy, for the Purposes of the User by them of the Railway and the Works and Conveniences thereof, all the Rights, Powers, Authorities, and Privileges whatsoever of the intended Company with respect to the Regulation, Management, and User of the Railway and the Traffic thereon, and as fully and effectually as if the Railway were Part of the London and North-western Railways.

ARTICLE 10.—The intended Company shall (so far as they lawfully can) abstain from doing or concurring in anything which might directly or indirectly interrupt, impede, interfere with, or in any way disturb the User or quiet Enjoyment by the North-western Company of any of the Powers and Privileges intended to be secured to them by this Agreement.

ARTICLE 11.—As regards the Conveyance of Mails, Troops, or Police, or any other Traffic (if any) which the intended Company may from Time to Time be lawfully called on to convey on the Railway or any Part thereof, the North-western Company will from Time to Time so far as they lawfully can convey the same.

ARTICLE 12.—On and after the Expiration of One Year after the Completion of the Railway it shall be kept in thorough Repair and maintained in good Working Order and Condition by the North-western Company at their Expense.

ARTICLE 13.—The North-western Company will, in the Exercise of their Rights and Privileges under this Agreement, in all respects duly perform and observe the several Provisions with respect to the User of the Railway and to the Traffic thereon contained in the Act or Acts from Time to Time in force with respect to the Railway, and will at all Times fully and freely indemnify and save harmless the intended Company from and against all Penalties, Forfeitures, Losses, Damages, Costs, Charges, and Expenses, Claims and Demands whatsoever in any way occasioned or incurred by or by reason of any Act or Default of the North-western Company, or any of their Directors, Agents, Officers, or Servants, in relation to the User by the North-western Company of the Railway or any Part thereof, or to any Traffic thereon.

ARTICLE 14.—The North-western Company will bear and pay all Outgoings and Expenses relating to the User by them of the Railway, and the Reception, Conveyance, and Delivery by them of the Traffic thereon.

ARTICLE 15.—The total Amount of the following Sums shall from Time to Time be carried to the Credit of a joint Account for the Purpose of the Division and Apportionment thereof according to this Agreement; (that is to say,)

First. All the Tolls, Fares, Rates, and Charges from Time to Time receivable by the intended Company in respect of the Railway from any Company or Person other than the North-western Company; such Tolls, Fares, Rates, and Charges (whatsoever the Amount actually received by the intended Company) to be for the Purposes of these Presents, except where otherwise agreed between the Company and the North-western Company under their respective Seals, calculated at the Maximum authorized by the said intended Act.

Secondly. 50 per Centum of the total Amount of all Fares, Rates, and Charges, after Deduction of the Amount allowed from the Tolls received on the Railway according to the Provisions of this Act which under the Arrangement of the Clearing House shall be allowed to the North-western Company under the Head of Clearing House Terminal Charges elsewhere than on the Railway of the intended Company, which are from Time to Time actually received by the North-western Company for Traffic on the Railway.

Thirdly. 50 per Centum of an equal Mileage Proportion in respect of the Railway of the total Amount of all Fares, Rates, and Charges, less Clearing House Terminal Charges (except Station to Station Terminals in respect of the Railway), which are from Time to Time actually received by the North-western Company for Traffic, partly on the Railway and partly on any other Railway or Railways.

Fourthly. 75 per Centum of the Fares, Rates, and Charges (less Clearing House Terminal Charges) which are from Time to Time received by the North-western Company in respect of any Part of the London and North-western Railway for all Traffic wherever arising, which is from Time to Time carried by the North-western Company alone over the Railway or any Part thereof, and which passes from the Railway to or over and beyond any Part of the London and North-western Railways.

ARTICLE 16.—The gross Amount from Time to Time carried to the Credit of the joint Account shall be liable to the following Payments thereout, and the Accounts thereof shall be kept accordingly; (that is to say,)

First. There shall be paid or accounted for to the North-western Company half-yearly a Sum equal to 50 per Centum of the Tolls, Rates, Fares, and Charges from Time to Time receivable by the intended Company from any Company or Person other than the North-western Company, as specified under the First Head of Article 15. of this Agreement, calculated as therein expressed.

Secondly. There shall be paid or accounted for to the intended Company all necessary and reasonable Expenses and Outgoings to which they shall be liable in respect of the Railway, save and except such Expenses and Outgoings as are by these Presents agreed to be borne and paid by the North-western Company, or which the North-western Company shall be willing and offer to bear or pay, but the total Amount to be so paid or accounted for not to exceed 500*l.* a Year.

Thirdly. There shall be paid or accounted for to the intended Company half-yearly such a Sum as shall be sufficient for the Payment of any Chief Rent or Rents not exceeding in the whole 1,000*l.* a Year, payable by the intended Company as Compensation for Land taken by them, and of the Interest on their Debenture Debt at a Rate not exceeding 5*l.* per Centum per Annum (less Income Tax) on an Amount not exceeding 100,000*l.*, and of Dividend on their Share Capital at the Rate of 4*l.* 10*s.* per Centum per Annum (less Income Tax) on an Amount not exceeding 300,000*l.*, less 20 Years Purchase of the Chief Rent or Rents, if any, subject nevertheless to the Provisions of Article 24. of this Agreement and to the other Provisions herein-after contained.

Fourthly. There shall be paid or accounted for to the intended Company such a Sum (if any) as One Moiety of the Sum actually received by the Company from any Company or Person other than the North-western Company, or which may have been paid by the Company to the joint Account at first specified in Article 15., with the Sums to be carried to the Credit of the joint Account as secondly and thirdly specified in that Article, exceeds the Total of the Sums payable as secondly and thirdly specified in this Article.

Fifthly. The Residue from Time to Time of the Amount carried to the Credit of the joint Account shall be payable to the North-western Company.

ARTICLE 17.—The Payments to be made thirdly out of the joint Fund shall fall due on the 30th Day of June and the 31st Day of December in every Year; but if the Railway shall be opened for public Traffic on any Day other than the 1st Day of January or the 1st Day of July then the first of such half-yearly Payments shall be proportioned to the broken Half Year.

ARTICLE 18.—All the Payments to be made out of the joint Fund shall be made to the intended Company and the North-western Company respectively in the Order specified in Article 16., and in the Months of February and August in every Year.

ARTICLE 19.—If and whenever either of the Two Companies, instead of paying any Sum to the joint Account which would be payable thereout to the other Company, shall pay the same to them, then in the Accounts relating to the joint Fund the Company making the Payment shall be credited accordingly with the Sum so paid, and the Company receiving the Payment shall be debited accordingly therewith.

ARTICLE 20.—All superfluous Lands of the intended Company after the Completion of their Works shall be sold, and the net Proceeds thereof shall be applied in Reduction of the Debenture Debt of the intended Company.

ARTICLE 21.—Each of the North-western Company and the intended Company will keep all such Accounts and Vouchers

as shall be proper and sufficient for the Purposes of this Agreement, which Accounts and Vouchers shall be open at all reasonable Times to the Inspection and Transcription of the Directors and Agents of the Two Companies respectively, and the Two Companies respectively will afford to each other all proper and sufficient Facilities for such Inspection and Transcription, and each of the Two Companies will, whenever thereunto reasonably required by the other of them, duly verify the Accounts.

Article 22.—The North-western Company will, as regards all Traffic conveyed by them on the Railway or any Part thereof, and also on any Part of the London and North-western Railways, so apportion the Fares, Rates, and Charges for the Traffic as that an equal Mileage Proportion thereof, after deducting the usual Clearing House Terminal Charges (except Station to Station Terminals in respect of the Railway), shall be attributed to the Railway, and will keep the Accounts relating to the Traffic so as to show clearly the Apportionment and the Fairness thereof: Provided, that no Traffic shall be considered as within the Meaning of this Article which shall be conveyed over any Part of the Railway by any Company or Person other than the North-western Company.

Article 23.—Each of the North-western Company and the intended Company will on or before the 28th Day of February and the 31st Day of August in every Year, transmit to the other Company an accurate Account of all the Traffic and Tolls, Fares, Rates, and Charges in respect of which Sums are to be carried by them respectively to the Credit of the joint Account.

Article 24.—Provided always, that the total Amount expended by the intended Company for all Purposes (whether raised by Shares or Loans or otherwise) as to which the Provisions of Article 16. of this Agreement as to Expenditure by them or Payments out of the joint Account apply, shall not, for the Purposes of this Agreement, be deemed as against the North-western Company, or, with reference to their Interest in the joint Account, to exceed 240,000*l.*, or such greater Sum not exceeding 300,000*l.* as, in case of Difference between the Two Companies, shall be determined by Arbitration to have been properly and necessarily incurred; but any Expenditure beyond either of those Amounts made at the Request of the North-western Company, signified in Writing under the Hand of the Chairman of their Directors or their Common Seal, shall, as against the North-western Company, and with reference to their Interest in the joint Account, be deemed to have been properly incurred. In case of any Chief Rent or Rents being granted by the Company, as mentioned in Article 16., the Sum of 240,000*l.* or (as the Case may be) 300,000*l.*, or other the Maximum fixed by this Article, shall be considered as reduced by 20 Years Purchase of the Chief Rent or Rents.

Article 25.—In any Case in which any Difference arises between the North-western Company and the intended Company touching the true Intent or Construction of this Agreement, or touching anything to be done, suffered, or omitted in pursuance of this Agreement, or touching any of the Incidents or Consequences of this Agreement, or touching any Breach or Nonfulfilment or alleged Breach or alleged Nonfulfilment of this Agreement, or touching any Liability, Damages, Losses, Costs, or Expenses by reason of any such Breach or Nonfulfilment or alleged Breach or alleged Nonfulfilment, or touching any Claim or Demand relating to any such Liability, Damages, Losses, Costs, or Expenses, or otherwise relating to the Premises, every such Difference shall be referred to and determined by Arbitration according to the Provisions of "The Railway Companies Arbitration Act, 1859."

In witness whereof the London and North-western Railway Company have hereunto caused their Common Seal to be affixed, and the said William Henry Whitbread, George John Earl De La Warr, William Stuart, Thomas Barnard, and William Ekin have hereunto also set and affixed their Hands and Seals the Day and Year first above written.

Cap. clxxxiv.

"Lincoln's Inn Act, 1860."

Whereas in and for some Time prior to the Year 1682 Disputes and Differences had arisen between the Honourable Society of Lincoln's Inn and Henry Serle, then of Lincoln's Inn, Esquire, concerning the erecting of several Buildings on the then open Place of Ground on the South and South-west Side of Lincoln's Inn Walls, then called or known by the Name of Lincoln's Inn Little Fields, or Fickett's Fields: And whereas an Agreement was entered into between the said Henry Serle and the then Masters of the Bench of the said Society touching the same, and which Agreement was reduced into certain Articles in Writing under Hands and Seals, bearing date the 11th Day of July 1682, and duly made and executed between and by the then Masters of the Bench of the said Society of the one Part, and the said Henry Serle of the other Part, and thereby, after reciting that the said Henry Serle was seised of and did claim to himself, by virtue of a Title derived to him from the Crown or otherwise, the Soil, Freehold, and Inheritance of the said open Space of Ground, and also reciting that several Disputes and Differences had arisen between the said Masters of the Bench on behalf of the said Society and him the said Henry Serle, concerning the erecting of several Buildings upon the said Ground, it was among other things agreed, for settling the said Matters, that so much of the said Ground as was therein-after particularly abutted and bounded, (that is to say,) all that Part of the said Ground from the Walls of Lincoln's Inn Southwards to the Rail immediately before Sir Robert Payton's Buildings, running parallel with the Way from Bell Yard End to Plough Inn Stables, and from the Space of 10 Feet Distance from the Houses and Walls on the Eastern Part of the said Field, so far Westward as would run in a just Parallel from North to South with the Corner of the Base Court Wall, and so far further as might run in a parallel Line from North to South within Eight Feet of Portugal Row End, should from Time to Time and at all Times thereafter be disposed of, and such Buildings only should be erected thereupon, and the Buildings erected should be employed in such Manner only as thereinafter expressed; and it was further agreed, that the said Henry Serle, his Heirs or Assigns, should, at his or their own proper Costs and Charges, within Three Years then next ensuing, erect and build in and upon the said Parcel of Ground so bounded out as aforesaid Three Ranges of Buildings, (that is to say,) One Row or Range of the said Buildings to be erected on the Eastern Part of the said Piece of Ground, and to extend from the South-west Corner of the Kitchen Garden Wall of the said Society on the North Side of the said Field, all along Southward to the Distance of Threescore Feet from the Buildings of Sir Robert Payton, and the Second Row or Range of the said Buildings on the West Part of the said Ground to begin at the North End of the then Gardener's House of the said Society, and to extend Southwards to the Distance likewise of Threescore Feet from the Houses on the South Side of the Way from Bell Yard to Plough Stables, and to range with Lincoln's Inn long Wall from Turnstile to the then Gardener's House, and the Third Row or Range of the said Buildings on the Southern Side of the said Field, and to extend from the End of the First Row or Range on the Eastern Part of the said Ground to the End of the said Second Row or Range on the Western Part of the said Ground,

and to range with the said Houses on the South Side of the Highway from Bell Yard to the Plough Stables, and Three-score Feet distant from the said Houses, and that a convenient, handsome, and proportionable Gate should be made through the East End of the said Third Range of Buildings, to go out under an Arch to be turned for that Purpose, and that a Gate should likewise be made through the North End of the said Second Range of Buildings, to go out under an Arch to be turned for that Purpose, and that the said Buildings should be erected Three Story high, and no higher, and without a Garret, but the said Henry Serle might make Cellars, if he pleased, and that all the Doors of the said Buildings so to be erected should be made in the Inside of the said intended Buildings towards the intended Quadrangle, and none of them on the Outside thereof; and it was thereby further agreed, that the said Buildings, when erected, should be employed and made use of for Chambers for such Persons as then were or thereafter should be Members of the Society of Lincoln's Inn, or such Serjeants-at-Law as had formerly been of the said Society, and for no other Purpose whatever, and that the same should be liable to all Manner of Duties and Payments, and be regulated according to the ancient and ordinary Orders of the said Society, in such Manner as the then present Chambers of the said Society were at that Time liable to, except only the Restrictions following; (that is to say,) as to such of the said Chambers as should be built on the said Piece of Ground Part of Lincoln's Inn Little Fields or Fickett's Fields aforesaid, that he the said Henry Serle, his Heirs and Assigns for ever, should from Time to Time and at all Times thereafter have the Sale of the said Chambers, and in order thereunto, by some Deed or Writing under his or their Hands and Seals, should from Time to Time for ever assign, nominate, and appoint such Person and Persons, Members of the said Society, or Serjeants-at-Law who had been Members of the said Society, who should enjoy the said Chambers respectively, which said Person or Persons from Time to Time so to be nominated, assigned, and appointed, and no other Person or Persons whatsoever, should be admitted to the said Chambers respectively by the said Masters of the Bench of the said Society, without paying of any Manner of Fine or other Satisfaction to the said Society for such their Admittance other than the usual Fees to the Officers of the said Society upon Admittances into Chambers, and the usual Fines to the House upon Surrenders of Chambers, (that is to say,) 10*l.* for a Ground Chamber or a Chamber One Pair of Stairs, 8*l.* for a Chamber Two Pair of Stairs, and 20 Nobles for a Chamber Three Pair of Stairs, and that the said Masters of the Bench for the Time being should have no Power to refuse or delay admitting any Person or Persons who should be so nominated upon such Nomination of him or them, paying the Fees and Fines aforesaid, and that no Fine or Income should be paid to the said Society for each First Admittance to the said respective Chambers, and that no Chamber or Chambers so to be built should be liable to any Commons, Arrears, or Duties longer than the same should be in the Possession of the Person or Persons who should owe the same to the said Society; and as to such of the said Chambers as should be built upon the Ground or Soil then belonging to the said Society, it was agreed between the said Masters of the Bench and the said Henry Serle, that the said Henry Serle should have Six several Assignments for the successive Lives of Six several Persons, to be named by the said Henry Serle, his Heirs or Assigns, successively as the Lives should fall, without paying any Fine or Income to the said Society for the same, other than what was to be paid for the said newly erected Chambers on the said Ground of Fickett's Fields aforesaid; and it was thereby further agreed, that he the said Henry Serle, his Executors, Administrators, and Assigns, should, at his and their like proper Costs and Charges, erect a good and sufficient Brick Wall, of a Brick and a Half thick and 10 Feet high, to run Southward from the South-east Corner of the said Kitchen Garden Wall, and range equal with the Buildings on the East Side of the said Fields, 10 Feet Distance from the same towards Bell Yard, and to extend to that Place, which should range equally with the Outside of the said Third Range of Buildings, and from thence to go again in a direct Line to the South-east Corner of the new Buildings, in Part of which said Wall there should be a sufficient Gate Place, and a sufficient Gate set up, for all Sorts of Carts and Carriages to go in and out thereat; and further, that the said Henry Serle, his Heirs, Executors, Administrators, and Assigns, should, at their Costs and Charges, erect and build a good and sufficient Boghouse or House of Office for the Use of the said Society, and a sufficient House for the Gardener of the said Society, to be built between the Backside of the said First Range of Buildings and the said new Wall, and that Part of the said Ground should be made use of as a Laystall for ever for the Use of the said Society; and further, that, at the same Costs and Charges, a sufficient Quantity of the Ground on the Outside of the said Second and Third Range of Buildings for the convenient passing of People to and fro should be handsomely paved, with good and sufficient Oaken Posts of Square Timber set up at convenient Distances from each other on the Outside of the said Pavements; and it was further agreed, that the Waste Ground which should remain and be of the said Piece and Parcel of Ground so bounded out as aforesaid, other than what should be built upon as aforesaid, should from Time to Time and at all Times thereafter lie open, waste, and unbuilt, for the Prospect and Recreation of the said Society and the Members thereof, and that no Chambers or other Buildings should at any Time thereafter be erected or built on the void Piece of Ground called or known by the Name of the Kitchen Garden of the said Society, or any Part thereof, without the Consent and Good Liking of the said Henry Serle, his Heirs and Assigns, of the said intended new Buildings, and that the said Gates to be then erected should be kept by the Porter of the said Society; and it was further agreed between the said Parties, that the said Three Ranges of Buildings, when erected, should at all Times thereafter be called by the Name of Serle Court, and that the said Henry Serle, his Heirs and Assigns, should at all Times thereafter be seised of the said Piece or Parcel of Ground, Part of the said Little Lincoln's Inn Fields, so abutted and bounded as aforesaid, and of the Soil, Freehold, and Inheritance thereof, to and for the Intents and Purposes therein and herein-before expressed and declared, and to and for none other Use, Intent, or Purpose whatsoever, and that the said Henry Serle, his Heirs and Assigns, should be at liberty to proceed to build in and upon such Part of the said Little Lincoln's Inn Fields or Fickett's Fields which lay Westward of the said Ground such Buildings as to him or them should seem meet, without the Disturbance of the said Society; and the said Henry Serle, for himself, his Heirs, Executors, Administrators, and Assigns, and for every of them, covenanted, promised, granted, and agreed, to and with the said then Masters of the Bench of the said Society, and the Survivors and Survivor of them, and the Heirs, Executors, and Administrators of the Survivors and Survivor of them, that the said Henry Serle, his Heirs and Assigns, should and would, from Time to Time and at all Times thereafter, repair, uphold, maintain, and amend the said Boghouse or House of Office, Pavement and Posts, after the same should be erected and set up, and also procure to be emptied the said Boghouse when and as often as Occasion should require, and lay the said Court or void Space of Ground within the new erected

Buildings level and fitting for common Use, and from Time to Time and at all Times after the said Chambers and Buildings so to be built on the said Ground belonging to the said Society should be built and set up, during such Time and Estate as he or they should have in the said Chambers and Buildings, repair, amend, maintain, and keep the said Chambers and Buildings in all Manner of needful and necessary Reparations, and the same, so repaired, amended, maintained, and kept, at the End of his and their Estates and Interests therein should leave and yield up unto the said then Benchers of the said Society, and the Survivors and Survivor of them, and the Heirs of such Survivor, and that the said Henry Serle, his Heirs and Assigns, for the better strengthening and assuring of the said Articles and the Agreements and Things therein contained, should consent that the same and all the Matters therein contained should be decreed by the High Court of Chancery, and also be ratified and confirmed by Act of Parliament, or by either of the said Ways, as to the said Benchers of the said Society, or the Survivors or Survivor of them, or the Heirs of such Survivor, should seem most convenient; And whereas in pursuance of the said Articles of Agreement, all the said Three Ranges of Buildings and other Buildings were made by the said Henry Serle and his Successors in Title, with all the Doors of the said Chambers inwards towards the said Court or Quadrangle, of which they form Three Sides or Parts of Three Sides, and the said Three Ranges of Buildings or Quadrangle, and the uninclosed Area within the same, have ever since up to the present Time and still are known and distinguished by the said Society by the Name of Serle Court, but such Quadrangle is now usually called by the Public by the Name of New Square, Lincoln's Inn: And whereas those Parts of the said Three Ranges of Buildings which were built by the said Henry Serle and his Successors in Title upon Lincoln's Inn Little Fields or Fickett's Fields are those Houses or Blocks of Buildings now known or distinguished by Numbers from 1 to 10 inclusive in the said New Square, and that Part of the said Three Ranges of Buildings which, in pursuance of the said Agreement, were built upon the Ground or Soil belonging to the said Society, are the several Sets of Chambers in the House or Block of Building now numbered 11 in the said New Square: And whereas the Six several Persons for whose successive Lives some of the said last-mentioned Sets of Chambers were held have died, and such Sets of Chambers have consequently become the absolute Property of the said Society, and are described in the First Part of the First Schedule to this Act annexed, and as to others of such last-mentioned Sets of Chambers which are described in the Second Part of the said First Schedule Five Lives only have been sucessively nominated, and upon the Expiration of the Fifth of such Lives, which took place in the Year 1847, no Person made out a Title to nominate the Sixth of such Lives, and thereupon the said Society entered into possession of such Sets of Chambers as Reversioners thereof, and have ever since remained in such Possession, and as to the Remainder of such Sets of Chambers the Six successive Lives for which the same were to be held respectively have not yet expired, and are still the Property of the Successors in Title to the said Henry Serle, and are described in the Second Schedule to this Act annexed: And whereas the Gates by the said Articles agreed to be made were not in fact made in strict Accordance with the Provisions of the said Articles, or were subsequently altered, and, previously to the particular Alterations herein-after mentioned to have been made in the Year 1845, the Gate, now a Footway only, leading from the said Quadrangle on the South Side thereof, was a Carriageway, and there was an arched Footway leading from the said Quadrangle into Serle Street, between the Buildings numbered 9 and 10 in such Quadrangle on the West Side thereof: And whereas after the Date of the said Articles the said Henry Serle, or his Successors in Title, built Three small Shops within the said Quadrangle, and certain other Shops under the Gateways leading into Carey Street and Serle Street respectively, and the said Society have subsequently acquired by Purchase the Fee Simple of and in all the said Shops respectively: And whereas in or about the Year 1845, upon the Occasion of building a new Hall and Library in the ancient Pleasure Garden of Lincoln's Inn, a large Part of the South End of that Garden was taken and appropriated by the said Society for the Purpose of making a new and very wide Carriageway into Lincoln's Inn from Lincoln's Inn Fields, and a new Gateway for Carriages and Side Gateways for Foot Passengers were made, at the Expense of the said Society, in the West Wall of the same Garden, at a short Distance from the North End of the said Number 11 of the said Quadrangle, and some new Chambers were built by the said Society upon a Strip of its own Land between the said new Gateways and the said Number 11, and upon the same Occasion the said Carriage Gateway into Carey Street was converted into a Footway, by the Enlargement of the Shops under such Gateway, and the said Footway leading into Serle Street was stopped up, and the Site thereof and of the Shops therein was converted into Rooms, which were demised by the said Society at a yearly Rent to Messieurs Whitmore, Roumieu, and Walters, the Occupiers of adjoining Chambers in the Building numbered 9 in the said Quadrangle: And whereas by various Changes and Alterations made from Time to Time before the Year 1845, the Hereditaments, Area, and Premises anciently known as Serle's Court were thrown open to the ancient Premises of the old House or Building of Lincoln's Inn, and the present ornamental Garden, which, together with the Carriageways and Foot Pavement around the same, now form the Area usually known by the Name of New Square, was in the Year 1845 made and has since been maintained by and at the Expense of the said Society: And whereas the Gates for the Time being leading into the said Quadrangle have always been kept by the Porters of the said Society, and the Times of opening and shutting thereof have always been regulated by Orders of the Masters of the Bench of the said Society: And whereas no Provision for watching and lighting, or making and maintaining the Roads and Pavements in the Interior of the said Quadrangle, was made by the said Articles, but the said Society has for very many Years past, at its own Cost, watched and lighted the same, and the Roads and Footways for the Time being therein have been heretofore made, paved, and maintained, partly by the said Society, and partly by the Proprietors and Occupiers of the Chambers in the said Quadrangle: And whereas Chambers have been made in the Basement Stories of all the Buildings in the said Three Ranges, with Areas and Approaches thereto, but such Basement Chambers have not been considered liable to any Fines, Fees, or Dues under the said Articles of Agreement: And whereas the Boghouse or House of Office, which was made in pursuance of the said Articles, has been in modern Times replaced by Rows of Waterclosets, which were built and have been maintained by the said Society at its own Cost: And whereas all the said Three Ranges of Buildings or Chambers so erected by the said Henry Serle have not for many Years past been employed and made use of solely by the Persons, for the Purposes according to the Regulations, and in the Manner specified in such Articles, according to the true Intent and Meaning thereof, but many of the said Chambers have been actually employed, made use of, and occupied by Persons who were not Members of the said Society, or Serjeants-at-Law who had

been Members thereof, although they continued to be used solely for Purposes connected with the Law, and the Proprietors for the Time being of such Chambers, Successors in Title to the said Henry Serle, continued to nominate Persons, Members of the said Society, or Serjeants-at-Law who had been Members of the said Society, to be admitted thereto by the said Masters of the Bench, and paid or caused to be paid all Admission Fines, Fees, and Dues payable in respect of such Chambers respectively under the Provisions of the said Agreement, and such Nominees were admitted accordingly: And whereas the Proprietors for the Time being of some of such Chambers on the Ground, First, and Second Floors respectively, Successors in Title to the said Henry Serle, have for some Time past neglected, omitted, or refused to nominate duly qualified Persons to be admitted to such Chambers, and to pay the Admission Fines, Fees, and Dues in respect of such Chambers, according to the said Articles of Agreement, by reason whereof Disputes have arisen between the Masters of the Bench of Lincoln's Inn and such last-mentioned Proprietors: And whereas, from the frequent Change of Ownership, and the Variety of Interests of the several Proprietors of and in the said Chambers, it is in many Cases difficult for the said Masters of the Bench to ascertain who actually are the Proprietors, Successors in Title to the said Henry Serle, of the said Chambers respectively, and to enforce the Nomination of duly qualified Persons to be admitted, and Payment of the proper Admission Fines, Fees, and Dues in respect thereof, and the Employment of the said Chambers solely for the Purposes authorized by the said Articles of Agreement: And whereas, in order to settle such Disputes, and prevent Litigation, and also to provide hereafter for the proper Use and Employment of the said Chambers, so erected by the said Henry Serle as aforesaid, and the future Government and Management of all other the Hereditaments and Premises comprised in the said Articles of Agreement, and the better lighting, paving, and watching of New Square aforesaid, it is expedient that, in lieu of the Admission Fines, Fees, and Dues payable in respect of the said Chambers upon the Ground, First, and Second Floors respectively, under or by virtue of the said Articles of Agreement, such fixed annual Payment should be made to the said Society, in respect of each Set of such last-mentioned Chambers as herein-after mentioned, and that the Claim of the said Society to such Admission Fines, Fees, and Dues, and to have Nominees appointed and admitted in respect of such Chambers, should be extinguished, and that such Arrangement respecting the Payment of Arrears now due in respect of Fines, Fees, and Dues which would have been payable if the said Articles of Agreement had been enforced should be entered into as herein-after contained, and that, in consideration of the lighting, paving, and watching of the said New Square by the said Society out of their General Funds, such fixed annual Payment as herein-after mentioned should be made to the said Society in respect of the several Sets of Chambers on the Basement and Third and Upper Floors respectively of the said Buildings, and that proper Powers should be given to the said Society for enforcing Payment of such fixed annual Sums, and that proper Powers for the future Government and Regulation of New Square, Lincoln's Inn, aforesaid, should be granted.

Chambers in New Square to remain vested in present Proprietors discharged from Fines, &c. payable under the said Agreement, § 1.

Annual Rentcharge imposed in lieu of such Fines, &c., and to cover Expenses of paving, lighting, and watching, § 2.

Masters of Bench to prepare Schedule of Chambers for the Purposes named in Section 2. of this Act, and in case of Disputes, Arbitrators and Umpire to be appointed to revise such Schedule, § 3.

Powers of Arbitrators, § 4.

Power to appoint new Arbitrators in case of Death or Incapacity, § 5.

Mode of enforcing Payment of Rentcharge, § 6.

Provision for Payments in Cases where annual Dues have not been paid, § 7.

Steward's Receipts to be sufficient Discharges, § 8.

All other Parts of the Premises comprised in Agreement to be vested in the Trustees of Lincoln's Inn, § 9.

Chambers to be used for Law Purposes or private Residences only, § 10.

No Alteration to be made in the ornamental Garden without Consent of Committee of Proprietors, § 11.

Proprietors and Occupiers to have Access to the ornamental Garden, § 12.

Society to pave, light, and maintain New Square, § 13.

A Book to be kept for entering from Time to Time Names, &c. of Proprietors, which is to be open to Inspection, § 14.

Appointment of Committee of Proprietors, § 15.

General Meetings of Proprietors to be convened by Steward, &c., § 16.

Power for Proprietors to vote by Proxy, § 17.

In what Manner Committee to be summoned, § 18.

Three to form a Quorum, and Chairman to be elected, and have a Casting Vote, § 19.

Treasurer of the Society, if incapacitated from attending, to appoint a Substitute, § 20.

Proprietors to repair, &c., and Committee to settle Disputes between Proprietors, § 21.

Committee of Proprietors to direct Repairs to be done by Proprietors, and in case of Default Committee to do such Repairs, and recover Amount from Proprietors liable, § 22.

Expenses, &c. of rebuilding, &c. may be charged on Inheritance, § 23.

Power to Committee to apportion Rentcharge, § 24.

Expenses of Act and of Committee of Proprietors, how to be paid, § 25.

As to Notices directed, &c. to be given to Proprietors, § 26.

Receipt of Three Members of Committee to be a sufficient Discharge, § 27.

Definition of the Terms "Proprietors" and "Owners," § 28.

Provision for voting, &c. of Proprietors under Disability, § 29.

No material Alteration to be made in New Square without Consent, and no Entrances except in the Inside of the Square, § 30.

Proprietors discharged from Duty of keeping the Boghouse, and to have Use of those of the Society, § 31.

Articles of Agreement, so far as not affected by this Act, confirmed, § 32.

Saving Rights of Persons (if any) entitled to nominate the Sixth Life to Chambers in Part 2. of First Schedule, § 33.

Person making such Nomination to be bound by this Act, § 34.

General Saving of Rights, § 35.

SCHEDULES.

First Schedule.

First Part.

No. 11, Serle Court, or New Square:

Basement:

One Set of Chambers on the South Side of the Building.

Ground Floor:

One Set of Chambers on the South Side of the Entrance Passage.

Second Part.

No. 11, Serle Court, or New Square:

Basement:

One Set of Chambers on the North Side of the Building.

Ground Floor:

One Set of Chambers on the North Side of the Entrance Passage.

SECOND SCHEDULE.

No. 11, Serle Court, or New Square:

First Floor:

A Set of Chambers on the North Side of Staircase, the present Proprietor whereof is James Anderson, Esquire, Q.C.

A Set of Chambers on the South Side of Staircase, the present Proprietor whereof is William Harry Surman, Esquire.

Second and Third Floors:

Two Sets of Chambers on the North Side, the present Proprietor whereof is William John Phelps, Esquire.

Two Sets of Chambers on the South Side, the present Proprietor whereof is Roundell Palmer, Esquire, Q.C.

Cap. clxxxv.

"South-western Railway (General) Act, 1860."

Recites that by 22 & 23 Vict. c. xliv. the London and South-western Railway Company (herein called "the Company") were authorized to make a Railway therein called "the Kingston Bridge Line," being a Railway commencing in the Parish of Twickenham in the County of Middlesex by a Junction with the Main Line of the Windsor Railway near to the Twickenham Station, and terminating in the Parish of Hampton in the County of Middlesex near to the Middlesex Foot of Kingston Bridge; that it is expedient that the Company be authorized to abandon the making of a Portion of the Kingston Bridge Line, and to make instead thereof a Portion of Railway in continuation of that Portion of the Kingston Bridge Line which is not by this Act authorized to be abandoned, and thence over and across the River Thames to Kingston-upon-Thames in the County of Surrey; that by 21 & 22 Vict. c. ci. the Portsmouth Railway Company (herein called "the Portsmouth Company") were authorized (Sec. 3) to make and maintain a Railway in the Parish of Havant, commencing by a Junction with the Portsmouth Railway, and terminating by a Junction with the Railway belonging jointly to the Company and the London, Brighton, and South Coast Railway Company (herein called "the Brighton Company"), and a Branch Railway therefrom to a Junction with that Joint Railway, and (Sec. 35) Provision was made with respect to the User by the Portsmouth Company of Portions near to Portsmouth of the Railways of the Brighton Company and the Company respectively, and their Joint Railway and the Stations connected therewith, but with a Restriction as to the User by the Portsmouth Company of the Joint Station of the Brighton Company and the Company at Landport in the Parish of Portsea, and (Sec. 36), failing Agreement between the Portsmouth Company and the Owners of that Joint Station at Landport, for the Purchase by the Portsmouth Company of Lands at Portsea for an independent Station, and the Erection by them of Buildings thereon; that by 22 & 23 Vict. c. xxxi. Provision was made for the Amalgamation of the Undertaking, Railway, and Property of the Portsmouth Company with the Undertaking, Railway, and Property of the Company, and the Amalgamation is about to be effected; that the Brighton Company have relaid Rails on a Portion of their Railway near to Havant, and the Company have the User of those Rails and of a Portion of Railway belonging to the Brighton Company near thereto, and the making of the Railways near to Havant is therefore needless, and by reason of the intended Amalgamation the making of the independent Station at Portsea, which by 21 & 22 Vict. c. ci. the Portsmouth Company were authorized to make, is needless, and it is expedient that the Powers and Provisions of that Act with respect to the making of the same be repealed; that the Acts (Local) 18 & 19 Vict. c. cxcii., 19 & 20 Vict. c. cxii., and 21 & 22 Vict. c. l., have been passed with respect to the Stokes Bay Railway and Pier Company (herein called "the Stokes Bay Company"); that it is expedient that Provision be made for the Maintenance, Management, and Working, and also for the Acquisition by the Company of the Undertaking, Railway, and Property of the Stokes Bay Railway; that the Act (Local) 21 & 22 Vict. c. lxxii. has been passed with respect to the Wimbledon and Dorking Railway Company (herein called "the Wimbledon Company"); that the Act (Local) 19 & 20 Vict. c. xcii. has been passed with respect to the Epsom and Leatherhead Railway Company (herein called "the Epsom and Leatherhead Company"); that the Act (Local) 22 & 23 Vict. c. iii. has been passed with respect to the Wimbledon Company and the Epsom and Leatherhead Company; that by the Act (Local) 20 & 21 Vict. c. lxxii. the Company are authorized to enter into and carry into effect Traffic Arrangements with the Wimbledon Company; that by 21 & 22 Vict. c. lxxxix. the Company are authorized to enter into and carry into effect Arrangements for the Maintenance and Working by the Company of the Railway of the Wimbledon Company (in that Act called "the Epsom Company"), and to take and hold Shares of the Capital of the Wimbledon Company, and to lend Money to the Wimbledon Company, and to appoint Two Directors of the Wimbledon Company; that the Company are working the Railway of the Wimbledon Company, which commences by a Junction with the London and South-western Railway (herein called "the South-western Railway"), and terminates at Epsom; that an Agreement dated the 16th March 1859, of which a Copy is gived in the First Schedule to this Act annexed, has been entered into between the Wimbledon Company and the Company, and it is expedient that that Agreement be confirmed; that the Company are working over the Railway of the Epsom and Leatherhead Company, which commences at Epsom and terminates at Leatherhead; that the Acts (Local) 19 & 20 Vict. c. lxxi. and 22 & 23 Vict. c. xv. have been passed with respect to the Lymington Railway Company (herein called "the Lymington Company"); that by the Act (Local) 19 & 20 Vict. c. lxxi. Provision was made for the User by the Company of the Lymington Railway (which commences by a Junction with the South-western Railway), and of other Works of the Lymington Company, and the Company accordingly are working over the Lymington Railway; that it is expedient that Provision be made for a Lease or Transfer of the Undertaking, Railway, Works, and Property of the Lymington Company to the Company; that the Acts (Local) 18 & 19 Vict. c. cxxii., 20 & 21 Vict. c. xxiv., and 21 & 22 Vict. c. lvi. have been passed with respect to the Exeter and Exmouth Railway Company (herein called "the Exmouth Company"); that by the Act 21 & 22 Vict. c. lvi. Provision was made for the Working and User by the Company of the Exeter and Exmouth Railway (which commences by a Junction with the Exeter Extension of the South-western Railway), and it has

accordingly been agreed that the Company shall work and use the Exeter and Exmouth Railway; that it is expedient that Provision be made for a Lease or Transfer of the Undertaking, Railway, Works, and Property of the Exmouth Company to the Company; that by 11 & 12 Vict. c. cxxv. Provision was made for the providing and working by the Company of Steam Vessels for navigating between English and French Ports and the Channel Islands, and for the making by the Company of Charges for the Conveyance of Passengers therein, for the Period of 14 Years after the passing of the reciting Act, and which Period will expire on the 14th August 1862; that it is expedient that those Provisions be made perpetual, subject to the Provisions herein-after contained; that by 19 & 20 Vict. c. cxx. the Company were authorized to subscribe not exceeding 100,000*l.* towards the Capital of the Salisbury and Yeovil Railway Company, but the Company were not authorized to raise additional Capital for that Purpose; that by 21 & 22 Vict. c. lxxxix. the Capital of the Company, as it existed on the 30th November 1857, and, exclusive of their Debenture Stock, was (Sec. 67) declared to be the Amount expressed in that Section, and (Sec. 68) their Capital under the reciting Act, exclusive of their Debenture Stock and Loan converted into Capital, was declared to be the Amount expressed in that Section, and (Sec. 106) the total Amount which they were authorized to raise by Stock and Shares and by borrowing was declared to be as follows; namely, Debenture Stock disposed of before the 30th November 1857, 3,000*l.*; Preferential Stock at 5*l.* per Cent., 14,400*l.*; Preferential Stock 7*l.* per Cent., 171,276*l.* 13*s.* 4*d.*; Ordinary Stock, as existing on that Day, 7,197,841*l.* 7*s.* 11*d.*; the Sum which the Company were on that Day authorized to raise by Shares, 215,808*l.* 12*s.* 1*d.*; the additional Sums by this Act authorized to be raised by new Shares, 300,000*l.*; the Sum which the Company were on that Day authorized to borrow generally, 2,400,416*l.*; the Sum which the Company were on that Day authorized to raise for the Exeter Extension Railway, 1,000,000*l.*; the additional Sum by this Act authorized to be borrowed, 99,584*l.*,—making a total Sum of 11,402,326*l.* 13*s.* 4*d.*; that by the same Act (Sec. 60) the Company were authorized to create Annuities or Stock for the Purpose of acquiring Shares in the Salisbury and Yeovil Railway Company; that by 22 & 23 Vict. c. xxxi. the Company were authorized to create Annuities or Stock for the Purposes of the Amalgamation of the Undertaking, Railway, and Property of the Portsmouth Company with the Undertaking, Railway, and Property of the Company, and they have accordingly created for the Purpose 144,000 South-western Railway Portsmouth Annuities of 2*s.* 6*d.* each; that by 22 & 23 Vict. c. xliv. the Company were authorized, for the general Purposes of their Undertaking (Sec. 34), to raise the additional Capital of 100,000*l.*, and (Sec. 40) to borrow the additional Sum of 33,000*l.*; that since the passing of the 21 & 22 Vict. c. lxxxix. Debenture Stock of the Company has been substituted for Debenture Debt, and the total Amount of their Debenture Stock had thereby on the 31st December 1859 been increased from 3,000*l.* to 259,730*l.*, or thereabouts, and the total Amount of their Debenture Debt and borrowing Powers have thereby been proportionately reduced, and, under the Authority of that Act, Stock of the Company bearing 4*l.* per Cent. per Annum preferential Dividend to the Amount of 47,550*l.*, or thereabouts, had previously to the 31st December 1859 been created, and the Holders of that Stock have an Option of exchanging it for ordinary Consolidated Stock of the Company; that, except as appears by the preceding Recitals, the Capital of the Company on the 31st December 1859 was the same as their Capital was declared to be by the recited Provisions of 21 & 22 Vict. c. lxxxix.; that it is expedient that the Company be authorized to raise further Monies for the Purposes of this Act, and for the Purpose of furnishing the Means of paying their Subscription towards the Capital of the Salisbury and Yeovil Railway Company, as authorized by 19 & 20 Vict. c. cxx., and of increasing their Rolling Stock, and enlarging and improving the Metropolitan and other Stations on their System of Railways, and for other general Purposes of their Undertaking; that it is expedient that Provision be made for the voluntary Consolidation of the South-western Railway Portsmouth Annuities of 2*s.* 6*d.* each into like Annuities of 1*l.* each; that it is expedient that Provision be made for the voluntary Substitution of Stock of the Company for Annuities of the Company, and that Provision be made for the voluntary Consolidation of the several Classes of preferential Stock of the Company into One Class of preferential Stock of the Company, or into ordinary Stock of the Company; that Plans and Sections of the proposed Railway and Works connected therewith, showing the Lines and Levels thereof respectively, with a Book of Reference to the Plans containing the Names of the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers of the Lands have been deposited with the respective Clerks of the Peace for the Counties of Middlesex and Surrey, and those Plans, Sections, and Books of Reference are in this Act referred to as the deposited Plans, Sections, and Books of Reference.

Incorporation of Lands and Railways Clauses Acts, § 2.
Power to take and use Lands shown on deposited Plans, § 4.
Two Years for compulsory Purchases, § 5.
Lands for extraordinary Purposes, § 6.
Power to use Lands for Purposes of Act, § 7.
Power to make Railway, &c. according to deposited Plans, &c., § 8.
Railway and Works authorized, § 9.
Limits of Deviation for Works, § 10.
Station to be made at Hampton Wick, § 11.
As to Construction of Works in Hampton Wick, § 12.
Bridge and Works in the River Thames to be executed under the Direction of the Conservators of the River, § 13.
Land Arches to be provided, § 14.
Sum to be invested before the Bridge is commenced, § 15.
Company not to interfere with the Bed of the River, § 16.
Company not to take Gravel, &c. from River without Consent of the Conservators, § 17.
Lights to be exhibited during Construction of Bridge, § 18.
Railway Bridge across Thames not to be used by Foot Passengers, &c., § 19.
Three Years for Completion of Works, § 20.
Suspension of Dividends if Railway not opened within Period limited, § 21.
Railway authorized and Part of Kingston Bridge Line to be together Kingston Bridge Line, § 22.
Tolls, §§ 23, 24.
Undertaking of Company declared, § 25.
Company to abandon making of Part of Kingston Bridge Line, § 26.
Making of Railways at Havant and independent Station at Portsea to be abandoned, § 27.
Company released from Notices and Contracts (except Contracts Part performed) relating to Works to be abandoned, § 28.
Compensation to be made in respect of Works, &c. abandoned, § 29.
Compensation for Damage to Lands by Entry, &c., § 30.

Compensation so paid by Portsmouth Company to be repaid to them by Company, § 31.

XXXII. The Company and the Stokes Bay Company from Time to Time may make and carry into effect all such Agreements and Arrangements with respect to the Purposes in that Behalf by this Act authorized, and all Matters incidental or accessory thereto, as they think fit; and the Purposes for which the Agreements and Arrangements may be made comprise the following Purposes; (that is to say,)

First, the granting by the Stokes Bay Company and the accepting by the Company of a Lease of all or any Part of the Undertaking, Works, Property, and Effects of the Stokes Bay Company, on such Terms and Conditions as the contracting Companies think fit:

Secondly, the making by the Stokes Bay Company and the accepting by the Company of a Sale or Transfer of all or any Part of the Undertaking, Works, Property, and Effects of the Stokes Bay Company, on such Terms and Conditions as the contracting Companies think fit:

Thirdly, the maintaining by the contracting Companies or either of them of all or any Part of the Railway, Piers, Stations, Landing Places, Works, and Conveniences of the Stokes Bay Company:

Fourthly, the running over, working, and using by the Company, by their Officers and Servants, with or without Engines and Carriages, of all or any Part of those Railway, Piers, Stations, Landing Places, Works, and Conveniences:

Fifthly, the Transmission, Regulation, and Management, by the contracting Companies or either of them of the Traffic of the Stokes Bay Company:

Sixthly, the Collection by the contracting Companies or either of them of the Tolls, Fares, Rates, and Charges in respect of all or any Part of those Railway, Piers, Stations, Landing Places, Works, and Conveniences:

Seventhly, the Apportionment between the contracting Companies, or the Appropriation to either of them, of the Receipts in respect of the Tolls, Fares, Rates, and Charges:

Eighthly, the Modification of any of the Rights or Liabilities under this Act of the contracting Companies respectively as between themselves.

XXXIII. The Company and the Epsom and Leatherhead Company from Time to Time may make and carry into effect all such Agreements and Arrangements for all or any of the Purposes in that Behalf by this Act authorized, and all Matters incidental or accessory thereto, as they think fit, and the Purposes for which Agreements and Arrangements may be so made comprise the following Purposes; (that is to say,)

First, the Maintenance by the Company of the Railway, Sidings, Stations, Works, and Conveniences of the Epsom and Leatherhead Company, or held by them jointly with any other Company, or any Part thereof:

Secondly, the running over, working, and using by the Company, with their Engines and Carriages, of the same Railway, Sidings, Stations, Works, and Conveniences, or any Part thereof:

Thirdly, the Transmission, Regulation, and Management by the Company of the Traffic of the Epsom and Leatherhead Company, or any Part thereof:

Fourthly, the Collection by the Company of the Tolls, Fares, Rates, and Charges in respect of the same Railway, Sidings, Stations, Works, and Conveniences, or any Part thereof;

Fifthly, the Apportionment between the Company and the Epsom and Leatherhead Company, or the Appropriation to either of them, of the Receipts in respect of those Tolls, Fares, Rates, and Charges, or any Part thereof.

XXXIV. The Company and the Lymington Company, and also the Company and the Exmouth Company respectively, from Time to Time may make and carry into effect all such Agreements and Arrangements in respect to the Purposes in that Behalf by this Act authorized, and all Matters incidental or accessory thereto, as they think fit; and the Purposes for which the Agreements and Arrangements respectively may be made comprise the following Purposes; (that is to say,)

First, the granting by the Lymington Company or the Exmouth Company, and the accepting by the Company, of a Lease of all or any Part of the Railway, Sidings, Stations, Works, Property, and Effects now belonging to, as the Case may be, the Lymington Company or the Exmouth Company, or which may become vested in them respectively, under any Act or Acts passed in the present Session, and all or any of their respective Rights, Powers, Privileges, or Authorities with respect to the same, on such Terms and Conditions as the contracting Companies think fit:

Secondly, the making by the Lymington Company or the Exmouth Company, and the accepting by the Company, of a Sale or of a Transfer of all or any Part of the Railway, Sidings, Stations, Works, Property, or Effects now belonging to, as the Case may be, the Lymington Company or the Exmouth Company, or which may become vested in them respectively, under any Act or Acts passed in the present Session, and all or any of their respective Rights, Powers, Privileges, or Authorities with respect to the same, on such Terms and Conditions as the contracting Companies think fit:

Thirdly, the Exercise and Enjoyment by the contracting Companies or either of them of all or any of the Rights, Powers, Privileges, and Authorities of the leasing or selling or transferring Company, with respect to the making and completing of Works, and the levying of Tolls, Fares, Rates, and Charges in respect of their respective Railways, Sidings, Stations, and Works so leased or sold or transferred:

Fourthly, the Modification of any of the Rights or Liabilities under this Act of the contracting Companies as between themselves.

Agreements under Act not to affect Persons not Parties thereto, § 35.

Sanction of Shareholders for Agreements under Act, § 36.

Approval of Agreements by Board of Trade, § 37.

Modification of Agreements when required by Board of Trade, § 38.

Notice of Revision, § 39.

Agreement in Schedule between Wimbledon Company and Company confirmed, § 40.

Time and Terms of Contracts for Lease, Sale, or Transfer to Company, § 41.

Consideration for the Lease, Sale, or Transfer, § 42.

Saving for existing Preference Stock and Shares of Company, § 43.

Lease, Sale, or Transfer to entitle the Company to Premises leased, sold, or transferred, § 44.

Powers of leasing, selling, or transferring Company as to Premises leased, sold, or transferred to be exercised by Company, § 45.

Transfer to Company of Premises agreed to be transferred, § 46.

Sale to Company to be evidenced by a Deed of Conveyance, § 47.

Company to perform Duties of leasing, &c. Company, as to Property leased, &c., § 48.
If Sale or Transfer be of the whole Property of selling, &c. Company, their Acts to apply to Company, § 49.
As to Tolls partly on South-western and partly on any other Railway worked under Act by Company, § 50.
Selling or transferring Company to wind up their Affairs, § 51.
Payments into Court by same Company, § 52.
Dissolution of same Company, § 53.
Provisions of 11 & 12 Vict. c. cxxv. as to Steam Vessels made perpetual, § 54.
Power for Company to accept Surrender of Portsmouth Annuities of 2*s.* 6*d.* each, and issue others of 1*l.* each, § 55.
One Pound Annuities to have same Priority as Half-crown Annuities, § 56.
Surrendered Annuities extinguished, § 57.
One Pound Annuities to be held on same Trusts as Half-crown Annuities, § 58.
Certificates of One Pound Annuities, § 59.
Power to Company to create new preferential or ordinary Stock to be issued for Annuities, Stock, or Shares to be surrendered, § 60.
Saving for existing Preference Stock, § 61.
Incidents of new preferential Stock, § 62.
Incidents of new ordinary Stock, § 63.
Power for Company to accept Surrender of Annuities, and to issue new Stock for the same, § 64.
Power for Company to accept Surrender of preferential Stock or Shares, and issue new Stock for the same, § 65.
Surrendered Annuities, Stock, and Shares extinguished, § 66.
New Stock to be held on the same Trusts as surrendered Annuities, &c., § 67.
Certificates of new Stock, § 68.
Certificate of surrendered Annuities, &c. to be cancelled, § 69.
Power for Company to raise by new Shares further Capital for new Works and general Purposes, as follows: for the Purposes of the Railway and Works by this Act authorized, 50,000*l.*, and for the general Purposes of the Company, 400,000*l.*, § 70.
Power for Company to raise by new Shares further Capital for Leases, Sales, and Transfers under Act, § 71.
Power to create new Shares of different Classes, § 72.
Limit of Profits applicable to preferential Dividend, § 73.
Saving for existing preferential Shares and Stock, § 74.
Provisions of 21 & 22 Vict. c. lxxxix. as to Offer and Cancellation of Shares apply to Shares under this Act, § 75.
Company may issue new Shares instead of cancelled Shares, § 76.
Dividends on new Shares, § 77.
Power for Company to borrow for new Works and general Purposes, as follows: for the Purposes of the Railway and Works by this Act authorized, 16,666*l.*; for the general Purposes of the Company, 134,000*l.*, § 78.
Power for Company to borrow for Leases, Sales, and Transfers under Act, § 79.
Restriction on borrowing, § 80.
Arrears may be enforced by Appointment of a Receiver, § 81.
Priority of existing Mortgages, § 82.
Priority of Mortgages under 22 & 23 Vict. c. xliv.,—§ 83.
Provisions of 21 & 22 Vict. c. lxxxix., as to Debenture Stock, apply to Debenture Stock for this Act, § 84.
Provisions of 21 & 22 Vict. c. lxxxix., as to offering new Shares to ordinary Shareholders, apply to Debenture Stock under Act, § 85.
General Power to dispose of unappropriated new Shares and Debenture Stock, § 86.
New Shares and Debenture Stock under Act to be Part of general Capital of Company, § 87.
Limit of Amount to be raised by Company for Sales and Transfers under Act, § 88.
Company to keep separate Accounts of Shares, &c. created, &c. for Leases, and Sales, and Transfers under Act, and Application thereof, § 89.
Monies to be applicable for the general Purposes of the Undertaking of the Company, § 92.
Advances obtained to meet Mortgages falling due not to be deemed Money borrowed in excess of Company's Power, § 93.
Saving of Rights, §§ 94 to 97.

SCHEDULE.

ARTICLES OF AGREEMENT made the 16th of March 1859 between the Wimbledon and Dorking Railway Company (herein-after called the Wimbledon Company) of the one Part, and the London and South-western Railway Company (herein-after called the South-western Company) of the other Part: Whereas, when the Bill for the Wimbledon and Dorking Railway Act, 1857, (herein-after called the Act of 1857,) was pending in Parliament, it was opposed by the South-western Company, and the Opposition was withdrawn on an Engagement entered into on behalf of the Two Companies respectively for carrying out an Arrangement between them for their mutual Benefit: And whereas some of the Terms of that Arrangement were carried out by Amendments of the Bill made while it was pending in Parliament: And whereas by the South-western Railway (Works and Capital) Act, 1858, (herein-after called the Act of 1858,) the Two Companies are authorized to enter into Contracts and Arrangements for the Purposes thereof: And whereas with a view to the further carrying out of that Arrangement the Two Companies have agreed to enter into the Agreement herein-after appearing. Now therefore, in exercise of the Powers conferred on them in that Behalf by the Act of 1858, it is hereby mutually agreed by and between the Parties hereto, each of them agreeing in respect of their own Acts, as follows; (to wit,)

ARTICLE 1. The Wimbledon Company will, in due Exercise of their Powers under the Act of 1857, at their own sole Expense make, and within the Period by the Act of 1857 limited for the Completion thereof complete, so as to insure its being duly authorized to be opened for public Traffic, the Railway authorized by the Act of 1857, commencing by a Junction at or near to Combe Lane with the London and South-western Railway, and terminating by a Junction near to the High Street of Epsom, with the Epsom and Leatherhead Railway.

ARTICLE 2. The Railway shall be made and completed according to Article 1 with a Double Line of Railway throughout, and with proper and sufficient Stations at Malden or Worcester Park, at Ewell, and at Epsom respectively, and with proper and sufficient Siding Accommodation at the Junctions with the London and South-western Railway and the Epsom and Leatherhead Railway respectively.

ARTICLE 3. But the Junction of the Railway with the London and South-western Railway shall be made, as provided by the Act of 1857, in the Line and at the Point shown on the Plan thereof hereunto annexed, and accordingly the South-western Company will, at the sole Expense of the Wimbledon Company, make and complete that Junction in due Time for enabling the Wimbledon Company to open the Railway from and inclusive of that Junction so soon as the Wimbledon Company are able to open the Railway irrespective of that Junction, and the Junction of the Railway with the Epsom and

Leatherhead Railway shall also be made as provided by the Act of 1857.

ARTICLE 4. The Railway and the Junctions, Siding Accommodation, and Stations thereof shall be made and completed, with all such Approaches, Yards, Platforms, Turn-tables, Water Supply, Buildings, Sheds, and other Works and Conveniences whatsoever, exclusive of Rolling Stock and Station Furniture, as in case the Wimbledon Company were themselves about to work the Railway would be proper and sufficient for the Purpose, and would be provided out of Capital and chargeable against their Capital Account, and all the Works shall be as substantial as like Works, and all the Materials shall be at least as good and durable as the Materials used for like Purposes on the Main Line of the London and South-western Railway, the Rails to be of not less than 75 Pounds Weight to the Yard. And if within Three Calendar Months after the Date of these Presents the South-western Company shall in Writing demand the making and Completion by the Wimbledon Company of any further Siding Accommodation, Stations, Platforms, Turn-tables, Water Supply, Buildings, Sheds, Works, or Conveniences, the same, or in case of Difference between the Two Companies so many and such Part or Parts thereof as shall be determined by Arbitration to be proper to be provided by the Wimbledon Company under this Article, shall be forthwith made and completed by that Company, and after such making and Completion, or after the Expiration of Three Calendar Months from the Date of these Presents, if the South-western Company shall not within that Period have made any such Demand, the Wimbledon Company shall be held to have made and completed all such Siding Accommodation, Stations, Platforms, Turn-tables, Water Supply, Buildings, Sheds, Works, and Conveniences as they are liable to make and complete or supply.

ARTICLE 5. Articles 1. and 2. and 4. shall be respectively performed by the Wimbledon Company to the entire reasonable Satisfaction of the South-western Company's principal Engineer.

ARTICLE 6. In accordance with the Act of 1857, the South-western Company will provide and from Time to Time repair and renew proper and sufficient Signals and Conveniences incident to the Junction between the Railway and the London and South-western Railway, with proper and sufficient Watchmen, Switchmen, and other Persons, and duly work, manage, and regulate these Signals and Conveniences, and the Wimbledon Company will half-yearly repay or allow to the South-western Company their proper and reasonable Expenses, according to the Act of 1857, in that Behalf.

ARTICLE 7. The Railway shall be maintained in good Condition and working Order by and at the Expense of the South-western Company exclusively, to the reasonable Satisfaction of the Wimbledon Company.

ARTICLE 8. The South-western Company shall have, save as herein-after mentioned, the exclusive Regulation and Management of the Traffic over the Railway, and will accordingly provide and use all Engines, Carriages, moveable Plant, Stores, Superintendence, Labour, and other Requisites proper and sufficient for the Reception, Accommodation, Conveyance, and Delivery of all Traffic whatsoever thereon.

ARTICLE 9. The gross Earnings of the Railway shall be apportioned between the Two Companies so that the South-western Company shall retain for such Maintenance, manning, and working 45 per Cent. of the gross Earnings, and shall half-yearly pay 55 per Cent. thereof to the Wimbledon Company.

ARTICLE 10. The gross Earnings to be so apportioned shall, as regards everything carried by Passenger Trains, except small Parcels, be the gross Earnings without Deduction, and shall, as regards small Parcels carried by Passenger Trains, and everything carried by Goods Trains, be the gross Earnings, with the Deduction only of the South-western Company's Charges for Collection or Delivery, or both, where they perform those Services respectively, and their Charges for Wharfage and other Services of like Nature where performed by them: And the gross Earnings to be apportioned shall be the entire Rates and Fares whatsoever (subject to the several Deductions herein mentioned, or such of them as shall be applicable,) received in respect of Persons and Things conveyed wholly upon the Railway or any Part thereof; and an equal Mileage or Length Proportion of all such Rates and Fares (subject as aforesaid) received in respect of Persons and Things conveyed partly on the Railway and partly upon the South-western Railway, or partly upon any other Railway, whereon the fixing the Amount of the Rates and Fares is for the Time being under the Control of the South-western Company.

ARTICLE 11. This Agreement, unless and except only so far as it is superseded by a Lease under Parliamentary Authority, according to Articles 13. and 14., shall be an Agreement in perpetuity, subject, if and when requisite, to the Approval of the Board of Trade.

ARTICLE 12. The Two Companies respectively will use their utmost reasonable Endeavours to obtain the requisite Assent of their respective Shareholders, and, if and when requisite, the Approval of the Board of Trade to this Agreement.

ARTICLE 13. The Two Companies respectively will use their respective utmost reasonable Endeavours to obtain, at the earliest practicable Period, an Act of Parliament for authorizing the Wimbledon Company to grant and the South-western Company to accept a Lease for 1,000 Years, or the longest Term which Parliament will sanction, of the Undertaking, Railway, Lands, Buildings, Works, Conveniences, and Property of the Wimbledon Company, at a yearly Rent, payable half-yearly, and which Rent, unless the Two Companies otherwise mutually agree, shall be equivalent to the 55 per Cent. of the gross Earnings which, according to Articles 9. and 10., are to be paid to the Wimbledon Company; but with Liberty for the South-western Company to retain thereout the Expenses to be paid or allowed to them according to Article 6.

ARTICLE 14. If such Parliamentary Authority for a Lease be obtained, then, within Six Calendar Months thereafter, the Wimbledon Company will grant, and the London and South-western Company will accept, a Lease accordingly for the longest Term sanctioned by Parliament, and thereupon this Agreement shall during the Continuance of the Lease be superseded by the Lease; but if the Term of the Lease be less than 1,000 Years, then Articles 6. to 12. both inclusive, shall still remain in full Force, except only while and so far as the Terms and Conditions of those Articles respectively are satisfied by the Terms and Conditions of the Lease.

ARTICLE 15. All the Details with respect to Maintenance, working, Rates and Accounts, and all other Matters whatsoever which it may from Time to Time be requisite to arrange between the Two Companies for the carrying into effect of this Agreement, shall from Time to Time hereafter be determined by a Joint Committee of Directors of the Two Companies, if any, or if none shall be agreed on, then by the respective Boards of Directors of the Two Companies, or failing Determination by such Joint Committee or Boards, and, failing Agreement, shall be determined by Arbitration.

ARTICLE 16. All such Details, and the Covenants, Conditions, and Provisions to be respectively provided for and contained in and by the Lease, shall, before the granting of the Lease, be arranged by the Joint Committee, if any, or if none between the respective Boards of Directors of the Two Companies, or, failing such Arrangement, be determined by

Arbitration, and shall accordingly be provided for and contained in and by the Lease, so that the Lease may, so far as practicable, be a final Arrangement between the Two Companies.

ARTICLE 17. The Lease shall contain Provisions corresponding as nearly as may be with Articles 19. to 24., both inclusive, relating to Accounts, and Article 22. for referring Differences to Arbitration.

ARTICLE 18. The South-western Company will at all Times keep all such Accounts, with all such Vouchers as shall be proper and sufficient for the Purposes of this Agreement, and shall keep the same as if the Wimbledon Railway were Part of the South-western Railway, and the Accounts and Vouchers to be so kept were to be kept for the Purposes of the South-western Company.

ARTICLE 19. The Accounts shall be made up by the South-western Company half-yearly to the 30th of June and the 31st of December in every Year.

ARTICLE 20. Within 21 Days after every such half-yearly Day the South-western Company will deliver to the Secretary of the Wimbledon Company, or leave for him at the Office of the Wimbledon Company, or, if and when there shall not be any such Secretary or Office, will deliver to the Chairman of the Directors, or to Two of the Directors of the Wimbledon Company, neither of them being a Director nominated by the South-western Company, a written Balance Sheet of the Accounts for the then last Half Year, and the Directors of the Wimbledon Company and their Agents shall, immediately after every such Delivery, have full and free Access to the Accounts to which the respective Balance Sheet relates, and the Vouchers for the same, with all proper and sufficient Facilities for examining and transcribing the same, and testing the Accuracy of the Balance Sheet.

ARTICLE 21. If and whenever the Wimbledon Company do not, within One Calendar Month after the Delivery of any such Balance Sheet, by Notice in Writing to the South-western Company, delivered to their Secretary or Treasurer, or left for him respectively at the principal Office in London of the South-western Company, object to the Balance Sheet as being inaccurate, then the Balance Sheet shall, on the Expiration of the One Calendar Month, become conclusive on the Two Companies respectively.

ARTICLE 22. If and whenever the Wimbledon Company do within such One Calendar Month so object, then the respective Agents of the Two Companies shall forthwith examine the Accounts and Vouchers for the then last Half Year, and shall rectify the Errors, if any, in the Balance Sheet, and the Balance Sheet when so rectified shall be conclusive on the Two Companies respectively.

ARTICLE 23. Every half-yearly Payment which by the Balance Sheet to be so delivered as aforesaid shall be acknowledged to be due by the South-western Company to the Wimbledon Company shall be made to the Wimbledon Company within Seven Days after the Delivery of such Balance Sheet; and any further half-yearly Payment which after such Examination and Rectification as aforesaid may be found to be due to the Wimbledon Company shall be made to that Company by the South-western Company within Seven Days after the Day on which the Balance Sheet relating thereto becomes conclusive on the Two Companies respectively.

ARTICLE 24. If for Want of official Approval or otherwise this Agreement or any Part thereof cannot be in all respects specifically performed, yet it shall in all other respects be specifically performed, with such requisite Modifications, if any, as from Time to Time are agreed on between the Two Companies, or, failing such Agreement, are determined by Arbitration.

ARTICLE 25. Neither of the Two Companies will at any Time enter into or sanction any Contract or Arrangement which shall prevent in any respect the specific Performance of this Agreement, or shall be contrary to the true Intent and Spirit thereof.

ARTICLE 26. Every Difference between the Two Companies which is according to this Agreement to be determined by Arbitration, and every other Difference, if any, between them, or in the Joint Committee herein mentioned, which may at any Time arise touching the true Intent, Construction, Effects, Incidents, or Consequences of this Agreement, or the carrying of it into effect, or any Nonperformance or Nonobservance thereof, or any alleged Nonperformance or Nonobservance thereof, or any Loss, Damage, or Expense occasioned or alleged to be occasioned by any such Nonperformance or Nonobservance, or any Claims relating thereto, or any other Difference relating to the Premises, shall from Time to Time be referred to and determined by some Person to be from Time to Time appointed by the Board of Trade, upon the Request of either Party hereto, after Seven clear Days Notice to the other Party of the Intention to make such Request. In witness whereof the said Wimbledon and Dorking Railway Company and the said London and South-western Railway Company have hereunto respectively affixed their Common Seals, the Day and Year first above written.

The Lords of the Committee of Her Majesty's Privy Council for Trade and Foreign Plantations hereby certify that they, the Lords of the said Committee, are satisfied that the foregoing Agreement has been duly assented to by the Shareholders of the Companies Parties thereto in Special General Meeting assembled for that Purpose, in manner required by "The South-western Railway Works and Capital Act, 1858," and the Lords of the said Committee, pursuant to the same Act, hereby signify their Approval of the said Agreement.

[*The Common Seal of the Wimbledon and Dorking Railway Company.*]

[*The Common Seal of the London and South-western Railway Company.*]

Signed by order of the Lords of the said Committee, the 17th of November 1859.

DOUGLAS GALTON,
One of the Assistant Secretaries of the said Committee.

MEMORANDUM. That it is the true Intent and Meaning of the within-written Articles of Agreement that the 55 per Centum of the gross Earnings of the Railway, payable half-yearly by the South-western Company to the Wimbledon Company, as mentioned in Article 9. thereof, shall be so paid free from any Deduction on account of Government Duty, Tithe Rentcharge, or Rates, or Taxes of any kind, except Property or Income Tax and Land Tax, all other Charges, Rates, and Taxes being to be borne and paid by the South-western Company out of the remaining 45 per Cent. of such gross Earnings.

As witness the Common Seals of the respective Companies, this 22d of August 1859.

[*Common Seal of the London and South-western Railway Company.*]

[*Common Seal of the Wimbledon and Dorking Railway Company.*]

Cap. clxxxvi.

"The Wigan Waterworks Act, 1860."

Recites that by 16 & 17 Vict. c. lxvii. (which Act was in part repealed and altered by "The Local Government Supplemental Act, 1859," No. 2), the Local Board of Health for the Borough of Wigan (herein-after called the Board) were authorized to purchase the Lands, Works, Rights, Powers, and Privileges of the Wigan Waterworks Company, and to construct other Waterworks, and to provide a better Supply of Water for the said Borough, and that the Board accordingly purchased such Lands, Works, Rights, Powers, and Privileges, and constructed a Reservoir and Waterworks, but it has since become expedient that the said Board should be enabled to abandon a Portion of such Reservoir and of the Works connected therewith and to construct a new Reservoir and other Works, and to raise the Water Level of a Portion of the said present Reservoir, and to divert the Stream of the River Douglas, and to divert a Portion of the Millrace of the Worthington Paper Mill, and to construct a new Millrace in lieu thereof, and to divert the Seven Stars Brook, and to impound and prevent the Pollution of the Water of the said Brook and of all other Brooks, Streams, and Springs flowing upon the Site of or into any of the said Waterworks, and to acquire the whole or any Portion of or Interest in the Conduit called the Whitley Conduit, and to prevent any Pollution of or Interference with the Water of the same, and that the Board should be released from certain Obligations and Restrictions which interfere with the Objects and Purposes of the first-mentioned Act; that it is also expedient to enable the Board to acquire a certain Market and a certain Fair respectively held within the said Borough, and also any Manorial Rights legally exerciseable within the said Borough, and otherwise to enable the Board to carry into full and complete Effect the Objects of the said recited Act and of this Act.

Act to be executed by Board, § 3.

IV. "The Wigan Waterworks Act, 1853," and the Acts incorporated therewith, except the Sections in "The Waterworks Clauses Act, 1847," numbered from 75 to 83 both inclusive, and "The Local Government Supplemental Act, 1859," (No. 2), shall be incorporated with and form Part of this Act, except so far as the same Acts respectively or either of them or any Part or Parts thereof respectively are expressly varied, altered, or otherwise provided for by this Act.

Lands, &c. to be held by Board as a Body Corporate, § 6.
Power to construct Works, &c. according to deposited Plans, § 7.
Limits of vertical Deviation, § 8.
Levels of Delivery of Water to Worthington Mill not to be altered, § 9.
To take Water of Seven Stars Brook, &c., § 10.
Power to abandon Part of present Reservoir, § 11.
As to Rates to be taken for Supply of Water, § 12.
Power to purchase Lands by Agreement, § 13.
Incapacitated Persons may make Grants of Ways, &c., § 14.
Rents, &c. in Grants from incapacitated Persons, § 15.
Annual Rent to enure to same Uses as Land, &c. granted, § 16.
Rents to be First Charge; Remedies for Recovery thereof, § 17.
Restrictions may be imposed upon a Sale of Property, § 18.
Three Years for compulsory Purchases, § 19.
Seven Years for Completion of Works, § 20.
For Protection of the Mill-owners and the Leeds and Liverpool Canal, § 21.
Supply for trading and manufacturing Purposes by Agreement, § 22.
Power for Justices to inquire as to Danger of Reservoir, § 23.
Order of Justices for immediate Repair, § 24.
Order of Justices after Summons on Board to repair Reservoir, § 25.
Order of Justices on Failure of Board to obey Order, § 26.
Form of Order, § 27.
Persons acting under Order of Justices not to be Trespassers, § 28.
Justices may impose Penalty on Board for not obeying Order, § 29.
Order of Justices on Board for Payment of Costs, § 30.
Appeal by Board, § 31.
Board not to be responsible for Consequences of Order, § 32.
Vesting Whitley Conduit in Board, § 33.
Power to purchase Rights of Charles Standish in Whitley Conduit, § 34.
To enable Charles Standish to keep a Pleasure Boat, &c. on Reservoir, § 35.
Quantity of Water to be stored in Reservoirs, § 36.
Penalty for Failure of Discharge of Compensation Water, § 37.
Preventing Pollution of Waters, § 38.
Saving Rights of Earl of Crawford and Balcarres, § 39.
Saving Rights of Trustees of John Penson and Wife, § 40.
Reservation of Rights of the Right. Hon. E. Cardwell and others, § 41.
Saving Rights of C. Scarisbrick, Esq., § 42.
Value of Property to be according to Poor Rate, § 43.
Power to levy Rates on Property not included in the Poor Rate, § 44.
If Poor Rate an unfair Criterion, a Valuation to be made, § 45.
Valuer to make a Declaration, § 46.
Owner may be rated without stating his Name, § 47.
Rates may be amended, § 48.
Rates due from Owner may be recovered from Occupier, § 49.
Occupier refusing to give Name of Owner, liable to Penalty, § 50.
Occupier may recover Money paid for Rates due from Owner, or deduct from Rent, § 51.
Owners of certain Classes of Houses may compound for Rates, § 52.
A separate Waterworks Account to be kept, § 53.
Power to borrow 35,000*l.* on Security of Water Rates, § 54.
General District Rates and Estimates to include Sums payable on Mortgage under this Act, § 55.
Waterworks Account to be primarily liable, § 56.
Rates not to be reduced under certain Circumstances, § 57.
Power to acquire Monday's Market and Summer Fair, § 58.
As to Payment of Costs, &c. of carrying into effect Agreement, § 59.
For Security of Mortgagees in their Title, § 60.
Power to re-borrow, § 61.
Form of Mortgage, § 62.
Certain Restrictions not to apply, § 63.
Sinking Fund, § 64.
Application of Monies, § 65.
Contracts for Supply of Water not to disqualify Members of Board, § 66.
Liability to Rates not to disqualify Justices, § 67.
Several Names in One Warrant, &c., § 68.
Costs of Distress, § 69.
Recovery of Sums under 50*l.*, § 70.
Penalties not cumulative, § 71.
Application of Penalties, § 72.
Forms of Public Health Act may be used, § 73.

Saving Rights of Board under Public Health Act, § 74.
Authentication of Notices, § 75.
Books to be Evidence, § 76.

Cap. clxxxvii.

"London, Chatham, and Dover Railway (Capital) Act, 1860."

Recites Incorporation (by 16 & 17 Vict. c. cxxxiii., herein called "the original Act,") of the East Kent Railway Company, now styled "The London, Chatham, and Dover Railway Company," and herein-after referred to as "the Company," with a Capital of 700,000*l.*, divided into Shares of 25*l.* each, and with Power to borrow 233,333*l.* 6*s.* 8*d.*; that by 18 & 19 Vict. c. clxxxvii. (herein called "the Dover Act,") the Share Capital was increased from 700,000*l.* to 1,200,000*l.*, and for the Purpose of raising the additional Share Capital of 500,000*l.* by that Act created they were empowered to issue new Shares, of such Amount and with such Preference or Priority (not exceeding the Rate of 5*l.* per Cent. per Annum) on the Amount for the Time being paid up thereon as should be authorized by a General Meeting specially convened for the Purpose; and that by the same Act the Company were empowered to borrow any further Sums not exceeding 166,666*l.*; that by 21 & 22 Vict. c. li. (herein called "the Dover (Amendment) Act, 1858,") the Company were empowered to cancel forfeited Shares in their Capital, and also to cancel Shares in their Capital created but not issued, and in lieu of each Share cancelled under that Act to create Two Half Shares called Preferred Half Share and Deferred Half Share, and also to issue in like Half Shares any Part of the Share Capital by the Dover Act authorized, and also to give to the Holders of Shares in the Capital of the Company the Option of having such Shares divided into Preferred Half Shares and Deferred Half Shares; that by 21 & 22 Vict. c. cvii. (herein called "the Western Extension Act,") the Company were empowered to make a Railway from their Bridge over the River Medway to join the authorized Line of the Mid-Kent Railway (Bromley to Saint Mary's Cray) at a Point in the Parish of Saint Mary's Cray, and in the event of the Mid-Kent Railway (Bromley to Saint Mary's Cray) Company not constructing within 12 Months their authorized Line of Railway up to the before-mentioned Point in the Parish of Saint Mary Cray, the Company were empowered to make a Railway from the said proposed Railway in that Act firstly described to join the authorized Line of the Mid-Kent Railway (Bromley to Saint Mary's Cray) in the Parish of Bromley, and both the Railways by the "Western Extension Act" authorized are in that Act and in this Act comprised under the Name "the Western Extension;" that by the "Western Extension Act" the Company were also empowered to raise by new Shares 300,000*l.*, and (amongst other Provisions relative to those Shares) it was thereby provided that those Shares might bear such preferential Interest or Dividend not exceeding the Rate of 6*l.* per Cent. per Annum on the Amount for the Time being paid upon those Shares as might be authorized by a General Meeting, such preferential Interest or Dividend to be payable out of the divisible Profits of the Western Extension of the Company in preference to all other Payments of Dividend out of those Profits, and that the Holders of such new Shares should also be entitled to participate to such Extent (if any) as should be authorized by any such Meeting in such Portion of the General Profits of the Company, whether arising from the Western Extension, or from the other Railways and Works of the Company, as should remain applicable to Dividend after paying or providing for all fixed and preferential Interest or Dividends payable by the Company, and also a Dividend on their ordinary Shares or Stock at a Rate equal to the highest Rate of preferential Interest or Dividend for the Time being payable by them upon the new Shares created under the Powers of the Act now in recital; and that Power was thereby given, if such Meeting thought fit, to create and issue such new Shares as Preferred Half Shares and Deferred Half Shares; that by 22 & 23 Vict. c. liv. (herein called "the Act of 1859,") the Company were authorized to raise the further Sum of 80,000*l.* by new Shares in their Undertaking (exclusive of the Western Extension), and to attach thereto a Preference or Priority of Interest or Dividend not exceeding the Rate of 6*l.* per Cent. per Annum, and were also empowered to borrow 26,600*l.*, and to charge the same on their Undertaking (exclusive of the Western Extension), and that by the same Act all Monies raised by the Company by Shares or borrowing under the Powers of that Act "the Dover (Amendment) Act, 1858," and "the Dover Act," or any or either of them, were directed to be applied in the first instance for the Purposes by the original Act authorized, and, subject thereto, for the Purposes of the other Acts therein and herein-before recited, except the Western Extension Act; that the original Capital of the Company now consists of 26,408 entire Shares of 25*l.* each, representing 660,200*l.* of that Capital, and 1,592 Shares, representing 39,800*l.*, the Residue of that Capital, have been forfeited and cancelled, and in lieu thereof the Company have, under the Powers of "the Dover (Amendment) Act, 1858," created and issued 1,592 Shares, with the Right to the Holders thereof of having each of the same divided into a Preferred Half Share and a Deferred Half Share, but that no such Right has been exercised; that under "the Dover (Amendment) Act, 1858," a similar Right of dividing their Shares has been given to the Holders of the said 26,408 Shares, but that such Right has not been exercised; that under the Powers of "the Dover Act," the Company created 20,000 Shares of 25*l.* each, bearing preferential Dividend at the Rate of 5*l.* per Cent. per Annum, and of those Shares 2,250 have been forfeited and cancelled, 11,164 were cancelled without being issued, and the Residue of the said 20,000 Shares have been fully paid up; that in lieu of the Shares in the Capital created under the Dover Act so cancelled the Company have, under the Powers of "the Dover (Amendment) Act, 1858," created and issued Shares bearing the same preferential Dividend as the cancelled Shares for which they were substituted, with the Right to the Holders thereof of having each of the same divided into a Preferred Half Share and a Deferred Half Share, but that no such Right has been exercised; and that a similar Right has been given to the Holders of the Residue of the said 20,000 Shares, but that such Right has not been exercised; that the Company have borrowed under the Powers of the original Act 233,212*l.* 13*s.* 3*d.*, and under the Powers of the Dover Act 166,000*l.*; that under the Western Extension Act the Company have created and issued 30,000 Shares of 10*l.* each, called East Kent Railway (Western Extension) Shares, bearing a preferential Interest of 6*l.* per Cent. per Annum, payable out of the divisible Profits of the Western Extension in preference to all other Payments out of those Profits, but without any Title to participate in the general Profits of the Company, and that on those Shares large Sums of Money have been paid; that 15,000 of the East Kent Railway (Western Extension) Shares were created and issued as "Preferred Half Shares," and are distinguished as "Western Extension

Half Shares B," and the remaining 15,000 of those Shares were created and issued as "Deferred Half Shares," and are distinguished as "Western Extension Half Shares A;" that the Western Extension Act and the Act of 1859 prohibit any Deficiency in the preferential Dividend attached to any Shares under those Acts from being made good out of the Profits of any subsequent Year, but that the Dover Act does not contain any such Prohibition; that under the Powers of the Western Extension Act the Company have borrowed 100,000*l.* on Mortgages or Bonds, and have charged the same exclusively on the Western Extension; that the Mid-Kent Railway (Bromley to Saint Mary's Cray) Company having failed to construct their Line up to the before-mentioned Point in the Parish of Saint Mary Cray it became necessary that the Company should construct the Railway in the Western Extension Act secondly described, and that the same is now nearly completed; that under the Act of 1859 the Company have created and issued 3,200 entire Shares of 25*l.* each, bearing a preferential Interest or Dividend at the Rate of 6*l.* per Cent. per Annum, but have not borrowed any Money under that Act; that it is expedient to convert into Stock the Shares and Half Shares constituting the original Capital, and the Capital under the Dover Act, on which no further Sums remain to be paid; that it is expedient that the Company be authorized to create Debenture Stock in substitution for and for the Redemption of their Mortgage and Bond Debt, and that it is expedient that the Capital of the Company be defined; that the Company have been authorized by divers Acts of Parliament to work other Lines of Railway, but have not been authorized to raise Funds for the additional Expenditure incident thereto in Rolling Stock, increased Station Accommodation, Workshops, and other Matters; that it is expedient that the Company be authorized to raise further Sums for the Purposes last aforesaid, and other the Purposes of their Undertaking as authorized by the recited Acts, exclusive of the Western Extension, and also further Sums for the Purposes of the Western Extension.

II. The general Capital of the Company (exclusive of Capital for the Purposes of the "Western Extension Act," and subject to any Increase under any other Act of the present Session,) is the Sum of 1,580,000*l.*, consisting of 700,000*l.* ordinary Capital, and 500,000*l.* first preferential Capital authorized by the Dover Act, and 80,000*l.* preferential Capital authorized by the Act of 1859, and 300,000*l.* preferential Capital by this Act authorized; and the Capital of the Company for the Purposes of the Western Extension is the Sum of 390,000*l.*, consisting of the Capital of 300,000*l.* by the Western Extension Act authorized, and the further Capital of 90,000*l.* by this Act authorized.

III. The whole of the said ordinary Capital of 700,000*l.* is by this Act converted into 700,000*l.* ordinary Capital Stock, and is vested in the several Persons and Corporations who, immediately before the passing of this Act, were the registered Holders of the Shares in that ordinary Capital of 700,000*l.* then existing, in proportion to the Number of those Shares then held by them respectively.

IV. The whole of the said Capital of 500,000*l.* authorized by the Dover Act is by this Act converted into first preferential Capital Stock of the Company, and is vested in the several Persons and Corporations who, immediately before the passing of this Act, were the registered Holders of the Shares in that Capital of 500,000*l.*, in proportion to the Number of those Shares then held by them respectively.

V. All Capital Stock formed by the Conversion of all or any of the said 20,000 Shares of 25*l.* each shall form and be registered as a separate Stock, and shall be distinguished as "5*l.* per Cent. first preferential Stock," and all other Capital Stock of the Company hereafter created shall also respectively form and be registered as separate Stocks, and shall be distinguished by such Names as the Directors think fit.

Sections 62, 63, and 64 of Companies Clauses Act to apply to Stock created under this Act, &c., § 6.
Stock to be subject to same Trusts as Shares, § 7.
As to Certificates of Stock, § 8.
Authorized Capital may be raised by Stock, § 9.
Stock to carry Preferences of Shares, § 10.
Company may raise by new Shares any further Sums not exceeding for the Purposes of their Undertaking as now authorized (exclusive of the Western Extension), and for Purposes incidental to the working of such other Lines as aforesaid, 300,000*l.*, and for the Purposes of the Western Extension 90,000*l.*, and all Shares and Stock representing that Sum of 90,000*l.*, or any Part thereof, shall be distinguished as "Western Extension (Bromley Section) Shares," or, as the Case may be, "Western Extension (Bromley Section) Stock," § 11.
Unissued Shares may be cancelled, § 12.
Privileges may be attached to new Shares, § 13.
Saving existing Preference Shares, § 14.
Half Shares may be created, § 15.
Dividend on preferential Shares, § 16.
Disposition of new Shares, § 17.
Limit of Amount and Number of Calls, § 18.
Qualifications of new Shareholders, § 19.
Rank and Priorities of new and existing Shares and Stock, § 20.
Application of Western Extension Profits, § 21.
Power to borrow 100,000*l.* additional for general Purposes, § 22.
Power to borrow on Mortgage for Western Extension, § 23.
Priority of existing Mortgages, § 24.
Certain Provisions of Companies Clauses Act incorporated, § 25.
Monies to be applied only to the Purposes for which raised, § 26.
Company may create Debenture Stock, § 27.
Interest to rank next Interest of Debt, § 28.
No Right of voting in respect of Debenture Stock, § 29.
Debenture Stock, &c. may be appropriated to extinguish Debt, § 30.
As to Transfer of Debenture Stock, § 31.
Separate Accounts of Debenture Stock to be kept, § 32.
Stock to extinguish borrowing Power, § 33.
Arrears of Dividend may be enforced by Appointment of a Receiver, § 34.
Appointment of Receiver, § 35.

Cap. clxxxviii.

"The Llangollen and Corwen Railway Act, 1860."

Proposal to make a Railway from Llangollen in the County of Denbigh to Corwen in the County of Merioneth; recites that it is expedient that Provision should be made for enabling the Company to be incorporated and the Vale of Llangollen Railway Company and the Great Western Railway Company to make and enter into such Agreements and Arrangements as are herein-after authorized with respect to the Working and Use of the Lines of Railway belonging to the said Companies respectively, and the Regulation and Management of the Traffic thereon, and the Division and Apportionment of the Profits arising therefrom.
Incorporation of General Acts, § 1.

Subscribers incorporated, with a Capital of 90,000*l.* in Shares of 10*l.*, and with Power to borrow 30,000*l.*; Money to be applied only to Purposes of Act, §§ 3 to 5, and § 7.
Calls, § 6.
Arrears may be enforced by Appointment of Receiver, § 8.
Meetings; Directors, §§ 11 to 20.
Newspapers for Advertisements, § 21.
Line of Railway, § 22.
Power to make Railway according to deposited Plans, § 23.
As to Interference with the Shrewsbury and Holyhead Road, § 24.
Communications with Vale of Llangollen Railway, § 25.
Expenses of Communications to be borne by the Company, § 26.
Signals, &c. to be erected and maintained, and Persons appointed to prevent Danger at Points of Junction, § 27.
Company not to take Lands, &c. of the Vale of Llangollen Railway without Consent, § 28.
Saving Rights of the Vale of Llangollen Railway Company, § 29.
Lands for extraordinary Purposes not to exceed 10 Acres, § 30.
Three Years for compulsory Purchases, § 31.
Five Years for Completion of Works, § 32.
Inclination of Roads, § 33.
Power to stop up certain Roads, § 34.
Tolls, §§ 35 to 44.
Power to make Traffic Arrangements with the Great Western and Vale of Llangollen Railway Companies, § 45.
Contract not to be for longer than 10 Years, and to be approved by Board of Trade, § 46.
Sanction of Extraordinary General Meetings to Traffic Arrangements, § 47.
Meetings to be convened by Advertisement, § 48.
Traffic Arrangements not to affect Tolls, &c., § 49.
Joint Committees for Purposes of Traffic, § 50.
Powers of Joint Committees, § 51.
As to Settlement of Disputes by Arbitration, § 52.
Contract may be renewed, with Approval of the Board of Trade; Public Notice to be given of the Intention to enter into Contract, which shall be inoperative until approved by the Board of Trade, § 53.
Providing for Completion of Railway, § 54.

Cap. clxxxix.

"Highbridge Markets and Gas Act, 1860."

Recites that Markets and Fairs have been held for many Years past within the Parishes of Burnham and Huntspill, both in the County of Somerset, and at other Places within the District herein-after mentioned, for the Sale of Horses, Cattle, Sheep, Pigs, and other Live Stock, and that the said Markets and Fairs are now held partly in the Streets and public Thoroughfares, to the great Obstruction of the Public, and to the Nuisance, Danger, and Inconvenience of the Passengers through and near the same, and that it would be advantageous to the Inhabitants of the said Parishes and of the Neighbourhood thereof if the same (so far as the Sale of Horses, Cattle, Sheep, Pigs, and other Live Stock is concerned,) were abolished, and if commodious and sufficient Market Houses and Market Places, with suitable Buildings and Accommodations connected therewith, and Approaches thereto, were provided, for the Convenience of Persons frequenting the said Markets, and proper Rates and Regulations made for the Use and Conduct of the same, and if the holding of Markets and Fairs in the Streets and other Places were discontinued; that in or about the Year 1846 a Company was incorporated under the Joint Stock Companies Act, 1844, by the Name of "The Highbridge Market House Company," for establishing at Highbridge in the Parish of Burnham in the County of Somerset a Market for the Sale of Cheese, Bacon, Butter, and other Commodities, and that they have since erected a Market House and Buildings, at an Expense of 1,300*l.*, and held Markets therein; that the District comprised within the Limits of this Act has for many Years past been and still is improving, and the Construction of certain Wharves, Railways, and other public Works has increased the Population of such District, and that in consequence thereof further and better Accommodation is much needed within the said District for holding Markets and Fairs; that certain Persons have agreed to form themselves into a Company, and provide the necessary Capital for the Purpose of erecting or providing a Market House or Market Houses, Market Place or Market Places, and Slaughter-houses, with all suitable and proper Buildings, Depasturing Fields, and Conveniences in connexion therewith, in the Parishes of Burnham and Huntspill, or One or both of them, in the County of Somerset, and that it would be a great local and public Advantage if such Persons were authorized to carry the same into effect; that it is also expedient that the said Town or Hamlet of Highbridge and other Parishes and Places adjacent thereto, all in the County of Somerset, should be lighted with Gas, and that certain Persons are willing to supply such Town or Hamlet and Parishes and Places adjacent with Gas.
Incorporation of General Acts, § 1.
Limits of Act, § 3.
Saving Rights of the Manor of Pawlet, § 4.
Newspaper for Advertisements, § 5.
Incorporation of Market Company, with a Capital of 5,000*l.* in Shares of 5*l.*, with Power to borrow 1,250*l.*, §§ 6, 7, 9.
Calls, § 8.
Directors and Meetings of Market Company, §§ 10 to 15.
Power to construct Market House, &c. according to deposited Plans, &c., § 16.
Three Years for compulsory Purchases, § 17.
Proposed new Market Works may be extended, if found requisite, § 18.
Tolls, §§ 19 to 21.
Company within Three Years to provide and open Cattle Market; Proviso not to affect Highbridge Market House Company "Limited," § 22.
Market Days, § 23.
Restriction as to Sale of marketable Commodities, § 24.
Lands for extraordinary Purposes not to exceed Seven Acres, § 25.
Assignment of Leases, § 26.
Power to "Highbridge Market House Company, Limited," with Consent, to purchase new Markets, § 27.
Power to Market Company, with Consent, to purchase present Market House and Buildings, § 28.
Subscribers to Gas Company incorporated, with a Capital of 5,000*l.* in Shares of 5*l.*, with Power to borrow 1,250*l.*, §§ 29, 30, and § 32.
Calls, § 31.
Power to acquire Lands and construct Gasworks, § 33.
Power to maintain and erect Gasworks, and to supply Gas, &c., § 34.
Limit of Price for Gas, § 35.
Quality, Supply, and Test of Gas, §§ 36 to 39.
Directors of Gas Company, §§ 40 to 42.
Rates for Supply of Gas, § 43.
Consumers of Gas may be required to consume by Meter, § 44.
Penalty for fraudulent Use of Meters, § 45.

Power to remove Gas Pipes from unoccupied Premises, § 46.
Penalty for wilfully damaging Mains, &c., § 47.
Recovery of Money by Distress when not disputed, § 48.
Several Names, &c. in One Warrant, § 49.
Costs of Distress, § 50.
Warrant of Distress to be after Summons, § 51.
Penalties to be sued for by the Company only, § 52.
SCHEDULE (Tolls).

Cap. cxc.

"River Fergus Navigation and Embankment Act, 1860."

Recites that the Navigation of the River Fergus in the County of Clare in Ireland for a considerable Distance below the Town of Clare is at present difficult and dangerous, and is capable of great Improvement, and that there are on both Sides of the River Waste Lands or Mud Banks, which, being subject to be covered by the tidal Waters, are now unproductive, and that it would be of local and public Advantage if the same were reclaimed and brought into Cultivation, and the Navigation improved; that Her Majesty in right of Her Crown is or claims to be seised of the Soil of the Lands so covered with the Tide, or some Part thereof; that, under a Grant made by His Majesty King James I. in the Eighteenth Year of His Reign, and under other Grants made by Her Majesty's Predecessors, the Right Hon. Francis Nathaniel Marquis Conyngham and the Right Hon. George Baron Leconfield claim to be seised of the Soil of the Lands so covered with the Tide, or some Part thereof; that Plans, Sections, &c. of the proposed Works, &c. have been deposited with the Clerk of the Peace for the County of Clare, and that the same are in this Act referred to as the deposited Plans, Sections, &c.; that the Persons in this Act named and others are willing, at their own Expense, in consideration of the Lands reclaimed being vested in them, subject to the Provisions of this Act, and on their being incorporated with adequate Powers in that Behalf, to undertake the Improvement of the Navigation, and the Embankment and Reclamation of the Lands from the Sea; that, in order to provide for the Maintenance and Repair of the Navigation, Embankments, and Works, when completed, it is expedient that Provision be made for charging the Lands reclaimed with a Rate for that Purpose.

Incorporation of General Acts, §§ 2, 3.
Incorporation of Company, with a Capital of 120,000*l.* in Shares of 10*l.*, §§ 6, 7.
Calls, § 8.
Meetings; Directors, §§ 9 to 13.
Newspaper for Advertisements, § 14.
Company to appoint Agent for receiving Notices, &c., § 15.
Plan and Sections to remain with the Clerk of the Peace, § 16.
Copies to be Evidence, § 17.
Errors in Plan, &c. may be rectified, § 18.
Power for Company to execute Works authorized by Act, and take Lands for the Purpose, § 19.
Company not to execute any Works under this Act which might prejudicially affect Navigation of River Shannon, &c., § 20.
Four Years for compulsory taking of Lands, § 21.
Works authorized by Act, § 22.
Admiralty Clauses, §§ 23 to 27.
Company not to injure the Drainage of adjoining Lands, § 28.
Limit of Time for Completion of Works, § 29.
Waste Lands when reclaimed vested in Company, § 30.
Compensation for Rights of the Crown, § 31.
Company to pay Compensation to the Crown or otherwise by Instalments, § 32.
Compensation to the Crown or otherwise to be repaid on Petition, § 33.
Re-apportionment of One Twentieth of reclaimed Lands among Frontage Owners, Arbitrators to be appointed, § 34.
Duty of Arbitrators, § 35.
Company to convey to Frontage Owners, § 36.
Residue of Lands belonging to Company may be leased, &c. by them, § 37.
Dissolution of Company on their disposing of all their Lands, § 38.
Company to have no exclusive Property in the Land, &c. outside the Embankments, § 39.
Seaweed, &c. may be gathered on Waste Lands until reclaimed, § 40.
Canal and Embankments, &c. to be maintained, § 41.
Conservators for maintaining Canal and Embankments, § 42.
Chairman to be appointed, § 43.
Officers may be appointed, § 44.
Power to rate the Lands reclaimed for Expenses, § 45.
Amount and Assessment of Rate, § 46.
Recovery of Rate, § 47.
Saving Rights of the Crown, § 48.

Cap. cxci.

"Burnham Tidal Harbour Act, 1860."

Proposal to make and maintain a Tidal Harbour in the River Brue, and other Works, including Railways or Sidings (in this Act called "the Railways") in connexion therewith, and a Quay or Landing Place at Burnham in the County of Somerset, in connexion with the Somerset Central Railway there; recites that the Persons in this Act named, with others, are willing, at their own Expense, to carry the Undertaking into effect, on being incorporated for that Purpose into a Company; that Plans and Sections of the proposed Works, and a Book of Reference thereto, have been deposited with the Clerk of the Peace for the County of Somerset, and that they are in this Act referred to as the deposited Plans, Sections, and Book of Reference; that the Somerset Central Railway Company (in this Act called "the Somerset Central Company") are interested in the Undertaking by reason of the Connexion thereof with their Railways, and that it is expedient that that Company be authorized to contribute towards the Funds of the Company; that the Somerset Central Company, as representing the late Company of Proprietors of the Glastonbury Navigation and Canal, are interested in the River Brue, and have divers Powers affecting the same, including Power to take Tolls or Dues in respect of the River; that it is expedient that the Somerset Central Company be authorized to appoint a Director of the Company during the Construction of the Works by this Act authorized in the event herein-after expressed; that it is expedient that the Company and the Somerset Central Company be authorized to enter into Working, Traffic, and other Arrangements, as by this Act provided; that it is expedient that the Company be authorized to provide and use Steam and other Vessels in the Bristol Channel, and to agree with the Mayor, Aldermen, and Burgesses of the Borough of Bridgwater (in this Act called "the Bridgwater Corporation") with respect to Rates and Dues payable to the Corporation in respect of the Company's Vessels.

Incorporation of Clauses Acts, § 2.
Incorporation of Company, with a Capital of 37,000*l.* in Shares of 10*l.*, with Power to borrow 12,300*l.*, §§ 4, 5, and § 7.
Calls, § 6.

Arrears may be enforced by Appointment of a Receiver, § 8.
Monies to be applied only to Purposes of Act, § 11.
Meetings; Directors, §§ 12 to 16.
Newspapers for Advertisements, § 17.
Power to take Lands for Works authorized by Act, 18.
Three Years for compulsory Purchases, § 19.
Lands for additional Purposes not to exceed Five Acres, § 20.
Power to execute Works authorized by Act, § 21.
Company not to deviate Line of Railway No. 1. without Consent, § 22.
Works authorized by Act, § 23.
Provision as to Junctions with Somerset Central Railway, § 24.
For Protection of Somerset Central Railway, § 25.
Any Land reclaimed by the Works not to be taken without Consent of Commissioners of Woods, &c., § 26.
Admiralty Clauses, §§ 27 to 30.
Company to be "Pilotage Authority" and "Local Authority" for Purposes of Act, § 31.
Lights and Beacons, § 32.
Saving for Bridgwater Corporation as to River Parrett, § 33.
Company to afford Right of Way to Commissioners of Sewers, § 34.
Provision as to the Construction of Bridges and other Works, § 35.
Provision for enlarged Waterway of Culverts, § 36.
Notice of Commencement of Works to be given, 37.
Company to indemnify Commissioners for any Damage occasioned, § 38.
Saving Rights of Commissioners of Sewers for Somerset, § 39.
Five Years for Completion of Works shown on deposited Plans, § 40.
Bond for Completion of Railway, § 41.
Company to make Compensation to Somerset Central Company, § 42.
Railway Tolls, §§ 43 to 49.
Quay Tolls, § 50.
Rates for the Use of Wharves, Cranes, &c., § 51.
Goods, &c. to be disembarked or shipped by the Company, who may charge for warehousing, unloading, &c., § 52.
Navigation not to be interrupted, § 53.
Byelaws as to Ballast, § 54.
Ballast to be brought to Side of Vessels, and thrown in immediately, § 55.
Penalty for improperly discharging or taking up Ballast, § 56.
Penalty for casting Ballast without a Portsail, § 57.
Occupiers of Wharves not to allow Ballast to remain near Edge of Wharf, § 58.
Company may remove Ballast, § 59.
Ballast not to be cast into the Harbour or the Sea within specified Limits, § 60.
Company may dispose of Ballast, § 61.
Dredging Engines, § 62.
Steam Tugs and Apparatus, § 63.
Power of provide and use Vessels in Bristol Channel, § 64.
Appointment of Harbour-master and other Officers, § 65.
Power to Constables to go on board Vessels, § 66.
Appointments of Pilots, &c., § 67.
Penalty on Persons acting as Pilots without Licence, § 68.
Company not responsible for Damage done in towing by Pilots, § 69.
So much of Sect. 9. of 47 Geo. 3. Sess. 2. c. xxxiii. as to Pilots in the Bristol Channel not to apply, § 70.
Clauses of *this Act* as to Pilotage not to come into operation without Consent of Board of Trade, § 71.
Ballast Rates, § 72.
Charges for Vessels in Bristol Channel, § 73.
Rates on Vessels, § 74.
Harbour Dues, § 75.
Quay Tolls same as Harbour Dues, § 76.
Exemption of Officers of Customs from Harbour Tolls, &c., § 77.
Exemption from Rates and Dues, § 78.
Pilotage Rates, § 79.
Payment of Pilotage Rates, § 80.
Agreements with Bridgwater Corporation with respect to Tolls and Dues, § 81.
Power for Somerset Central Company to contribute towards Company's Funds, § 82.
Sanction of Shareholders to Application of Monies by Somerset Central Company, § 83.
Capital and Debenture Debt of Somerset Central Company to be kept distinct, § 84.
Power for Somerset Central Company to issue new Shares, § 85.
New Shares of different Classes, § 86.
Restriction as to Shares, § 87.
Payments of preferential Dividend, § 88.
Saving for existing preferential Shares of Somerset Central Company, § 89.
If ordinary Shares of the Somerset Central Company at a Premium, new Shares to be offered to existing Holders, § 90.
Offer to be made by Letter, § 91.
New Shares to vest in accepting Shareholders, § 92.
Disposal of new Shares to others, § 93.
Power to enlarge Time for accepting new Shares, § 94.
General Power to Somerset Central Company to dispose of new Shares, § 95.
Power for Somerset Central Company to appoint Director of Company, § 96.
Rotation of Directors so appointed, § 97.
Removal of such Director, § 98.
Supply of Vacancy in Office of Director, § 99.
Power of Directors of Company, § 100.
Nominees of Somerset Central Company to vote at Meetings of Company, § 101.
Instruments of Appointment or Removal of Appointment or Revocation, § 102.
Validity of such Instruments and Act thereunder, § 103.
Somerset Central Company to give Notice to Company of Appointment, &c. of Director and Nominees, § 104.
Power of Somerset Central Company to appoint Director to cease upon their ceasing to be Shareholders, § 105.
Agreements between Company and Somerset Central Company, § 106.
Restrictions on Agreements between contracting Companies, § 107.
Approval by Shareholders of Agreements, § 108.
Approval of Board of Trade, § 109.
Agreements may be modified by Board of Trade, § 110.
Joint Committee for Purposes of Agreement, § 111.
Saving Rights of Crown, Admiralty, and Trinity House, Bridgwater Corporation, Somerset Central Company, and other Companies, §§ 112 to 116.
SCHEDULES (Rates on Vessels; Harbour Dues, Use of Cranes; Warehousing Goods; Pilotage Rates).

Cap. cxcii.

"The Aylesbury and Buckingham Railway Act, 1860."

Proposes the making of a Railway from the Town of Aylesbury to the Buckinghamshire Railway at or near the Claydon Junction, to be called "The Aylesbury and Buckingham

Railway;" recites that the Persons herein-after named, with others, are willing, at their own Expense, to carry such Undertaking into execution; that it is expedient that Provision should be made for enabling the London and North-western Railway Company and the Buckinghamshire Railway Company, or either of them, and the Company incorporated by this Act, to make Agreements with respect to the Working and Use of the said Railway.

Incorporation of Clauses Acts, § 1.

Subscribers incorporated, with a Capital of 98,000*l.* in Shares of 25*l.* with Power to borrow 32,500*l.*, §§ 3, 4, 5, and § 7.

Calls, § 6.

Monies to be applied only to Purposes of Act, § 8.

Arrears may be enforced by Appointment of a Receiver, § 9.

Directors; Meetings, §§ 12 to 18.

Newspapers for Advertisements, § 19.

Power to make Railway herein named, § 20.

Power to make Railway according to deposited Plans; Company not to take, &c. Lands of the Estate known as the Lee Grange Estate without Consent, § 21.

Station to be erected where the Railway crosses the Road from Waddesdon to Quainton, § 22.

Grand Junction Canal Wharf at Aylesbury not to be interfered with, § 23.

Company to provide Access from One Part of Grand Junction Canal Company's Meadow to the other, § 24.

Communications to be afforded to Owners, &c., of Estate of Haydon Hill, § 25.

Maintenance and Width of Communications, § 26.

Lands for extraordinary Purposes not to exceed Two Acres, § 27.

Three Years for Compulsory Purchases, § 28.

Five Years for Completion of Works, § 29.

Bond for Completion of Railway, § 30.

Level Crossings; Board of Trade Clauses, §§ 31 to 34.

Communications with other Railways, § 35.

Expense of Communications paid by the Company, § 36.

Signals to be erected, and Persons appointed to prevent Danger at Point of Junction, § 37.

Company not to take Land of the London and North-western or Buckinghamshire Railway Companies without Consent, § 38.

Saving Rights of the said Railway Companies, § 39.

Tolls, §§ 40 to 46.

Power to enter into Agreement with the London and North-western Railway Company, § 47.

Traffic and Working Arrangements between Companies herein named, § 48.

Contract, &c., not to alter Tolls, or to prevent Lines being used by other Companies, § 49.

Agreement may be renewed, with the Approval of the Board of Trade; Public Notice to be given of the Intention to enter into Agreements; Agreement inoperative until approved by the Board of Trade, § 50.

Working Arrangements to be approved by Shareholders, § 51.

Meeting to be convened by Circular and Advertisement, § 52.

Traffic on Lines not to be subject to short Distance on both Lines, § 53.

Cap. cxciii.

"The Metropolitan Meat and Poultry Market Act, 1860."

Whereas the present existing Markets for the Sale of Meat and Poultry and other Provisions in the City of London are small and confined, and inadequate to supply the Wants of the rapidly increasing Population of the Metropolis: And whereas it is expedient that larger and more convenient Markets should be provided, and that proper Approaches should be made thereto: And whereas Part of the Site of Smithfield, formerly used as a Cattle and Sheep Market, is conveniently situated and adapted for such new Markets: And whereas the Mayor, Aldermen, and Commons of the City of London, in Common Council assembled, are willing to provide such Markets, and to cause proper Approaches to be made thereto: And whereas Her Majesty in right of Her Crown and the Mayor and Commonalty and Citizens of the City of London respectively claim to be entitled to or interested in the ancient Site of Smithfield Market, and Her Majesty is willing, and the Mayor and Commonalty and Citizens have agreed, that such Provisions as are herein-after contained should be made for keeping open the Part of the ancient Site of Smithfield Market which is not otherwise expressly appropriated for the Purposes of this Act, and for appropriating the Residue of the said ancient Site in manner herein-after provided; but the same cannot be effected without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; that is to say,

I. This Act may be cited for any Purposes as "The Metropolitan Meat and Poultry Market Act, 1860."

II. All the Powers, Provisions, Directions, Restrictions, Clauses, and Enactments contained in "The London City Improvement Act, 1847," and in the Clauses of "The Lands Clauses Consolidation Act, 1845," incorporated therewith, shall extend and be applied to this Act, with reference to the taking of Land, and the Erection and Construction of Markets, Market Places, and the Improvements, Matters, and Things by this Act authorized, and shall be in as full Force and Effect, to all Intents and Purposes whatsoever, as if the same had been repeated and re-enacted in this Act, and made applicable to the Subject Matter hereof, except only so far as the same or any of them may be repealed, altered, or varied by this Act: Provided always, that the Word "Schedule," where used in the said recited Act, shall with respect to the Objects and Purposes of this Act be deemed to mean the Book of Reference deposited in the Office of the Clerk of the Peace for the City of London and in the Office of the Clerk of the Peace for the County of Middlesex.

III. Whenever any Land authorized to be taken for the Purposes of this Act shall happen to be situated, not within the City of London or the Liberties thereof, but within the County of Middlesex, then and in every such Case throughout the Enactments contained in "The London City Improvement Act, 1847," all the Provisions applicable to and all Matters and Things authorized or required to be done in or by the Court of Mayor and Aldermen of the City of London holden in the Outer Chamber of the Guildhall in the said City shall, with reference to the Land which shall be so situated in the County of Middlesex, be held to apply to and shall be done in or by the Court of the Sheriff of Middlesex, and all Powers and Authorities given to or vested in the said Court of Mayor and Aldermen may be exercised by the Person presiding in the Court of the said Sheriff; and all the Provisions applicable, and all Warrants and Precepts to be directed to, and all Matters and Things authorized or required to be done by, the Sheriffs of London, shall be held to apply and shall be directed to and shall be done by the Sheriff of Middlesex; and all the Provisions applicable to the Commissioners of Sewers of the City of London shall be held to apply to the Metropolitan Board of Works and District Boards; and the Word "Justice" shall not mean the Lord Mayor or any Alderman or the Recorder

of the City of London, but shall mean a Justice of the Peace acting in or for the County of Middlesex; and where anything shall be directed to be done by or before any One or more of the Aldermen of the City of London the same shall be done by or before any One or more of the Justices acting in or for the County of Middlesex; and the Time and Place when and where the Persons to be summoned, returned, and impannelled by the Sheriff of the County of Middlesex for the Purpose of serving as Jurymen shall not be named in the Warrant or Precept to be directed to the Sheriff, but shall be appointed by the Sheriff, and such Time shall not be less than Fourteen nor more than Twenty-one Days after the Receipt of such Warrant, and such Place shall not be more than Three Miles distant from the Land in question, unless by Consent of the Parties interested; and the Costs of any such Inquiry shall be settled, not by the Registrar of the Court of Mayor and Aldermen, but by One of the Masters of the Court of Queen's Bench; and if the Sheriff shall make default in any of the Matters directed to be done by him in relation to any such Trial or Inquiry, he shall forfeit Fifty Pounds for every such Offence, and such Penalty shall be recoverable by the Mayor and Commonalty and Citizens in any of the Superior Courts.

IV. The Maps or Plans describing the Situation of the said Market, and the Site on which the same is proposed to be erected, and also Books of Reference containing the Names of the Owners and Lessees or reputed Owners and Lessees and Occupiers of the Lands, Houses, and Buildings which may be required for the Purposes of this Act, and which have been deposited at the Office of the Clerk of the Peace for the City of London and at the Office of the Clerk of the Peace for the County of Middlesex, shall remain in the said Offices, to the end that all Persons may at all reasonable Times have Liberty to inspect and peruse the same, at their Will and Pleasure, paying the Sum of One Shilling for every such Inspection.

V. No House or Building, planted Walk or Yard belonging to a House or Land, shall be taken or made use of for the Purposes of this Act, except such as are mentioned in the Book of Reference herein-before mentioned to have been deposited in the Office of the Clerk of the Peace for the City of London and in the Office of the Clerk of the Peace for the County of Middlesex, without the Consent in Writing of the Owner thereof being first had and obtained for that Purpose.

VI. It shall be lawful for the Mayor, Aldermen, and Commons to purchase, take down, and use for the Purposes of this Act any of the Lands, Houses, or Buildings described in the said Plans deposited at the Office of the Clerk of the Peace for the City of London and at the Office of the Clerk of the Peace for the County of Middlesex, as intended to be taken, for the Purposes of this Act, although the same Lands, Houses, or Buildings, or the Names of the Owners or Occupiers thereof may happen to be erroneously stated or omitted in the said Book of Reference, in case it shall appear to any Two Aldermen of the City of London, or, as the Case may be, to any Two of the Justices acting in or for the County of Middlesex, and be certified under their Hands, that such Error or Omission proceeded from Mistake or erroneous Information: Provided always, that previously to submitting the Case to Two Aldermen or to Two Justices as aforesaid Ten clear Days Notice shall be given to the Parties whose Lands shall be affected by such erroneous Statement or Omission in the said Book of Reference.

VII. If the Mayor, Aldermen, and Commons shall not within the Space of Five Years, to be computed from the passing of this Act, purchase or take the Lands which they are empowered by this Act to take, use, and purchase as aforesaid, then and thenceforth the Powers hereby granted to them for such Purposes shall cease, determine, and be utterly void.

VIII. And whereas a Plan of Smithfield Market Place, showing the Alterations and Improvements authorized by this Act, has been deposited at the Office of Land Revenue Records and Inrolments, and has been signed by the Keeper of such Records and Inrolments: Be it enacted, That the Part of Smithfield Market Place which is coloured Red on the same Plan shall be for ever reserved and appropriated as an open public Place, subject to the Use of the same as a Market for the Sale of Hay and Straw in Carts or Waggons, and no Building or Erection shall at any Time be erected or made thereon (other than a Fountain and Dwarf Walls with Iron Rails, not exceeding in the whole Four Feet Six Inches in Height, at the Sides of the proposed Entrance to a Goods Station, as shown on the same Plan, which proposed Entrance shall not be used for Railway Passengers); and the Parts of the said Market Place which are respectively coloured Green and Blue on such Plan shall be appropriated as or as an Addition to and shall be thrown into the adjoining public Streets; and the Land coloured Brown, Purple, and Yellow on the said Plan shall be appropriated and used for the Purposes mentioned in the Ninth and Tenth Sections of this Act, and for no other Use or Purpose, and a Copy of such Plan shall be deposited at the Office of the Clerk of the Peace for the City of London with the other Documents referred to in this Act: Provided always, that nothing contained in this Act or appearing on the said Plan shall, subject to the Provisions of this Act, affect or prejudice any Estate, Right, or Interest of the Queen's Majesty, or of the said Mayor, Commonalty, and Citizens, to the whole or any Part of the Land coloured respectively Purple, Yellow, and Blue on such Plan, it being alleged by the said Mayor, Commonalty, and Citizens that such Land does not form Part of the ancient Site of Smithfield.

IX. It shall be lawful for the Mayor, Aldermen, and Commons, and they are hereby authorized to appropriate for the Purposes of this Act that Part of the ancient Site of Smithfield Market which is situate on the North Side of Long Lane, or any Part of such Site, and to erect, build, construct, and maintain on the Site so appropriated, or on any Part thereof, and on the Land by this Act authorized to be taken, a Market House and Market Place, or Market Houses or Market Places, for the Exposure and Sale of Meat and Poultry and other Provisions, in the Situation delineated on the Maps and Plans so deposited as aforesaid, together with such Houses, Shops, Stalls, Standings, Sheds, Buildings, Works, and Conveniences for the Purposes of the said Markets, and for the Accommodation of Persons resorting thereto, as they the Mayor, Aldermen, and Commons may think necessary, all which said Market Houses and Market Places shall be deemed to be Public Markets.

X. It shall be lawful for the Mayor, Aldermen, and Commons and they are hereby authorized and empowered to appropriate the whole or any Part of the underground Surface beneath the intended Market or Market Places, and the Buildings belonging thereto, and beneath so much of the Roads or Streets surrounding the said Market and Market Places as are to be purchased or taken under the Powers of this Act, for the Purpose of a Railway Station or Railway Terminus, with Lifts and Hoists communicating with the said Market and Market Places, to be used by any Railway Company, or any Persons desirous of constructing a Railway or Railways to such Market or Market Places, and to enter into any Contract or Agreement with any Railway Company or Persons for the Excavation, Building, and Erection of such Railway Station or Terminus, and of the Approaches thereto, and for the Lease of the same, at such Rent and upon such Terms and Conditions as shall be mutually agreed upon: Provided always, that the

Station or Terminus shall not be used as a Passenger Station, except in connexion with the Market and for Market Purposes.

XI. Except for the Purposes of rating, as herein-after mentioned, the Sites of the several Lands, Houses, and Tenements in the Parish of Saint Sepulchre, Middlesex, which the Mayor and Commonalty and Citizens are authorized to purchase and take under the Powers of this Act, shall, as and when they are so severally purchased and taken, be deemed to be and be in the City of London, and form a Part of the Ward of Farringdon Without, but the said Lands, Houses, and Tenements, when so purchased and taken, or the Sites of the same, as the Case may be, shall nevertheless continue to be rated and assessed as if they remained in and continued to form a Part of the said Parish of Saint Sepulchre, Middlesex, and they shall continue to be rated and charged in and to Land Tax, Tithes, Poor and other Parochial Rates and Charges of that Parish, and the same shall be paid by the said Mayor and Commonalty and Citizens (who shall be deemed the Occupiers of the Premises) in and to the said Parish, upon the same assessable Value as those Lands, Houses, and Tenements are now assessed to any Land Tax, Tithes, Poor and other Parochial Rates and Charges; but the Sites of the said Lands, Houses, and Tenements, or any other Buildings that may at any Time be erected thereon, shall not be otherwise rated or assessed in respect of Land Tax, Tithes, Poor or other Parochial Rates and Charges to the said Parish of Saint Sepulchre, Middlesex, or any other Parish whatsoever.

XII. If at any Time or Times hereafter the said Market House or Market Place, or Market Houses or Market Places, or other Buildings, shall be found to be not sufficiently capacious or convenient, it shall be lawful for the Mayor, Aldermen, and Commons, at any Time or Times, and from Time to Time, to enlarge the same or any Part or Parts thereof, or to construct an additional Market House or Market Place, or additional Market Houses or Market Places, to make convenient Roads or Streets and Approaches to the said Markets, and for any other Purpose which may be necessary for the Formation and convenient Use of the said Market; and all and singular the Powers and Provisions of this Act (except the Power for the compulsory Purchase of Land) shall be applicable for the Purpose of such Enlargement or Additions, and for regulating and maintaining the same when enlarged, and for erecting, regulating, and maintaining any such additional Market House or Market Place, or Market Houses or Market Places: Provided always, that nothing in this Act contained shall authorize the Erection of any Slaughter-house or Gasworks.

XIII. It shall be lawful for the Mayor, Aldermen, and Commons, in addition to making and constructing the said Market, to effect the several Improvements following; (that is to say,)

To widen and improve Long Lane on the North Side Westward of Charter House Street, and the Road from Long Lane to King Street:

To widen and improve Charter House Lane on the South Side from Smithfield Bars Eastward to the Gardens of the Houses in Charter House Square:

To form a new Street from Charter House Lane to Long Lane on the Eastward Side of the intended Markets:

To widen and improve Durham Yard, and by means of such Widening and Improvement to provide a Communication to the Station or Terminus under the Market, as shown on a Plan deposited with the Clerk of the Peace for the City of London, and signed by Henry J. Baillie, Esquire, Chairman of the Committee of the House of Commons on "The Smithfield Markets, Streets, and Improvements Bill:"

To form on the Northern and Western Side of the intended Markets a new Street from Smithfield Bars Westward to Durham Yard, and from thence Southward to King Street:

To stop up and abolish the present Footway from Charter House Lane to Long Lane and Smithfield:

To stop up and abolish the present Street from Smithfield Bars Southward to Smithfield:

To stop up and abolish Greenhill Rents from the North Side of Greenhill Rents to Smithfield Bars:

To stop up and abolish the Street on the North Side of Smithfield from West Street to Long Lane:

All such Improvements respectively to be made according to the Maps or Plans herein-before mentioned to have been deposited at the Office of the Clerk of the Peace for the City of London and at the Office of the Clerk of the Peace for the County of Middlesex, and to be completed before the Market is opened for public Use: Provided always, that the Mayor, Aldermen, and Commons shall form a public Road or Communication of Fifty Feet at least, including the Footpaths, through, in, or between the Market House or Market Houses, as shown on the deposited Plans, from Smithfield Bars Southward to Smithfield, and in the event of such Road or Communication, or any Part thereof, being covered or arched over, the Height of the Arch shall not be less in the Centre of the Roadway than Eighteen Feet, and the Span of the Arch shall not be less than Thirty Feet.

XIV. The Ground and Soil of the Roads or Streets immediately surrounding or intersecting the said Market, and formed or made under the Powers of this Act, other than the Ground and Soil of such Roads and Streets as are coloured on the said Plan deposited at the Office of Land Revenue Records and Enrolments, and the Fee Simple and Inheritance thereof, shall be and are hereby vested in the Mayor, Commonalty, and Citizens of the City of London; and the whole of the said Roads or Streets shall be under the Care, Management, Control, and Jurisdiction of and shall be paved, repaired, cleansed, lighted, and watched by and at the Expense of the Mayor, Aldermen, and Commons.

XV. In case any Lands which shall be purchased and cleared by virtue of this Act shall not be wanted for the Site of the said Market, and shall not be laid into the Streets to be made, widened, or improved under the Authority of this Act, it shall be lawful for the Mayor, Aldermen, and Commons to appropriate the same to any other Purpose which they may think proper or expedient: Provided that it shall not be lawful for the Mayor, Aldermen, and Commons to appropriate any Part of the said Market House, except the underground Surface thereof, to any other than Market Purposes.

XVI. Where any of the Works to be done under or by virtue of this Act shall or may pass over, under, or by the Side of or so as prejudicially to interfere with any Sewer, Drain, Watercourse, Defence, or Work under the Jurisdiction or Control of the Commissioners of Sewers of the City of London and the Liberties thereof, or with any Sewers or Works to be made or executed by the said Commissioners, or shall or may in any way prejudicially affect the Sewerage or Drainage of the Districts under their Control, the Mayor, Aldermen, and Commons shall not commence such Work until they shall have given to the said Commissioners Fourteen Days previous Notice in Writing of their Intention to commence the same by leaving such Notice at the principal Office of such Commissioners for the Time being, with a Plan and Section showing the Course and Inclination thereof, and other necessary Particulars relating thereto, and until such Commissioners shall have signified their Approval of the same, unless such Commissioners do not signify their Approval, Disapproval, or other Directions within Fourteen Days after Service of the said Plan, Section, and Particulars as aforesaid; and the Mayor,

Aldermen, and Commons shall comply with and conform to all reasonable Directions and Regulations of the Commissioners in the Execution of the said Works, and shall provide, by new, altered, or substituted Works, in such Manner as such Commissioners may deem necessary, for the proper Protection of and for preventing Injury or Impediment to the Sewers and Works herein-before referred to, by or by reason of the said intended Works on any Part thereof, and shall save harmless the said Commissioners against all and every the Expense to be occasioned thereby, and all such Works shall be done by or under the Direction, Superintendence, and Control of the Engineer or other Officer or Officers of the said Commissioners, and at the Costs, Charges, and Expenses in all respects of the Mayor, Aldermen, and Commons; and when any new, altered, or substituted Works as aforesaid, or any Works or Defence connected therewith, shall be completed, by or at the Cost, Charges, or Expenses of the Mayor, Aldermen, and Commons, under the Provisions of this Act, the same shall thereafter be as fully and completely under the Direction, Jurisdiction, and Control of the said Commissioners as any Sewers or Works now are or hereafter may be; and nothing in this Act shall extend to prejudice, diminish, alter, or take away any of the Rights, Powers, or Authorities vested or to be vested in the said Commissioners or their Successors, but all such Rights, Powers, and Authorities shall be as valid and effectual as if this Act had not been passed.

XVII. Where any of the intended Works to be done under or by virtue of this Act shall or may pass over, under, or by the Side of or so as prejudicially to interfere with any Sewer, Drain, Watercourse, Defence, or Work under the Jurisdiction or Control of the Metropolitan Board of Works, or of any Vestry or District Board, constituted under "The Metropolis Local Management Act, 1855," or with any Sewers or Works to be made or executed by the said Boards or Vestry, or either of them, or shall or may in any way prejudicially affect the Sewerage or Drainage of the Districts under their or either of their Control, the Mayor, Aldermen, and Commons shall not commence such Work until they shall have given to the said Metropolitan Board, or to the District Board or Vestry, as the Case may be, Fourteen Days previous Notice in Writing of their Intention to commence the same, by leaving such Notice at the Principal Office of such Board or Vestry, as the Case may be, for the Time being, with a Plan and Section showing the Course and Inclination thereof, and other necessary Particulars relating thereto, and until such Board or Vestry respectively shall have signified their Approval of the same, unless such Board or Vestry, as the Case may be, do not signify their Approval, Disapproval, or other Directions within Fourteen Days after Service of the said Plans, Sections, and Particulars as aforesaid; and the Mayor, Aldermen, and Commons shall comply with and conform to all Directions and Regulations of the respective Board or Vestry in the Execution of the said Works, and shall provide, by new, altered, or substituted Works, in such Manner as such Board or Vestry may deem necessary, for the proper Protection of and for preventing Injury or Impediment to the Sewers and Works herein-before referred to by or by reason of the said intended Works or any Part thereof, and shall save harmless the said Metropolitan Board, District Board, and Vestry respectively against all and every the Expense to be occasioned thereby; and all such Works shall be done by or under the Direction, Superintendence, and Control of the Engineer or other Officer or Officers of the said Metropolitan Board, District Board, or Vestry, as the Case may be, at the Costs, Charges, and Expenses in all respects of the Mayor, Aldermen, and Commons; and when any new, altered, or substituted Works as aforesaid, or any Works or Defence connected therewith, shall be completed by or at the Costs, Charges, or Expenses of the Mayor, Aldermen, and Commons, under the Provisions of this Act, the same shall thereafter be as fully and completely under the Direction Jurisdiction, and Control of the said Boards and Vestry respectively, as any Sewers or Works now are or hereafter may be; and nothing in this Act shall extend to prejudice, diminish, alter, or take away any of the Rights, Powers, or Authorities vested or to be vested in the said Boards and Vestries, or any of them, or their Successors, but all such Rights, Powers, and Authorities shall be as valid and effectual as if this Act had not been passed.

XVIII. It shall not be lawful for the Mayor, Aldermen, and Commons to open the said Market or any Part thereof for the Exposure and Sale of Meat, Poultry, or other Provisions, or to permit the Use of the said Railway Station, until a Road Sixty Feet in Width shall have been made and opened from Victoria Street at or near West Street in the Parish of Saint Sepulchre, Middlesex, to the intended Market House in the Parish of Saint Sepulchre, London.

XIX. If at any Time after the opening of such Station or Terminus for Traffic the Governors of Saint Bartholomew's Hospital shall be of opinion that the Traffic along Duke Street has by reason of such Station or Terminus increased, and is detrimental to the Hospital, the Mayor, Aldermen, and Commons shall, on being requested by the Governors so to do, cause a Wood Pavement to be laid down and maintained in Duke Street; and in making the Byelaws herein-after mentioned proper Provision shall be made to prevent Carts or Vehicles standing in the Roadway in Smithfield within Fifty Feet of the Walls of Saint Bartholomew's Hospital.

XX. It shall be lawful for the Mayor, Aldermen, and Commons to charge upon and to borrow or raise on the Credit of the Tolls by this Act authorized to be taken, and also of the Estates and other Property of the Mayor and Commonalty and Citizens of the City of London, or of any Part thereof, any Sum of Money not exceeding the Sum of Two hundred and thirty-five thousand Pounds, for the Purchase of Land for the Site of the said intended Market and Market Places, and of the Approaches thereto, and for effecting the several Improvements by this Act authorized, and also to charge upon and borrow and raise on the Credit of the Rents of the said Markets, and also of the Estates and other Property of the Mayor and Commonalty and Citizens of the City of London, or of any Part thereof, any Sum of Money not exceeding the Sum of Two hundred thousand Pounds, for the Erection and Construction of the said intended Market and Market Places, and of the Stalls, Shops, Standings, and Buildings connected therewith; and upon Payment of any Monies so to be raised under the Authority of this Act into the Chamber of the said City, by such Instalments, in such Proportions, at such Times, and in such Manner as the Mayor, Aldermen, and Commons shall direct, the Persons who shall contract to advance or contribute any Part of the said Monies shall, in respect of the Sums which they shall so advance, be entitled to Interest at such Rate as the Mayor, Aldermen, and Commons shall think reasonable, to be payable half-yearly, and to continue until the Payment of each Principal Sum.

XXI. The Mayor, Alderman, and Commons shall cause a Bond, Note, or other Security in Writing, under the Common Seal of the said City, to be delivered to every Person advancing any Part of the said Monies for the Payment of such Interest in respect thereof, until redeemed, as is herein-after mentioned, which Bonds, Notes, or other Securities shall be assignable by Indorsement.

XXII. The Mayor, Aldermen, and Commons shall give or cause to be given Notice in the London Gazette, and also in Two or more daily Papers published in the City of London or Westminster, of their Intention to pay off such Bonds as shall by virtue of this Act be granted in respect of the Money to be

raised as aforesaid, and at the End of Six Months next after such Notice shall be given, upon Payment or Tender of the Principal Sums for which such Bonds shall have been given, together with Interest for the same up to the Day of such Payment or Tender, to or for the Persons then entitled thereto, at the Office of the Chamberlain of the said City, the Interest payable to such Persons shall cease and determine: Provided, nevertheless, that such Persons, at any Time after such Notice shall have been so given as aforesaid, shall, at the Expiration of Fourteen Days next after a Declaration in Writing of their Intention to receive the same shall have been delivered at the said Office, (such Declaration being delivered between the Hours of Ten in the Morning and Two in the Afternoon,) be paid at the said Office the Sums of Money for which such Bonds shall have been given, together with Interest for the same Bonds up to the Day expressed in such Declaration for receiving the same, and such Interest shall on the Day specified in such Declaration for Payment cease and determine.

XXIII. The Chamberlain for the Time being of the said City shall enter in a Book to be kept for that Purpose the Bonds to be granted in pursuance of this Act, and all Assignments and Transfers thereof, expressing in Words at Length the Names, Surnames, Additions, Places of Abode, and other Description of such Persons as shall from Time to Time be entitled to such Bonds, to which Book all Persons entitled to or interested in such Bonds shall at all reasonable Times in the Daytime have Access, with free Liberty to inspect the same, without Fee or Reward.

XXIV. If the Mayor, Aldermen, and Commons can at any Time borrow or take up any Sums of Money for any of the Purposes of this Act at a lower Rate of Interest than any Bond or other Security given by them, and which shall then be in force, shall bear, then it shall be lawful for them from Time to Time to borrow and take up, upon the Security herein-before mentioned, any Sums of Money at such lower Rate as aforesaid, in order to pay off and discharge the Bond or other Security bearing such higher Rate of Interest: Provided always, if the Person for the Time being entitled to the Money secured by any Bond or other Security issued by the Mayor, Aldermen, and Commons, under the Authority of this Act, whether in his own Right, or as Executor or Administrator, or Trustee, Guardian, or Committee of or for any other Person, shall be willing to accept a reduced Rate of Interest in respect thereof, and shall, within Three Months after Notice shall have been given by the Mayor, Aldermen, and Commons to pay off such Bond or other Security, produce at the Office of the Chamberlain the Bond or other Security by which such Sum of Money and the Interest thereof shall be secured, and permit a Memorandum to be endorsed thereon by any of the Clerks of the Chamberlain of the Acceptance of such reduced Rate of Interest, then and in any such Case the Interest secured by such Bond or other Security shall be reduced accordingly, and the Principal Money thereby secured shall not be paid off by virtue of the Provision herein-before contained.

XXV. The Sums of Money which shall be raised and borrowed by virtue of this Act upon the Credit of the Tolls hereby authorized to be taken, and of the Estates and other Property of the Mayor and Commonalty and Citizens of the City of London, shall be applied in the first place in paying all the Charges and Expenses incident to and incurred in obtaining and passing this Act, or otherwise in relation thereto, and afterwards in paying the Purchase or Compensation Money for the Sites of the said Market and Market Places and the Roads or Streets surrounding or intersecting or approaching the same, and the Costs, Charges, and Expenses incident to and incurred in purchasing or otherwise obtaining the same, and in effecting the several Improvements by this Act authorized or required; and the Sums of Money which shall be raised and borrowed by virtue of this Act upon the Credit of the Rents of the said Markets, and of the Estates and other Property of the Mayor and Commonalty and Citizens of the City of London, shall be applied in the paying and discharging the necessary Costs, Charges, and Expenses of constructing the said Market, Market Houses, and Market Places, and the Houses, Shops, Stalls, Standings, Sheds, and Buildings connected therewith, and of doing and performing the several Acts, Matters, and Things, other than and except the Purchase or Acquisition of Land, and the effecting of Improvements, by this Act directed or authorized or permitted to be done or performed by the Mayor, Aldermen, and Commons, and of otherwise carrying this Act and the Purposes thereof into full and complete effect.

XXVI. It shall be lawful for the Mayor, Aldermen, and Commons from Time to Time to demise and lease all or any of the Houses, Shops, Stalls, Standings, Sheds, Buildings, and Conveniences which may be provided under the Authority of this Act, and which in their Opinion may properly be exclusively occupied, for any Term or Number of Years not exceeding Twenty-one Years, and to demise and lease any House or Building which may be erected on any Land acquired under the Authority of this Act, and which may not be wanted for the Purpose of constructing the said Market, and also all or any Part of such Land, for any Term or Number of Years not exceeding Eighty Years, every Lease which may be granted under the Authority of this Act to take effect in possession, or within Three Months from the Time of granting the same.

XXVII. The Mayor, Aldermen, and Commons shall provide for the said Market, Market Houses, and Market Places a sufficient Supply of Water, and may procure the same from any Water Company or Persons willing to contract for the Purpose, and the Mayor, Aldermen, and Commons shall cause the said Market, Market Houses, and Market Places to be sufficiently drained, and the Avenues in the Market to be lighted, and may (subject to any Rights and Jurisdiction vested in the Commissioners of Sewers of the City of London or in the Metropolitan Board of Works or District Board) execute the Works necessary for the Drainage thereof, or may procure such Works to be executed by such Commissioners, Board of Works, or District Board.

XXVIII. The Mayor, Aldermen, and Commons shall provide sufficient and proper Weighing Machines, Scales, and Weights, according to the Standard Weight for the Time being, for weighing such Meat and other Provisions as and when brought into the said Market, and shall provide proper Persons to attend thereto.

XXIX. It shall be lawful for the Mayor, Aldermen, and Commons from Time to Time to appoint such Clerks, Collectors, Inspectors, and other Officers as they may think fit, for the Purposes of this Act, and from Time to Time to remove the Officers so appointed or any of them, and to allow to such Officers respectively such Salaries and Wages as the Mayor, Aldermen, and Commons may think proper.

XXX. It shall be lawful for any Clerk or Inspector appointed under this Act, with or without Assistants, to inspect and examine any Meat or Poultry or other Provisions exposed or offered for Sale in the said Market provided under this Act, and for that Purpose to enter into any Building, Shop, Stall, Shed, or Place provided under this Act, and seize and destroy any such Meat or Poultry or other Provisions as may appear to him unfit for Human Food, reporting such Seizure to any Alderman; and such Alderman may, after hearing Evidence upon Oath, order any Person exposing or offering for Sale as aforesaid any such Meat or Poultry or other Provisions unfit

for Human Food, to pay for every such Offence a Penalty not exceeding Five Pounds; and every Person who shall obstruct or hinder any such Clerk or Inspector from seizing or carrying away any such unwholesome Meat or Poultry or other Provisions shall be liable to a Penalty not exceeding Two Pounds for every such Offence.

XXXI. It shall be lawful for the Mayor, Aldermen, and Commons from Time to Time to make Byelaws, for defining what Provisions, other than Meat and Poultry, may be brought into and exposed for Sale in the said Market and Market Places; for fixing or altering the Days upon which the Markets to be holden under this Act shall or may be held; for fixing the Hours for commencing and closing the said Markets on each Market Day, the Times at which Meat and Poultry and other Provisions respectively shall be brought into or exposed for Sale in the Market and removed therefrom, and for the letting, occupying, holding, and using of the Houses, Shops, Stalls, Sheds, Buildings, and Conveniences; for the keeping the said Market and the Approaches thereto in a cleanly and proper State; for the weighing of the Meat and other Provisions brought into the said Market, and the using of the Machine, Scales, and Weights, provided for that Purpose; for directing the Manner in which Carts and other Vehicles bringing Meat or Poultry or other Provisions to the said Market, or taking the same therefrom, shall enter, approach, or leave the same, and for regulating the standing of such Carts and other Vehicles in the said Market, the Roads or Streets surrounding or intersecting the same, and in the Approaches thereto; for the preventing Nuisances or Obstructions in the said Market or the immediate Approaches thereto; to regulate the Payment of Toll, and to prevent the Evasion of Toll; and generally for regulating, ordering, and governing the said Market and the Conduct of Business therein; and the Mayor, Aldermen, and Commons may from Time to Time alter or repeal any such Byelaws, and may by such Byelaws impose such reasonable Penalties as they think fit, not exceeding Forty Shillings for each Breach of such Byelaws, but so that every such Byelaw be so framed as to allow the Alderman before whom any Penalty imposed thereby may be sought to be recovered to order the whole or Part only of such Penalty to be paid: Provided always, that no Byelaw of the Mayor, Aldermen, and Commons shall be of any Force or Effect until the same shall have been approved under the Hand of One of Her Majesty's Principal Secretaries of State, and such Byelaws shall be signed by the Town Clerk of the City of London.

XXXII. The Mayor, Aldermen, and Commons shall from Time to Time fix a Table of Tolls to be demanded and taken for or in respect of all Meat and Poultry and other Provisions brought into the said Market, not exceeding those specified in Schedule (A.) to this Act annexed.

XXXIII. The Mayor, Aldermen, and Commons shall from Time to Time fix a Table of Tolls to be demanded and taken in respect of the Use of any Weigh-bridge, Weighing Machine, Scales and Weights, in the said Market and Market Places, not exceeding those specified in Schedule (B.) to this Act annexed: Provided that no Charge shall be made for weighing in order to ascertain the Amount of Toll to be levied for the Purposes of this Act.

XXXIV. The Mayor, Aldermen, and Commons shall from Time to Time fix a Table of Rents to be demanded and taken for any House, Shop, Stall, Standing, Shed, or other Convenience provided under the Authority of this Act, not exceeding those specified in Schedule (C.) to this Act annexed.

XXXV. Copies of all Byelaws for the Time being in force under this Act, affecting other Persons than the Officers of the Mayor, Aldermen, and Commons, and Tables of Tolls for the Time being payable under this Act in respect of the said Market, shall be fixed in legible Characters on Boards to be set up and continued at each and every of the Entrances to or in some conspicuous Position in the Place for holding the Market to which such Byelaws relate, or in respect of which such Tolls are payable, and such Boards shall from Time to Time be renewed, replaced, and restored, when and so often as the same are destroyed, defaced, or removed: Provided always, that if any such Board be destroyed, defaced, or removed, such Byelaws and Tolls shall continue in force and payable respectively during such Time as may be reasonably required for renewing, replacing, or restoring the same, in the same Manner as if the Destruction, Removal, or Defacement had not occurred.

XXXVI. The Tolls for the Time being fixed by such Tables of Tolls as aforesaid shall become due and payable immediately on the Meat or Poultry or other Provisions in respect of which such Tolls are to be taken entering or being brought into the said Markets, from any Person bringing the same or causing the same to be brought into the said Markets respectively, and the Tolls for the Time being fixed by such Table for the Use of any Weighing Machine, Scales or Weights, at such Times as for the Time being may be fixed by such Table, or at such other Time and in such Manner as shall be specified in the Byelaws to be from Time to Time made under the Authority of this Act, and all such Tolls shall be collected, received, and taken on behalf of the Mayor, Aldermen, and Commons, by such Collectors or Persons as they may appoint.

XXXVII. The Tolls which may be received by the Mayor, Aldermen, and Commons under Schedule (A.), by virtue of this Act, together with the Rent which shall be received by them from any Railway Company for the Use of the underground Station, or Terminus thereto, shall be applied in the first place in defraying the Cost and Expenses of collecting and receiving the said Tolls and Rent, and in the next place in Payment of the Interest and Principal of the Monies expended in the Purchase or Acquisition of Land for the Site of the said intended Market and Market Places, and of the Roads or Streets surrounding or intersecting or approaching the same, and in making the several Improvements in this Act authorized or required to be made; and when all such Principal Monies shall have been repaid, with all Interest which shall from Time to Time or at any Time have accrued in respect thereof, the Tolls in Schedule (A.) by this Act authorized to be taken shall cease and determine, unless Parliament shall in the meantime otherwise direct, and the Rents and other Monies which shall be received for the Use of the said Railway Station or Terminus shall be applied towards the Maintenance and Improvement of the said Market and Market Places; and in case the Tolls which may be received by the Mayor, Aldermen, and Commons under Schedule (A.), by virtue of this Act, together with the Rent which shall be received by them from any Railway Company for the Use of the underground Station or Terminus, shall at any Time be insufficient to defray the Costs and Expense of collecting and receiving the said Tolls and Rent, and the Interest of the Monies which may be borrowed on the Credit thereof, the Deficiency shall be made good by the Mayor and Commonalty and Citizens out of their own Monies, and such Sums of Money as may be paid and advanced by them for the Purposes aforesaid shall be repaid to them, with Interest after the Rate of Four per Centum per Annum from the Time of advancing the same, out of any future Tolls or Rent which may be received by them.

XXXVIII. Before any Officer appointed under this Act shall be permitted to enter upon any Office or Employment by reason whereof he will or may be entrusted with the Receipt, Custody, or Control of Money under this Act, the Mayor, Aldermen, and Commons shall require and take from him such

Security for the faithful Execution of such Office or Employment, and for duly accounting for all Monies which may be received by or entrusted to him by reason thereof, as they may think sufficient.

XXXIX. It shall be lawful for the Mayor, Aldermen, and Commons from Time to Time to appoint a Committee to manage and transact all or any of the Matters or Purposes which the Mayor, Aldermen, and Commons are hereby empowered to do, execute, or perform, which Committee shall have such or so many of the Powers and Authorities and Discretion by this Act given to or reposed in the Mayor, Aldermen, and Commons as the Mayor, Aldermen, and Commons shall think fit and proper to delegate to such Committee.

XL. The Mayor, Aldermen, and Commons shall cause Books to be provided and kept, and full and correct Accounts to be entered therein of all Monies which may be raised or borrowed upon the Credit of the Tolls by the Mayor, Aldermen, and Commons, under the Authority of this Act, for the Purchase of Land, and for effecting the said Improvements, and of all Rent received from any Railway Company or other Persons for the Use of the underground Station or Terminus, and of all Tolls and other Monies received under Schedule (A.) to this Act annexed, and of the Application thereof, distinguishing the Times and Purposes when and for which such Monies were received and paid, and shall in the Month of January in each Year cause the said Accounts to be balanced up to the Thirty-first Day of December of the preceding Year.

XLI. There shall be yearly laid before both Houses of Parliament an Account, duly audited and certified, of the Monies which shall be received on account of the Tolls in Schedule (A.) by this Act authorized to be taken, and of the Rents received from any Railway Company for the Use of the underground Station or Terminus, and of the Application thereof respectively.

XLII. If any Person liable to the Payment of any Toll under this Act in respect of any Meat or Poultry or other Provisions brought into the said Markets, or to any Payment for the Use of any Weighing Machine, Scales or Weights, or any House, Shop, Stall, Standing, Shed, or other Convenience provided under this Act, shall neglect or refuse to pay such Toll or to make such Payment when the same shall have become payable, it shall be lawful for the Mayor, Aldermen, and Commons, or any Person in that Behalf authorized by them, to levy and recover such Toll or Payment by Distress and immediate Sale of any Meat or Poultry or other Provisions for which such Toll is payable, or in respect of which such Payment is due, or of any other Articles brought into such Market, or into any House, Shop, Shed, or other Convenience which shall belong to the Person liable to such Toll or Payment, rendering the Overplus (if any) of the Money arising from the Sale thereof, on Demand, to the Owner of the Things sold, after deducting the reasonable Charge of the Distress and Sale; and in case any Dispute or Difference shall arise in consequence of any such Distress or Sale, such Dispute or Difference shall and may be settled and determined by any Alderman, who is hereby empowered and required, on Application being made to him for that Purpose, to summon the Parties before him, and to hear and determine upon Oath the Matter of any Complaint which may be made concerning or in consequence of such Distress or Sale, and to make such Order therein, and award such Costs to either Party, as to such Alderman shall seem meet, and by Warrant under his Hand and Seal to cause the Costs which shall be so awarded to be levied by Distress and Sale of any Meat or Poultry or other Provisions, Goods or Chattels, being the Property of the Party liable to pay the same, rendering the Overplus (if any) of the Money arising from the Sale thereof, on Demand, to the Owner of the Things sold, after deducting in every Case the reasonable Charges of such Distress and Sale: Provided always, that nothing herein contained shall extend to prevent the Mayor, Aldermen, and Commons from suing for and recovering in any Court of Record any Sum of Money which shall become payable to them for or in respect of any such Toll or Payment as aforesaid, if Default be made in Payment thereof.

XLIII. Where any Penalty shall be imposed under the Authority of this Act, the Application whereof is not otherwise provided for, the same shall be paid to the Mayor and Commonalty and Citizens, and be applied by them for the Purposes of this Act.

XLIV. The Production of a written or printed Copy of the Byelaws, and of the Table of Tolls and Payments, authenticated by the Signature of the Town Clerk, shall be Evidence of the making, Approval, and Existence of such Byelaws, and of the fixing and Existence of such Table of Tolls and Payments respectively, in all Prosecutions, Actions, and Proceedings under or concerning the same; and for Proof of the Publication of such Byelaws and Table of Tolls and Payments respectively it shall be sufficient to prove that Boards containing Copies thereof respectively were set up and continued in manner by this Act directed, and in case of any such Board having been destroyed, defaced, or removed, that it was renewed, replaced, or restored as soon as conveniently might be.

XLV. Provided always, That nothing in this Act contained shall extend or be construed to extend to prejudice or derogate from the Estates, Rights, Interests, Privileges, Franchises, or Authority of the Queen's Majesty, Her Heirs or Successors, or of the Mayor and Commonalty and Citizens of the City of London, or of the Lord Mayor of the said City for the Time being.

The SCHEDULES to which the foregoing Act refers.

SCHEDULE (A.)

	£	s.	d.
For any Quantity not exceeding Twenty-one Pounds of Meat, Poultry, and other Provisions, the Sum of - - - - - -	0	0	0¼

And so in proportion for any greater Quantity.

SCHEDULE (B.)

For any Quantity not exceeding One Hundredweight of Meat, Poultry, or other Provisions brought into the Market, and weighed at the Request of the Owner - - - - -	0	0	0½
And for every additional One Hundredweight	0	0	0½

SCHEDULE (C.)

For every Shop, Stall, Standing-place, Shamble-bench, or other Convenience for the Sale of Meat, Poultry, or other Provisions, for every Square Foot in Measure, and so in proportion for any less Quantity, for each Week, not exceeding the Sum of - - - - - - -	0	0	1

Cap. cxciv.

"Land Loan and Enfranchisement Company's Act, 1860 (Mistake Rectifying)."

In Section 53 of 23 & 24 Vict. c. clxix., the Word "Forty-fourth" to read "Forty-second," § 1.

Cap. cxcv.

"The North British and Border Counties Railways Amalgamation Act, 1860."

Recites that by "The North British Railway Consolidation Act, 1858," the Provisions of former Acts relating to the North British Railway Company were consolidated and amended, and that by "The North British and Selkirk Railway Amalgamation Act, 1859," the Selkirk and Galashiels Railway Company were amalgamated with the North British Railway Company; and that by "The Border Union (North British) Railways Act, 1859," the North British Railway Company were authorized to make a Railway from their Hawick Line at Hawick to the Port Carlisle Railway at Carlisle, with Branches therefrom to Langholm, the Canobie Coal Pits, and the Caledonian Railway near the Gretna Station thereof; that by "The Border Counties Railway (North Tyne Section) Act, 1854," (herein called the Act of 1854,) the Border Counties Railway Company were incorporated, and authorized to raise 250,000*l.* in Shares of 20*l.* each, and to borrow on Mortgage of their Undertaking to the Extent of One Third of their Capital, and to make a Railway from the Newcastle-upon-Tyne and Carlisle Railway in the Township and Parish of Hexham to the Belling in the Township of Plashet and Tynehead in the Parish of Falstone in the County of Northumberland; that by "Border Counties Railway (Liddesdale Section and Deviations) Act, 1859," (herein called the Act of 1859,) the Border Counties Railway Company were authorized to raise a further Capital of 100,000*l.* by the Creation and Issue of new Shares, and to borrow on Mortgage or Bond, including the Sums which by the Act of 1854 they were authorized to borrow, any Sums not exceeding in the whole 116,666*l.*, and to make a Railway, called "The Liddesdale Section," in extension of their authorized Line from the Belling to the Border Union Railway, or Extension of the North British Railway from Hawick to Carlisle, and to make certain Deviations in their authorized Line or North Tyne Section; and that by the same Act Powers were given to the North British Railway Company, amongst other Things, to subscribe for or take and hold Shares in the Capital of the Border Counties Railway Company, or otherwise contribute towards the Funds of that Company out of the surplus Funds of the North British Railway Company any Monies not exceeding in the whole 100,000*l.*, or to raise the Amount of their Contribution by the Creation of Shares, preferential or otherwise, in their own Undertaking, and to guarantee to the Border Counties Railway Company Interest or Dividend upon any Sum not exceeding the Amount they were authorized to contribute, and to enter into Agreements with the Border Counties Railway Company with respect to the Maintenance, Working, and Use of the Railways of that Company; that the Border Counties Railway Company have created Shares for raising the whole of the Capital authorized by the Act of 1854, and have also created Shares for raising 30,000*l.* of the Capital authorized by the Act of 1859, and that the total Amount of Capital represented by such Shares is 280,000*l.*; that the Border Counties Railway Company have raised and expended upon the Undertaking upwards of 175,000*l.*; that the North British Railway Company have agreed to subscribe 70,000*l.* towards the Undertaking of the Border Counties Railway Company, but that Shares representing that Amount, or any Part thereof, have not been created by the Border Counties Railway Company; that the Portion of the Railway authorized by "The Border Counties Railway (North Tyne Section) Act, 1854," from the Junction with the Newcastle-upon-Tyne and Carlisle Railway to near Bellingham is completed, and the other Works authorized by the recited Acts relating to the Border Counties Railway Company are in course of Construction; that the Railways already constructed or authorized to be constructed by the said Two Companies form a continuous Line of Railway Communication between Hexham and Edinburgh, and could be worked with greater Economy and Convenience to the Public if placed under the same Management, and that the said Companies are willing and desirous that their Undertakings should be amalgamated; that it is expedient that the North British Railway Company should be empowered to run over and use with their Engines and Carriages, and for the Purposes of their Traffic, that Part of the Newcastle-upon-Tyne and Carlisle Railway which lies between the Junction of the Border Counties Railway therewith and the Station at Hexham, including such Station and the Works connected with that Part of the said Railway and Station respectively, and that Provision should be made for facilitating the Interchange, Transmission, and Conveyance of Traffic from, to, or over the North British Railway and the Border Counties Railway, or either of them, to, from, or over the Newcastle-upon-Tyne and Carlisle Railway, East of the Junction between the Two Railways or certain Parts thereof respectively.

Companies amalgamated, and certain Provisions of Border Counties Acts repealed, § 1.
Border Counties Acts remaining unrepealed to apply to North British Railway Company, § 2.
Incorporation of Clauses Acts, § 3.
North British Company seised and possessed of Estate, &c. of Border Counties Company, § 4.
Conveyances, &c. to remain in force, § 5.
Mortgages to retain their Priority, § 6.
Continuance in North British Company of Liabilities of Border Counties Companies, § 7.
Actions, &c. not to abate, § 8.
Debts due to and by the Border Counties Company to be paid to and by the North British Company, § 9.
Border Counties Shares to be Shares in the North British Company and subject to the same Trusts, &c., as formerly, § 10.
Amounts paid on Shares to be considered as paid up, § 11.
Provisions of 8 & 9 Vict. cc. 16. and 17. for enforcing Payment of Calls, &c. applicable to Border Shares, § 12.
Rights of Holders of Shares with respect to Dividends, &c. § 13.
North British Company to give Certificates, free of Expense, to registered Proprietors of Border Shares, § 14.
Border Shares may be exchanged for North British Stock, § 15.
North British Railway Company may cancel forfeited Shares, § 16.
Evidence for cancelling, § 17.
Cancelling not to affect Liability of Shareholder to pay Arrears, &c., § 18.
Power to issue Shares in lieu of cancelled Shares, § 19.
Power for North British Company to raise Capital by Creation of Shares, § 20.
Power to attach Preference to Shares created under the Act, § 21.
Saving Rights of existing Preference Shareholders, § 22.
If Year's Revenue insufficient for Dividend, subsequent Revenue not chargeable, § 23.
Terms of Preference to be stated on Certificate, § 24.
Amount and issuing of Shares, § 25.

Shares to form Part of Company's General Capital, § 26.
Power for North British Company to borrow on Mortgage, § 27.
Application of Money raised under this Act, § 28.
Company not to deposit any Money authorized to be raised by this Act for any other Work, § 30.
Tolls, § 31.
Power to run over Part of Newcastle and Carlisle Railway, § 32.
Provisions as to forwarding Traffic and booking through, §§ 33 to 36.
Two additional Directors till Border Railways made, § 37.

Cap. cxcvi.

"The Faringdon Railway Act, 1860."

Proposes the making of a Railway, with all proper Works and Conveniences connected therewith, commencing by a Junction with the Great Western Railway at or near the Sixty-sixth and One Quarter Mile Post thereon measuring from London, in the Township of Balking otherwise Baulking and County of Berks, and terminating at or near the Town of Faringdon in the same County, recites that certain Persons are willing at their own Expense to carry such Undertaking into execution, and that it is expedient that they should be incorporated for this Purpose; that the said proposed Railway might be beneficially maintained and worked in connexion with the said Great Western Railway, and that it is expedient that Provision should be made authorizing the Great Western Railway Company to enter into Agreements with the Company for those Purposes, and that other Provisions should be made in reference thereto.
Incorporation of Clauses Acts, § 3.
Subscribers incorporated, with a Capital of 22,500*l.* in Shares of 10*l.*, with Power to borrow 7,500*l.* §§ 4, 5, 6, and § 8.
Calls, § 7.
Money raised to be applied only to Purposes of this Act, § 9.
Arrears may be enforced by Appointment of a Receiver, § 10.
Meetings; Directors, § 13 to 21.
Periods for balancing Books of Company, § 22.
Newspaper for Advertisements, § 23.
Power to make Railway according to deposited Plans, § 24.
Line of Railway, § 25.
Railway may be on Broad Gauge, § 26.
Regulating Junction with the Great Western Railway, § 27.
Lands and Works of Great Western Company not to be interfered with except for forming Junction, § 28.
Lands for extraordinary Purposes not to exceed One Acre, § 29.
Company and other Persons may agree for Purchase, &c. of Lands and other Rights, § 30.
Two Years for compulsory Purchases, § 31.
Three Years for Completion of Works, § 32.
Tolls, §§ 33 to 40.
Power to the Company and the Great Western Company to enter into Working Agreements, &c., § 41.
Agreement to be for a Term not exceeding Ten Years, and to be approved by Board of Trade, § 42.
Appointment of Joint Committee for carrying any such Agreement into effect, § 43.
Agreement may be renewed, with the Approval of the Board of Trade; Public Notice to be given of the Intention to enter into Agreement; Agreement inoperative until approved by the Board of Trade, § 44.
Agreements not to take effect unless approved by Three Fifths of the Shareholders, § 45.
Meetings to be convened by Circular and Advertisement, § 46.
During Continuance of any Agreements, Tolls to be the same as on Great Western Railway, § 47.
Bond for Completion of Railway, § 49.

Cap. cxcvii.

"London Railway Depôt and Storehouses Act, 1860."

Whereas the Mayor and Commonalty and Citizens of the City of London, herein-after called the Corporation, are proposing to establish at Smithfield a public Market for the Sale of Meat and other Articles: And whereas the Cost of such Market would be materially lessened, and its Utility greatly increased, if it were connected with the Metropolitan Railway, and the Site thereof were rendered also available for the Erection of Buildings and Works suitable for a Railway Depôt for the Collection, Delivery, and Storage of Goods which have been or are to be carried by Railway: And whereas a Bill has been introduced into Parliament to establish such Market, with Power to enter into Arrangements with Railway Companies and Persons desirous of obtaining Station or Warehouse Accommodation in the City of London: And whereas the Terminus of the Metropolitan Railway will be within a short Distance of the proposed Market House, but unconnected therewith by any Siding or Branch, and the existing Street Communications between Smithfield and the Site of that Terminus are narrow and inconvenient: And whereas the Formation of a new Street or Approach, with a Railway or Tramway under the Surface thereof or of the Lands adjoining thereto, which would connect the said Market House with the Metropolitan Railway, would be of public Advantage: And whereas the Corporation and the Metropolitan Railway Company are respectively interested in the Formation of the Communication by such new Street and Railway, and it is expedient that such Powers be given to the Corporation and to that Company as are herein-after contained; but the several Purposes aforesaid cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; (that is to say,)

I. "The Companies Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Act, 1845," and "The Railways Clauses Consolidation Act, 1845," are hereby incorporated with and form Part of this Act.

II. In citing this Act for any Purpose it shall be sufficient to use the Expression "London Railway Depôt and Storehouses Act, 1860."

III. Where in this Act the Words "the Company" occur, the same means the Company incorporated by this Act, and where the Word "Railway" occurs, the same includes the Railway or Tramway, the Sidings, Depôt, Warehouses, Works, and Conveniences by this Act authorized to be made or provided, unless there be something in the Subject or Context repugnant to such Construction.

IV. The several Words and Expressions to which by the Acts incorporated herewith Meanings are assigned have in this Act the same respective Meanings, unless there be in the Subject or Context something repugnant to or inconsistent with such Construction.

V. William Arthur Wilkinson, Charles Gilpin, John Parson, Thomas Williams, Warren Stormes Hale, and all other Persons and Corporations who shall subscribe to the Undertaking, and their Executors, Administrators, Successors, and Assigns re-

spectively, shall be united into a Company for the Purpose of making and maintaining the Works by this Act authorized, and such Company shall be incorporated by the Name of "The London Railway Depôt and Storehouses Company," and by that Name shall be a Body Corporate with perpetual Succession, and shall have a Common Seal, and Powers to sue and be sued, and shall have Power to purchase and hold Lands for the Purposes of the Undertaking, within the Restrictions contained in this Act and the Acts incorporated herewith.

VI. The Capital of the Company shall be Fifty thousand Pounds.

VII. The Number of Shares into which the Capital shall be divided shall be Five thousand, and the Amount of each Share shall be Ten Pounds.

VIII. Two Pounds per Share shall be the greatest Amount of any One Call which the Company may make upon the Shareholders, and Two Months at the least shall be the Interval between successive Calls, and Three Fourth Parts of the Amount of a Share shall be the utmost aggregate Amount of Calls to be made in any One Year upon any Share.

IX. The Company may borrow on Mortgage or Bond any Sums not exceeding in the whole the Sum of Sixteen thousand Pounds, but no Part of such Sum shall be borrowed until One Half of the Amount of the said Capital or Sum of Fifty thousand Pounds shall have been actually paid up, and until the Company shall prove to the Justice who is to certify, under the Provisions contained in the Fortieth Section of "The Companies Clauses Consolidation Act, 1845," before he so certifies, that all such Capital has been subscribed for, and is held by Subscribers or their Assigns, and for which such Subscribers or their Assigns are legally liable.

X. The Monies by this Act authorized to be raised, whether by Shares, Mortgage, or Bond, shall be applied only in carrying into execution the Objects and Purposes of this Act.

XI. The First Ordinary Meeting of the Company shall be held within Six Months next after the passing of this Act, and the subsequent Ordinary Meetings of the Company shall be held in the Months of March and September in every Year.

XII. Subject to the Provisions herein contained for reducing the Number of Directors, the Number of Directors shall be Five; and the Qualification of a Director shall be the Possession in his own Right of Twenty-five Shares in the Undertaking.

XIII. It shall be lawful for the Company from Time to Time to reduce the Number of Directors, provided that the Number be not less than Three.

XIV. A Quorum of a Meeting of Directors shall be Two so long as there are Three Directors only, and Three when the Number of Directors exceeds Three.

XV. The Directors appointed by this Act shall continue in Office until the First Ordinary Meeting to be held after the passing of this Act, and at such Meeting the Shareholders present, personally or by Proxy, may either continue in Office the Directors appointed by this Act or any Number of them, or may elect a new Body of Directors, or Directors to supply the Places of those not continued in Office, the Directors appointed by this Act being eligible as Members of such new Body; and at the First Ordinary Meeting to be held in every Year thereafter the Shareholders present, personally or by Proxy, shall elect Persons to supply the Places of the Directors then retiring from Office, agreeably to the Provisions in "The Companies Clauses Consolidation Act, 1845," and in this Act contained; and the several Persons elected at such Meeting, being neither removed nor disqualified nor having resigned, shall continue to be Directors until others are elected in their Stead, in manner provided by "The Companies Clauses Consolidation Act, 1845," and by this Act, or either of them.

XVI. William Arthur Wilkinson, Charles Gilpin, John Parson, Thomas Williams, and Warren Stormes Hale shall be the First Directors of the Company.

XVII. The Newspaper in which Advertisements relating to the Affairs of the Company are to be inserted shall be some Newspaper published in London.

XVIII. And whereas a Plan and Section of the new Street or Approach, and the Railway or Tramway, showing the Line and Levels thereof, and describing the Lands which the Company may purchase for the several Purposes of this Act, with a Book of Reference to the Plan, containing the Names of the Owners or reputed Owners, Lessees or reputed Lessees, and of the Occupiers of those Lands, have been deposited with the respective Clerks of the Peace for the County of Middlesex and for the City of London: Therefore it shall be lawful for the Company, subject to the Provisions in this and the incorporated Acts contained, to make and maintain the new Street or Approach, and the Railway or Tramway, with all proper Stations, Warehouses, Storehouses, Works, and Conveniences connected therewith, in the Line or Course shown on the said Plan, or in any Line or Lines, Course or Courses, within the Limits of lateral Deviation thereon defined, and upon the Lands delineated on the said Plan and described in the said Book of Reference, and according to the Levels described on the said Section, and the Company may enter upon, take, and use the Lands delineated on the said Plan and described in the said Book of Reference, or such of them as they require, for all or any of the Purposes of this Act.

XIX. It shall be lawful for the Company to make and maintain the Works following; (that is to say,)

A new Street or Approach from Victoria Street at or near West Street in the Parish of Saint Sepulchre, Middlesex, to the intended Market House in the Parish of Saint Sepulchre, London:

A Railway or Tramway under the Surface of such Street, or of any Lands purchased by the Company under the Authority of this Act.

XX. In connexion with the Railway, the Company may make, erect, and provide, or may become interested in such Railway, Depôt, Storehouses, Buildings, Works, and Conveniences as they think needful, and with respect to any Lands belonging to the Corporation as by Agreement with the Corporation may be arranged, in the event of the Bill promoted by the Corporation passing into a Law in the present Session.

XXI. The Powers of the Company for the compulsory Purchase of Lands shall not be exercised after the Expiration of Two Years from the passing of this Act.

XXII. If the new Street and Railway shall not be completed within Five Years from the passing of this Act, then, on the Expiration of such Period, the Powers by this Act granted to the Company for executing the Railway and new Street, or otherwise in relation thereto, shall cease to be exercised, except as to so much of the new Street and Railway as shall then be completed.

XXIII. Whereas, pursuant to the Standing Orders of both Houses of Parliament, and to an Act of the Ninth and Tenth Years of Her present Majesty, Chapter Twenty, a Sum of One thousand six hundred Pounds, being Eight per Centum upon the Amount of the estimated Expense of the Railway authorized by this Act, has been deposited with the Court of Chancery in England, pursuant to the same Act: Be it enacted, That, notwithstanding anything contained in the said last-recited Act, the said Sum of One thousand six hundred Pounds so deposited as aforesaid in respect of the Application for this Act, or the Interest or Dividends of such Sum of Money, shall not, except upon the Execution and Deposit of

such Bond as herein-after mentioned, be paid or transferred to or on the Application of the Person or Persons or the Majority of the Persons named in the Warrant or Order issued in pursuance of the said Act, or the Survivors or Survivor of them, unless the Company shall, previously to the Expiration of the Period limited by this Act for Completion of the Railway hereby authorized to be made, either open the said Railway for the public Conveyance of Passengers, or prove to the Satisfaction of the Lords of the Committee of Her Majesty's Privy Council for Trade and Foreign Plantations that the Company have paid up One Half of the Amount of the Capital by this Act authorized to be raised by means of Shares, and have expended for the Purposes of this Act a Sum equal in Amount to such One Half of the said Capital; and if the said Period shall expire before the Company shall either have opened the said Railway for the public Conveyance of Passengers, or have given such Proof as aforesaid to the Satisfaction of the Lords of the said Committee, the said Sum of Money so deposited as aforesaid, and the Interest and Dividends thereof, shall immediately from and after the Expiration of the said Period be forfeited to Her Majesty, and be paid and transferred by the Officer or Person in whose Name they shall be then deposited or invested to the Account of Her Majesty's Exchequer, and when so paid and transferred shall be carried to and form Part of the Consolidated Fund of the United Kingdom of Great Britain and Ireland: Provided that at any Time after the passing of this Act, if a Bond in twice the Amount of the said Sum of One thousand six hundred Pounds shall have been executed by the Company, with One or more Sureties, such Bond to be prepared to the Satisfaction of and such Surety or Sureties to be approved by the Solicitor to the Lords Commissioners of Her Majesty's Treasury, conditioned for Payment to Her Majesty, Her Heirs and Successors, of the said Sum of One thousand six hundred Pounds if the Company shall not, within the Time limited for the Completion of the said Railway, either open the said Railway for the public Conveyance of Passengers, or prove to the Satisfaction of the Lords of the said Committee that the Company have paid up One Half of the Amount of the said Capital by this Act authorized to be raised by means of Shares, and have expended for the Purposes of this Act a Sum equal in Amount to such One Half of the said Capital; and if such Bond shall have been deposited with the said Solicitor to the said Lords Commissioners, then such Sum of Money and the Interest or Dividends thereof shall be paid to or on the Application of the Person or Persons or the Majority of the Persons named in such Warrant or Order as aforesaid, or the Survivors or Survivor of them, and it shall not be necessary to produce any Certificate of this Act having passed, anything in the said recited Act to the contrary notwithstanding; and the Monies to be recovered upon such Bond shall be dealt with in like Manner as the said Sum of Money, and the Interest or Dividends thereof, would have been dealt with under this Act if such Bond had not been executed and deposited as aforesaid; and the Certificate of the said Solicitor to the said Lords Commissioners that such Bond has been executed and deposited as aforesaid, and the Certificate of the Lords of the said Committee that such Proof has been given to their Satisfaction as aforesaid, shall respectively be sufficient Evidence of the Facts so certified.

XXIV. In every Case in which any Question of disputed Compensation shall be required to be determined by the Verdict of a Jury in the City of London or the Liberties thereof, the Jury shall be required to appear before the Court of the Mayor and Aldermen of the City of London to be holden in the Outer Chamber of the Guildhall of the said City, according to the Custom of the said City, at a Time to be appointed by the said Court; and all the Directions and Provisions contained in "The Lands Clauses Consolidation Act, 1845," in respect to the Settlement of Questions of disputed Compensation by Juries appearing before the Sheriff, Coroner, or other Person, shall extend and be applied with respect to the Settlement of any such Question of disputed Compensation under this Act by Juries appearing before the said Court of Mayor and Aldermen as aforesaid; and the said Court shall give Judgment for the Purchase Money or Compensation assessed by such Jury, and a Verdict and Judgment shall be signed by the Registrar of the said Court of Mayor and Aldermen, and entered among the Records of the said Court, and the said Registrar shall settle the Costs of every such Inquiry.

XXV. The Company shall not break up or disturb any Street or Place under the Control or Direction of the Commissioners of Sewers of the City of London or the Liberties thereof, or of any Vestry, or of any District Board of Works, or the Pavement thereof, unless at least Seven Days previous Notice in Writing of their Intention so to do, specifying the Street, Place, or Pavement intended to be broken up or disturbed, be given to the Engineer or Surveyor of such Commissioners, Vestry, or District Board, or left for him at his Office, and when the Company shall break up or disturb any such Street, Place, or Pavement, they shall, so soon as the Works affecting it are completed, and at the furthest within Six Months from the Day on which those Works were began, restore the Street, Place, or Pavement to as good a Condition as it was in when it was broken up or disturbed, and (if so required by the said Commissioners, Vestry, or District Board,) under the Superintendence and to the Satisfaction of their Engineer or Surveyor, and the Company shall keep the same in repair for Twelve Months thereafter; and if the Company fail to restore the Street, Place, or Pavement within the prescribed Six Months, they shall forfeit to the said Commissioners, Vestry, or District Board a Sum not exceeding Five Pounds for every such Offence, and an additional Five Pounds for every Day after the Expiration of that Period, and after Notice to them of the Delay, during which the Delay continues; and the said Commissioners, Vestry, or District Board may restore the Street, Place, or Pavement, and recover the Expense of such Restoration from the Company.

XXVI. The Company shall, to the reasonable Satisfaction of the Engineer or Surveyor to the Commissioners, Vestry, or District Board under whose Control the same may be, restore all Sewers, Drains, and Gullies in the Streets and public Places which shall be broken up, destroyed, or damaged in the Execution of the Works by this Act authorized, or provide instead thereof other proper and sufficient Sewers, Drains, and Gullies.

XXVII. All Sewers, Drains, Watercourses, and Works of Drainage made by the Company shall be subject in all respects to the Jurisdiction of the Commissioners, Vestry, or District Board within whose Limits the same may be, and, except only as is by this Act expressly provided, this Act or anything therein contained shall not take away, lessen, prejudice, or affect any of the Rights, Powers, Jurisdictions, or Authorities of any Commissioners, Vestry, or District Board.

XXVIII. If and while the Company are possessed under this Act of any Lands assessed or liable to be assessed to any Sewers Rate, Consolidated Rate, Poor Rate, Police Rate, Main Drainage Rate, Church Rate, or other Parochial or Ward Rate, they shall from Time to Time, until the Railway or the Works thereof are completed and assessed or liable to be assessed, be liable to make good the Deficiency in the Assessment for such Rates by reason of those Lands being taken or used for the Purposes of the Railway or Works; and the Deficiency shall

be computed according to the Rental at which those Lands, with any Buildings thereon, are now rated.

XXIX. Where any of the Works to be done under or by virtue of this Act shall or may pass over, under, or by the Side of or so as prejudicially to interfere with any Sewer, Drain, Watercourse, Defence, or Work under the Jurisdiction or Control of the Commissioners of Sewers of the City of London and the Liberties thereof, or with any Sewers or Works to be made or executed by the said Commissioners, or shall or may in any way prejudicially affect the Sewerage or Drainage of the Districts under their Control, the Company shall not commence such Work until they shall have given to the said Commissioners Fourteen Days previous Notice in Writing of their Intention to commence the same, by leaving such Notice at the principal Office of such Commissioners for the Time being, with a Plan and Section showing the Course and Inclination thereof, and other necessary Particulars relating thereto, and until such Commissioners shall have signified their Approval of the same, unless such Commissioners do not signify their Approval, Disapproval, or other Directions within Fourteen Days after Service of the said Plan, Section, and Particulars as aforesaid; and the Company shall comply with and conform to all reasonable Directions and Regulations of the Commissioners in the Execution of the said Works, and shall provide, by new, altered, or substituted Works, in such Manner as such Commissioners may deem necessary, for the proper Protection of and for preventing Injury or Impediment to the Sewers and Works herein-before referred to, by or by reason of the said intended Works or any Part thereof, and shall save harmless the said Commissioners against all and every the Expense to be occasioned thereby, and all such Works shall be done by or under the Direction, Superintendence, and Control of the Engineer or other Officer or Officers of the said Commissioners, and at the Costs, Charges, and Expenses in all respects of the Company; and when any new, altered, or substituted Works as aforesaid, or any Works or Defence connected therewith, shall be completed by or at the Costs, Charges, or Expenses of the Company, under the Provisions of this Act, the same shall thereafter be as fully and completely under the Direction, Jurisdiction, and Control of the said Commissioners as any Sewers or Works now are or hereafter may be; and nothing in this Act shall extend to prejudice, diminish, alter, or take away any of the Rights, Powers, or Authorities vested or to be vested in the said Commissioners or their Successors, but all such Rights, Powers, and Authorities shall be as valid and effectual as if this Act had not been passed.

XXX. Where any of the intended Works to be done under or by virtue of this Act shall or may pass over, under, or by the Side of or so as prejudicially to interfere with any Sewer, Drain, Watercourse, Defence, or Work under the Jurisdiction or Control of the Metropolitan Board of Works, or of any Vestry or District Board constituted under "The Metropolis Local Management Act, 1855," or with any Sewers or Works to be made or executed by the said Boards or Vestry, or either of them, or shall or may in any way prejudicially affect the Sewerage or Drainage of the Districts under their or either of their Control, the Company shall not commence such Work until they shall have given to the said Metropolitan Board or to the District Board or Vestry, as the Case may be, Fourteen Days previous Notice in Writing of their Intention to commence the same, by leaving such Notice at the principal Office of such Board or Vestry, as the Case may be, for the Time being, with a Plan and Section showing the Course and Inclination thereof, and other necessary Particulars relating thereto, and until such Board or Vestry respectively shall have signified their Approval of the same, unless such Board or Vestry, as the Case may be, do not signify their Approval, Disapproval, or other Directions within Fourteen Days after Service of the said Plan, Sections, and Particulars as aforesaid; and the Company shall comply with and conform to all Directions and Regulations of the respective Board or Vestry in the Execution of the said Works, and shall provide, by new, altered, or substituted Works, in such Manner as such Board or Vestry may deem necessary, for the proper Protection of and for preventing Injury or Impediment to the Sewers and Works herein-before referred to by or by reason of the said intended Works or any Part thereof, and shall save harmless the said Metropolitan Board, District Board, and Vestry respectively against all and every the Expense to be occasioned thereby; and all such Works shall be done by or under the Direction, Superintendence, and Control of the Engineer or other Officer or Officers of the said Metropolitan Board, District Board, or Vestry, as the Case may be, and at the Costs, Charges, and Expenses in all respects of the Company; and when any new, altered, or substituted Works as aforesaid, or any Works or Defence connected therewith, shall be completed, by or at the Costs, Charges, or Expenses of the Company, under the Provisions of this Act, the same shall thereafter be as fully and completely under the Direction, Jurisdiction, and Control of the said Boards and Vestry respectively as any Sewers or Works now are or hereafter may be; and nothing in this Act shall extend to prejudice, diminish, alter, or take away any of the Rights, Powers, or Authorities vested or to be vested in the said Boards and Vestries, or any of them, or their Successors, but all such Rights, Powers, and Authorities shall be as valid and effectual as if this Act had not been passed.

XXXI. All Expenses, Penalties, and Rates to be levied and recovered by virtue of this Act by the Commissioners of Sewers of the City of London shall be levied and recovered in the Manner prescribed by "The City of London Sewers Act, 1848."

XXXII. The Company may demand and take any Tolls and Charges in respect of the Railway, and the Conveyance of Traffic thereon, not exceeding in respect of Passengers One Fifth Part of the Tolls and Charges which by the Metropolitan Railway Act, 1854, the Metropolitan Railway Company are authorized to take for a less Distance than Two Miles, and not exceeding in respect of Horses, Cattle, Carriages, small Parcels, and Goods, One Eighth Part of the Tolls and Charges which the Metropolitan Railway Company are authorized to demand and take upon the Metropolitan Railway; and the maximum Tolls and Charges to be taken upon the Railway shall be the same Proportions of the maximum Rate for the same Description of Traffic from Time to Time actually charged on the Metropolitan Railway; and the Provisions and Regulations of the Metropolitan Railway Act, 1854, with respect to Tolls and Charges (except the Amount thereof), and with respect to Passengers Luggage, shall extend and apply to the Railway, so that the Railway may be worked and used subject to the same Regulations and Provisions as the Metropolitan Railway.

XXXIII. The Company, the Corporation, and the Metropolitan Railway Company respectively may enter into such Contracts as are herein-after mentioned with reference to the Construction of the Works authorized by this Act, the Contribution of any Sums of Money towards those Works, and the Use and Management of those Works; and any such Contract may contain such Conditions and Stipulations as the contracting Parties mutually agree, and may be carried into effect accordingly.

XXXIV. The Contracts which the Company and the Corporation may enter into under the Provisions of this Act may relate to all or any of the following Matters:

The formation of the new Street or Approach, and such Proportion of the Expense thereof and of the Purchase of the Lands required for the same which shall be borne by the Corporation, and as shall be sanctioned by One of Her Majesty's Principal Secretaries of State:

The Maintenance of the Street or Approach as Part of the Approaches to the new Market House at Smithfield:

The Occupation of the under Surface of the Market, or the Approaches thereto, for the Purposes of the Railway:

The Payment or Contribution of any Sums of Money by either Party to the other of them for the Purposes aforesaid.

XXXV. No Contract between the Company and the Corporation shall be valid unless the Bill promoted by the Corporation passes into Law in the present Session of Parliament.

XXXVI. The Contracts which the Company and the Metropolitan Railway Company may enter into under the Powers of this Act may relate to all or any of the following Matters; (that is to say,)

The Use and Occupation by the Metropolitan Railway Company of the Railway or any Part thereof:

The Tolls or Sums of Money to be paid to the Company in respect of such Use or Occupation:

The Apportionment between the Companies of any Tolls or Charges received in respect of the Railway subject to any Deductions or fixed Payments to be made by either Company to the other of them:

The Maintenance of the Railway by the Metropolitan Railway Company.

XXXVII. And whereas by the Thirty-fifth Section of "The Metropolitan Railway Act, 1854," the Metropolitan Railway Company are required by means of their Engines or other tractive Powers to carry over their Railway all the Passenger and Goods Traffic which the Great Western Railway Company may require to send over the same in the Carriages, Waggons, and Trucks of the Great Western Railway Company, at the Times and in manner and subject to such Arrangements as may have been or may be agreed between the Companies, or as, in case of Difference, shall be determined as therein mentioned, and other Provisions are contained in such Act with reference to that Traffic: And whereas a Bill is now pending in Parliament for authorizing the Establishment at Smithfield of a Metropolitan Market for Meat, Poultry, and other Provisions, and the said Bill if passed into a Law authorizes the Mayor, Aldermen, and Commons of the City of London to appropriate the underground Surface therein referred to for the Purposes of a Railway Station or Terminus, and gives Power to enter into certain Contracts and Agreements with any Railway Company or Persons with reference thereto, and for the Purposes therein mentioned: And whereas the Great Western Railway Company may be desirous of contracting and agreeing with the said Mayor, Aldermen, and Commons in manner mentioned in the said Bill, if passed into a Law, and it is expedient to provide in such Case for the Carriage and Accommodation of their Traffic over the Railway by this Act authorized to be made: Therefore, in the event of the said Bill passing into a Law, and of the said Mayor, Aldermen, and Commons entering into any Contract or Agreement with the Great Western Railway Company, under the Provisions thereof, the Company and the Metropolitan Railway Company, if they work the Railway of the Company, shall be subject to all such and the same Provisions and Obligations in respect of the Carriage and forwarding of the Traffic of the Great Western Railway Company on and over the Railway by this Act authorized as the Metropolitan Railway Company are subject to in respect of their Railway, and as if the Railway by this Act authorized had been included in and authorized by "The Metropolitan Railway Act, 1854," and the Railway shall be constructed on the same Gauge or Gauges as the Metropolitan Railway.

XXXVIII. It shall not be lawful for the Company, out of any Money by this Act authorized to be raised by Calls in respect of Shares, or by the Exercise of any Power of borrowing, to pay Interest or Dividend to any Shareholder on the Amount of the Calls made in respect of the Shares held by him in the Capital by this Act authorized to be raised: Provided always, that nothing herein-before contained shall be deemed to prevent the Company from paying to any Shareholder such Interest on Money advanced by him beyond the Amount of the Calls actually made as shall be in conformity with the Provisions in "The Companies Clauses Consolidation Act, 1845," in that Behalf contained.

XXXIX. It shall not be lawful for the Company, out of any Money by this Act authorized to be raised for the Purposes of such Act, to pay or deposit any Sum of Money which, by any Standing Order of either House of Parliament now in force or hereafter to be in force, may be required to be deposited in respect of any Application to Parliament for the Purpose of obtaining an Act authorizing the Company to construct any other Railway or to execute any other Work or Undertaking.

XL. Nothing herein contained shall be deemed or construed to exempt the Railway from the Provisions of any General Act relating to Railways, or to the better and more impartial Audit of the Accounts of Railway Companies, now in force or which may hereafter pass during this or any future Session of Parliament, or from any future Revision and Alteration, under the Authority of Parliament, of the maximum Rates of Fares and Charges authorized by this Act, or of the Rates for small Parcels.

XLI. Nothing contained in this Act or in any of the Acts herein referred to shall authorize the Company to take, use, or in any Manner interfere with any Part of the Lands numbered 66 and 66a in the Parish of Saint Sepulchre as shown on the deposited Plans and Book of Reference, without the Consent in Writing of the Commissioners for the Time being of Her Majesty's Woods, Forests, and Land Revenues, or One of them, first had and obtained for that Purpose, (which Consent such Commissioners are hereby respectively authorized to give,) and nothing in this Act or the said Acts shall extend to take away, prejudice, diminish, or alter any of the Estates, Rights, Privileges, Powers, or Authorities vested in or enjoyed or exerciseable by the Queen's Majesty, Her Heirs or Successors.

XLII. All the Costs, Charges, and Expenses of applying for, obtaining, and passing this Act, or preparatory or incident thereto, shall be paid by the Company.

Cap. cxcviii.

"The Hamilton and Strathaven Railway Amendment Act, 1860."

Recites that by "The Hamilton and Strathaven Railway Act, 1857," the Hamilton and Strathaven Railway Company were incorporated for the Purpose of constructing their Railway, and were authorized to raise 70,000*l.* by Shares of 10*l.* each, and 23,300*l.* by borrowing upon Mortgage or Bond; that the Company have raised 45,001*l.* by Calls on their Share Capital, and that there is also due on Calls a further Sum of 5,189*l.*, and that the Company have expended on the Construction of their Railway a Sum exceeding 44,000*l.*, but that they are unable to raise the Remainder of their Share Capital unless by assigning to the Persons who may

subscribe for the same a Priority in the Payment of Dividend; that there are no Preference Shares in the Capital of the Company; that the Time limited by the recited Act for the Completion of the Railway thereby authorized will expire on the 10th August 1860, and that it is expedient that the Time so limited should be extended.

Power to attach Preference to certain Shares or Stock, § 3.
How Shares to be issued, § 4.
Power to Directors of Company to agree with Holders of Shares or Stock for a Surrender thereof, instead of forfeiting the same, § 5.
Forfeited Shares or Stock which cannot be sold to merge in the Company, § 6.
Company may issue new Shares or Stock in lieu of Shares or Stock cancelled or merged in the Company, § 7.
How preferential Dividends on new Shares or Stock in Company to be paid, § 8.
Time for Completion of Line extended for Three Years, § 9.

Cap. cxcix.

"The Forest of Dean Central Railway Act, 1860."

Recites that by 19 & 20 Vict. c. c. the Forest of Dean Central Railway Company were incorporated, and were authorized to construct the Forest of Dean Central Railway, with Branches; that the Company have acquired the Land necessary for the Construction of the Railway, Branches, and Works, and have proceeded with the Construction thereof, but that the same have not yet been completely constructed; that the Company have expended for the Purposes of the said recited Act a Sum equal to One Half of the Capital by the said recited Act authorized to be raised by Shares; that the Time limited by the said Act for the Completion of the Railway, &c. by that Act authorized expired on the 14th July 1860, and that it is expedient that such Time should be extended; that by an Indenture bearing Date the 19th January 1860, and made between the Queen's most Excellent Majesty of the First Part, the Hon. Charles Alexander Gore, the Commissioner of Her Majesty's Woods, Forests, and Land Revenues to whom had been assigned the Management and Direction of certain Parts of the Land Revenue of the Crown, including the Land therein-after demised, and Powers thereto appertaining, on behalf of Her Majesty, of the Second Part, and the said Company of the Third Part, certain Lands therein described, situate in the Parish of Awre in the County of Gloucester, containing 21 Acres and 2 Roods, were demised to the said Company, for the Purposes of the said recited Act, for the Term of 995 Years and 100 Days, at the yearly Rent therein mentioned, and that in the said Indenture is contained a Covenant that the said Company would before the 14th July 1860 make and complete, to the Satisfaction of the Commissioners of Woods, Forests, and Land Revenues, the Railway Works authorized by the said recited Act, and would before the same Day permanently open such Railway for public Traffic throughout the entire Length thereof, and that in the same Indenture is contained a Power of Re-entry on Nonpayment of Rent and Nonperformance of Covenants; that it is expedient that the said Company and the South Wales Railway Company should be enabled to enter into Arrangements for the Maintenance and Working of the said Railway when completed; and that it is expedient that the said Company should be authorized to purchase further Land for Sidings.

Incorporation of Clauses Acts, § 2.
Time for Completion of Forest of Dean Central Railway extended to 14th July 1862, § 4.
Power to enter into Traffic Arrangement with South Wales Company, § 5.
Duration of Agreement; to be approved by Board of Trade; not to affect Persons not Parties thereto, § 6.
Joint Committee for carrying Agreement into effect, § 7.
Agreement may be renewed, with Approval of Board of Trade; Notice to be given of intended Agreements, § 8.
Working Arrangements, &c. not to take effect unless approved by Three Fifths of the Shareholders, § 9.
Meeting to be convened by Circular and Advertisement, § 10.
During Agreement Railways to be treated as One in estimating Tolls and Charges, § 11.
Power to make additional Works, and to take Lands for the Purpose, § 12.
Commissioners of Woods, &c. empowered to demise certain Land to the Company, § 13.
Saving Rights of the Crown, § 14.
Level Crossing and Board of Trade Clauses, §§ 15 to 18.
Two Years for compulsory Purchase of Land, § 19.
Two Years for Completion of Sidings, § 20.
South Wales Railway not to be interfered with, § 21.
Saving Rights of South Wales Railway Company, § 22.
Bond for Completion of Works, § 23.
Company may raise 1,000*l.* additional Capital, § 24.
Tolls in respect of Sidings and Works, § 25.
Power to Commissioners of Woods and Forests to extend Period for Repayment of Advances made by them to the Company, § 26.
Future Quorum of Directors, § 27.

Cap. cc.

"The Athenry and Ennis Junction Railway Act, 1860."

Proposal for the making of a Railway from the Midland Great Western Railway of Ireland at Athenry to the Limerick and Ennis Railway at Ennis; recites that certain Persons are willing to carry such Undertaking into execution, and that it is expedient to provide as herein-after mentioned for the User by Agreement of Portions of the Midland Great Western Railway of Ireland, the Limerick and Ennis Railway, and the Athenry and Tuam Railway, and to make other Provisions for the Conduct of the Traffic on the Railway by this Act authorized.

Incorporation of Clauses Acts, § 1.
Subscribers incorporated, with a Capital of 200,000*l.* in Shares of 10*l.*, §§ 4 to 6.
Calls, § 7.
Power to the Midland Company to subscribe to the Extent of 100,000*l.*, and the Tuam Company to the Extent of 10,000*l.* § 8.
Power to those Companies to apply surplus Funds or raise further Capital, § 9.
As to raising further Capital by those Companies, § 10.
Saving Rights of existing Preference Shareholders, § 11.
As to Dividends on preferential Shares, § 12.
As to Mode of voting by those Companies, § 13.
Power to borrow 66,000*l.*, § 14.
Arrears may be enforced by Appointment of a Receiver, § 15.
Directors; Meetings; Auditors, §§ 18 to 23, and § 25.
Periods for Balance of Books, § 24.
Newspapers for Advertisements, § 26.
Power to make Railway, § 27.
Railway to be made according to deposited Plans, § 28.
Deposit of Plans with Clerks of Unions, § 29.
Property of Midland and Limerick Companies not to be interfered with, § 30.

As to Bridge over the River Fergus, § 31.
Admiralty Clauses, § 32 to 36.
Lands for extraordinary Purposes not to exceed Five Acres, § 37.
Three Years for compulsory Purchases, § 38.
Five Years for Completion of Railway, § 39.
Mode of effecting Communication with Midland and Limerick Railways, § 40.
Expenses of Communications to be borne by Company, § 41.
Signals, &c. to be erected and maintained, and Persons provided by the Midland and Limerick Companies to prevent Danger at Point of Junction, § 42.
Saving Rights of Midland and Limerick Companies, § 43.
Bond for Completion of Railway, § 44.
Tolls, §§ 45 to 52.
Power for Company to use Portions of other Railways, § 53.
Power to enter into Agreements with Railway Companies, § 54.
Appointment of Joint Committee for carrying the Agreement into effect, § 55.
Agreement not to affect Persons not Parties thereto, § 56.
Agreement not to take effect unless approved by Shareholders of Companies and by the Board of Trade; and subject to Revision by that Board, § 57.
Meetings to be convened by Circular and Advertisement, § 58.

Cap. cci.

"The Caithness Roads Act, 1860."

Recites 11 Geo. 4. & 1 Will. 4. c. cii. and 1 & 2 Vict. c. lxxix., and that the Trustees appointed thereunder have put the same into execution; but that the Roads and Bridges cannot be completed and kept in repair unless further Provision be made for these Purposes; recites 8 & 9 Vict. c. 41. (Public); that the Amount of the Conversion Money leviable in the said County under the last-recited Act is insufficient for the Purposes of the first and second recited Acts, and the Mode in which the Statute Labour or Service is commuted, levied, and applied in the said County, under the Provisions of the first-recited Act, is unequal and inconvenient; that a separate Assessment for the Purpose of making and keeping in repair Bridges within the said County is now levied under the first-recited Act on the Heritors of the said County, including the Heritors of the Burgh Lands therein, in extension of an Assessment of Ten Shillings Scots on each One hundred Pounds Scots of valued Rent authorized by an Act of the Parliament of Scotland passed in 1669, intituled "An Act for repairing Highways and Bridges;" that certain Roads and Bridges in the said County have been made and are maintained by the Commissioners for Highland Roads and Bridges, and certain Tolls are collected, and certain Sums are annually assessed and levied in the said County, towards the Expense of maintaining and keeping in repair such Roads and Bridges, under the Authority of the Public Acts 59 Geo. 3. c. 135., 4 Geo. 4. c. 56., 5 Geo. 4. c. 38. 3 & 4 Will. 4. c. 33., and 14 & 15 Vict. c. 66., or of some of the said Acts; that it is expedient that the Mode in which the Statute Labour or Service in the said County is commuted, levied, and applied should be altered, that the separate Assessment for Bridges in the said County should be discontinued, that further Provisions should be made for the Payment of the Sums annually payable as aforesaid to the said Commissioners for Highland Roads and Bridges, that further Provision should be made and additional Funds provided for extinguishing the existing Debts, and for completing, maintaining, managing, and keeping in repair the Roads and Bridges in the said County, that new or additional Assessments should be levied for the Purposes of this Act, that during the Continuance of this Act, and until the Tolls leviable under this Act can be abolished, a lower Rate of Assessment should be levied for the Purposes of this Act within the Burghs of Wick and Thurso than within the rest of the said County, and that the first and second recited Acts should be amended or repealed.

Recited Acts 11 Geo. 4. & 1 Will. 4. c. cii. and 1 & 2 Vict. c. lxxix. repealed, subject to Provisions contained herein, § 1.
Recited Act of 1669, and subsequently recited Public Acts, so far as relates to the Power and Mode of Assessment, not to apply to the County of Caithness, § 2.
Incorporation of General Turnpike Act, and Commissioners Clauses Act, §§ 5, 6.
Sections 8, 10, 11, 13, 14, and 15 of 8 & 9 Vict. c. 41. not to apply, § 7.
Property vested in Trustees under repealed Acts to be vested in Trustees under this Act, § 8.
Persons who have acted under repealed Acts to account for Monies and deliver up Books, § 9.
Persons owing Debts under repealed Acts to be liable to Trustees, § 10.
Contracts may be enforced by and against the Trustees, § 11.
Books under former Acts to be Evidence, § 12.
Former Officers to continue, § 13.
Actions not to abate, and Liabilities under former Acts continued, § 14.
Appointment of Trustees, § 15.
Election of Trustees in Parishes, § 16.
Commencement of Act; Meetings, §§ 17, 18.
Trustees to appoint a permanent Auditor, § 19.
Abolition of Tolls and Disposal of Toll Houses, § 20.
Present Tolls continued for a Term, § 21.
Tolls to be taken, and how often, §§ 22, 23.
Abolition of Assessment or Conversion Money for Statute Labour, Roads and Bridge Money, § 24.
Assessments on Lands and Heritages, § 25.
Power to Magistrates and Town Council of Wick and Police Commissioners of Thurso to levy Assessments, § 26.
As to Exemptions from Assessments, § 27.
Trustees to make up Lists of Persons liable, § 28.
Magistrates and Town Council of Wick and Police Commissioners of Thurso to make up Lists of Persons liable in Assessments within Wick and Thurso, § 29.
Proprietors to have a proportionate Relief from Tenants, § 30.
Assessment on Lands and Heritages, when payable, § 31.
How Assessments in Wick and Thurso to be levied, § 32.
Certain Portions of Roads to be transferred to the Town Council of Wick and Police Commissioners of Thurso, § 33.
Roads within Boundaries of Wick and Thurso to be kept in good Repair, § 34.
Provision for Payment of Portion of Trust Debt, &c. by Wick and Thurso, § 35.
Portion of Expenses of Act to be paid by Wick and Thurso, § 36.
Assessments not to be invalidated by Misnomer, § 37.
Mode of recovering Assessments, § 38.
Proceedings for Recovery of Assessments when to commence, § 39.
Tolls and Assessments to be vested in the Trustees, § 40.
Altering Mode of Assessment for Roads under Charge of Commissioners for Highland Roads and Bridges, § 41.
Trustees may adopt and maintain new Roads, § 42.
Trustees, &c. may borrow on Credit of Tolls and Assessments, § 43.

Power to borrow on Cash Credit Account, § 44.
Form of Mortgages and Assignation in Security, § 45.
Power to re-borrow Sums paid off, § 46.
No Reduction of Rates to be made until Repayment of Money borrowed, § 47.
Application of Assessments in Wick and Thurso, § 48.
Application of Monies under this Act, § 49.
Act to continue in force for 21 Years, § 50.
Yearly Rent or Value defined, § 52.
Saving Rights of Commissioners for Highland Roads and Bridges, § 53.
Schedule. (Forms of Assignation in Security and Transfer.)

Cap. ccii.

"The Galway Harbour Act, 1860."

Recites that by 16 & 17 Vict. c. ccvii. the Commissioners of Galway Harbour were incorporated for carrying into execution the several Powers of that Act, and among other things for making a Pier and Breakwater in the Bay of Galway; that by reason of their Inability to obtain the Money authorized to be raised by the said Act for the Purposes of such Pier and Breakwater, the Harbour Commissioners have been unable to construct the same; that a Pier, Breakwater, Graving Docks, and other Works in the Bay and Harbour of Galway are now much required for Packets and for other Vessels frequenting the said Harbour, and would be of great public Advantage; that the Construction of the said Works would contribute to the Improvement and Advantage of the County of the Town of Galway, and would tend to lessen the Amount of Poor Rate levied in such County by affording increased Employment, and would much enhance the Value of Property in the said County; and that it is therefore reasonable and expedient that the said County should contribute, if need be, and pay or guarantee the Payment of the Interest of the Monies which may be borrowed by the Harbour Commissioners for constructing such Works as may be necessary to afford additional Facilities for refitting, repairing, and building Ships; that the Grand Jury of the County of the Town of Galway did, at the Spring Assizes of 1859, resolve that a Guarantee not exceeding 4*d.* in the Pound on the rateable Property in that County should be given to the Harbour Commissioners to enable them to procure a Loan of Money for the Construction of the said Works in connexion with the said Pier and Breakwater; that the Harbour Commissioners have borrowed various Sums of Money from the Commissioners of Public Works in Ireland on the Security of the Tolls and other Property vested in them, of which Amount the Sum of 21,524*l.* 18*s.* 2*d.* is still due and owing in respect of Principal and Interest; that there is a Judgment Debt also charged upon the said Tolls, amounting to 3,500*l.*, besides Costs, also due and owing by the said Harbour Commissioners; that it is expedient that the Harbour Commissioners should be authorized to borrow Money to pay off the said Debts; that by 22 & 23 Vict. c. 28. (Public), the said Commissioners of Public Works are authorized to levy the Dues on Vessels at and under 50 Tons registered Tonnage entering the Docks of the said Harbour, and that it is expedient that the Harbour Commissioners should be authorized to levy the same when and so soon as the said Debt due to the Commissioners of Public Works is paid off; that it is expedient that the Harbour Commissioners should be enabled to grant Leases of Lands, Tenements, Buildings, and Hereditaments within the Limits of the said Harbour, and to confirm the Leases granted or agreed to be granted by the said Commissioners of Public Works, or by the Harbour Commissioners, with their Sanction; that it is expedient to extend the Limits of the said Harbour for the Purpose of Conservancy and Tolls, and to make further Arrangements respecting Pilots.

Incorporation of General Acts, §§ 3 to 5.
Act to be carried into effect by Commissioners of Galway Harbour, § 6.
Sections 24 to 57 of 16 & 17 Vict. c. ccvii. repealed, § 7.
General Saving of Rights under repealed Sections of first-recited Act, § 8.
Harbour Commissioners empowered to construct Pier, Breakwater, and Docks according to Plan and Section, § 9.
Works to be constructed, § 10.
Power to purchase Quarries, &c. by Agreement, for Construction of Works, § 11.
Harbour Commissioners may enter upon Lands, and raise Materials for Construction of Works, § 12.
Harbour Commissioners to fill up Holes, &c., § 13.
Limits of Harbour as to Tolls and Conservancy extended, § 14.
Any Land reclaimed by the Works not to be taken without the Consent of the Commissioners of Woods, &c., § 15.
Admiralty Clauses, §§ 16 to 19.
Lands for extraordinary Purposes not to exceed Twenty-five Acres, § 20.
Seven Years for compulsory Purchases, § 21.
Ten Years for Completion of Works, § 22.
Commissioners of Fisheries on Extension of Works beyond Mutton Island to extend Limits within which fixed Nets, &c. may not be used, § 23.
Harbour Commissioners may apply Funds for the Purposes of this Act, § 24.
Harbour Commissioners may borrow Money on Credit of Tolls, § 25.
Provision as to borrowing and reborrowing, § 26.
Mortgages already granted to have Priority, § 27.
Saving Rights of Commissioners of Public Works and Judgment Creditors, §§ 28, 29.
Mortgagees may appoint a Receiver, § 30.
Expenses of Mortgages may be paid out of general Funds, § 31.
Sinking Fund for the Payment of Mortgages, § 32.
When Debt paid off, Commissioners to receive the Rates authorized by second-recited Act, § 33.
County of the Town of Galway to contribute to Construction of Graving Dock, &c. if Tolls, &c. prove insufficient, § 34.
A separate Account to be kept by the Harbour Commissioners of all Monies received in aid, § 35.
Surplus of Tolls, &c. to be paid to the Treasurer of the County of the Town of Galway in Repayment of Monies contributed in aid of Interest, § 36.
Commissioners of Public Works in Ireland to appoint Auditors of Harbour Commissioners Accounts, § 37.
Harbour Commissioners to keep Accounts of Profits, § 38.
Auditor to ascertain Payments made by Harbour Commissioners, and Amount of Profit, § 39.
Auditor to certify Sums payable by County of Town of Galway, § 40.
Provision with respect to Profit and Loss Account, § 41.
Auditors to deliver Certificate to Harbour Commissioners, § 42.
Sums mentioned in Auditors Certificate to be presented by Grand Jury of County of Town of Galway, and paid by Treasurer, § 43.
Condition of Bond by Collector of Grand Jury Cess, § 44.
Remuneration to Collector to be presented by Grand Jury, § 45.
Rates, &c. to be the same as in first-recited Act, § 46.
Rates for using Graving Docks, § 47, 48.

How Tides are to be reckoned when Vessels use Graving Docks, § 49.
Master of Vessel may be questioned as to Draught of Water of his Vessel, § 50.
Removal of Vessels from Graving Docks, § 51.
Power to alter Rates for Graving Docks, &c., § 52.
Byelaws for Examination and Apprenticeship of Pilots, § 53.
Harbour Commissioners to grant Leases, § 55.
Saving Rights of the Crown, § 56.
Schedule. (Graving Dock Rates.)

Cap. cciii.

"West Cork Railways Act, 1860."

Recites that by 16 & 17 Vict. c. ccii. and 17 & 18 Vict. c. xcvi. the Cork and Bandon Railway Company were authorized to make certain Branch Railways; that by the first-recited Act Provision was made for Contributions from certain other Baronies to make up Interest or Dividend at the Rate of Three per Cent. per Annum on the total Outlay (not exceeding 5,000*l.* per Mile), on the Railways by that Act authorized; that the said Railways have not been constructed, and the Powers thereby given for their Construction have expired; that the Construction of the Railway herein-after described would in a great Measure afford the same Accommodation as the Railways authorized by the recited Acts, and would be of great public and local Advantage; that certain Persons are willing at their own Expense to carry such Undertaking into execution, if authorized so to do, and are desirous of being incorporated into a Company for that Purpose; that the Construction of the proposed Railway will contribute to the Advantage and Improvement of the Baronies and Portions of Baronies upon and adjoining to the Line thereof, and will tend to lessen the Amount of Poor's Rate therein, by affording increased Employment; and that it is therefore expedient that those Baronies and Portions of Baronies should be empowered, to the Extent by this Act authorized, to pay or guarantee Payment of Interest on any Monies borrowed for the Construction of the proposed Railway; and that it is expedient that the Company so to be incorporated and the Cork and Bandon Railway Company should be empowered to enter into Agreements with respect to the Working and Use of the proposed Railway and Works.
Incorporation of General Acts, § 1.
Incorporation of Company, with a Capital of 200,000*l.* in Shares of 10*l.*, with Power to borrow 66,600*l.*, §§ 4, 5, and § 8.
Calls, § 6.
Monies to be applied only to Purposes of Act, § 10.
Arrears may be enforced by Appointment of Receiver, § 11.
Meetings; Directors, §§ 12 to 17.
Power to make Works according to deposited Plans, § 18.
As to Deposit of Plans with Clerks of Unions, § 19.
The Railway authorized is as follows:—A Railway commencing in the Townland of Cloghmacsimon, Parish of Ballymodan, and County of Cork, by a Junction with the Cork and Bandon Railway, and terminating near the Town of Skibbereen in the Townland of Marsh, Parish of Abbey Strowry, and County of Cork, § 20.
Level Crossings and Board of Trade Provisions, §§ 21 to 24.
Communication with Cork and Bandon Railway to be made under the Direction of the Engineer of that Railway, § 25.
Provision for Watchmen, Signals, &c. § 26.
Not to take or interfere with the Works of the Cork and Bandon Railway Company, except for Junction, § 27.
Lands for extraordinary Purposes not to exceed 10 Acres, § 28.
Three Years for compulsory Purchases, § 29.
Five Years for Completion of Railway and Exercise of other Powers, § 30.
Bond for Completion of Railway, § 31.
Tolls, §§ 32 to 40.
Power to enter into Traffic Arrangements with Cork and Bandon Railway Company, § 41.
Not to affect Persons not Parties thereto, § 42.
Agreements to be approved of by the Board of Trade and Three Fifths of the Votes of the Shareholders, § 43.
Meeting to be convened by Circular and Advertisement, § 44.
Joint Committee for carrying Agreement into effect, § 45.
Board of Trade may modify Agreements, § 46.
Notice of Power and Intention to revise, § 47.
As to Calculation of Tolls during Agreement, § 48.
Cork and Bandon Railway Company may subscribe, § 49.
Power for that Company to raise Money by Shares, § 50.
Preferential Dividends not to carry Arrears, § 51.
Saving existing Preference Shares, § 52.
Limit of Amount of Calls, § 53.
Application of Companies Clauses Act to Shares and Loans of Cork and Bandon Railway Company, § 54.
Certain Baronies to contribute, § 55.
LVI. The Baronies and Parts of Baronies liable to the Baronial Guarantee are as follows; to wit,
The Barony of East Carbery East Division (excepting out of that Barony the Parishes of Ballinadee, Ballymodan, Brinny, Innoshamur, the Island, Kilbrittain, Kilgarriffe, Kilmalooda, Kilnagross, Rathclarin, Ringrone, Templetrine, Templebryan, Templequinlan, and Timoleague, and all Townlands in the Poor Law Union of Clonakilty):
The Barony of East Carbery West Division (excepting out of that Barony all Townlands in the Poor Law Union of Clonakilty):
The Baronies of West Carbery East Division and West Carbery West Division, excepting out of the Barony of West Carbery West Division the Parishes of Durrus and Kilcrobane.
Separate Accounts of Money borrowed on Baronial Guarantees, § 57.
For ascertaining Amount to be paid by each Barony, &c., § 58.
Accounts of Receipts to be rendered, § 59.
Arbitrators to ascertain Payments made by Company and Amount of Receipts, § 60.
Period at which Barony Contributions are to become due, § 61.
Sums mentioned in Certificates to be presented by Grand Jury and paid by Treasurer, § 62.
Conditions of Bond by Collectors of Grand Jury Cess, § 63.
Remuneration to Collectors, § 64.
Cessation of Barony Contributions, § 65.
Rates to be paid by Occupier, § 66.
Tenants to deduct Half the Rate from the Rent, § 67.
Sub-lessors to make proportionate Reductions from Superior Landlord's Rent, § 68.
Receipt for Rate to be taken in discharge, § 69.
Surplus Profits of Extension applicable to Repayment of Baronies for 20 Years after its opening, § 70.
As to Payments by the Company after the 20 Years, § 71.
As to Actions by Treasurer of County, § 72.

PRIVATE ACTS,

PRINTED BY THE QUEEN'S PRINTER,

AND WHEREOF THE PRINTED COPIES MAY BE GIVEN IN EVIDENCE.

N.B.—*To each of these Acts is annexed a Clause in the Form following:*

"This Act shall not be a Public Act, but shall be printed by the several Printers to the Queen's most Excellent Majesty "duly authorized to print the Statutes of the United Kingdom, and a Copy thereof so printed by any of them shall be "admitted as Evidence thereof by all Judges, Justices, and others."

Cap. 1.

An Act for the Sale of certain Estates at *Gibraltar* held on the Trusts of the Will of *John Maria Boschetti* deceased, and for the Investment of the Proceeds thereof in this Country. [6th *August* 1860.]

Cap. 2.

An Act to incorporate the Governors of the Hospital in *Edinburgh* founded by *Daniel Stewart*, and to amend and explain his Trust Settlement. [6th *August* 1860.]

Cap. 3.

An Act for the better leasing of the *Walworth* Manor Estate in the Parish of *Newington* in the County of *Surrey* to the respective Trustees of the Wills of *Samuel Brandon* deceased and *Thomas Brandon* deceased, and for Exchanges and a Partition, and other Purposes. [13th *August* 1860.]

Cap. 4.

An Act for the Sale of the Settled Estates in the Counties of *Sligo* and *Galway* of *John* Lord *De Freyne*, and for the Purchase of Estates in the County of *Roscommon*, to be limited to the Uses of those Settled Estates. [13th *August* 1860.]

Cap. 5.

An Act to enable the Trustees of Lord *Beauchamp*'s Charity to purchase the Right of Nomination to the Chapelry of *Newland* in the County of *Worcester*, and to vest in them the Site of the Church or Chapel of *Newland*. [20th *August* 1860.]

Cap. 6.

An Act for granting further Power to lease for Building and Improving Purposes certain Parts of the Estates situate in the County of *Dublin* of Sir *Charles Compton William Domvile* Baronet, and to accept Surrenders of Leases of such Portions of the said Estates, and for other Purposes. [20th *August* 1860.]

Cap. 7.

An Act to vary or extend certain borrowing Powers contained in the Settlement of the Duke of *Norfolk*'s Estates, and for other Purposes. [20th *August* 1860.]

Cap. 8.

An Act for amending the Powers of Leasing contained in the Will of the Right Honourable *Edward Michael* late Earl of *Longford* and Baron *Silchester* deceased, and for other Purposes. [20th *August* 1860.]

Cap. 9.

An Act for authorizing the raising of Money for Payment of Incumbrances on the Estates in the Counties of *Roscommon* and *Sligo* and *Queen's County* of which the Right Honourable *Robert* Viscount *Lorton* is Tenant for Life in Possession, by Mortgage instead of Sale. [20th *August* 1860.]

TABLES

SHOWING THE EFFECT OF THE LEGISLATION.

TABLE I.

[In Order of Cap.]

23 Vict. and 23 & 24 Vict. Cap.	Effect.	Act affected.	Subject of Act affected.
IV.	Amends and applies	15 & 16 Vict. c. 63.	Valuation of Rateable Property in Ireland.
		17 & 18 Vict. c. 8.	„ „ „
s. 13.	Repeals	15 & 16 Vict. c. 63. s. 13.	„ „ „
V. s. 2.*	Partly repeals	5 & 6 Will. 4. c. 64.	Stamp Act.
s. 3.	Extends	22 & 23 Vict. c. 39.	East India Loan.
VII.	Amends	21 & 22 Vict. c. 90.	Medical Act.
		22 Vict. c. 21.	„ „ (Amendment).
XIV.†	Amends and applies	16 & 17 Vict. c. 34.	Property Tax.
		„ „ „ s. 54.	„ „
	Applies	16 & 17 Vict. c. 91.	Abatement of Income Tax in respect of Insurances on Lives.
		18 & 19 Vict. c. 35.	„ „ „
XV.	Amends and applies	The Stamp Acts.	
XVI.	Extends	12 Vict. c. 63.	Public Health Act (1848).
		21 & 22 Vict. c. 98.	Local Government Act (1858).
XVIII.	Amends	6 & 7 Will. 4. c. 85.	Marriages in England.
		7 & 8 Vict. c. 81.	„ in Ireland.
XIX.	Amends	10 & 11 Vict. c. 32.	Improvement of Landed Property in Ireland.
		12 & 13 Vict. c. 23.	„ „ „
		13 & 14 Vict. c. 31.	„ „ „
XXI.	Amends	39 & 40 Geo. 3. c. 99. s. 6	Pawnbrokers.
XXII.	Amends	Customs Acts.	
XXIII.‡	Extends	17 & 18 Vict. c. 81.	Oxford University Government Act.
XXIV.	Extends	20 Vict. c. 19.	Relief of the Poor in Extra-parochial Places.
	Applies	6 & 7 Will. 4. c. 85. s. 25.	Marriages in England.
XXVI.	Amends and explains	14 & 15 Vict. c. 28.	Common Lodging Houses Act, 1851.
		16 & 17 Vict. c. 41.	„ „ 1853.
s. 4.	Repeals (as to Ireland)	14 & 15 Vict. c. 28. ss. 9, 10.	„ „ 1851.
s. 8.	Saves	17 & 18 Vict. c. 103.	Towns Improvement (Ireland).

* *i.e.* so much as imposes a Stamp Duty upon Transfers of the Territorial Debt of the East India Company.
† *i.e.* Increase of Duties on Property for One Year.
‡ *i.e.* for giving effect to an Ordinance concerning St. John's College.

EFFECT OF THE YEAR'S LEGISLATION—*continued.*

23 Vict. and 23 & 24 Vict. Cap.	Effect.	Act affected.	Subject of Act affected.
XXVII.	Applies	11 & 12 Vict. c. 43.	Performance of Duties of Justices out of Sessions.
XXVIII.	Repeals	7 Geo. 2. c. 8. 10 Geo. 2. c. 8.	Stock Jobbing Prevention. Act to continue ditto.
XXIX.	Amends	7 & 8 Geo. 4. c. 30.	Malicious Injuries to Property.
XXX.	Applies Parts of	9 & 10 Vict. c. 74.	Baths and Wash-houses.
XXXI.	Repeals	21 & 22 Geo. 3. c. 16. (I.) s. 7.	Bank of Ireland.
XXXII. s. 5.	Partly repeals*	5 & 6 Edw. 6. c. 4.	Quarrelling and fighting in Churches and Churchyards.
	Saved	1 Mary, Sess. 2. c. 3.	Offences against Ministers of the Church.
		1 Eliz. c. 2.	Act of Uniformity.
		1 W. & M. c. 18. s. 18.	Exempting Dissenters from certain Penalties.
XXXIII.	Amends	19 & 20 Vict. c. 79.	Bankruptcy (Scotland), 1856.
XXXV.	Amends	18 & 19 Vict. c. 62.	Sale of Spirits, &c. (Ireland).
XXXVI.	Extends	16 & 17 Vict. c. 107.	"Customs Consolidation Act, 1853."
		23 Vict. c. 22.	"The Customs Tariff Act, 1860."
XXXVII.	Applies	17 & 18 Vict. c. 91.	Valuation of Lands (Scotland).
		20 & 21 Vict. c. 58.	,, ,,
XXXVIII.	Amends and explains	4 & 5 W. & M. c. 20.	Registration of Judgments.
		3 & 4 Will. 4. c. 27.	Limitation of Real Actions.
		1 & 2 Vict. c. 110.	Arrest on Mesne Process.
		2 & 3 Vict. c. 11.	Protection of Purchasers against Judgments.
		3 & 4 Vict. c. 82.	Arrest on Mesne Process.
		13 & 14 Vict. c. 35.	Proceedings in Chancery.
		13 & 14 Vict. c. 43.	Court of Chancery of County Palatine of Lancaster.
		18 & 19 Vict. c. 15.	Protection of Purchasers against Judgments.
		22 & 23 Vict. c. 35.	Law of Property.
XLI.	Makes perpetual	21 & 22 Vict. c. 75.	Cheap Trains.
XLV.	Amends	8 & 9 Vict. c. 26.	Prevention of Fishing for Trout, &c. in Scotland.
s. 6.	Applies partly	20 Geo. 2. c. 43.	Abolition of Heritable Jurisdiction in Scotland.
XLVI. ss. 7, 8.	Repeals	44 Geo. 3. c. 62. ss. 22. 51.	Caledonian Canal.
XLVII.	Partly repeals	3 & 4 Will. 4. c. 76. s. 14.	Election of Magistrates and Council in the Royal Burghs of Scotland.
XLVIII. s. 4.†	Repeals	1 & 2 Vict. c. 55. ss. 12, 13, 14, 15.	Edinburgh City Debts.
		10 & 11 Vict. c. 114. s. 4.	Leith Harbour and Docks.

* *i.e.* so far as relates to Persons not in Holy Orders.
† *i.e.* on the Discharge of the Debt being recorded in the Books of Council and Session at Edinburgh.

Effect of the Year's Legislation—*continued.*

23 & 24 Vict.	Effect.	Act affected.	Subject of Act affected.
Cap.			
L. s. 12.	Applies	1 & 2 Vict. c. 55.	Edinburgh City Debts.
s. 15.	Amends	" " "	" "
s. 26.	Saves	10 & 11 Vict. c. 48.	Transfer of Lands (Scotland).
LII.	Amends	18 & 19 Vict. c. 122.	Metropolitan Building Act, 1855.
LIII. s. 1.	Extends	9 Geo. 3. c. 16.	Confirming Title of Subject against the Crown.
	Saves	7 & 8 Vict. c. 105.	Quieting Titles of Tenants of Duchy of Cornwall.
s. 2.	Saves	2 & 3 Will. 4. c. 71.	Limiting Time of Prescription.
		2 & 3 Will. 4. c. 100.	Limiting Prescription in case of Tithes.
s. 3.	Amends	21 & 22 Vict. c. 109.	"Cornwall Submarine Mines Act, 1859."
LIV.	Amends	6 & 7 Vict. c. 20.	Abolishing certain Offices on Crown Side of Court of Queen's Bench.
LVII.*	Amends	5 & 6 Will. 4. c. 51.	Act for granting Relief to Island of Dominica.
LVIII.	Amends	18 & 19 Vict. c. 63.	Friendly Societies.
s. 6.	Repeals	21 & 22 Vict. c. 101. s. 8.	" "
LIX. ss. 1. & 6.	Amend	21 & 22 Vict. c. 44.	Universities and College Estates.
s. 4.	Amends	15 & 16 Vict. c. 51.	Copyhold Act.
		21 & 22 Vict. c. 94.	" "
s. 7.	Amends	3 & 4 Vict. c. 113.	Ecclesiastical Commissioners.
		17 & 18 Vict. c. 84. s. 16.	Augmentation of Benefices.
		1 & 2 Will. 4. c. 45.	" "
s. 11.	Amends	17 & 18 Vict. c. 84.	" "
LX.	Amends	5 & 6 Vict. c. 22.	Queen's Bench, Fleet, and Marshalsea Prisons.
LXIII.	Amends	21 & 22 Vict. c. 48.	Oaths and Jews Relief.
		" " c. 49.	Jews Relief.
LXIV.	Amends	20 & 21 Vict. c. 81.	Burial Acts Amendment.
		21 & 22 Vict. c. 98.	Local Government Act.
LXV.	Amends	3 & 4 Vict. c. 96.	Regulation of Duties of Postage.
		10 & 11 Vict. c. 85.	" Postage.
LXVI.	Amends	21 & 22 Vict. c. 90.	"Medical Act, 1858."
s. 5.	Repeals†	14 & 15 Hen. 8. c. 5.	Privileges and Authority of Physicians in London.
LXVII.‡	Continues	4 & 5 Vict. c. 59.	Application of Highway Rates to Turnpike Roads.
LXVIII.	Repeals	14 & 15 Vict. c. 16.	Highways, South Wales.
	Amends§ and applies	5 & 6 Will. 4. c. 50.	General Highway Act.
LXIX.	Amends	13 & 14 Vict. c. 41.	Manchester Parish Division.

* *i.e.* alters the Mode of Repayment of Loan.
† *i.e.* so much as relates to the Election of the Royal College of Physicians of London.
‡ *i.e.* to 1 Oct. 1865, and then to the End of the then next Session of Parliament.
§ *i.e.* so far as relates to South Wales.

Effect of the Year's Legislation—*continued.*

23 & 24 Vict. Cap.	Effect.	Act affected.	Subject of Act affected.
LXXI.	Extends	56 Geo. 3. c. 60. 8 & 9 Vict. c. 62.	Unclaimed Dividends. Same.
LXXII.	Amends	14 & 15 Vict. c. 72.	Endowment of Benefices (Ireland).
LXXIII.	Extends	14 & 15 Vict. c. 38.	Debts of Turnpike Trusts.
LXXIV. s. 1. s. 2.	Amends Repeals	3 & 4 Vict. c. 108. „ „ part of s. 155	Municipal Corporations (Ireland).
LXXV. s. 10.	Extends	3 & 4 Vict. c. 54.	Criminal Lunatics.
LXXVI.	Amends	19 & 20 Vict. c. 98.	Burial Grounds (Ireland).
LXXVII. s. 1.	Repeals	18 & 19 Vict. c. 121. ss. 3. 6, 7. 9.	Nuisances Removal.
ss. 2. to 9.	Amend	Same Act.	
s. 10.	Saves Repeals	18 & 19 Vict. c. 120. 18 & 19 Vict. c. 116. ss. 2, 3.	Metropolis Local Management. Diseases Prevention.
ss. 11. to 16.	Amend	Same Act.	
LXXVIII. s. 1.	Extends (with Exceptions)	3 & 4 Will. 4. c. 103. 7 & 8 Vict. c. 15. 10 & 11 Vict. c. 29. 13 & 14 Vict. c. 54. 16 & 17 Vict. c. 104. 19 & 20 Vict. c. 38.	Regulation of Labour in Factories.
s. 8.	Amends*	7 & 8 Vict. c. 15. ss. 28. and 35.	Same.
LXXIX. s. 28.	Applies	20 & 21 Vict. c. 72.	Police (Scotland).
LXXX. s. 9.	Repeals in part	23 & 24 Vict. c. 15.	Stamp Acts Amendment.
LXXXI.	Continues†	14 & 15 Vict. c. 53.	Copyhold and Inclosure Commission.
LXXXII.	Amends	16 & 17 Vict. c. 113.	Common Law Procedures (Ireland).
LXXXIII.	Explains	18 & 19 Vict. c. 43.	Marriage Settlements of Infants.
LXXXV. ss. 1. to 19	Repeal in part and amend	17 & 18 Vict. c. 80. 18 & 19 Vict. c. 29.	Registration of Births, &c. (Scotland).
LXXXVII.	Explains	3 & 4 Will. 4. c. 85. 39 & 40 Geo. 3. c. 79.	Government of India.
LXXXVIII.	Extends	12 & 13 Vict. c. 96.	Trial of Offences in the Colonies.
LXXXIX.	Extends	22 Vict. c. 26.	Superannuation Act.
XC. s. 1.	Amends	52 Geo. 3. c. 93. 56 Geo. 3. c. 56. 1 & 2 Will. 4. c. 32.	Excise Duties. Stamps. Game Laws.
s. 6.	Saves with exceptions	11 & 12 Vict. cc. 29, 30.	Killing Hares.
s. 13.	Extends	1 & 2 Will. 4. c. 32. 2 & 3 Vict. c. 35.	Game Licences.

* *i.e.* so far as relates to the Works affected by this Act.
† Until August 1, 1861, and thence to the End of the next Session of Parliament.

Effect of the Year's Legislation—*continued.*

23 & 24 Vict.	Effect.	Act affected.	Subject of Act affected.
Cap.			
XC. s. 17.	Saves	5 & 6 Vict. c. 81.	Game Certificates (Ireland).
s. 19.	Repeals	7 & 8 Geo. 4. c. 49.	Game Certificates.
XCI. s. 1.	Explains	17 & 18 Vict. c. 81.	University of Oxford.
s. 2.	Applies	20 & 21 Vict. c. 77.	Probates and Administrations.
XCII.	Amends	48 Geo. 3. c. 110. 51 Geo. 3. c. 101. 52 Geo. 3. c. 153. 54 Geo. 3. c. 102. 55 Geo. 3. c. 94. 1 Geo. 4. c. 103. 1 & 2 Geo. 4. c. 79. 5 Geo. 4. c. 64. 7 Geo. 4. c. 34. 1 Will. 4. c. 54. 6 & 7 Vict. c. 79. 10 & 11 Vict. c. 91. 14 & 15 Vict. c. 26.	Herring Fisheries.
XCIII.	Amends	6 & 7 Will. 4. c. 71. 1 Vict. c. 69. 1 & 2 Vict. c. 64. 2 & 3 Vict. c. 62. 3 Vict. c. 15. 5 & 6 Vict. c. 54. 9 & 10 Vict. c. 73. 10 & 11 Vict. c. 104.	Commutation of Tithes.
XCIV.	Amends	Acts relating to the Militia.	
XCV.	Applies	10 Geo. 3. c. 51. 11 & 12 Vict. c. 36. 16 & 17 Vict. c. 94.	Entailed Estates (Scotland).
XCVI.	Amends	13 & 14 Vict. c. 33.	Police (Scotland).
XCVII.	Amends and makes perpetual	14 & 15 Vict. c. 70.	Railways (Ireland).
XCIX.	Continues*	17 & 18 Vict. c. 102.	Corrupt Practices at Elections.
C.	Repeals in part	22 & 23 Vict. c. 27.	European Troops in India.
CI.	Continues†	11 Vict. c. 109.	Poor Law Commission.
CV.	Repeals	2 & 3 Vict. c. 42. 7 & 8 Vict. c. 34. 14 & 15 Vic. c. 27.	Prison Discipline (Scotland).
CVI. ss. 1, 2, and 6.	Amend	8 & 9 Vict. c. 18. ss. 10, 11.	Lands Clauses Consolidation.
s. 3.	Amends	8 & 9 Vict. c. 19. s. 10.	Lands Clauses (Scotland).
CVIII.	Amends	20 & 21 Vict. c. 48.	Industrial Schools.
CX.	Amends	Customs Acts.	
s. 2.	Repeals	21 & 22 Vict. c. 12.	Tariff Amendment.

* *i.e.* until August 10, 1861.
† *i.e.* until July 23, 1863.

Effect of the Year's Legislation—*continued.*

23 & 24 Vict.	Effect.	Act affected.	Subject of Act affected.
Cap.			
CXI. ss. 1. and 2.	Amend	Stamp Acts.	
s. 3.	Amends	13 & 14 Vict. c. 97. s. 18. 17 & 18 Vict. c. 83. s. 24.	Stamps.
s. 5.	Applies	" " s. 5. 23 & 24 Vict. c. 15. s. 12.	
s. 19.	Repeals	55 Geo. 3. c. 184. s. 18.	Promissory Notes and Drafts.
s. 20.	Amends	50 Geo. 3. c. 41. 55 Geo. 3. c. 71.	Licensed Hawkers.
s. 23.	Amends	20 & 21 Vict. c. 77.	Probates and Administrations (England).
		" " c. 79.	Probates, &c. (Ireland).
CXII. ss. 12. and 20.	Apply	5 & 6 Vict. c. 94.	Defence Act.
		18 & 19 Vict. c. 119.	Ordnance Board Transfer.
s. 46.	Amends	5 & 6 Vict. c. 94.	Defence Act.
CXIII.	Amends	Excise Acts.	
s. 2.	Amends	22 & 23 Vict. c. 18.	Excise Duties.
s. 5.	Amends	6 Geo. 4. c. 81. s. 12.	Excise.
s. 34.	Repeals	7 & 8 Geo. 4. c. 52. ss. 21. 29. 32. 35. 11 Geo. 4. c. 17. s. 16 1 Vict. c. 49. s. 7.	Excise on Malt.
s. 35.	Amends	19 & 20 Vict. c. 34. 21 Vict. c. 15.	Sugar Duties.
s. 36.	Amends	6 Geo. 4. c. 81.	Licences for Sale of Beer.
s. 38.	Amends	16 & 17 Vict. c. 127.	Licences for Hackney Carriages.
s. 40.	Amends	12 Vict. c. 1.	Officers of Excise.
ss. 41, 42.	Amends	23 & 24 Vict. c. 27. ss. 9. 27.	Wine Licences.
s. 42.	Amends	23 & 24 Vict. c. 90.	Game Certificates.
CXIV.*	Amends	Excise Acts	Duties on Spirits.
		28 Geo. 3. c. 46.	Wine and Spirit Duties (England and Scotland).
		1 & 2 Geo. 4. c. 82.	Spirit Duties (England and Scotland).
		3 Geo. 4. c. 52. (in part)	Spirit Duties (Scotland).
		4 Geo. 4. c. 94. (in part)	Spirit Duties (Scotland and Ireland).
		6 Geo. 4. c. 58.	Excise Duties (Scotland and Ireland).
		6 Geo. 4. c. 80. (in part)	Spirit Duties (England).
		9 Geo. 4. c. 45. (in part)	Spirit Duties (United Kingdom).
		11 Geo. 4. & 1 Will. 4. c. 49.	Spirit Duties.
		2 Will. 4. c. 29.	Spirit Duties (Scotland and Ireland).
		2 & 3 Will. 4. c. 74.	Distillation of Spirits from Mangel Wurzel.
"	Repeals	4 & 5 Will. 4. c. 75. (in part).	Spirit Duties.
		6 & 7 Will. 4. c. 72.	" "
		5 Vict. Sess. 2. c. 15.	Spirit Duties (Ireland).
		5 Vict. Sess. 2. c. 25. (in part).	Excise Duties (Compounds).
		6 & 7 Vict. c. 49.	Excise.
		8 & 9 Vict. c. 65.	Excise Duties on Spirits (Channel Islands).
		10 & 11 Vict. c. 6.	Distillation from Sugar.
		11 & 12 Vict. c. 100.	" "
		11 & 12 Vict. c. 121. (in part).	Dealers in Spirits.

* *See* Article "Spirits" in the General Index, specifying the Acts on which the several Clauses of the present Act are founded.

Effect of the Year's Legislation—*continued.*

23 & 24 Vict. Cap.	Effect.	Act affected.	Subject of Act affected.
CXIV.	Repeals	11 & 12 Vict. c. 122. (in part).	British Spirits Warehousing.
		16 & 17 Vict. c. 37.	Excise Duties on Spirits.
		17 & 18 Vict. c. 27. (in part).	Excise Duties.
		18 Vict. c. 22.	Spirits, &c. Duties (Excise).
		18 & 19 Vict. c. 94. (in part).	Excise Duties.
		19 & 20 Vict. c. 51.	Distillation from Rice.
		21 & 22 Vict. c. 15.	Excise Duties.
CXV.	Extends and amends	16 & 17 Vict. c. 107. ss. 195, 196, 197.	Customs Duties.
CXVI. s. 1.	Extends	7 & 8 Vict. c. 92.	Coroners.
s. 2.	Partially repeals*	" "	"
s. 7.	Partially repeals†	" "	"
	Repeals	33 Hen. 8. c. 13.	Coroners of County of Chester.
CXVII.	Amends	18 & 19 Vict. c. 80.	Industrial Museum (Scotland).
CXIX. s. 3.	Partially repeals‡	5 & 6 Will. 4. c. 63.	Grand Juries (Ireland).
s. 4.	Repeals	14 & 15 Vict. c. 92.	Summary Jurisdiction (Ireland).
s. 5.	Applies	5 & 6 Will. 4. c. 63.	Grand Juries (Ireland).
CXX.	Amends	42 Geo. 3. c. 90. and other Acts	Militia (England).
CXXI.	Extends	6 & 7 Vict. c. 13.	Government of Settlements in Africa.
CXXIII.	Repeals	22 Geo. 2. c. 33.	Government of the Navy.
		29 Geo. 2. c. 27.	Government of the Navy employed in North America.
		19 Geo. 3. c. 17.	Government of the Navy.
		56 Geo. 3. c. 5.	Courts-martial.
		5 & 6 Vict. c. 98. (in part)	Prisons.
		10 & 11 Vict. c. 59.	Government of the Navy.
		10 & 11 Vict. c. 62. (in part)	Naval Prisons.
		16 & 17 Vict. c. 69. (in part)	Entry of Seamen.
CXXIV. s. 1.	Repeals	13 & 14 Vict. c. 94. s. 17.	Ecclesiastical Commission.
s. 7.	Applies	6 & 7 Will. 4. c. 77.	" "
s. 8.	Applies	5 & 6 Vict. c. 27.	Ecclesiastical Benefices.
ss. 12. 14.	Extend	3 & 4 Vict. c. 113. s. 67	Ecclesiastical Commission.
ss. 16. 17. 28. 35.	Apply	14 & 15 Vict. c. 104.	" "
		17 & 18 Vict. c. 116.	" "
CXXVI. s. 12.	Amends	1 & 2 Will. 4. c. 58.	Interpleader.
s. 22.	Extends	19 & 20 Vict. c. 108.	County Courts.
s. 35.	Repeals	17 & 18 Vict. c. 125. s. 88.	Common Law Procedure.
	Applies	17 & 18 Vict. c. 104.	Merchant Shipping.
CXXVII.	Amends	6 & 7 Vict. c. 73.	Attornies and Solicitors.
s. 2.	Repeals	" " s. 7	
s. 6.	Extends	" " s. 6	

* So far as relates to the Polling at Election for Coroners, which this Act limits to One Day.
† So far as it exempts the County of Chester from its Operation.
‡ So far as it requires Grand Juries to appoint Inspectors of Weights and Measures.

Effect of the Year's Legislation—*continued.*

23 & 24 Vict.	Effect.	Act affected.	Subject of Act affected.
Cap. CXXX. s. 12.	Applies	5 & 6 Will. 4. c. 64. s. 4.	Stamps on East India Bonds.
CXXXVI.	Amends	16 & 17 Vict. c. 137. 18 & 19 Vict. c. 124.	Charitable Trusts.
s. 13.	Applies	1 & 2 Vict. c. 74.	Recovery of Possession of Tenements.
CXXXVIII.	Amends and continues*	19 & 20 Vict. c. 28.	Peace Preservation (Ireland).
CXXXIX. s. 1.	Repeals	9 & 10 Will. 3. c. 7. 5 Geo. 2. c. 12. (Irish)	Fireworks.
		12 Geo. 3. c. 61.	Making and keeping of Gunpowder.
s. 31.	Saves	54 Geo. 3. c. 159.	Ports and Harbours.
s. 36.	Explains	2 & 3 Vict. c. 47.	Police of Metropolis.
		9 & 10 Vict. c. 25.	Malicious Injuries to Property.
CXL.	Applies†	5 & 6 Will. 4. c. 50.	Highways.
CXLI.‡	Amends	13 & 14 Vict. c. 2.	Party Processions (Ireland).
CXLII.	Amends	1 & 2 Vict. c. 106. 13 & 14 Vict. c. 98.	Plurality of Benefices.
s. 30.	Extends	18 & 19 Vict. c. 127.§	Union of Benefices.
CXLIII.	Amends and extends	21 & 22 Vict. c. 76.	Titles to Land (Scotland).
s. 19.	Extends	6 & 7 Will. 4. c. 33.	Instruments of Sasine (Scotland).
s. 29.	Applies	11 & 12 Vict. c. 36. 16 & 17 Vict. c. 94.	Law of Entail (Scotland).
s. 32.	Extends	13 & 14 Vict. c. 13.	Property held by Religious Societies (Scotland).
CXLIV.‖	Amends	20 & 21 Vict. c. 85. s. 45.	Divorce Court.
s. 4	Repeals	22 & 23 Vict. c. 61. s. 2.	
CXLVI.	Amends	22 & 23 Vict. c. 66.	Measures for Sale of Gas.
CXLVII.	Explains	7 & 8 Vict. c. 70.	Insolvent Debtors.
CXLVIII.	Continues¶	10 & 11 Vict. c. 90. 14 & 15 Vict. c. 68.	Poor Law Commission (Ireland).
CXLIX.	Amends	11 Geo. 4 and 1 Will. 4. c. 36.	Commitments by Courts of Equity for Contempt.
		5 & 6 Vict. c. 22.	Regulation of the Queen's Prison.
		15 & 16 Vict. c. 80.	Masters in Chancery.
s. 14	Amends	18 & 19 Vict. c. 134.	Despatch of Business in Chancery.
CL.	Amends	3 & 4 Will. 4. c. 37.	Temporalities of the Church in Ireland.
s. 9	Confirms	4 & 5 Will. 4. c. 90.	Malicious Injuries to Churches or Chapels.
CLI.	Amends	5 & 6 Vict. c. 99.	Employment of Women in Mines and Collieries.
s. 6	Repeals	18 & 19 Vict. c. 108.	Inspection of Coal Mines.

* *viz.* until July 1, 1862.
† Subject to a Modification.
‡ This Act is to continue in force for Five Years from the Time of passing.
§ This Act was limited in its Duration to August 14th, 1860. The present Act continues it in operation only in respect of Proceedings commenced under it.
‖ This Act is to continue in force until July 31st, 1862.
¶ The Provisions of the above Acts, constituting the Poor Law Commission (Ireland), are continued by this Act until July 23rd, 1861.

Effect of the Year's Legislation—*continued.*

23 & 24 Vict. Cap.	Effect.	Act affected.	Subject of Act affected.
CLII.	Applies	1 & 2 Vict. c. 98. *	Conveyance of Mails by Railway.
		3 & 4 Vict. c. 97.	Regulation of Railways.
		5 & 6 Vict. c. 55.	Conveyance of Troops by Railway.
		7 & 8 Vict. c. 85.	Construction of Railways.
		17 & 18 Vict. c. 31.	Railway and Canal Traffic.
CLIV.	Repeals	†	Landlord and Tenant (Ireland).

‡ As amended by 10 & 11 Vict. c. 85. s. 16.
§ *See* Schedule B. to this Act, enumerating the several Acts and Parts of Acts repealed, so far as they apply to the relation of Landlord and Tenant in Ireland.

TABLE II.

CHRONOLOGICAL.

[For Details, see TABLE I.]

Act affected.	Subject of Act affected.	How affected.	Act affecting.
			23 & 24 Vict. Cap.
14 & 15 Hen. 8. c. 5. -	Privileges and Authority of Physicians in London.	Partly repealed -	LXVI.
33 Hen. 8. c. 13. - -	Coroners of County of Chester -	Repealed - -	CXVI.
5 & 6 Edw. 6. c. 4. - -	Quarrelling and fighting in Churches and Churchyards.	Partly repealed -	XXXII.
1 Mary, Sess. 2. c. 3. -	Offences against Ministers of the Church.	Saved - -	XXXII.
1 Eliz. c. 2. - - -	Act of Uniformity - - -	Saved - -	XXXII.
1 Will. & Mary, c. 18. s. 18.	Exemption of Dissenters from certain Penalties.	Saved - -	XXXII.
4 & 5 Will. & Mary, c. 20.	Docketing of Judgments - -	Amended - -	XXXVIII.
9 & 10 Will. 3. c. 7. - -	Fireworks - - - - -	Repealed - -	CXXXIX.
5 Geo. 2. c. 12. - -	Fireworks (Ireland) - - -	Repealed - -	CXXXIX.
20 Geo. 2. c. 43. - -	Abolition of Heritable Jurisdiction in Scotland.	Partly applied -	XLV.
22 Geo. 2. c. 33. - -	Government of the Navy - -	Repealed - -	CXXIII.
29 Geo. 2. c. 27. - -	Government of the Navy employed in North America.	Repealed - -	CXXIII.
19 Geo. 3. c. 17. - -	Government of the Navy - -	Repealed - -	CXXIII.
9 Geo. 3. c. 16. - -	Confirming Title of Subject against the Crown.	Extended - -	LIII.
10 Geo. 3. c. 51. - -	Entailed Estates (Scotland) -	Applied - -	XCV.
12 Geo. 3. c. 61. - -	Making and keeping Gunpowder -	Repealed - -	CXXXIX.
21 & 22 Geo. 3. c. 16. (I.) s. 7.	Bank of Ireland - - - -	Repealed - -	XXXI.
28 Geo. 3. c. 46. - -	Wine and Spirit Duties (England and Scotland).	Repealed - -	CXIV.
39 & 40 Geo. 3. c. 79. -	Government of India - - -	Explained -	LXXXVII.
39 & 40 Geo. 3. c. 99. s. 6. -	Pawnbrokers - - - -	Amended - -	XXI.
42 Geo. 3. c. 90. - -	Militia - - - - -	Amended - -	CXX.
44 Geo. 3. c. 62. - -	Caledonian Canal - - - -	Partly repealed -	XLVI.
48 Geo. 3. c. 110. - -	Herring Fisheries - - -	Amended - -	XCII.
50 Geo. 3. c. 41. - -	Licensed Hawkers - - -	Amended - -	CXI.
51 Geo. 3. c. 101. - -	Herring Fisheries - - - -	Amended - -	XCII.
52 Geo. 3. c. 93. - -	Excise Duties - - - -	Amended - -	XC.
52 Geo. 3. c. 153. - -	Herring Fisheries - - - -	Amended - -	XCII.
54 Geo. 3. c. 102. 54 Geo. 3. c. 159. - -	Ports and Harbours - - -	Saved - -	CXXXIX.
55 Geo. 3. c. 71. - -	Licensed Hawkers - - -	Amended - -	CXI.
55 Geo. 3. c. 94. - -	Herring Fisheries - - -	Amended - -	XCII.
55 Geo. 3. c. 184. - -	Promissory Notes and Drafts -	Partly repealed -	CXI.
56 Geo. 3. c. 5. - -	Courts-martial - - - -	Repealed - -	CXXIII.
56 Geo. 3. c. 56. - -	Stamps - - - - -	Amended - -	XC.
56 Geo. 3. c. 60. - -	Unclaimed Dividends - - -	Extended - -	LXXI.
1 Geo. 4. c. 103. - -	Herring Fisheries - - -	Amended - -	XCII.
1 & 2 Geo. 4. c. 79. - -	" " - - -	Amended - -	XCII.
1 & 2 Geo. 4. c. 82. - -	Spirit Duties (England and Scotland)	Repealed - -	CXIV.
3 Geo. 4. c. 52. - -	Spirit Duties (Scotland) - -	Partly repealed -	CXIV.
4 Geo. 4. c. 94. - -	Spirit Duties (Scotland and Ireland)	Partly repealed -	CXIV.
5 Geo. 4. c. 64. - -	Herring Fisheries - - -	Amended - -	XCII.
6 Geo. 4. c. 58. - -	Excise Duties (Scotland and Ireland).	Repealed - -	CXIV.
6 Geo. 4. c. 80. - -	Spirit Duties (England) - -	Partly repealed -	CXIV.

EFFECT OF THE YEAR'S LEGISLATION—*continued.*

Act affected.	Subject of Act affected.	How affected.	Act affecting.
			23 & 24 Vict. Cap.
6 Geo. 4. c. 81.	Excise	Amended	CXIII.
7 Geo. 4. c. 34.	Herring Fisheries	Amended	XCII.
7 & 8 Geo. 4. c. 49.	Game Certificates	Repealed	XC.
7 & 8 Geo. 4. c. 52.	Excise on Malt	Partly repealed	CXIII.
9 Geo. 4. c. 45.	Spirit Duties (United Kingdom)	Partly repealed	CXIV.
11 Geo. 4. c. 17.	Excise on Malt	Partly repealed	CXIII.
11 Geo. 4. & 1 Will. 4. c. 36.	Commitments by Courts of Equity for Contempt.	Amended	CXLIX.
11 Geo. 4. & 1 Will. 4. c. 49.	Spirit Duties	Repealed	CXIV.
1 Will. 4. c. 54.	Herring Fisheries	Amended	XCII.
1 & 2 Will. 4. c. 32.	Game Laws	Amended	XC.
1 & 2 Will. 4. c. 45.	Augmentation of Benefices	Amended	LIX.
1 & 2 Will. 4. c. 58.	Interpleader	Amended	CXXVI.
2 Will. 4. c. 29.	Spirit Duties (Scotland and Ireland)	Repealed	CXIV.
2 & 3 Will. 4. c. 71.	Limiting Time of Prescription	Saved	LIII.
2 & 3 Will. 4. c. 74.	Distillation of Spirits from Mangel Wurzel.	Repealed	CXIV.
2 & 3 Will. 4. c. 100.	Limiting Prescription in case of Tithes	Saved	LIII.
3 & 4 Will. 4. c. 27.	Limitation of Real Actions	Amended	XXXVIII.
3 & 4 Will. 4. c. 37.	Temporalities of the Church in Ireland.	Amended	CL.
3 & 4 Will. 4. c. 76.	Election of Magistrates and Council in the Royal Burghs in Scotland.	Partly repealed	XLVII.
3 & 4 Will. 4. c. 85.	Government of India	Explained	LXXXVII.
3 & 4 Will. 4. c. 103.	Labour in Factories	Extended	LXXVIII.
4 & 5 Will. 4. c. 75.	Spirit Duties	Partly repealed	CXIV.
4 & 5 Will. 4. c. 90.	Malicious Injuries to Churches and Chapels.	Confirmed	CL.
5 & 6 Will. 4. c. 50.	General Highway Act	Amended and applied.	LXVIII. and CXL.
5 & 6 Will. 4. c. 51.	Island of Dominica	Amended	LVII.
5 & 6 Will. 4. c. 63.	Grand Juries (Scotland)	Partly repealed or applied.	CXIX.
5 & 6 Will. 4. c. 64.	Stamp Act	Partly repealed	V.
" " s. 4.	"	Applied	CXXX.
6 & 7 Will. 4. c. 33.	Instruments of Sasine (Scotland)	Extended	CXLIII.
6 & 7 Will. 4. c. 71.	Commutation of Tithes	Amended	XCIII.
6 & 7 Will. 4. c. 72.	Spirit Duties	Repealed	CXIV.
6 & 7 Will. 4. c. 77.	Ecclesiastical Commission	Applied	CXXIV.
6 & 7 Will. 4. c. 85.	Marriages in England	Amended	XVIII.
" "	"	Applied	XXIV.
1 Vict. c. 49.	Excise on Malt	Partly repealed	CXIII.
1 Vict. c. 69.	Commutation of Tithes	Amended	XCIII.
1 & 2 Vict. c. 55.	Edinburgh City Debts	Partly repealed Amended and applied.	XLVIII. L.
1 & 2 Vict. c. 64.	Commutation of Tithes	Amended	XCIII.
1 & 2 Vict. c. 74.	Recovery of Possession of Tenements	Applied	CXXXVI.
1 & 2 Vict. c. 98.	Conveyance of Mails by Railway	Applied	CLII.
1 & 2 Vict. c. 106.	" " "	Amended	CXLII.
1 & 2 Vict. c. 110.	Abolishing Arrest on Mesne Process	Amended	XXXVIII.
2 & 3 Vict. c. 11.	Protection of Purchasers against Judgments.	Amended	XXXVIII.
2 & 3 Vict. c. 35.	Game Laws	Extended	XC.
2 & 3 Vict. c. 42.	Prison Discipline (Scotland)	Repealed	CV.
2 & 3 Vict. c. 47.	Police of Metropolis	Explained	CXXXIX.
2 & 3 Vict. c. 62.	Commutation of Tithes	Amended	XCIII.
3 Vict. c. 15.	Commutation of Tithes	Amended	XCIII.
3 & 4 Vict. c. 54.	Criminal Lunatics	Extended	LXXV.
3 & 4 Vict. c. 82.	Arrest on Mesne Process	Amended	XXXVIII.
3 & 4 Vict. c. 96.	Regulation of Duties of Postage	Amended	LXV.

Effect of the Year's Legislation—*continued.*

Act affected.	Subject of Act affected.	How affected.	Act affecting.
			23 & 24 Vict. Cap.
3 & 4 Vict. c. 97.	Regulation of Railways	Applied	CLII.
3 & 4 Vict. c. 108.	Municipal Corporations (Ireland)	Amended	LXXIV.
3 & 4 Vict. c. 113.	Ecclesiastical Commissioners	Amended	LIX. and CXXIV.
4 & 5 Vict. c. 59.	Application of Highway Rates to Turnpike Roads.	Continued	LXVII.
5 Vict. Sess. 2. c. 15.	Spirit Duties (Ireland)	Repealed	CXIV.
5 Vict. Sess. 2. c. 25.	Excise Duties (Compounds)	Partly repealed	CXIV.
5 & 6 Vict. c. 22.	Queen's Bench, Fleet, and Marshalsea Prisons.	Amended	LX. and CXLIX.
5 & 6 Vict. c. 27.	Ecclesiastical Benefices	Applied	CXXVII.
5 & 6 Vict. c. 54.	Commutation of Tithes	Amended	XCIII.
5 & 6 Vict. c. 55.	Conveyance of Troops by Railway	Applied	CLII.
5 & 6 Vict. c. 81.	Game Certificates (Ireland)	Saved	XC.
5 & 6 Vict. c. 94.	Defence Act	Applied and amended.	CXII.
5 & 6 Vict. c. 98.	Prisons	Partly repealed	CXXIII.
5 & 6 Vict. c. 99.	Employment of Women in Mines and Collieries.	Amended	CLI.
6 & 7 Vict. c. 13.	Government of Settlements in Africa.	Extended	CXXI.
6 & 7 Vict. c. 20.	Offices on Crown Side of Court of Queen's Bench.	Amended	LIV.
6 & 7 Vict. c. 49.	Excise	Repealed	CXIV.
6 & 7 Vict. c. 73.	Attornies and Solicitors	Amended	CXXVII.
6 & 7 Vict. c. 79.	Herring Fisheries	Amended	XCII.
7 & 8 Vict. c. 15.	Labour in Factories	Extended and amended.	LXXVIII.
7 & 8 Vict. c. 34.	Prison Discipline (Scotland)	Repealed	CV.
7 & 8 Vict. c. 70.	Insolvent Debtors	Explained	CXLVII.
7 & 8 Vict. c. 81.	Marriages in Ireland	Amended	XVIII.
7 & 8 Vict. c. 85.	Construction of Railways	Applied	CLII.
7 & 8 Vict. c. 92.	Coroners	Extended and partly repealed.	CXVI.
7 & 8 Vict. c. 105.	Quieting Titles of Tenants of Duchy of Cornwall.	Saved	LIII.
8 & 9 Vict. c. 18.	Lands Clauses Consolidation	Amended	CVI.
8 & 9 Vict. c. 19.	Lands Clauses (Scotland)	Amended	CVI.
8 & 9 Vict. c. 26.	Prevention of Fishing for Trout, &c. in Scotland.	Amended	XLV.
8 & 9 Vict. c. 62.	Unclaimed Dividends	Extended	LXXI.
8 & 9 Vict. c. 65.	Excise Duties on Spirits (Channel Islands).	Repealed	CXIV.
9 & 10 Vict. c. 25.	Malicious Injuries to Property	Explained	CXXXIX.
9 & 10 Vict. c. 73.	Commutation of Tithes	Amended	XCIII.
9 & 10 Vict. c. 74.	Baths and Wash-houses	Applied	XXX.
10 & 11 Vict. c. 6.	Distillation from Sugar	Repealed	CXIV.
10 & 11 Vict. c. 29.	Labour in Factories	Extended	LXXVIII
10 & 11 Vict. c. 32.	Improvement of Landed Property in Ireland.	Amended	XIX.
10 & 11 Vict. c. 48.	Transfer of Lands (Scotland)	Saved	L.
10 & 11 Vict. c. 59.	Government of the Navy	Repealed	CXXIII.
10 & 11 Vict. c. 62.	Naval Prisons	Partly repealed	CXXIII.
10 & 11 Vict. c. 71.	Herring Fisheries	Amended	XCII.
10 & 11 Vict. c. 85.	Regulation of Postage	Amended	LXV.
10 & 11 Vict. c. 90.	Poor Law Commission (Ireland)	Continued	CXLVIII.
10 & 11 Vict. c. 104.	Commutation of Tithes	Amended	XCIII.
10 & 11 Vict. c. 114.	Leith Harbour and Docks	Partly repealed	XLVIII.
11 Vict. c. 109.	Poor Law Commission	Continued	CI.
12 Vict. c. 1.	Officers of Excise	Amended	CXIII.
11 & 12 Vict. cc. 29. and 30.	Killing Hares	Amended	XC.
11 & 12 Vict. c. 36.	Entailed Estates (Scotland)	Applied	XCV. & CXLIII.
11 & 12 Vict. c. 63.	Public Health	Extended	XVI.

Effect of the Year's Legislation—*continued.*

Act affected.	Subject of Act affected.	How affected.	Act affecting.
			23 & 24 Vict. Cap.
11 & 12 Vict. c. 100. -	Distilling from Sugar - - -	Repealed - -	CXIV.
11 & 12 Vict. c. 121. -	Dealers in Spirits - - -	Part repealed -	CXIV.
11 & 12 Vict. c. 122. -	British Spirits Warehousing - -	Part repealed -	CXIV.
12 & 13 Vict. c. 23. - -	Improvement of Landed Property in Ireland.	Amended - -	XIX.
12 & 13 Vict. c. 96. - -	Trial of Offences in the Colonies -	Extended - -	LXXXVIII.
13 & 14 Vict. c. 2. - -	Party Processions (Ireland) - -	Amended - -	CXLI.
13 & 14 Vict. c. 13. - -	Property held by Religious Societies in Scotland.	Extended - -	CXLIII.
13 & 14 Vict. c. 31. - -	Improvement of Landed Property in Ireland.	Amended - -	XIX.
13 & 14 Vict. c. 33. - -	Police (Scotland) - - - - -	Amended - -	XCVI.
13 & 14 Vict. c. 35. - -	Proceedings in Chancery - -	Amended - -	XXXVIII.
13 & 14 Vict. c. 41. - -	Manchester Parish Division - -	Amended - -	LXIX.
13 & 14 Vict. c. 43. s. 24. -	Court of Chancery of County Palatine of Lancaster.	Amended - -	XXXVIII.
13 & 14 Vict. c. 54. - -	Labour in Factories - - -	Extended - -	LXXVIII.
13 & 14 Vict. c. 94. - -	Ecclesiastical Commission - -	Partly repealed -	CXCIV.
13 & 14 Vict. c. 97. - -	Stamps - - - - - -	Amended - -	CXI.
13 & 14 Vict. c. 98. - -	Plurality of Benefices - - -	Amended - -	CXLII.
14 & 15 Vict. c. 16. - -	Highways (South Wales) - -	Repealed - -	LXVIII.
14 & 15 Vict. c. 26. - -	Herring Fisheries - - -	Amended - -	XCII.
14 & 15 Vict. c. 27. - -	Prison Discipline (Scotland) - -	Repealed - -	CV.
14 & 15 Vict. c. 28. - -	Common Lodging Houses - -	Explained and amended.	XXVI.
„ „ ss. 9, 10.	„ „ „ - -	Repealed as to Ireland.	„
14 & 15 Vict. c. 38. - -	Debts of Turnpike Trusts - -	Extended - -	LXXIII.
14 & 15 Vict. c. 53. - -	Copyhold and Inclosure Commission	Continued -	LXXXI.
14 & 15 Vict. c. 68. - -	Poor Law Commission (Ireland) -	Continued -	CXLVIII.
14 & 15 Vict. c. 70. - -	Railways (Ireland) - - -	Amended and made perpetual.	XCVII.
14 & 15 Vict. c. 72. - -	Endowment of Benefices (Ireland) -	Amended - -	LXXII.
14 & 15 Vict. c. 92. - -	Summary Jurisdiction (Ireland) -	Repealed - -	CXIX.
14 & 15 Vict. c. 104. -	Ecclesiastical Commission - -	Applied - -	CXXIV.
15 & 16 Vict. c. 51. -	Copyhold Act - - - -	Amended -	LIX.
15 & 16 Vict. c. 63. -	Valuation of Rateable Property in Ireland.	Amended and applied, and s. 13. repealed.	IV.
15 & 16 Vict. c. 80. -	Masters in Chancery - - -	Amended.	CXLIX.
16 & 17 Vict. c. 34. -	Property Tax - - - -	Amended and applied.	XIV.
16 & 17 Vict. c. 37. -	Excise Duties on Spirits - -	Repealed - -	CXIV.
16 & 17 Vict. c. 41. -	Common Lodging Houses - -	Amended and explained.	XXVI.
16 & 17 Vict. c. 69. - -	Entry of Seamen - - - -	Partly repealed -	CXXIII.
16 & 17 Vict. c. 91. -	Abatement of Income Tax in respect of Insurances on Lives.	Applied - -	XIV.
16 & 17 Vict. c. 94. -	Entailed Estates (Scotland) -	Applied - -	XCV. and CXLIII.
16 & 17 Vict. c. 104. -	Labour in Factories - - -	Extended -	LXXVIII.
16 & 17 Vict. c. 107. -	Customs Consolidation Act, 1853 -	Extended and -	XXXVI.
„ „ „ -	„ „ „ „ -	Amended -	CXV.
16 & 17 Vict. c. 113. -	Common Law Procedure (Ireland)	Amended -	LXXXII.
16 & 17 Vict. c. 127. -	Licences for Hackney Carriages -	Amended -	CXIII.
16 & 17 Vict. c. 137. -	Charitable Trusts - - -	Amended -	CXXXVI.
17 & 18 Vict. c. 8. - -	Valuation of Rateable Property in Ireland.	Amended and applied.	IV.
17 & 18 Vict. c. 27. -	Excise Duties - - - - -	Partly repealed -	CXIV.
17 & 18 Vict. c. 31. - -	Railway and Canal Traffic - -	Applied - -	CLII.
17 & 18 Vict. c. 80. - -	Registration of Births (Scotland) -	Amended - -	LXXXV.
17 & 18 Vict. c. 81. - -	Oxford University Government	Extended - -	XXIII.

Effect of the Year's Legislation—*continued.*

Act affected.	Subject of Act affected.	How affected.	Act affecting.
			23 & 24 Vict. Cap.
17 & 18 Vict. c. 81.	Oxford University Government	Explained	XCI.
17 & 18 Vict. c. 83.	Stamps	Amended	CXI.
17 & 18 Vict. c. 84.	Augmentation of Benefices	Amended	LIX.
17 & 18 Vict. c. 91.	Valuation of Lands (Scotland)	Applied	XXXVII.
17 & 18 Vict. c. 102.	Corrupt Practices at Elections	Continued	XCIX.
17 & 18 Vict. c. 103.	Towns Improvement (Ireland)	Saved	XXVI.
17 & 18 Vict. c. 104.	Merchant Shipping	Applied	CXXVI.
17 & 18 Vict. c. 116.	Ecclesiastical Commission	Applied	CXXIV.
17 & 18 Vict. c. 125.	Common Law Procedure	Partly repealed	CXXVI.
18 Vict. c. 22.	Spirits, &c. Duties (Excise)	Repealed	CXIV.
18 & 19 Vict. c. 15.	Protection of Purchasers against Judgments.	Amended	XXXVIII.
18 & 19 Vict. c. 29.	Registration of Births (Scotland)	Amended	LXXXV.
18 & 19 Vict. c. 35.	Abatement of Income Tax in respect of Insurances on Lives.	Applied	XIV.
18 & 19 Vict. c. 43.	Marriage Settlements of Infants	Explained	LXXXIII.
18 & 19 Vict. c. 62.	Sale of Spirits, &c. (Ireland)	Amended	XXXV.
18 & 19 Vict. c. 63.	Friendly Societies	Amended	LVIII.
18 & 19 Vict. c. 80.	Industrial Museum (Scotland)	Amended	CXVII.
18 & 19 Vict. c. 94.	Excise Duties	Partly repealed	CXIV.
18 & 19 Vict. c. 108.	Inspection of Coal Mines	Repealed	CLI.
18 & 19 Vict. c. 116.	Diseases Prevention	Amended	LXXVII.
18 & 19 Vict. c. 117.	Ordnance Board Transfer	Applied	CXII.
18 & 19 Vict. c. 120.	Metropolis Local Management	Saved	LXXVII.
18 & 19 Vict. c. 121.	Nuisances Removal	Amended	LXXVII.
18 & 19 Vict. c. 122.	Metropolitan Buildings Act, 1855	Amended	LII.
18 & 19 Vict. c. 124.	Charitable Trusts	Amended	CXXXVI.
18 & 19 Vict. c. 127.	Union of Benefices	Extended	CXLII.
18 & 19 Vict. c. 134.	Despatch of Business in Chancery	Amended	CXLIX.
19 & 20 Vict. c. 28.	Peace Preservation (Ireland)	Amended and continued.	CXXXVIII.
19 & 20 Vict. c. 34.	Sugar Duties	Amended	CXIII.
19 & 20 Vict. c. 38.	Regulation of Labour in Factories	Extended	LXXVIII.
19 & 20 Vict. c. 51.	Distillation from Rice	Repealed	CXIV.
19 & 20 Vict. c. 79.	Bankruptcy (Scotland)	Amended	XXXIII.
19 & 20 Vict. c. 98.	Burial Grounds (Ireland)	Amended	LXXVI.
19 & 20 Vict. c. 108.	County Courts	Extended	CXXVI.
20 Vict. c. 19.	Relief of the Poor in Extra-parochial Places.	Extended	XXIV.
20 & 21 Vict. c. 48.	Industrial Schools	Amended	CVIII.
20 & 21 Vict. c. 58.	Valuation of Lands (Scotland)	Applied	XXXVII.
20 & 21 Vict. c. 72.	Police (Scotland)	Applied	LXXIX.
20 & 21 Vict. c. 77.	Probates and Administration	Applied	XCI.
" "	" " "	Amended	CXI.
20 & 21 Vict. c. 79.	Probate (Ireland)	Amended	CXI.
20 & 21 Vict. c. 81.	Burial Acts Amendment	Amended	LXIV.
20 & 21 Vict. c. 85.	Divorce Court	Amended	CXLIV.
21 Vict. c. 15.	Sugar Duties	Amended	CXIII.
21 & 22 Vict. c. 12.	Tariff Amendment	Repealed	CX.
21 & 22 Vict. c. 15.	Excise Duties	Repealed	CXIV.
21 & 22 Vict. c. 44.	Universities and College Estates	Amended	LIX.
21 & 22 Vict. c. 48.	Oaths and Jews Relief	Amended	LXIII.
21 & 22 Vict. c. 49.	Jews Relief	Amended	LXIII.
21 & 22 Vict. c. 75.	Cheap Trains	Made perpetual	XLI.
21 & 22 Vict. c. 76.	Titles to Land (Scotland)	Amended	CXLIII.
21 & 22 Vict. c. 90.	Medical Act	Amended	VII. and LXVI.
21 & 22 Vict. c. 94.	Copyhold Act	Amended	LIX.
21 & 22 Vict. c. 98.	Local Government Act, 1858	Extended	XVI. and LXIV.
21 & 22 Vict. c. 101.	Friendly Societies	Partly repealed	LVIII.
21 & 22 Vict. c. 109.	Cornwall Submarine Mines Act, 1858	Amended	LIII.
22 Vict. c. 21.	Medical Act Amendment	Amended	VII.

EFFECT OF THE YEAR'S LEGISLATION—*continued.*

Act affected.	Subject of Act affected.	How affected.	Act affecting.
			23 & 24 Vict. Cap.
22 Vict. c. 26. - -	Superannuation Act - - -	Extended -	LXXXIX.
22 & 23 Vict. c. 18. - -	Excise Duties - - - -	Amended -	CXIII.
22 & 23 Vict. c. 27. - -	European Troops in India - -	Partly repealed -	C.
22 & 23 Vict. c. 35. - -	Law of Property - - - -	Amended -	XXXVIII.
22 & 23 Vict. c. 39. - -	East India Loan - - - -	Extended -	V.
22 & 23 Vict. c. 61. - -	Divorce Court - - - -	Partly repealed -	CXLIV.
22 & 23 Vict. c. 66. - -	Measures for Sale of Gas - -	Amended -	CXLVI.
23 Vict. c. 22. - -	"The Customs Tariff Act, 1860" -	Extended -	XXXVI.
23 & 24 Vict. c. 15. -	Stamps Act Amendment - -	Partly repealed -	LXXX.
" " s. 12 -	" " - -	Applied - -	CXI.
23 & 24 Vict. c. 27. - -	Wine Licences - - - -	Amended -	CXIII.
23 & 24 Vict. c. 90. - -	Game Certificates - - -	Amended -	CXIII.

NOTE	Militia Acts - - - -	Amended -	XCIV. and CXX.
	Customs Acts - - - -	Amended -	XXII. and CX.
	Stamp Acts - - - -	Amended -	XV., LXXX., CXI., and CXV.
	Excise Acts - - - -	Amended -	CXIII. and CXIV.
	Landlord and Tenant (Ireland) -	Repealed -	CLIV.

AN

INDEX TO THE STATUTES

OF

THE UNITED KINGDOM,

VOLUME THE TWENTY-FOURTH,

CONTAINING THE

Acts passed 21 & 22 Vict., 22 Vict., 22 & 23 Vict., and 23 & 24 Vict. (1858-1860.)

☞ In this Index the Acts are arranged alphabetically according to the Subject, the Parliamentary Short Title being in most Cases adopted either as a principal Heading or as a cross Reference. Minute References are likewise made from one Head to another, in order that the Subject may be fully traced out.

A List of the "Local and Private Acts" will be found at the End of the Index. These Acts are subdivided into Classes according to the Arrangement adopted in the Index to the Statutes compiled by Order of the Committee of the Library of the House of Lords.

The Acts relating to Ireland and Scotland are placed under their respective Heads in the general Body of the Index. The Short Titles of those Acts (alphabetically arranged) will likewise be found under the Heads of "*Ireland*" and "*Scotland*" respectively.

A.

Aberdeen, University of.

21 & 22 Vict. c. 83.—An Act to make Provision for the better Government and Discipline of the Universities of Scotland, and improving and regulating the Course of Study therein; and for the Union of the Two Universities and Colleges of Aberdeen. Page 143

§ 1. King's College and Marischal College, Aberdeen, to be united under the Title of "University of Aberdeen."
6. Constitution of General Council for the University of Aberdeen.
9. Constitution of University Court for Aberdeen.
17. Powers of the Commissioners under this Act as to the University of Aberdeen.
25. Certain Trusts not to be affected.

See also *Universities*, 4.

Abjuration, Oath of. See *Oaths*, 3.

Abolition of Annuity Tax. See *Annuity Tax Abolition.*

Abolition of Manor Courts. See *Manor Courts, &c. (Ireland).*

Abolition of Property Qualification of Members of Parliament. See *Property Qualification.*

Abolition of Tolls. See *Chelsea Bridge. Portumna Bridge.*

Actions, Limitation of. See *Duchy of Cornwall.*

Administering of Poison.

23 & 24 Vict. c. 8.—An Act to amend the Law relating to the unlawful administering of Poison. Page 594

§ 1. Any Person maliciously administering Poison, &c. with Intent to endanger Life or inflict grievous bodily Harm to be guilty of Felony.
2. Any Person maliciously administering Poison, &c. with Intent to injure, aggrieve, or annoy any other Person, to be guilty of a Misdemeanor.
3. If the Jury be not satisfied that any Person charged is guilty of Felony, but think he is guilty of Misdemeanor, they may find him guilty accordingly.

Administration of Justice. See—

Administering of Poison.
Admiralty, High Court of.
Admiralty Jurisdiction.
Affidavits by Commission.
Affirmation.
Arbitration.
Ascertainment of the Law.
Assistant Barristers.
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Chancery, Court of.
Chief Justice of Bombay.
Civil Bills (Ireland).
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False Pretences.
Imprisonment for Debt.
Judgments (Ireland).
Jury Trial (Scotland).
Justices of the Peace.
Malicious Injuries.
Manor Courts (Ireland).
Nisi Prius (Ireland).
North-western Provinces (British America).
Oaths.
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Petitions of Right.
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Recognizances.
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Remission of Penalties.
Sessional Divisions.
Stipendiary Magistrates.
Vexatious Indictments.
Witnesses.

Administration of Oaths. See *Oaths.*

Administration, Letters of. See *Probates and Administrations.*

Admiralty, High Court of.

22 & 23 Vict. c. 6.—An Act to enable Serjeants, Barristers-at-Law, Attorneys, and Solicitors to practise in the High Court of Admiralty. Page 413

§ 1. All Serjeants, Barristers, Attorneys, and Solicitors to be at liberty to practise in the High Court of Admiralty, and have same Rights, &c. as Proctors now have.

See also *Probate, Court of. Packet Service (Transfer of Contracts).*

Admiralty Jurisdiction (India).

23 & 24 Vict. c. 88.—An Act to extend certain Provisions for Admiralty Jurisdiction in the Colonies to Her Majesty's Territories in India. Page 768

§ 1. Provisions of 12 & 13 Vict. c. 96. to extend to India.
2. Provision for Persons entitled to be tried by the Supreme Court of a Presidency.

Admission to Office of Principal. See *Universities,* 4.

Admission of Burgesses (Scotland).

23 & 24 Vict. c. 47.—An Act to amend the Law relative to the Legal Qualifications of Councillors and the Admission of Burgesses in Royal Burghs in Scotland. Page 700

Preamble recites 3 & 4 W. 4. c. 76. and 9 & 10 Vict. c. 17.

§ 1. Section 14 of 3 & 4 W. 4. c. 76. repealed.
2. Electors of Members of Council may be admitted as Burgesses on certain Conditions.

Adulteration of Food or Drink.

23 & 24 Vict. c. 84.—An Act for preventing the Adulteration of Articles of Food or Drink. Page 760

§ 1. Penalty on Persons selling Articles of Food or Drink knowing the same to be injurious to Health. As to subsequent Offences.
2. Power to appoint Analysts.
3. Protection against Articles of Food and Drink being tampered with by Purchaser.
4. Power to Purchasers of Articles of Food and Drink to have them analysed, and Certificate of Analyst made Evidence.
5. Power to Justices to have Articles of Food and Drink analysed.
6. Appeal to Quarter Sessions.
7. Where Conviction within Six Days of Quarter Sessions, Time allowed for Appeal.
8. Persons convicted of selling adulterated patented Article may have a Case stated for Opinion of Superior Court.
9. As to Mode of Procedure in Cases under this Act. Application of Monies.
10. Proceedings in Ireland as to Complaints, &c. to be subject to Provisions of 14 & 15 Vict. c. 93. and 21 & 22 Vict. c. 100.
11. Appeal to Quarter Sessions.
12. As to Expenses of executing Act.
13. Indictment or other Remedy not affected.
14. Interpretation of Terms.

Advances for Navigations. See *Navigation Advances (Ireland).*

Affidavits by Commission.

22 Vict. c. 16.—An Act to enable the Judges to appoint Commissioners within Ten Miles of London and in the Isle of Man and the Channel Islands to administer Oaths in Common Law, and to authorize the taking in the County of Bail in Error, and Recognizances and Bail on the Revenue Side of the Exchequer. Page 356

Recital of 29 Car. 2. c. 5.

§ 1. Power to Judges to appoint Commissioners to administer Oaths within Ten Miles of London.
2. Style of Commissioners. Power to take Fees.
3. Power to Judges to appoint Commissioners for the Isle of Man and the Channel Islands.
4. Affidavits, &c. to be read and made use of as other Affidavits.
5. Extending Provisions of 4 W. & M. c. 4. as to Bail in Error, and to Recognizances on the Revenue Side of the Exchequer.

Affirmation.

22 Vict. c. 10.—An Act to settle the Form of Affirmation to be made in certain Cases by Quakers and other Persons by Law permitted to make an Affirmation instead of taking an Oath. Page 348

§ 1. New Form of Affirmation to be made by Quakers and other Persons permitted to make an Affirmation instead of taking an Oath as in 21 & 22 Vict. c. 48.
2. Name of the Sovereign for the Time being to be used.

Africa. See *Coast of Africa, &c.*

Aids, Application of. See *Revenue (Public).*

Albreda. See *Portendic and Albreda.*

Allegiance, Oath of. See *Oaths,* 3.

Allotment of Lands. See *Hainault Forest.*

America, British. See *North-western Territories.*

Animals, Diseases among. See *Contagious Diseases Prevention.*

Anniversary Days Observance.

22 Vict. c. 2.—An Act to repeal certain Acts and Parts of Acts which relate to the Observance of the Thirtieth of January and other Days. Page 329

§ 1. Certain Enactments for the Observance of the 30th of January, 29th of May, 5th of November, and 23d of October, repealed, viz.,
Of the Parliament of England :—
The whole of 3 Jac. 1. c. 1., for a Public Thanksgiving on the Fifth of November.
The whole of 12 Car. 2. c. 14., for a perpetual Anniversary Thansksgiving on the Twenty-ninth of May.
So much of 12 Car. 2. c. 30., as enacts that every Thirtieth Day of January should be kept as an Anniversary Day.
So much of 13 Car. 2. c. 7., as confirms the preceding Enactment.
So much of 13 Car. 2. c. 11., as confirms the Act 12 Car. 2. c. 14.
Of the Parliament of Great Britain :—
So much of 24 Geo. 2. c. 23. as requires the observing of the Thirtieth of January, the Twenty-ninth of May, and the Fifth of November.
Of the Parliament of Ireland :—
The whole of 14 & 15 Car. 2. Sess. 4. c. 1., for a perpetual Anniversary Thanksgiving on the Twenty-ninth of May.
The whole of 14 & 15 Car. 2. Sess. 4. c. 23., for celebrating the Twenty-third of October as an Anniversary Thanksgiving.

Annuities and Premiums. See *Naval Medical Supplemental Fund Society.*

Annuities to Lady and Sir H. M. Havelock. See *Havelock.*

Annuity Tax Abolition.

23 & 24 Vict. c. 50.—An Act to abolish the Annuity Tax in Edinburgh and Montrose, and to make Provision in regard to the Stipends of the Ministers in that City and Burgh, and also to make Provision for the Patronage of the Church of North Leith. Page 704

§ 1. Interpretation of Terms.
2. Annuity Tax abolished.
3. Commissioners appointed to carry Act into effect.
4. Commissioners incorporated.
5. Administration of the City Churches transferred from the Magistrates and Council to the Commissioners.
6. Pews in the City Churches to be let by the Kirk Sessions, and Surplus of the Rents to be paid to the Commissioners.
7. Commissioners to provide for the Repair of the Churches and other Expenses out of the Surplus of the Seat Rents.
8. Bonds of Annuity to be granted by the City.
9. Property of the City disponed in Security of the Payment of the Annuities.
10. As long as the Annuities are regularly paid, the Administration of the Property of the City by the Magistrates and Council not to be interfered with.
11. Police Rate to be increased to an Amount not exceeding 4½*d.* per Pound on the gross Value of the Property; but in a certain Event not to exceed 3*d.*
12. Creditors in the Bonds of Annuity to have same Rights of enforcing Payment as the City Creditors; and failing due Payment, the Revenues of the City may be applied under Orders of Court.
13. Police Rate may be redeemed to the Extent of 3*d.* per Pound.
14. Redemption Monies to be invested.
15. The Sum of 2,000*l.* payable from Exchequer, for the Benefit of the Ministers, to be paid to the Commissioners.
16. Stipends of Ministers of the City Churches to be paid out of the Monies received by the Commissioners.
17. Accounts to be kept and published by the Commissioners.
18. Application of Monies received by the Commissioners.
19. Accounts of the Commissioners to be audited.
20. If Commissioners fail in the Discharge of their Duties, Complaint may be brought before the Court of Session.
21. The Right of Patronage, as respects Five Charges, transferred to the Commissioners.
22. Sale of Right of Patronage of Magistrates and Town Council of Edinburgh.
23. The Commissioners, with Concurrence of the Presbytery, may alter existing Parochial Arrangements.
24. Present Ministers to have a preferable Claim on the Monies provided by this Act.
25. Compensation to City Creditors in lieu of present Security over Seat Rents.
26. Nothing in this Act to affect the Rights of the City Creditors, &c. except as provided, respecting the Seat Rents.
27. Succeeding Minister in Second Charge of Parish and Burgh of Montrose to have no Claim to Annuity.

§ 28. Patronage to be vested in the Elders and other Members of the Church.
29. Provost, Magistrates, and Council to pay to succeeding Minister and his Successors a Salary of 200*l.* per Annum.
30. Kirk Session may levy Seat Rents.
31. Patronage of the Church of North Leith to be transferred from the "haill Inhabitants," and vested in the "Heritors" and Communicants, and how to be exercised.
32. Vacant Stipends to be paid to Ministers Widows Fund.
33. Statutes inconsistent with this repealed.
SCHEDULE of Forms.

Anstruther Union Harbour.

23 & 24 Vict. c. 39.—An Act for the Construction of a new Harbour, and the Improvement of the existing Harbour, at Anstruther Easter in the County of Fife. Page 660

§ 1. Short Title.
2. Interpretation of Terms.
3. 8 & 9 Vict. c. 19. and 10 & 11 Vict. cc. 16. and 27. incorporated.
4. Appointment of Commissioners.
5. Incorporation of Commissioners.
6. Chairman and Returning Officer.
7. Election of Commissioners.
8. Notice to be given to Persons elected.
9. Commissioners to retire from Office by Rotation.
10. Annual Election of Commissioners.
11. Times and Place of Meetings of Commissioners.
12. After 11th November 1860 the existing Harbour of Anstruther Easter, &c. to be transferred to the Commissioners.
13. Annual Payment by Commissioners to Magistrates and Council of Anstruther Easter for Municipal Purposes.
14. Power to borrow Money on Security of Rates, &c.
15. Power to Public Works Loan Commissioners to lend Money to Commissioners under this Act.
16. Power to Commissioners for the British White Herring Fishery to grant and also lend Money to Commissioners under this Act.
17. Power to borrow from Bank on Cash Credit.
18. Application of Money granted and borrowed.
19. Auditor to be appointed.
20. Sinking Fund to be established.
21. Payment of Arrears of Principal and Interest may be enforced by Appointment of Judicial Factor.
22. Limits of Harbour.
23. Improvement of existing Harbour.
24. Power to construct new Harbour.
25. Powers for compulsory Purchases limited.
26. Plans of Works to be deposited at the Admiralty Office.
27. Local Survey may be made.
28. Power to alter Plans, with Sanction of the Admiralty.
29. New Harbour and Works to be vested in Commissioners appointed by this Act.
30. Works abandoned may be removed by Admiralty.
31. Rates on Vessels as in Schedule.
32. Rates on Goods as in Schedule.
33. Rates for Cranes, Weighing Machines, and Sheds as in Schedule.
§ 34. Meters and Weighers may be licensed.
35. Pilots may be licensed.
36. Commissioners deemed "Pilotage and Local Authorities."
37. Responsibility of Pilots.
38. Power to lease Rates.
39. Application of Monies received by Commissioners.
40. Form of Proceedings against Offenders.
41. Reservation of Merchant Shipping Acts.
42. Saving Rights of the Crown.
43. Any Land reclaimed by the Works not to be taken without Consent of the Commissioners of Woods, &c.
44. Saving Rights of Public Works Loan Commissioners.
45. Saving Rights of Burgesses of Anstruther Wester.
SCHEDULE of Rates and Forms.

Antigua.

22 & 23 Vict. c. 13.—An Act to enable Her Majesty to confirm an Act passed by the Legislature of Antigua, intituled "An Act to extend the Operation of the Laws of Antigua to the Island of Barbuda." Page 423

§ 1. Her Majesty empowered to confirm the recited Act of the Legislature of Antigua.

Application of Aids. See *Revenue, Public, &c.*

Appointments. See *Copyholds. High Bailiffs. Nisi Prius (Ireland).*

Appropriation of Supplies. See *Revenue, Public, &c.*

Arbitration (Railway Companies).

22 & 23 Vict. c. 59.—An Act to enable Railway Companies to settle their Differences with other Companies by Arbitration. Page 504

§ 1. Short Title.
2. Railway Companies may refer Matters to Arbitration.
3. Companies may alter or revoke Agreements for Reference.
4. Agreements to be carried into effect.
5. Reference to a single Arbitrator.
6. Reference to Two or more Arbitrators.
7–15. Appointment of Arbitrators and Umpires by Companies.
16. Succeeding Arbitrators and Umpires to have Powers of Predecessors.
17. Reference to Umpire.
18. Power for Arbitrators, &c. to call for Books, &c., and administer Oath.
19. Procedure in the Arbitration.
20. Arbitration may proceed in Absence of Companies.
21. Several Awards may be made.
22. Awards made in due Time to bind all Parties.
23. Power for Umpire to extend Period for making his Award.
24. Awards not to be set aside for Informality.
25. Awards to be obeyed.
26. Agreements, Arbitrations, and Awards to have Effect.

§ 27. Costs of Arbitration and Award.
28. Payment of Costs.
29. Submission to Arbitration to be made a Rule of Court.

Army. See *European Forces (India). Limited Service (Army). Militia. Mutiny. Reserve Force.*

Arrangements for Relief of Turnpike Trusts. See *Turnpike Roads and Trusts.*

Arsenals. See *Defence of the Realm.*

Articles of Manufacture. See *Copyright of Designs.*

Art Unions.

21 & 22 Vict. c. 102.—An Act to indemnify certain Persons who have formed a voluntary Association for the Disposal of Works of Utility and Ornament by Chance or otherwise as Prizes. Page 216

Preamble recites 7 & 8 Vict. c. 109., 8 & 9 Vict. c. 57., and 9 & 10 Vict. c. 48.
§ 1. The Association, and the Members, &c. thereof, discharged from Suits and Penalties.

Ascertainment of the Law.

22 & 23 Vict. c 63.—An Act to afford Facilities for the more certain Ascertainment of the Law administered in One Part of Her Majesty's Dominions when pleaded in the Courts of another Part thereof. Page 508

§ 1. Courts in One Part of Her Majesty's Dominions may remit a Case for the Opinion in Law of a Court in any other Part thereof.
2. Opinion to be authenticated and certified Copy given.
3. Opinion to be applied by the Court making the Remit.
4. Her Majesty in Council or House of Lords on Appeal may adopt or reject Opinion.
5. Interpretation Clause.

Assistant Barristers (Ireland).

21 & 22 Vict. c. 88. — An Act to amend the Act 14 & 15 Vict. c. 57. to consolidate and amend the Laws relating to Civil Bills and the Courts of Quarter Sessions in Ireland, and to transfer to the Assistant Barristers certain Jurisdiction as to Insolvent Debtors. Page 160

§ 1. Provision for Retiring Pensions of Assistant Barristers.
2. Power to remove Assistant Barristers on Certificate of Lord Chancellor for Inability.
3. Assistant Barrister after passing of this Act to be styled Chairman of Quarter Sessions.

Assistant Judge for Middlesex.

22 & 23 Vict. c. 4.—An Act to amend the Act for the better Administration of Criminal Justice in Middlesex. Page 412

Recital of 7 & 8 Vict. c. 71.
§ 1. Power to Justices of Middlesex to grant 300*l.* a Year out of the County Rates as an Addition to the Salary of the Assistant Judge.
§ 2. In such Case Assistant Judge not to practise as a Barrister.
3. In certain Cases Secretary of State may appoint a Person to act temporarily as Assistant Judge.
4. All General Sessions of the Peace for Middlesex to have the Powers of Quarter Sessions.
5. Court may remit Fines on Jurors imposed at a previous Session.
6. Section 10 of recited Act repealed in part on next Vacancy of the Office of Assistant Judge.

Asylums for Lunatics. See *Bethlehem Hospital. Lunatic Asylums.*

Attorneys, Solicitors, &c.

23 & 24 Vict. c. 127.—An Act to amend the Laws relating to Attorneys, Solicitors, Proctors, and Certificated Conveyancers. Page 958

Preamble recites 6 & 7 Vict. c. 73., 7 & 8 Vict. c. 86., and 14 & 15 Vict. c. 88.
§ 1. Interpretation of Terms.
2. Persons having taken Degrees at certain Universities may be admitted after Three Years Service. Repeal of Section 7. of 6 & 7 Vict. c. 73.
3. Persons having been at the Bar may be admitted after Three Years Service.
4. Persons having been bonâ fide Clerks to Attorneys, Solicitors, or Proctors for Ten Years may be admitted after Three Years Service.
5. Judges may make Regulations for Persons who have passed certain Examinations before Articles to be admitted after Four Years Service.
6. Sect. 6. of 6 & 7 Vict. c. 73. extended to Persons articled for Four Years only.
7. Articles of Clerkship to be produced to the Registrar, and entered within Three Months from Enrolment.
8. Judges may require Examination in general Knowledge, either before Articles or before Admission, with Power to dispense therewith in special Cases.
9. Judges may require an Examination in legal Knowledge during Articles.
10. Articled Clerks not to hold other Employment.
11. Examination before Admission to extend to all Matters of Business usually transacted or performed by Attorneys or Solicitors.
12. Where the Three, Four, or Five Years expire in any Vacation, Examination may take place in Term preceding such Vacation.
13. Persons not to be admitted in Palatine Courts without Examination.
14. Attorneys or Solicitors of the Courts of Lancaster and Durham may be admitted to Court of Chancery and Superior Courts of Law at Westminster.
15. Persons admitted as Writers to the Signet, &c., may be enrolled as Attorneys and Solicitors.
16. Provision as to Admission to Offices of Solicitors who have been Utter Barristers.
17. Officers having Custody of Roll of Attorneys and Solicitors to transmit to Registrar Copies of Enrolments at the End of each Term.
18. Registrar's Certificates to be made the stamped Certificates of the Commissioners of Inland Revenue.

§ 19. The Amount of Stamp Duty to be determined by the Place of Business.
20. The Declaration, on applying for the Registrar's Certificate, to be in Duplicate, and One Copy to be left with the Commissioners.
21. Certificate to be entered with the Registrar; &c., &c.
22. When Certificate to bear Date and when to determine.
23. In case of Neglect for a Year to renew Certificate, Order of Court or Judge necessary.
24. Rule for striking Attorneys off the Roll to be entered with the Registrar.
25. An Attorney struck off the Roll of one of the Courts to be struck off the Rolls of other Courts.
26. Penalty for wrongfully acting as Attorney, &c.
27. Power to Court of Chancery to order Payment of Interest on Costs in certain Cases.
28. Power to Courts of Justice to charge Property recovered with Payment of Costs.
29. As to Costs in Matters of Lunacy in case of Death.
30. All future Authorities to administer Oaths or take Acknowledgments to be registered.
31. Provisions for Registration of existing Authorities.
32. How Orders, &c. authorized by this Act may be made.
33. Saving Provisions enabling other than Attorneys to act.
34. As to Issue of stamped Certificates to Conveyancers under the Bar.
35. Act to extend only to England and Wales.
36. 6 & 7 Vict. c. 73. and this Act to be as One.

See also *Admiralty, High Court of.*

Augmentation of Small Benefices (Ireland).

23 & 24 Vict. c. 72.—An Act to promote and facilitate the Endowment and Augmentation of small Benefices in Ireland. Page 741

Preamble recites 14 & 15 Vict. c. 72.
§ 1. Short Title.
2. Construction of Terms.
3. When Benefice is of less Value than 50*l.*, an Endowment of not less than 75*l.* may be made, &c. Patronage of such Benefice to be vested in Trustees.

Authentication of Orders. See *Clerk of the Council.*

B.

Bail :

1.—*Bail in Error.*

22 Vict. c. 16.—An Act to enable the Judges to appoint Commissioners within Ten Miles of London and in the Isle of Man and the Channel Islands to administer Oaths in Common Law, and to authorize the taking in the Country of Bail in Error, and Recognizances and Bail on the Revenue Side of the Exchequer. Page 356

§ 5. Provisions of 4 W. & M. c. 4. as to Bail in Error, and to Recognizances on the Revenue Side of the Exchequer, extended.

2.—*Bail for Manslaughter.*

22 Vict. c. 33.—An Act to enable Coroners in England to admit to Bail Persons charged with Manslaughter. Page 392

§ 1. In Cases of Manslaughter Coroner may admit Persons charged to Bail.
2. In such Cases Recognizances to be taken.
3. Depositions to be furnished to Persons against whom Coroners Juries have found Verdicts of Manslaughter.

Baldersby, St. James. See *Marriages*, 4.

Ballots for the Militia. See *Militia*, 2.

Banbury. See *Local Government of Towns, &c.*

Bank of England :

1.—*East India Stock, &c. Management.*

23 & 24 Vict. c. 102.—An Act to provide for the Management of East India Stock, and of the Debts and Obligations of the Government of India, at and by the Bank of England. Page 795

§ 1. Arrangements for Transfer of Stock of the East India Company and Payment of Dividends thereon at the Bank of England.
2. Secretary of State for India in Council to pay to the East India Company the Sum agreed to be paid to the Bank of England.
3. Powers of Attorney existing previous to the 31st Dec. 1860 not to be defeated by the Act; and the Bank of England authorized to act on any Powers lodged with the East India Company.
4. Evidence of the Title to Stock may be required by the Bank.
5. Secretary of State for India in Council to pay the Dividends half-yearly to the Bank.
6. Secretary of State for India in Council to make such Arrangements as shall be deemed expedient with the Bank of England for Payment of the Debts and Obligations of the Government of India, and the Interest thereon.
7. Secretary of State for India in Council to open Accounts at Bank of England for Payment of current Demands.

2.—*Issues Indemnity.*

21 & 22 Vict. c. 1.—An Act to indemnify the Governor and Company of the Bank of England in respect of certain Issues of their Notes, and to confirm such Issues, and to authorize further Issues for a Time to be limited. Page 1

Preamble recites 7 & 8 Vict. c. 32.
§ 1. Issues of Bank of England Notes since 12th Nov. 1857 in excess of those authorized by Law confirmed.
2. The Restriction on the Amount of Securities to be taken in the Issue Department suspended.
3. The Issues in excess to be reduced on or before the Expiration of the Suspension.

Bank of Ireland:

1. *Loans on Mortgage.*

23 & 24 Vict. c. 31.—An Act to repeal a certain Enactment for restraining the Governor and Company of the Bank of Ireland from lending Money on Mortgage. Page 649

Preamble recites 21 & 22 G. 3. c. 16. (I.) s. 7.
§ 1. Provision in recited Act restraining Bank of Ireland from lending Money on Mortgage repealed.
2. Recited Act and this Act to be read as One Act.

2.—*Unclaimed Dividends.*

23 & 24 Vict. c. 71.—An Act to make Provision as to Stock and Dividends unclaimed in Ireland. Page 740

Preamble recites 56 G. 3. c. 60. and 8 & 9 Vict. c. 62.
§ 1. Provisions as to unclaimed Stock and Dividends to extend to Stock transferable at the Bank of Ireland.
2. Notice by Advertisements in Ireland before Re-transfer or Payment of Dividend.

Bankers Drafts or Cheques.

21 & 22 Vict. c. 20.—An Act for granting a Stamp Duty on certain Drafts or Orders for the Payment of Money. Page 31

§ 1. After 24th May 1858, certain Drafts to be chargeable with a Stamp Duty of 1*d.*
2. Duty to be under Care of Commissioners of Inland Revenue; Powers, &c. of former Acts to apply to this Act.

21 & 22 Vict. c. 79.—An Act to amend the Law relating to Cheques or Drafts on Bankers. Page 141

§ 1. The Crossing to be deemed a material Part of a Cheque or Draft, &c.
2. The lawful Holder of a Cheque uncrossed, or crossed "and Company," may cross the same with the Name of a Banker.
3. Persons obliterating, &c. Crossing with Intent to defraud, guilty of Felony.
4. Banker not to be responsible for paying a Cheque which does not plainly appear to have been crossed or altered.
5. Interpretation of the Word "Banker."

Banking Companies. See *Joint Stock Companies.*

Bankruptcy and Insolvency:

1.—*Ireland.*

22 & 23 Vict. c. 62.—An Act to amend the Irish Bankruptcy and Insolvency Act (1857). Page 508

Recital of Section 294 of 20 & 21 Vict. c. 60.
§ 1. Application of unclaimed Dividends declared before passing of 20 & 21 Vict. c. 60. to be divided as directed by 6 Will. 4. c. 14. s. 128.
2. Acts to be construed as One Act.

2.—*Scotland.*

23 & 24 Vict. c. 33.—An Act to amend certain Provisions in the Bankrupt Law of Scotland. Page 651

Preamble recites 19 & 20 Vict. c. 79.
§ 1. Short Title.
2. Where it appears to Court of Session, &c. that the Estate ought to be distributed in England or Ireland, Sequestration may be recalled.
3. Discharge of Bankrupt may in certain Cases be refused, although no Opposition be made by Creditors.
4. Interlocutors of Lord Ordinary or Sheriff subject to Review.
5. The Word "Gazette" in recited Act to mean Edinburgh Gazette.
6. Fee to Sheriff abolished.
7. Fee payable to Sheriff for Attendances, &c.
8. Recited Act to remain in force.

Banks for Savings. See *Savings Banks.*

Banners. See *Party Emblems (Ireland).*

Barbuda Government.

22 & 23 Vict. c. 13.—An Act to enable Her Majesty to confirm an Act passed by the Legislature of Antigua, intituled, "An Act to extend the Operation of the Laws of Antigua to the Island of Barbuda." Page 423

§ 1. Her Majesty empowered to confirm the recited Act of the Legislature of Antigua.

Barnard's (Sir John) Act Repeal.

23 & 24 Vict. c. 28.—An Act to repeal the Act 7 Geo. 2. c. 8., commonly called "Sir John Barnard's Act," and the Act 10 Geo. 2. c. 8. Page 648

Preamble recites 7 G. 2. c. 8. to prevent the Practice of Stock-jobbing, and 10 G. 2. c. 8., making that Act perpetual.
§ 1. Recited Acts repealed.

Barnsley. See *Local Government of Towns, &c.*

Barrels, Branding of. See *Fisheries (Scotland), 2.*

Barristers. See *Admiralty, High Court of. Assistant Barristers (Ireland).*

Bastardy Returns. See *Returns to Secretary of State.*

Beer, Dealers and Retailers in. See *Excise Duties.*

Benefices. See *Augmentation of Small Benefices (Ireland). Union of Benefices.*

Benefit Societies.

23 & 24 Vict. c. 13.—An Act to prevent the Members of Benefit Societies from forfeiting their Interest therein by being enrolled in Yeomanry or Volunteer Corps. Page 610

§ 1. Members of Benefit Societies not to incur Forfeiture by Enrolment as Volunteers. Disputes to be decided by Justices of Peace under the Provisions of the Friendly Societies Acts.

Bethlehem Hospital.

23 & 24 Vict. c. 60.—An Act to amend the Act 5 & 6 Vict. c. 22. for regulating the Queen's Prison. Page 722

§ 1. Prisoners sent to Bethlehem Hospital under 5 & 6 Vict. c. 22. may be removed when they would have been entitled to their Discharge from the Prison.
2. Lunatics removed from Bethlehem under this Act to be within the Provisions of the Lunacy Acts.

Billingsgate Market. See *Fishing Vessels.*

Bills of Exchange, &c.

21 & 22 Vict. c. 47.—An Act to amend the Law of False Pretences. Page 79

§ 1. Any Person obtaining the Signature of another to a Bill of Exchange, Promissory Note, &c. with Intent to cheat or defraud, guilty of Misdemeanor, and punishable accordingly.

Births, &c., Registration of. See *Registration of Births, &c.*

Bishoprick of Durham. See *Durham County Palatine Jurisdiction.*

Bishops Trusts Substitution.

21 & 22 Vict. c. 71.—An Act to substitute in certain Cases the Bishop of one Diocese for the Bishop of another as a Trustee of certain Trusts. Page 105

§ 1. Charity Commissioners may make Order enabling Bishop of one Diocese to act for another, as to certain Trusts, &c.
2. Order to be made on the Application of the Bishops or of One of them.
3. How Costs are to be defrayed.
4. Nothing to affect Trusts, &c. within the Universities, and Colleges of Eton, Winchester, and Westminster.
5. Nothing to affect certain Endowments, &c.

Bleaching and Dyeing Works.

23 & 24 Vict. c. 78.—An Act to place the Employment of Women, Young Persons, and Children in Bleaching Works and Dyeing Works under the Regulations of the Factories Acts. Page 750

Preamble recites 3 & 4 W. 4. c. 103., 7 & 8 Vict. c. 15., 10 & 11 Vict. c. 29., 13 & 14 Vict. c. 54., 16 & 17 Vict. c. 104., and 19 & 20 Vict. c. 38.

§ 1. Recited Acts to apply to Bleaching and Dyeing Works, and to the Employment of Females, Young Persons, and Children therein.
2. Females and Young Persons may be employed until Half-past Four o'Clock on Saturdays and until Eight o'Clock on other Days, but not so as to exceed in any Period of Six Months and Part of another Month the total Number of Hours allowed.
3. Restriction as to Time Females and Young Persons are to be employed on Saturdays, &c.
4. Females and Young Persons may be employed during the Night in case of Suspension of Employment by Deficiency or Excess of Water in the Stream, Saturday Night excepted.
5. Occupiers who employ Females and Young Persons according to the Provisions of this Act to keep Registers in the Form given in the Schedules.
6. As to Employment of Females and Young Persons who have not been employed previously in any Bleaching or Dyeing Works, &c.
7. Interpretation of Terms.
8. Amendment of Sect. 28. of 7 & 8 Vict. c. 15. as to Notice of Time lost intended to be recovered.
9. Act not to apply to Premises used solely for Purposes declared in 8 & 9 Vict. c. 29. regulating Labour of Children in Print Works.
10. Certain Provisions of Factories Acts not to extend to Bleaching or Dyeing Works.
11. Hours of Work defined.
12. Certain Provisions in Factories Acts as to Meal Times not to extend to this Act.
SCHEDULE.

Board of Control. See *East Indies, &c.*

Boards of Guardians (Payment of Debts).

22 & 23 Vict. c. 49.—An Act to provide for the Payment of Debts incurred by Boards of Guardians in Unions and Parishes and Boards of Management in School Districts. Page 487

§ 1. Debts, &c., incurred in future by Guardians to be paid within the Half Year in which the same shall have been incurred or become due, or within Three Months after the Expiration of such Half Year; Power to the Poor Law Board to extend the Time.
2. As to Payment of Debts incurred before the passing of this Act.
3. Provision for Charges on the Rates.
4. Provision for Actions against Guardians or Managers.
5. Payment of Attorneys Bills, Delay of, until Determination of Suit, &c.
6. No Call or Order to be invalidated.
7. Interpretation of Terms.

Boards of Health. See *Local Boards of Health.*

Bombay, Chief Justice of.

21 & 22 Vict. c. 32.—An Act to make valid certain Acts of the late Chief Justice of Bombay. Page 49

§ 1. Acts of Sir W. Yardley, Knight, as Chief Justice of Bombay, up to 9th April 1858, confirmed.

Borough Coroners. See *Coroners*, 1.

Borough Police. See *Police*, 1.

Boston. See *Local Government of Towns, &c.*

Boundaries (Ireland).

22 & 23 Vict. c. 8.—An Act to amend the Act 20 & 21 Vict. c. 45., relating to the Survey of Boundaries in Ireland. Page 413

§ 1. Boundary Surveyor may alter Name of Lands erroneously named in Ordnance Map on Application of Owners and Proof of Error.
2. Boundary Surveyor may define Boundaries of Parishes divided under 7 & 8 Geo. 4. c. 43., 3 & 4 Will. 4. c. 37., and 11 & 12 Vict. c. 41.
3. Recited Act, 20 & 21 Vict. c. 45., and this Act to be One Act, and shall be subject to 17 & 18 Vict. c. 17. with respect to the Orders of Lord Lieutenant and Council.
4. The Publication in Dublin Gazette of the detailed Report of Boundary Surveyor to be discontinued; and Copy of Order in Council and of Report, and Ordnance Plans, to be transmitted to Clerk of Peace, and exhibited without Fee or Reward.
5. Act to extend to Ireland only.

Branding of Barrels. See *Fisheries (Scotland)*, 2.

Brawling.

23 & 24 Vict. c. 32.—An Act to abolish the Jurisdiction of the Ecclesiastical Courts in Ireland in Cases of Defamation, and in England and Ireland in certain Cases of Brawling. Page 649

§ 1. Jurisdiction of Ecclesiastical Courts in Suits for Defamation and Brawling abolished as against Persons not in Holy Orders. Persons in Custody for Defamation, &c. under Order of Ecclesiastical Courts to be discharged. Order for Discharge not to be made until Costs lawfully incurred are paid.
2. Penalty on Persons found guilty of making a Disturbance in Churches, Chapels, Churchyards, or Burial Grounds, 18 & 19 Vict. c. 81.
3. Offenders may be, immediately after Offence, committed, apprehended, &c.
§ 4. Persons aggrieved may appeal against Conviction.
5. Chapter 4. of Statute 5 & 6 Edw. 6. repealed so far as relates to Persons not in Holy Orders.
6. Act not to affect Statutes of 1 Mar. Sess. 2. c. 3., 1 Eliz. c. 2., or Sec. 18. of 1 W. & M. c. 18.
7. Nothing to limit Power of Ordinary over Fabric of Churches, &c.

Bridges. See *Chelsea Bridge. Portumna Bridge.*

Bristol.

21 & 22 Vict. c. 30.—An Act for confirming a Scheme of the Charity Commissioners for certain Municipal Charities in the City of Bristol. Page 44

21 & 22 Vict. c. 31.—An Act for confirming a Scheme of the Charity Commissioners for certain Charities in the Parishes of Saint Nicholas and Saint Leonard in the City of Bristol. Page 46

British America. See *North-western Territories (British America).*

British Columbia.

21 & 22 Vict. c. 99.—An Act to provide for the Government of British Columbia. Page 208

§ 1. Defining the Boundaries of British Columbia [New Caledonia].
2. Her Majesty by Order in Council may make Laws for the Government of Her Majesty's Subjects and others in British Columbia.
3. Her Majesty may establish a Local Legislature.
4. Certain Provisions of 43 Geo. 3. c. 138. and 1 & 2 Geo. 4. c. 66. as regards British Columbia repealed.
5. Appeal from Judgments in Civil Suits.
6. Vancouver's Island, as at present established, not to be included in British Columbia.
7. Construction of Term "Governor."
8. Act to continue in force until Dec. 31, 1862, but Expiration of Act not to affect Boundaries, &c.

Broadley, Miss Sophia. See *Ecton and Welton Exchange.*

Buildings (Metropolis).

23 & 24 Vict. c. 52.—An Act to alter and amend the Metropolitan Building Act, 1855 (18 & 19 Vict. c. 122.) Page 713

§ 1. Short Title.
2. Rules as to Cubical Dimensions of the Metropolitan Building Act, 1855, not to apply to Buildings to be used for the Manufacture of Machinery and Boilers of Steam Vessels, provided that such Buildings shall consist of One Floor only, &c.

Burgage Tenure. See *Titles to Land (Scotland).*

Burghs. See *Councillors of Burghs and Burgesses (Scotland). Police,* 4.

Burial Grounds :

1.—*England.*

22 Vict. c. 1.—An Act more effectually to prevent Danger to the Public Health from Places of Burial. Page 329

Recital of Section 23 of 20 & 21 Vict. c. 81.

§ 1. Where Persons other than Churchwardens having the Care of a Place of Burial neglect to comply with Order in Council, the Churchwardens may act in their Stead, and Persons obstructing them guilty of a Misdemeanor.

2. This Act and the recited Act to be as One Act.

2.—*Ireland.*

23 & 24 Vict. c. 76.—An Act to amend the Burial Grounds (Ireland) Act, 1856 (19 & 20 Vict. c. 98). Page 746

§ 1. Provisions of 19 & 20 Vict. c. 98. to be extended to Additions to existing Burial Grounds.

2. When Burial Ground not fenced or kept in decent Order by Owner, Burial Board may serve a Notice requiring the same to be fenced, &c.

3. After Six Months from Service of Notice, &c. Burial Board empowered to fence Burial Ground, and keep the same in order, and take the Management.

4. Burial Boards may accept the Management of Burial Grounds.

5. Recited Act and this Act to be as One.

C.

Caledonian and Crinan Canals.

23 & 24 Vict. c. 46.—An Act to amend and enlarge the Powers and Provisions of the several Acts relating to the Caledonian and Crinan Canals. Page 692

Preamble recites 43 G. 3. c. 102., 44 G. 3. c. 62., 6 G. 4. c. 15., 3 & 4 Vict. c. 41., 33 G. 3. c. 104., 39 G. 3. c. 27., 39 G. 3. c. 71., 45 G. 3. c. 85., 51 G. 3. c. 117., 56 G. 3. c. 135., 3 & 4 W. 4. c. 13., 11 & 12 Vict. c. 54., and 20 & 21 Vict. c. 27.

§ 1. Short Title.

2. Interpretation of Terms.

3. Lands Clauses Act, 1845 (8 & 9 Vict. c. 18.), incorporated.

4. Commissioners Clauses Act, 1847 (10 & 11 Vict. c. 16.), incorporated.

5. Harbours, Docks, &c. Clauses Act, 1847 (10 & 11 Vict. c. 27.), incorporated.

6. Commissioners authorized to maintain the Canals.

7. Power to allow Use of Water to Manufactories and Works on the Sides of the Canals.

8. Power to Commissioners to run off the Water from the Canals, and stop the Supplies to such Works.

§ 9. Power to enclose Quays and Wharfs.

10. Power to levy Rates and Duties.

11. Power to Commissioners to make Docks, &c.

12. Power to levy Rates on Vessels using Docks as in Schedule.

13. Power to levy Rates for Sheds and Warehouses.

14. Power to levy Rates for Cranes, Weighing Machines, and Lights, as in Schedule (C.)

15. Rates to be charged equally.

16. Mode of charging Rates.

17. Materials for Repairs exempt from Duty.

18. Vessels under 25 or 18 Tons not to pass singly through Locks unless they pay for 25 or 18 Tons. Repeal of 44 G. 3. c. 62. s. 61.

19. Commissioners may employ Vessels and carry Passengers and Goods.

20. Power to make Byelaws.

21. Power to license Pilots.

22. Responsibility of Pilots.

23. Power to borrow Money on the Security of the Rates.

24. Power to Public Works Loan Commissioners to lend Money to the Commissioners.

25. Application of Rates and Monies borrowed.

26. Protection of Persons lending Money under this Act.

27. Power to Commissioners to purchase Land not exceeding 50 Acres.

28. Superfluous Lands may be disposed of.

29. Commissioners empowered to grant or lease the Canals for a Term of Years.

30. Upon Execution of Grant or Lease the Powers of Commissioners to cease.

31. Commissioners may lease the Rates and Duties.

32. Commissioners may grant Annuities to their Officers.

33. For Recovery of Rates and Penalties.

34. Recited Acts not to be affected, except by the Provisions of this Act.

35. Saving Rights of Inverness Harbour Trustees.

SCHEDULE of Rates, &c.

Cambridge University.

22 & 23 Vict. c. 34.—An Act to continue the Powers of the Commissioners under the Act 19 & 20 Vict. c. 88., concerning the University of Cambridge and the College of King Henry the Sixth at Eton. Page 465

§ 1. Powers of the Commissioners continued until the 1st January 1861.

2. Repeal of the University Statutes of Queen Elizabeth postponed to 1st January 1861.

See also *Universities.*

Canada.

22 & 23 Vict. c. 10.—An Act to empower the Legislature of Canada to make Laws regulating the Appointment of a Speaker of the Legislative Council. Page 415

Recital of 3 & 4 Vict. c. 35. for Union of the Two Provinces, and 17 & 18 Vict. c. 118. altering the Constitution.

§ 1. The Legislature of Canada to have Power to make Laws touching the Appointment or Election of a Speaker of the Legislative Council.

Canal and Railway Companies.

21 & 22 Vict. c. 75.—An Act to amend the Law relating to Cheap Trains, and to restrain the Exercise of certain Powers by Canal Companies being also Railway Companies. Page 127

§ 3. Canal Companies, being also Railway Companies, not to take Leases of Canals unless specially authorized. 8 & 9 Vict. c. 42.
4. Act to be in force for One Year.

23 & 24 Vict. c. 41.—An Act to make perpetual the Act 21 & 22 Vict. c. 75., to amend the Law relating to Cheap Trains and to restrain the Exercise of certain Powers by Canal Companies being also Railway Companies. Page 672

Capitular Estates. See *Ecclesiastical Commissioners for England.*

Castle Stewart and Nairn Road. See *Highland Roads and Bridges.*

Cathedral Church of Manchester. See *Manchester Cathedral Church.*

Cattle. See *Contagious Diseases Prevention.*

Central Arsenal. See *Defence of the Realm.*

Census :

1.—*England.*

23 & 24 Vict. c. 61.—An Act for taking the Census of England. Page 723

§ 1. Secretary of State to superintend the taking of the Census.
2. Registrars Sub-districts to be formed into Enumerator's Divisions.
3. Enumerators to be appointed.
4. Householders Schedules to be left at Dwelling Houses. Occupiers to fill up the Schedules and sign and deliver them to the Enumerator. Penalty for Neglect.
5. Schedules to be collected from House to House, and corrected if found to be erroneous.
6. Enumerators to take an Account of Houses, &c., and to distinguish the Boundaries of Parishes, Boroughs, &c. Enumerators to deliver their Books, with the Householders Schedules, to the Registrar.
7. Registrars to verify the Enumerator's Books.
8. Superintendent Registrars to examine the Enumerator's Books, and return them to the Registrar General.
9. An Abstract of Returns to be printed, and laid before Parliament.
10. Masters, &c. of Gaols, &c. to be appointed Enumerators of the Inmates thereof.
11. Overseers, Peace Officers, and Relieving Officers of Unions formed under 4 & 5 W. 4, c. 76. bound to act as Enumerators.
§ 12. Returns of houseless Poor and of Persons travelling or on Shipboard.
13. Table of Allowances to Enumerators in England to be prepared.
14. Payments of Allowances to be certified to the Registrar General.
15. Manner in which the Payments shall be made to Persons employed in execution of this Act in England.
16. Penalty on Persons for wilful Default.
17. Penalty for refusing Information or giving false Answers.
18. Recovery and Application of Penalties.
19. Interpretation of Terms.

2.—*Ireland.*

23 & 24 Vict. c. 62.—An Act for taking the Census of Ireland. Page 725

§ 1. Account of Population to be taken.
2. Construction of Terms.
3. By whom the Account shall be taken.
4. Masters, &c. of Gaols, &c. to be appointed Enumerators of the Inmates thereof.
5. Forms, &c. to be furnished for their Use.
6. Power to make the Inquiry.
7. Penalty for refusing to answer, or for giving false Answers.
8. Penalty on Persons employed if guilty of wilful Default or Neglect.
9. Proceedings how to be taken, and Penalties recovered and applied.
10. The Persons taking the Accounts to certify and affirm as to their Correctness, and deliver them to the Officer appointed to receive them, who is to transmit them to the Office of the Chief Secretary. An Abstract thereof to be laid before Parliament.
11. Punishment of Persons wilfully making false Affirmation or Declaration.

3.—*Scotland.*

23 & 24 Vict. c. 98.—An Act for taking the Census in Scotland. Page 791

§ 1. Secretary of State to superintend Census.
2. Copy of this Act to be sent to every Sheriff in Scotland.
3. Registrars Districts to be formed into Enumerator's Divisions.
4. Enumerators to be appointed.
5. Householders Schedules to be left at Dwelling Houses. Occupiers to fill up the Schedules and sign and deliver them to the Enumerator. Penalty for Neglect.
6. Schedules to be collected from House to House, and corrected if found to be erroneous.
7. Enumerators to take an Account of Houses, &c., and to distinguish the Boundaries of Parishes, Boroughs, &c. Enumerators to deliver their Books, with the Householders Schedules, to the Registrar.
8. Registrars to verify the Enumerator's Books, and deliver them to the Sheriff, &c.
9. Returns to be given to the Sheriffs of Counties and Chief Magistrates of Burghs.
10. Sheriffs of Counties and Chief Magistrates of Burghs to receive the Returns and transmit them to the Registrar General.
11. An Abstract of Returns to be printed, and laid before Parliament.

§ 12. Masters, &c. of Gaols, &c. to be appointed Enumerators of the Inmates thereof.
13. Returns of houseless Poor and of Persons travelling or on Shipboard.
14. Table of Allowances to Enumerators and other Persons employed.
15. Payments to be certified to the Registrar General.
16. Manner in which the Payments shall be made to Persons employed in execution of this Act.
17. Penalty for wilful Default.
18. Penalty for refusing Information or giving false Answers.
19. Recovery and Application of Penalties.
20. Interpretation of Terms.

Certificated Conveyancers. See *Attorneys, Solicitors, &c.*

Certificates to deal in Game. See *Game Certificates.*

Chancery, Court of:

1.—*Chancery Amendment Act*, 1858.

21 & 22 Vict. c. 27.—An Act to amend the Course of Procedure in the High Court of Chancery, the Court of Chancery in Ireland, and the Court of Chancery of the County Palatine of Lancaster. Page 38

§ 1. Commencement of Act; Short Title, "Chancery Amendment Act, 1858."
2. Power to Court of Chancery to award Damages in certain Cases.
3. Damages may be assessed or Question of Fact arising in any Suit may be tried by a Jury before the Court itself.
4. Questions ordered to be tried by Jury to be reduced into Writing.
5. Damages may be assessed or Questions of Fact tried before the Court itself without a Jury.
6. Damages may be assessed by a Jury before any Judge of One of the Superior Courts of Common Law at Nisi Prius, or before the Sheriff of any County or City.
7. Where Parties are competent to make Admissions, any Party may call on any other Party to admit Documents.
8. Sections 1, 2, 3, 4, 5, 6, and 7 of this Act to extend to Court of Chancery in Ireland.
9. Lord Chancellor, &c. in Ireland may make Rules for Procedure and for regulating Fees.
10. Sections 1, 2, 3, 4, 5, 6, and 7 of this Act to extend to Court of Chancery of County Palatine of Lancaster.
11. Lord Chancellor, &c. may make Rules for Procedure and for regulating Fees.
12. Rules and Orders to be laid before Parliament.

2.—*Chancery Evidence Commission.*

23 & 24 Vict. c. 128.—An Act to enable the Lord Chancellor and Judges of the Court of Chancery to carry into effect the Recommendations and Suggestions of the Chancery Evidence Commissioners by General Rules and Orders of the Court. Page 965

§ 1. Power for Lord Chancellor and Judges to make General Rules and Orders for carrying Recommendations of the Chancery Evidence Commissioners Reports into effect.
§ 2. Such General Rules and Orders to be laid before Parliament.
3. Act not to abridge, &c. Powers of Lord Chancellor, &c. making General Orders.

3.—*Infants Marriages.*

23 & 24 Vict. c. 83.—An Act to explain the Act 18 & 19 Vict. c. 43. enabling Infants, with the Approbation of the Court of Chancery, to make binding Settlements of their Real and Personal Estate on Marriage. Page 760

§ 1. The Words "Court of Chancery" in said Act 18 & 19 Vict. c. 43. shall include Court of Chancery in Ireland.

4.—*Prisoners in Contempt of Court, &c.*

23 & 24 Vict. c. 149.—An Act to make better Provision for the Relief of Prisoners in Contempt of the High Court of Chancery, and Pauper Defendants; and for the more efficient Despatch of Business in the said Court. Page 1017

Preamble recites 11 G. 4. & 1 W. 4. c. 36., 5 & 6 Vict. c. 22., and 15 & 16 Vict. c. 80.
§ 1. Masters in Ordinary discharged from certain Duties.
2. The Queen's Prison to be visited quarterly.
3. Prisoners and other Persons may be examined on Oath.
4. Court may direct Reference as to Poverty of Prisoners.
5. Gaolers to make Reports to Lord Chancellor of all Chancery Prisoners.
6. Expenses incurred for Prisoners and Pauper Defendants to be paid out of Suitors Fund.
7. Additional Salary to Solicitor to Suitors Fund.
8. Power to make General Orders.
9. Custody of Deeds under the Care of late Masters.
10. Appointment of additional Chief Clerk to the Master of the Rolls.
11. The Junior Clerk to the late Master Blunt empowered to seek Compensation.
12. Salary of Chief Clerks appointed since 2d Nov. 1855.
13. By whom Orders under this Act are to be made.
14. Increased Salary may be paid to Two Junior Clerks to each Chief Clerk.

Channel Islands. See *Affidavits by Commission. Spirits.*

Chapels. See *Churches, &c. (Ireland).*

Charitable Trusts:

1.—*Bishops Trusts Substitution.*

21 & 22 Vict. c. 71.—An Act to substitute in certain Cases the Bishop of one Diocese for the Bishop of another as a Trustee of certain Trusts. Page 105

§ 1. Charity Commissioners may make Order enabling Bishop of one Diocese to act for another, as to certain Trusts, &c.
2. Order to be made on the Application of the Bishops or of One of them.

§ 3. How Costs are to be defrayed.
4. Nothing to affect Trusts, &c. within the Universities, and Colleges of Eton, Winchester, and Westminster.
5. Nothing to affect certain Endowments, &c.

2.—*Charitable Trusts Acts Continuance.*

21 & 22 Vict. c. 51.—An Act further to continue the Exemption of certain Charities from the Operation of the Charitable Trusts Acts. Page 81

Preamble recites 16 & 17 Vict. c. 137., 18 & 19 Vict. c. 124., and 20 & 21 Vict. c. 76.; and that certain Roman Catholic Charities were exempted from the Operation of the Two first-mentioned Acts.
§ 1. Exemption continued until 1st September 1859.

22 & 23 Vict. c. 50.—An Act further to continue the Exemption of certain Charities from the Operation of the Charitable Trusts Acts. Page 488

§ 1. Exemption further continued until 1st July 1861.

See further *Roman Catholic Charities.*

3.—*Endowed Charities.*

23 & 24 Vict. c. 136.—An Act to amend the Law relating to the Administration of Endowed Charities. Page 977

§ 1. The Charitable Trusts Acts 1853 and 1855 to be construed with this Act.
2. Certain administrative Powers to be exerciseable by the Charity Commissioners.
3. Board to notify to Trustees of Charity their Intention of exercising Jurisdiction.
4. The Powers to be exerciseable over no Charities of which the gross Income shall exceed 50*l.* without Application of Trustees.
5. The Board shall not exercise Jurisdiction over Contentious Cases.
6. Notices to be given of certain Orders, and Objections or Suggestions to be received.
7. Publication of definitive Orders.
8. Power to appeal against Orders of Board.
9. Who may be the Respondent on Appeals.
10. Powers to be applicable to Charities vested in Corporations, &c.
11. Jurisdiction of the District Courts of Bankruptcy and County Courts enlarged.
12. Official Trustees of Charitable Funds may be empowered to receive Arrears of Dividends.
13. Power for Magistrates to give Possession of School Buildings and Property held over by Officers or Recipients of Charities.
14. Masters and Mistresses of Endowed Schools to be removable.
15. Section 21. of 16 & 17 Vict. c. 137. extended.
16. A Majority of Trustees to have legal Power of dealing with the Charity Estates.
17. Official Trustee not to be accountable for Loss unless occasioned by his own Neglect.
18. Accounts to be laid before Parliament.
19. Power to require the Transmission of Documents belonging to Charities.
20. Orders to be enforceable as under former Acts.
21. Board to make Minutes.
§ 22. Salary of the Secretary.
23. Indemnity to the Bank of England and others.
24. Commissioners, &c. exempted from serving on Juries.
25. Short Title of Act:—The Charitable Trusts Act, 1860.

Charitable and Provident Societies.

22 & 23 Vict. c. 53.—An Act to enable Charitable and Provident Societies and Penny Savings Banks to invest all their Proceeds in Savings Banks. Page 492

§ 1. Funds of Penny Savings Banks to any Amount, &c. may be invested in Savings Banks.
2. If Savings Banks Rules are already certified they need not be again certified.

Charity Commissioners. See *Bishops Trusts Substitution. Bristol. Cowley's Charity. Harvey's Charity. Nottingham Charities. Tenison's Charity.*

Charters, Confirmation of. See *Universities,* 3.

Chatham. See *Local Government of Towns, &c.*

Cheap Trains. See *Railways,* 2.

Chelsea Bridge.

21 & 22 Vict. c. 66.—An Act to amend the Act 9 & 10 Vict. c. 39.; and to abolish Foot Passenger Tolls on Chelsea Bridge after Payment of the Sum of Eighty thousand Pounds and Interest. Page 101

§ 1. So much of 9 & 10 Vict. c. 39. as directs that surplus Tolls, &c. shall form a Fund for Metropolitan Improvements, repealed.
2. When 80,000*l.* and Interest shall have been paid off, no Toll to be taken for Foot Passengers passing over Chelsea Bridge; but no Toll to be taken previously on Sundays, Easter and Whit Mondays, and Christmas Days.

Chelsea Hospital:

1. *Exchange of Lands.*

21 & 22 Vict. c. 18.—An Act to effect an Exchange between the Commissioners of Chelsea Hospital and the Governor and Company of Chelsea Waterworks of Lands in the Parishes of Saint George Hanover Square and Saint Margaret Westminster in the County of Middlesex. Page 29

Preamble recites Agreement, dated 24th Sept. 1857, for an Exchange of Lands specified in the First Schedule belonging to Chelsea Hospital, for Lands specified in the Second Schedule belonging to Chelsea Waterworks Company.
§ 1. Land specified in First Schedule to vest in the Governor and Company of Chelsea Waterworks, and Land specified in Second Schedule to vest in the Commissioners of Chelsea Hospital.
SCHEDULE of Lands to be exchanged.

2.—*Purchase of Lands.*

21 & 22 Vict. c. 21.—An Act to confirm a Contract for the Sale by the Commissioners of Her Majesty's Works of certain Lands to the Commissioners of Chelsea Hospital. Page 31

Preamble recites Agreement between Commissioners of Public Works and Chelsea Hospital, dated Feb. 23, 1858.

§ 1. Agreement confirmed.
2. Short Title of Act.

Chelsea Waterworks. See *Chelsea Hospital.*

Cheques on Bankers. See *Bankers Drafts or Cheques.*

Chester and Holyhead Railway.

22 & 23 Vict. c. 60.—An Act to extend the Powers of the Act 13 & 14 Vict. c. 111., relating to the laying down of Railways at Holyhead Harbour. Page 506

§ 1. Treasury, &c. may authorize Company to use Tramway with Locomotive Engines, with Consent of Board of Trade.
2. Station or Lodge to be erected at Points of Crossing.
3. Land, if required, to be taken by Agreement only.
4. Compensation to Owners, &c. of Houses and Premises injuriously affected by the Alteration of the Tramway into a Railway.

Chicory. See *Excise Duties.*

Chief Justice of Bombay.

21 & 22 Vict. c. 32.—An Act to make valid certain Acts of the late Chief Justice of Bombay. Page 49

§ 1. Acts of Sir W. Yardley, Knight, as Chief Justice of Bombay, up to 9th April 1858, confirmed.

Chief Superintendent (China).

22 & 23 Vict. c. 9.—An Act to provide for the Exercise of the Duties of Chief Superintendent in China in certain Cases. Page 414

Recital of 3 & 4 Will. 4. c. 93., and 6 & 7 Vict. c. 80. s. 2.

§ 1. During a Vacancy of the Office or during Absence of the Chief Superintendent, Her Majesty's Chargé d'Affaires to assume the Office.
2. Act to apply whether the Superintendent is or is not Governor of Hong Kong.

Children. See *Bleaching and Dyeing Works. Recreation Grounds.*

Church Estates Commissioners. See *Ecclesiastical Commissioners for England,* 1.

Church Temporalities (Ireland).

23 & 24 Vict. c. 150.—An Act further to amend certain Acts relating to the Temporalities of the Church in Ireland. Page 1020

§ 1. The Term Episcopal Commissioner whom to include.
2. Commissioners may request Attendance of Bishop, &c.
§ 3. If Two Commissioners appointed, One only to be a paid Commissioner.
4. As to Entries of Proceedings at Meetings of the Board.
5. Appointment of Solicitor.
6. Power to grant Superannuation Allowance under the Authority of the Treasury.
7. Ecclesiastical Commissioners empowered to advance Funds for providing licensed Places of Worship. Consent and Approbation of the Ordinary to be obtained.
8. Commissioners empowered to enter Churches for the Purposes of Repairs.
9. Commissioners may recover Compensation for malicious Injuries to Churches by Grand Jury Presentment.
10. Furniture of Churches vested in Commissioners.
11. Form and Fabric of Churches, &c. built or maintained by the Commissioners, not to be altered without Consent of the Bishop, &c.
12. Commissioners may apply old Materials of Church to effect Repairs.
13. Burial of Dead Bodies within any Church or Chapel, or within 12 Feet of the outer Walls thereof, unlawful. Burial in arched Vaults under Church or Chapel, &c. lawful.
14–17. As to Mines of Marble or Slate on Lands held under Ecclesiastical Corporations.
18. Arbitrators to be appointed in case of Dispute.
19. Any Estate held by Lease or Demise immediately under Commissioners to be deemed equivalent to an Estate of Inheritance, and liable to Payment of Rentcharge.
20. Empowering the Renewal of Leases of Lands, &c. disappropriated from Ecclesiastical Dignities.
21. Further Division of Rents to follow that of Lands.
22. Sub-tenants empowered to purchase Perpetuities required to furnish Copies of Valuations, &c.
23. No Purchase to take place without Valuation being furnished.
24. Surveyors employed by Ecclesiastical Commissioners empowered to enter upon Lands and Premises.
25. Ecclesiastical Commissioners may serve Notices upon Sub-tenants applying for Purchase, and upon the immediate Tenant and any intervening Tenant.
26. Notice of Period at which Leases are renewable to be served on Tenant. Sections 160 and 161 of 3 & 4 W. 4. c. 37. repealed.
27. After Service of Notice Renewal of Lease to be made on Application from Tenant.
28. Commissioners to fix and demand Renewal Fines in certain Cases.
29. Application for Renewal to be signed by the Person entitled to such Renewal, and specify his Residence in Ireland, and Post Town.
30. Commissioners may lend Money out of the Perpetuity Purchase Fund for building Glebe Houses. Instalments payable on Foot of Loan to be allowed in Valuation of Rectory, &c. for the Purpose of Tax.
31. Commissioners may forego Collection of Loans by Commissioners of First Fruits for Erection of Glebe Houses.
32. Power to apply any Part of the Funds vested in them (except Boulter's and Robinson's) to augment small Benefices.

§ 33. Distinct and separate Accounts to be kept in the Books of the Commissioners of all Sums applicable for Augmentation Purposes.
34. Mortgages to be made to Commissioners.
35. Mortgages not to affect Rights reserved.
36. Power to repair Cathedral Church of the Holy Trinity, Down.
37. Ecclesiastical Commissioners empowered to pay Perpetual Curates for the Parish of Monkstown.

Churches, &c. (Ireland).

21 & 22 Vict. c. 59.—An Act further to amend the Law relating to the Erection and Endowment of Churches, Chapels, and Perpetual Curacies in Ireland. Page 93
§ 1. Provisions of 14 & 15 Vict. c. 72. to apply to new or additional Churchyards to existing Churches.
2. Apportionment of Rent in respect to Lands acquired when held with others under Lease.
3. Recovery of apportioned Rent and Enforcement of Covenants.
4. Provision where Rent is nominal.
5. A measured Mile to mean a Mile measured along the Road.
6. Provision for Erection and Endowment of Churches and Chapels.

Civil Bills, &c. (Ireland).

21 & 22 Vict. c. 88.—An Act to amend the Act 14 & 15 Vict. c 57., to consolidate and amend the Laws relating to Civil Bills and the Courts of Quarter Sessions in Ireland, and to transfer to the Assistant Barristers certain Jurisdiction as to Insolvent Debtors. Page 160
§ 1. Provision for Retiring Pensions of Assistant Barristers.
2. Power to remove Assistant Barristers on Certificate of Lord Chancellor for Inability.
3. Style of Assistant Barrister, after passing of this Act, to be Chairman of the Quarter Sessions.

Civil Causes, Trials in. See *Trials by Jury (Scotland).*

Civil Service Superannuation.

22 Vict. c. 26.—An Act to amend the Laws concerning Superannuations and other Allowances to Persons having held Civil Offices in the Public Service. Page 384
Recital of 4 & 5 W. 4. c. 24. and 20 & 21 Vict. c. 37.
§ 1. Repeal of Sections 10, 11, 13, 14, 15, 17, 19, and 24 of 4 & 5 W. 4. c. 24.
2. Rate of Superannuation Allowance.
3. This Act to apply to Persons already in the Civil Service, but without Prejudice to existing Rights.
4. Provision for computing Amount of Superannuation to Persons holding professional and other special Offices.
5. Allowances in Cases of bodily Injury.
6. Gratuities may be granted in case of short Service.
7. Allowances may be granted on Abolition of Offices.
8. Condition of Grant of full Superannuations to Public Servants not Heads of Departments.
9. Allowances may be granted for special Services.
10. Allowances not to be granted to Persons under Sixty, unless in Cases of permanent Infirmity.
§ 11. Persons superannuated under Sixty may be required to serve again.
12. Superannuation may be retained on Transfer to other Employment under the Crown.
13. Orders, &c., within what Time to be laid before Parliament.
14. Section 6 of 57 Geo. 3. c. 65. only to apply to Officers having had Seats in Parliament.
15. Construction of the following Sections with this Act: viz., Section 1 of 5 & 6 Will. 4. c. 42.; Section 21 of 7 Will. 4. & 1 Vict. c. 30.; Sections 5 and 10 of 8 & 9 Vict. c. 100.; Section 39 of 13 & 14 Vict. c. 89.; Section 15 of 15 & 16 Vict. c. 73.; Section 46 of 15 & 16 Vict. c. 87.; Section 22 of 17 & 18 Vict. c. 78.; and Section 9 of 19 & 20 Vict. c. 110.
16. Allowances to be paid free from Taxes.
17. Who to be deemed Civil Servants.
18. 4 & 5 Will. 4. c. 24. and this Act to be construed together.
19. Short Title of Act.

23 & 24 Vict. c. 89.—An Act to extend in certain Cases the Provisions of the Superannuation Act, 1859 (22 Vict. c. 26). Page 768
§ 1. Superannuation Act, 1859, to extend to Cases of Joint Service in the Office of Secretary of State for India, and in the permanent Civil Service.

Clerk of the Council.

22 & 23 Vict. c. 1.—An Act to provide for the Authentication of certain Orders of the Privy Council in Absence of the Clerk of the Council in Ordinary. Page 411
§ 1. Person authorized by Her Majesty in Council to act in the Absence of the Clerk of the Council in Ordinary may sign Orders under Acts of Parliament, &c.

Clerk of Nisi Prius. See *Nisi Prius (Ireland).*

Clerk of the Peace. See *County Property Conveyance.*

Clerk of Petty Sessions. See *Petty Sessions Clerk (Ireland).*

Coast of Africa, &c.

23 & 24 Vict. c. 121.—An Act to amend the Act 6 & 7 Vict. c. 13. to enable Her Majesty to provide for the Government of Her Settlements on the Coast of Africa and in the Falkland Islands. Page 925
§ 1. Extending 6 & 7 Vict. c. 13. to certain Territories.
2. Orders of Council as to Jurisdiction of Supreme Courts in certain Possessions abroad.

Coinage.

22 & 23 Vict. c. 30.—An Act to extend the Enactments relating to the Copper Coin to Coin of mixed Metal. Page 456
§ 1. Enactments of 2 & 3 Will. 4. c. 34. concerning the Copper Coin to apply to Coins of Bronze or mixed Metal.

Colewort Barracks, Portsmouth.

23 & 24 Vict. c. 49.—An Act for extinguishing certain Rights of Way through Colewort Barracks in the Borough of Portsmouth. Page 704

§ 1. Rights of Way through Colewort Barracks extinguished.

Collection of County Cess. See *County Cess (Ireland).*

Colleges. See *Maynooth College. Universities.*

Colleges of Physicians and Surgeons. See *Medical Practitioners.*

Collegiate Church of Manchester. See *Manchester Cathedral Church.*

Collieries. See *Mines Regulation and Inspection.*

Colonial Legislatures.

22 & 23 Vict. c. 12.—An Act to repeal, as regards the Colony of Victoria, and to enable other Colonial Legislatures to repeal, certain Provisions of the Imperial Acts of 54 Geo. 3. c. 15. and of 5 & 6 Will. 4. c. 62. Page 423

Recital of 54 Geo. 3. c. 15. and 5 & 6 Will. 4. c. 62., as to Proofs by Affidavit, Affirmation, Declaration, &c. of certain Matters arising in the Colony of New South Wales.

§ 1. Sections 1, 2, and 3 of 54 Geo. 3. c. 15. and 15 and 17 of 5 & 6 Will. 4. c. 62. repealed so far as they apply to the Colony of Victoria.

2. Colonial Legislatures of any of Her Majesty's Possessions may repeal, alter, or amend Provisions of the recited Acts so far as they are applicable to such Possessions.

23 & 24 Vict. c. 122.—An Act to enable the Legislatures of Her Majesty's Possessions abroad to make Enactments similar to the Enactment of the Act Ninth George the Fourth, Chapter Thirty-one, Section Eight. Page 926

Colonies. For Matters relating specially to the Colonies, see the following Heads :—

Admiralty Jurisdiction (India).
Antigua.
Barbuda.
British Columbia.
Canada.
Coast of Africa, &c.
Colonial Legislatures.
Convict Prisons abroad.
Dominica Hurricane Loan.
East Indies.
Ionian Islands.
North-western Territories (British America).
West Indies.

Combination of Workmen.

22 Vict. c. 34.—An Act to amend and explain the Act 6 Geo. 4. c. 129., to repeal the Laws relating to the Combination of Workmen, and to make other Provisions in lieu thereof. Page 393

§ 1. Agreements, in certain Cases, not to be deemed "Molestation" or "Obstruction," within the Meaning of the recited Act.

Commission, Affidavits by. See *Affidavits by Commission.*

Commission, Evidence by. See *Evidence by Commission.*

Commissioners of Charities. See *Bishops Trusts Substitution. Bristol. Cowley's Charity. Harvey's Charity. Nottingham Charities. Tenison's Charity.*

Commissioners of Chelsea Hospital. See *Chelsea Hospital.*

Commissioners of Works, &c. See *Chelsea Bridge. Chelsea Hospital. Dublin. Edinburgh. Public Offices.*

Commissioners for the Exhibition of 1851.

21 & 22 Vict. c. 36.—An Act for releasing the Lands of the Commissioners for the Exhibition of 1851, upon Repayment of Monies granted in aid of their Funds. Page 51

§ 1. Lands purchased by Commissioners for the Exhibition of 1851 to be released on Repayment of Parliamentary Grants and Moiety of Rents.

2. Land occupied by the Department of Science and Art may be retained for such Department.

3. Monies paid to be carried to the Consolidated Fund.

Committees, Parliamentary. See *Witnesses.*

Common Funds of Unions.

22 Vict. c. 29.—An Act to continue the Act 20 Vict. c. 18., for charging the Maintenance of certain Paupers upon the Union Funds. Page 387

§ 1. Temporary Provisions of 20 Vict. c. 18., charging upon the Common Funds of Unions the Costs of Relief and Burial of certain poor Persons, continued until 30th September 1860, and to the End of then next Session.

Common Law Procedure:

1.—*Common Law Procedure (Ireland) Act* (1853) *Amendment.*

23 & 24 Vict. c. 82.—An Act to amend the Provisions of "The Common Law Procedure (Ireland) Act Amendment, 1853," (16 & 17 Vict. c. 113). Page 759

§ 1. Provisions of 16 & 17 Vict. c. 113. enabling Judges to make Orders in respect of Stock, &c. standing in Name of Incumbered Estates Court, to apply to "the Landed Estates Court (Ireland)."

2.—Law and Equity.

23 & 24 Vict. c. 126.—An Act for the further Amendment of the Process, Practice, and Mode of Pleading in and enlarging the Jurisdiction of the Superior Courts of Common Law at Westminster. Page 954

Relief against Forfeiture.

§ 1. Relief against Forfeiture for Nonpayment of Rent.
2. Relief against Forfeiture for non-insuring.
3. Minute of Relief granted.

Appeal.

4. Appeal to the Court from Order of Judge.
5. Power to appeal from Order of Court.
6. Courts of Error to be Courts of Appeal.
7. Notice of Appeal.
8. Bail.
9. Form of Appeal.
10. Judgment of Court of Appeal, and Power to remit Proceedings.
11. Power of Court of Appeal as to Costs, &c.

Interpleader Proceedings.

12. Interpleader may be granted, though Titles have not a common Origin.
13. Court or Judge may direct Sale of Goods seized in Execution.
14. Power to Court or Judge to decide summarily in certain Cases.
15. Special Case may be stated where Facts undisputed.
16. Proceedings on Special Case in Court below and in Error.
17. Judgment and Decision when to be final.
18. Rules, Orders, &c. made in Interpleader Proceedings may be entered of Record and made Evidence.

Procedure and Practice.

19. Joinder as Plaintiffs of all Persons supposed to be legally entitled.
20. Defendant to have Benefit of Set-off, though some Plaintiffs improperly joined.
21. No other Action for same Claim to be brought.
22. Provisions of 19 & 20 Vict. c. 108. as to Replevin extended to all Cases of Replevin.
23. Payment into Court in Replevin.
24. Effect of such Payment.
25. Payment into Court in Action on Money Bonds, and for Detainer.
26. Dower, Writ of Right of Dower, and Quare impedit abolished as Real Actions, and to be commenced by Writ of Summons.
27. Writ, and all Proceedings thereupon, to be same as in ordinary Actions.
28. Judge may refuse to interfere in Proceedings to attach Debts.
29. Proceedings where Third Person has a Lien on the Debt.
30. Judge may bar Claim of Third Person, and make Orders.
31. Provisions of 17 & 18 Vict. c. 125. to apply to Orders.
32. Costs of Writs of Mandamus and Injunction may be included in Writs.
33. Mode of enforcing Writs of Injunction against Corporations.
34. Costs not recoverable in Action for Injury, and Verdict less than 5*l.*, if Judge certifies.
35. Enactment in lieu of Section 88. of 17 & 18 Vict. c. 125.
36. Amendments in Proceedings.
§ 37. General Rules may be made by the Judges.
38. New Forms of Writs and other Proceedings.
39. Interpretation of Terms.
40. Provisions relating to Superior Courts to apply to Court of Common Pleas at Lancaster and Court of Pleas at Durham.
41. Provisions as to Masters of Courts at Westminster to apply to Prothonotaries of Palatinate Courts.
42. As to Proceedings in Appeal.
43. Commencement of Act, on 10th October 1860.
44. Her Majesty may direct all or Part of this Act to extend to any Court of Record.
45. Short Title of Act:—Common Law Procedure Act, 1860.
46. Act not to extend to Ireland or Scotland.

See also *Petitions of Right.*

Common Lodging Houses (Ireland).

23 & 24 Vict. c. 26.—An Act to remove Doubts as to the Application of "The Common Lodging Houses Acts" to Ireland, and to amend the Provisions of the same so far as they relate to Ireland. Page 637

Preamble recites 14 & 15 Vict. c. 28. and 16 & 17 Vict. c. 41.

§ 1. Short Title.
2. Recited Acts and this Act to be construed as One, and to extend to Ireland.
3. Explanation of certain Terms in recited Acts.
4. Local Authority to make Byelaws respecting Common Lodging Houses, but such Byelaws to be confirmed by the Lord Lieutenant. Old Byelaws to continue until new ones are confirmed.
5. Copy of Byelaws to be received in Evidence,
6. Penalties imposed by 14 & 15 Vict. c. 28. to apply to Byelaws made under this Act.
7. Expense to be levied off the whole of an Electoral Division.
8. Not to affect Provisions of 17 & 18 Vict. c. 103.
9. Former Proceedings validated.
10. Act to extend to Ireland only.

Common Rights, &c. (War Department).

22 Vict. c. 12.—An Act to make further Provision for the Purchase of Common and other Rights by Her Majesty's Principal Secretary of State for the War Department, and in relation to Land vested in or taken by such Secretary of State. Page 350

§ 1. Powers of 17 & 18 Vict. c. 67. and 18 & 19 Vict. c. 117., as to Compensation for Common Rights, &c. in respect of Lands acquired under 5 & 6 Vict. c. 94., extended to any Lands the Soil of which is vested in the Secretary of State for War.
2. Conveyances of Land in England and Ireland to Secretary of State for War to be as in Schedule.
3. Conveyances of Lands in Scotland to Secretary of State for War to be as in Schedule.
4. Provision as to Erections or Buildings on Lands taken compulsorily.—5 & 6 Vict. c. 94. s. 19.
5. Recovery of Possession of Land in England from Tenants.—1 & 2 Vict. c. 74.; 19 & 20 Vict. c. 108. s. 50.
6. Recovery of Possession of Land in Ireland from Tenants.—14 & 15 Vict. c. 57.; 14 & 15 Vict. c. 92. s. 15.

§ 7. Nothing in this Act to lessen Powers of Secretary of State for War.
8. Construction of "Secretary of State."
SCHEDULES of Forms of Conveyance.

Commons Inclosure :

1.—*Amendment of Acts.*

22 & 23 Vict. c. 43.—An Act to amend and extend the Provisions of the Acts for the Inclosure, Exchange, and Improvement of Land. Page 483
§ 1. Provisional Order to specify what Rights are reserved as to Mines, &c.
2. Provision as to Surface Damage.
3. Powers to work Mines, &c.
4. How Damages to be assessed.
5. Payment of Damages.
6. To be levied by Distress.
7. Annual Value of Allotments to be stated in Award.
8. Herbage may be let.
9. Purchase Money of Land sold may be apportioned.
10. Lessees need not join in Application for Partition.
11. In Partitions Dissents not to apply in certain Cases.
12. Where Patronage vested in the Crown, who to be deemed Patron.
13. Tenancies at Rackrent.
14. Annexation of Map to an Inclosure Award may be dispensed with.
15. Act deemed Part of "The Acts for the Inclosure, &c. of Land."

2.—*Annual Inclosure Acts.*

21 & 22 Vict. c. 8.—An Act to authorize the Inclosure of certain Lands in pursuance of a Report of the Inclosure Commissioners for England and Wales. Page 12
[*The Lands authorized to be inclosed are set out in the Schedule.*]
21 & 22 Vict. c. 61.—Similar Act. Page 97
22 Vict. c. 3.—Similar Act. Page 330
22 & 23 Vict. c. 47.—Similar Act. Page 486
23 & 24 Vict. c. 17.—Similar Act. Page 619
23 & 24 Vict. c. 55.—Similar Act. Page 715

See also *Copyholds*, 2. *Hainault Forest.*

Commons House of Parliament. See *Corrupt Practices Prevention. Jews. New Writs. Qualifications of Members of Parliament. Witnesses.*

Companies. See *Canal Companies. East India Company. Joint Stock Companies. Railways.*

Commutation of Tithes. See *Tithe Commutation.*

Confirmation of Charters. See *Universities*, 3.

Confirmation of Executors, &c.

21 & 22 Vict. c. 56.—An Act to amend the Law relating to the Confirmation of Executors in Scotland, and to extend over all Parts of the United Kingdom the Effect of such Confirmation, and of Grants of Probate and Administration. Page 83
§ 1. Practice of raising Edicts of Executry to cease.
2. Petition to Commissary to be substituted; Form of Petition as in Schedule.
3. To whom Petition to be presented.
4. Mode of intimating Petition.
5. Certificate of Intimation of Petition; additional Intimation of Petition in certain Cases.
6. Procedure on Petition; Decree Dative; Proviso.
7. Not to affect present Procedure.
8. Where Inventories, &c. may be recorded; Confirmations may be granted.
9. Inventory may include Personal Estate in any Part of United Kingdom.
10. Form and Effect of Confirmations.
11. Oaths before whom to be taken.
12. Confirmation produced in Probate Court of England, and sealed, to have the Effect of Probate or Administration.
13. Confirmation produced in Probate Court of Dublin, and sealed, to have the Effect of Probate or Administration.
14. Probate or Letters of Administration produced in Commissary Court, and certified, to have Effect of Confirmation.
15. For securing the Stamp Duties, Probates, &c. to be deemed granted for all the Property in the United Kingdom; Inventory to include all such Property.
16. Provisions of former Acts to apply to the Probates, Letters of Administration, &c. mentioned in this Act.
17. Affidavit as to Domicile to be made on applying for Probate or Administration.
18. Acts of Sederunt to be passed for following out Purposes of this Act.
19. Former Acts of Sederunt repealed if inconsistent with this Act.
20. Interpretation of Terms "Commissary," and "Commissary Clerk."
SCHEDULE of Forms.

22 Vict. c. 30.—An Act to amend the "Confirmation and Probate Act, 1858." Page 387
§ 1. Persons, &c. making Payments upon Confirmations and Probates under the Act 21 & 22 Vict. c. 56. to be indemnified.
2. Short Title of Act.

Confirmation of Provisional Orders. See *Local Government of Towns, &c.*

Consolidated Fund. See *Revenue, Public, &c.*, 1.

Consolidated Nisi Prius Court. See *Nisi Prius (Ireland).*

Constables and Constabulary. See *Police. Constabulary Force (Ireland).*

Constabulary Force (Ireland).

22 & 23 Vict. c. 22.—An Act to amend the Acts relating to the Constabulary Force in Ireland. Page 452.

Recital of 6 Will. 4. c. 13., 2 & 3 Vict. c. 75., and 9 & 10 Vict. c. 97. s. 6.

§ 1. Interpretation of Term "Lord Lieutenant."
2. Lord Lieutenant may, on the Retirement of One of the Two Deputy Inspectors General, appoint the remaining Deputy Inspector General to be the only Deputy Inspector General of Police in Ireland.
3. On Retirement of One of the Deputy Inspectors General an additional Assistant Inspector General to be appointed.
4. The Assistant Inspector General in Command of the Constabulary Depôt to be styled "Commandant of the Depôt."
5. Salary of Assistant Inspectors General.

Contagious Diseases Prevention.

21 & 22 Vict. c. 62.—An Act to continue certain Acts to prevent the spreading of contagious or infectious Diseases among Sheep, Cattle, and other Animals. Page 98

§ 1. Continuing 11 & 12 Vict. c. 107. (as extended by 16 & 17 Vict. c. 62.) until 1st August 1863.

Contracts, Transfer of. See *Post Office*, 1.

Convention. See *Portendic and Albreda.*

Conveyance of County Property. See *County Property, Conveyance.*

Conveyancers. See *Attorneys, Solicitors, &c.*

Convict Prisons abroad.

22 Vict. c. 25.—An Act for the Government of the Convict Prisons in Her Majesty's Dominions abroad. Page 382

§ 1. Repeal of such Parts of 5 Geo. 4. c. 84. as relate to the Control and Management of Offenders, and of such Parts of 11 Geo. 4. & 1 Will. 4. c. 39., and 9 & 10 Vict. c. 26., as relate to the Appointments of Superintendents and other Officers.
2. Extent of this Act.
3. Powers of Directors of Convict Prisons vested in the Governor of the Colony, and may be conferred on other Officers as Visitors.
4. Appointment of Comptroller and other principal Officers of Convict Prisons.
5. Appointment of subordinate Officers.
6. Power of Comptroller.
7. Power to Secretary of State to make Regulations for Government of Prisons.
8. As to Detention, Removal, and Discharge of the Prisoners.
9. Convicts dangerously ill not to be discharged unless at their own Desire.
§ 10. Penalties for Introduction of Spirits and fermented Liquors into Prisons.
11. Penalties for the Introduction of other prohibited Articles.
12. Punishment for Assaults upon Officers of the Prison.
13. Punishment of Convict for Escape or Attempt to escape.
14. Punishment for Rescue or Promotion of Rescue.
15, 16, 17. Punishments for supplying Means of Escape, or for wilfully or negligently permitting Escape.
18. Commencement of Term of Penal Servitude under this Act of a Convict.
19. Offences to be tried by Courts having Jurisdiction.
20. Annual Report to be made to Secretary of State.
21. Comptroller to make half-yearly Return of Names of Convicts, &c. to the Secretary of State.
22. Short Title of Act.

Copper Coin. See *Coinage.*

Copyholds:

1.—*Acts Amendment.*

21 & 22 Vict. c. 94.—An Act to amend the Copyhold Acts. Page 172

Preamble recites 4 & 5 Vict. c. 35., 6 & 7 Vict. c. 23., 7 & 8 Vict. c. 55., 15 & 16 Vict. c. 51., 16 & 17 Vict. c. 57.

§ 1. Commencement of Act, 1st October 1858.
2. Repeal of Acts and Parts of Acts, viz., 16 & 17 Vict. c. 57., 4 & 5 Vict. c. 35. s. 11., 15 & 16 Vict. c. 51. s. 2., 15 & 16 Vict. c. 51. s. 11., and 15 & 16 Vict. c. 51. s. 27.
3. Repeal not to affect Acts done, Rights vested, &c.
4. Acts not to extend to Ecclesiastical Manors, where Tenant has not a Right of Renewal.
5. Application of Consideration Monies in Cases where Enfranchisements might have been effected under 14 & 15 Vict. c. 104.; Appropriation of Enfranchisement Monies in Cases of Ecclesiastical Manors.
6. Tenant or Lord of certain Copyhold Land may compel Enfranchisement.
7. Lord or Tenant may compel Extinguishment of Claim to Heriots.
8. Mode of effecting compulsory Enfranchisements.
9. Extension of Time for Appointments, &c.
10. Award of Enfranchisement.
11. Corn Rentcharges to be calculated as Tithe Rentcharges.
12. Receipts for Consideration Money, &c. to be produced.
13. In case of Refusal by Lord.
14. Owners of enfranchised Lands may use the Soil for Purposes connected with Enjoyment of the Surface.
15. Enfranchisement Money may be paid to official Trustees of Charitable Funds.
16. Enfranchisement Money for the Use of a Corporation, &c. may, at the Option of the Lords of the Manor, be paid into the Hands of Trustees.
17. Enfranchisement Money for the Use of any Spiritual Person may be paid to the Governor of Queen Anne's Bounty.
18. Commencement of Enfranchisement.
19. Notice to be given to the Ecclesiastical Commissioners in Cases wherein they are interested.

§ 20. Notices how to be given.
21. Consideration Money, &c. may be charged on Land.
22. Value of Land given as Enfranchisement Consideration may be charged.
23. Power to Lords to charge the Land purchased.
24. Expenses may be charged.
25. How Consideration Monies, &c. may be charged.
26. Certain Expenses may be charged as Consideration Money.
27. Charge for Expenses not to exceed Fifteen Years.
28. Commissioners may in certain Cases grant Certificates of Charge for Expenses.
29. Certificate of Charge.
30. Certificate transferable.
31. Lord's Charge to be appurtenant to the Manor.
32. Award, &c. to be charged with Stamp Duty.
33. Priority of Charge.
34. Charge not to merge.
35. Sums charged how to be recovered; Land charged with Enfranchisement Considerations as on Mortgage in Fee.
36. Certificate of Charge, and Form thereof.
37. Transfer of Certificate, and Form thereof.
38. Owner of Two Thirds in undivided Shares to be "Tenant."
39. Agent may be appointed by Power of Attorney.
40. Revocation of Power of Attorney.
41. Arbitration in case of Difference as to Terms of Enfranchisement in Crown Manors.
42. Provision as to Enfranchisements in Manors belonging to the Crown in remainder, &c.
43. Provision as to Payment of Compensation for such Enfranchisements.
44. Application of such Enfranchisement Money.
45. Land purchased with Enfranchisement Money to be settled to same Uses as Manor may stand limited to.
46. As to Execution of Enfranchisement Deed.
47. Record of such Enfranchisements to be preserved in Office of Land Revenue Records.
48. The Commissioners of Woods to indemnify Trustee for the Crown.
49. The Treasury to direct what Fees shall be taken for Enrolment of Memorials, &c.
50. Provision as to Manors held in Joint Tenancy with the Crown.
51. "Ecclesiastical Corporation" not to extend to Christ Church, Oxford.
52. Act to be taken and construed as Part of the Copyhold Acts.

2.—*Appointments Continuance.*

21 & 22 Vict. c. 53.—An Act to continue Appointments under the Act 14 & 15 Vict. c. 53. for consolidating the Copyhold and Inclosure Commissions and for completing Proceedings under the Tithe Commutation Acts. Page 82

23 & 24 Vict. c. 81.—An Act to continue Appointments under the Act 14 & 15 Vict. c. 53. for consolidating the Copyhold and Inclosure Commissions and for completing Proceedings under the Tithe Commutation Acts. Page 759

§ 1. Powers of Appointment of Commissioners, &c. under 14 & 15 Vict. c. 53. continued until 11th August 1861, and to end of then next Session.

Copyright of Designs.

21 & 22 Vict. c. 70.—An Act to amend the Act of 5 & 6 Vict. c. 100. to consolidate and amend the Laws relating to the Copyright of Designs for ornamenting Articles of Manufacture. Page 104

§ 1. Short Title.
2. Copyright of Designs Acts and this Act to be as One.
3. Extension of Term of Copyright as to the Tenth Class mentioned in 5 & 6 Vict. c. 100.
4. Copyright not to be prejudiced if Articles marked.
5. Pattern may be registered.
6. Proprietor to give the Number and Date of Registration.
7. Penalty on issuing Articles not so marked.
8. Proceedings for Prevention of Piracy may be instituted in the County Courts.
9. The Proceedings of County Courts Acts applicable to Proceedings for Piracy of Designs.
SCHEDULE, reciting Acts 5 & 6 Vict. c. 100., 6 & 7 Vict. c. 65., 13 & 14 Vict. c. 104., and 14 Vict. c. 8.

Cornwall, Duchy of. See *Duchy of Cornwall.*

Cornwall Submarine Mines.

21 & 22 Vict. c. 109.—An Act to declare and define the respective Rights of Her Majesty and of His Royal Highness the Prince of Wales and Duke of Cornwall to the Mines and Minerals in or under Land lying below High-water Mark, within and adjacent to the County of Cornwall, and for other Purposes. Page 246

Preamble recites Articles of Agreement, dated July 1, 1858.
§ 1. All Minerals under the Seashore and other Places below High-water Mark in Cornwall are vested in His Royal Highness the Prince of Wales and Duke of Cornwall.
2. All Minerals below Low-water Mark adjacent to the County of Cornwall are vested in the Queen in right of Her Crown.
3. Her Majesty and Her Lessees to have Liberty to work such Minerals through the Lands of the Duchy.
4. Compensation to be made to Duke of Cornwall, &c.
5. Mode of ascertaining Compensation.
6. Her Majesty not to be liable for any Damage done by Her Lessees.
7. Lines of High and Low Water Mark to be settled by Arbitration in case of Difference.
8. Interpretation of Terms.
9. General Saving of Rights.
10. Short Title.

Coroners:

1.—*Borough Coroners (Ireland).*

23 & 24 Vict. c. 74.—An Act to amend the Provisions of the Act 3 & 4 Vict. c. 108. for the Regulation of Municipal Corporations in Ireland, with respect to the Appointment of Coroners in Boroughs. Page 743

§ 1. Town Councils of certain Boroughs respectively may appoint a Coroner; but no Person to be appointed who is not qualified as under Sect. 153. of 3 & 4 Vict. c. 108.
2. Part of Section 155. of 3 & 4 Vict. c. 108. repealed.

2.—*County Coroners.*

23 & 24 Vict. c. 116.—An Act to amend the Law relating to the Election, Duties, and Payment of County Coroners. Page 892

§ 1. Provisions of 7 & 8 Vict. c. 92. extended to all Counties, although not divided into Districts for the Purposes of such Act.
2. Polling at Elections for Coroners to continue for One Day only.
3. Provisions as to Remuneration of Coroners by Fees repealed.
4. County Coroners to be paid by Salary.
5. If Coroner refuse to hold Inquest, Application may be made to a Judge for a Rule to show Cause.
6. Power to remove Coroner.
7. County of Chester to be henceforth subject to the General Law.
8. Interpretation of "County."
9. Saving Rights of the Crown, &c.
10. Acts to extend only to England and Wales.

See also *Bail.*

Corporations, Municipal. See *Municipal Corporations.*

Corrupt Practices Prevention.

21 & 22 Vict. c. 87.—An Act to continue and amend the Corrupt Practices Prevention Act, 1854 (17 & 18 Vict. c. 102.) Page 160

§ 1. As to Travelling Expenses of Voters.
2. Section 34. of 17 & 18 Vict. c. 102. amended as to further Remuneration of Election Auditors.
3. Definition of "Candidate."
4. Election Auditor not to act as Election Agent.
5. Act to continue in force until 10th August 1859.

22 & 23 Vict. c. 48.—An Act to continue the Corrupt Practices Prevention Act, 1854. Page 487

§ 1. Act continued until 10th August 1860.

23 & 24 Vict. c. 99.—An Act to continue the Corrupt Practices Prevention Act, 1854. Page 794

§ 1. Act continued until 10th August 1861.

Costs of Petitions of Right. See *Petitions of Right.*

Cottages for Labourers, &c. See *Labouring Classes.*

Council, Clerk of. See *Privy Council.*

Councillors of Burghs and Burgesses (Scotland).

23 & 24 Vict. c. 47.—An Act to amend the Law relative to the Legal Qualifications of Councillors and the Admission of Burgesses in Royal Burghs in Scotland. Page 700

Preamble recites 3 & 4 W. 4. c. 76., and 9 & 10 Vict. c. 17.
§ 1. Section 14. of 3 & 4 W. 4. c. 76. repealed.
2. Electors of Members of Council may be admitted as Burgesses on certain Conditions.

Counties. See *Detached Parts of Counties.*
Police. *Sessional Divisions of Counties.*

County Cess (Ireland).

22 & 23 Vict. c. 23.—An Act to continue certain Acts relating to the Collection of County Cess in Ireland. Page 453

Recital of 11 & 12 Vict. c. 32., 16 & 17 Vict. c. 13., and 20 & 21 Vict. c. 7.
§ 1. Provisions in 11 & 12 Vict. c. 32., relating to Collection of County Cess in Ireland continued for Two Years.

County Coroners. See *Coroners, 2.*

County Courts:

1.—*Districts, Re-arrangement of.*

21 & 22 Vict. c. 74.—An Act for the Re-arrangement of the Districts of the County Courts among the Judges thereof. Page 126.

Preamble recites 9 & 10 Vict. c. 95.
§ 1. Lord Chancellor may re-distribute the Business of the Courts among the Judges thereof. Repealing Section 19. of 9 & 10 Vict. c. 95.
2. Two Persons may be appointed the Judges of One or more Districts.
3. Number of Judges not to exceed Sixty.
4. Rule or Order requiring a Judge or Officer of a County Court to perform certain Duties to be issued only by a Superior Court.
5. Repealing Provision of 17 & 18 Vict. c. 125. (Common Law Procedure Act, 1854) as to referring Causes to County Courts.

2.—*High Bailiffs of Westminster and Southwark.*

22 Vict. c. 8.—An Act to repeal the Thirty-second Section of the Act "for the more easy Recovery of "Small Debts and Demands in England," and to make further Provision in lieu thereof. Page 347

Preamble recites 9 & 10 Vict. c. 95. and the Establishment thereunder of the County Courts for Westminster and Southwark.
§ 1. Section 32. of 9 & 10 Vict. c. 95. repealed, and other Provisions made for the Appointment of High Bailiffs of the County Courts of Westminster and Southwark.

3.—*Judges Powers of Imprisonment Limitation.*

22 & 23 Vict. c. 57.—An Act limiting the Power of Imprisonment for Small Debts exercised by the County Court Judges. Page 500

§ 1. Power of Committal by County Court Judges under 9 & 10 Vict. c. 95. s. 98. not to be exercised unless Credit obtained by Fraud.

See also *Copyright of Designs. Probate, Court of.*

County Management.

21 & 22 Vict. c. 33.—An Act for the better Management of County Rates. Page 50

Preamble recites 15 & 16 Vict. c. 81.

§ 1. Provisions of 15 & 16 Vict. c. 81. to apply to Counties having separate Divisional County Treasurers.

2. Justices of Divisions to raise all County Rates and to administer all Disbursements thereout in such Divisions as heretofore.

County Palatine. See *Durham. Lancaster.*

County Police. See *Police*, 1.

County Property Conveyance.

21 & 22 Vict. c. 92.—An Act to provide for the Conveyance of County Property to the Clerk of the Peace of the County. Page 170

§ 1. Justices of the Peace may order Conveyances or Grants of Land, &c. to be made in the Name of the Clerk of the Peace or Treasurer.

2. Contracts and Agreements may be entered into in the Name of the Clerk of the Peace or Treasurer.

3. Lands, &c. to be vested in the Clerk of the Peace or Treasurer.

4. Grants and Conveyances to be valid though not enrolled.

County Rates. See *County Management.*

Courts. See *Admiralty. Chancery. Civil Bills, &c. (Ireland). Common Law Procedure. County Courts. Divorce Court. Ecclesiastical Courts. Exchequer. Four Courts, Dublin. Landed Estates Court (Ireland). Manor Courts (Ireland). Nisi Prius (Ireland). Petty Sessions (Ireland). Probate Court. Queen's Bench. Sheriff Court Houses.*

Coventry. See *Local Government of Towns.*

Cowley's Charity.

21 & 22 Vict. c. 81.—An Act for confirming a Scheme as amended of the Charity Commissioners for Cowley's Charity in the Parish of Swineshead, in the County of Lincoln. Page 142

Preamble recites 5th Report of Charity Commissioners, dated 26th Feb. 1858, approving Scheme for Cowley's Charity.

§ 1. Scheme confirmed.

SCHEDULE, comprising Scheme for the Application and Management of Thomas Cowley's Charity in the Parish of Swineshead, in the County of Lincoln.

Craven Scholarships (Oxford University).

23 & 24 Vict. c. 91.—An Act for removing Doubts respecting the Craven Scholarships in the University of Oxford, and for enabling the University to retain the Custody of certain Testamentary Documents. Page 772

§ 1. Removing Doubts as to Scholarships founded by Will of Lord Craven.

Credit. See *County Courts. Malt Duty, &c.*

Creditors and Debtors. See *Debtors and Creditors.*

Criminal Justice, Middlesex (Assistant Judge).

22 & 23 Vict. c. 4.—An Act to amend the Act for the better Administration of Criminal Justice in Middlesex. Page 412

Recital of 7 & 8 Vict. c. 71.

§ 1. Justices of Middlesex may grant 300*l.* a Year out of the County Rates as an Addition to the Salary of the Assistant Judge.

2. In such Case Assistant Judge not to practise as a Barrister.

3. In certain Cases of Vacancy, Secretary of State may appoint a Person to act temporarily as Assistant Judge.

4. All General Sessions of the Peace for Middlesex to have the Powors of Quarter Sessions.

5. Court may remit Fines on Jurors imposed at a previous Session.

6. Section 10 of recited Act repealed on the next Vacancy of Office of Assistant Judge.

Criminal Lunatic Asylum.

23 & 24 Vict. c. 75.—An Act to make better Provision for the Custody and Care of Criminal Lunatics. Page 744

Preamble recites 39 & 40 G. 3. c. 94., 3 & 4 Vict. c. 54., 5 & 6 Vict. c. 29., and 6 & 7 Vict. c. 26.

§ 1. Her Majesty may appoint Asylum for Criminal Lunatics.

2. Secretary of State may direct Criminal Lunatics to be confined in the Asylum.

3. Nothing to affect the Authority of the Crown to make other Provision for the Custody of a Criminal Lunatic.

4. Secretary of State to appoint Council of Supervision and Officers for Asylums.

5. Secretary of State to make Rules for the Government of the Asylum.

6. Subject to such Rules, Council to superintend Asylum.

7. Provision as to Removal and Discharge of Lunatics.

8. Provision for Discharge of Persons confined after their Term of Imprisonment has expired.

9. Secretary of State may permit any Lunatic to be absent from Asylum on Trial, &c.

10. Provisions of 3 & 4 Vict. c. 54., as to Expenses of Conveyance and Maintenance to apply to this Act.

§ 11. Lunatics escaping may be re-taken by Superintendent, &c.
12. Punishment of Persons for Rescue or permitting Escape.
13. Penalty on Officers or Servants ill-treating Lunatics.
14, 15. Commissioners in Lunacy to visit Asylums; and report to Secretary of State.
SCHEDULE.

Crinan Canal. See *Caledonian and Crinan Canals.*

Crossed Cheques. See *Drafts on Bankers*, 1.

Crown Debts and Judgments.

23 & 24 Vict. c. 115.—An Act to simplify and amend the Practice as to the Entry of Satisfaction on Crown Debts and on Judgments. Page 892
§ 1. Provisions of Sections 195, 196, and 197 of Customs Act 16 & 17 Vict. c. 107. extended to all Bonds to the Crown.
2. As to Entry of Satisfaction on Judgments.

Crown Office. See *Queen's Bench, Court of.*

Custody of Criminal Lunatics. See *Criminal Lunatic Asylum.*

Custody of Documents. See *Oxford University*, 3.

Customs.

21 & 22 Vict. c. 12.—An Act for the Alteration of certain Duties of Customs. Page 26
§ 1. Duties of Customs on Chloride of Lime and Platina Wire to cease.
2. New Duties of Customs to be charged on Bonnets of Felt and Manufactures of Caoutchouc.
3. On and after 5th April 1858, Duties of Customs to be charged on Stearine.
4. Commencement of Act, and Short Title.

21 & 22 Vict. c. 16.—An Act for the further Amendment of the Duties of Customs. Page 29
§ 1. Additional Rates and Duties on Spirits, &c. imported into Ireland.

22 & 23 Vict. c. 37.—An Act for the Amendment of the Laws relating to the Customs. Page 471
§ 1. Repealing the Act 3 & 4 Will. 4. c. 101.
2. Lien for Freight payable before Delivery of Goods from Queen's Warehouse.
3. Goods under Bond for Exportation must be duly shipped.
4. Goods to be correctly stated in the Declaration on Shipping Bills.
5. Shipping Bills on Exportation to be delivered, and if not acted upon to be notified.
§ 6. Penalty on fraudulent Import Entries and Concealments.
7. Butter and Deals from Canada may be imported viâ Portland, notwithstanding anything in Customs Acts to the contrary.
8. Interpretation of Terms.
9. Short Title.

23 & 24 Vict. c. 22.—An Act to amend the Laws relating to the Customs. Page 621
§ 1. Duty of Customs on Chicory, &c.
2. As to Duties and Drawbacks of Customs on Wine.
3. Power to Commissioners of Inland Revenue to make Allowances on Wine in Stock.
4. Power to Treasury to authorize Payment of Monies advanced by Commissioners of Inland Revenue.
5. Duties charged upon certain Goods, &c. imported, to cease on and after 3d March 1860, except as to Articles against which other Dates are inserted.
6. As to Corks, Hats or Bonnets, Gloves, &c.
7. As to Duties on Paper, &c.
8. As to Duties on Spirits.
9. Duties on certain Articles to cease after 7th March 1860.
10. In lieu of Duties now charged on certain Articles herein named, reduced Duties to be charged on and after 7th March 1860.
11. Duties now charged on Tea, Sugar, &c. continued until 1st July 1861.
12. Duties on Timber and Wood; and Drawback on Wood Goods.
13. Duties on Timber to be paid on First Importation.
14. Duty on Ships.
15. Rates payable on Delivery of Goods from Warehouse for Home Consumption.
16. Rates on Imports as herein stated.
17. Definition of Unit of Entry.
18. Power to adjust Unit of Entry.
19. Rates to be paid by Stamps.
20. Particulars of Free Goods Inwards.
21. Construction of the Term "Bill of Lading;" and Bill of Lading to be deemed the Entry Outwards of Free Goods, but not to include more than One Consignment.
22. Bills of Lading to be delivered within Time prescribed.
23. Bills of Lading, &c., relating to Goods conveyed by Forwarders.
24. Meaning of the Terms "Carrier or Forwarder" and "Goods" as used in this Act.
25. Penalty on Exporter, &c. shipping without Bill of Lading.
26. Master or Owner to deliver a Manifest of Goods shipped.
27. Customs Bill of Lading, &c. Evidence.
28. Payment of Duty on Customs Bill of Lading to be by an adhesive Stamp.
29. No Customs Bill of Lading to be valid if not stamped.
30. Averments in Informations, &c.
31. Stamps to be provided by Inland Revenue.
32. Rates to be deemed Stamp Duties.
33. Customs Stamp Distributors to be appointed.

§ 34. Inland Revenue to account with Customs the Proceeds arising from Stamp Duties.
35. Allowance for Stamps spoiled, &c.
36. Where Contracts entered into before 10th February 1860 Deduction to be made in respect of Duty.
37. Commencement of Act.

23 & 24 Vict. c. 110.—An Act to consolidate the Duties of Customs. Page 826

§ 1. In lieu of the Duties, &c. on certain Articles now payable, the Duties, Rates, &c. to be charged as herein mentioned.
2. Repeal of Prohibition of Malt.
3. Prohibition of Extracts of Malt, &c.
4. Description of Goods in Entry.
5. Rates, if exceeding Ten Shillings, may be paid in Cash.
6. Agent to act for Captain, &c.
7. Commencement of Act and Short Title thereof.

23 & 24 Vict. c. 36.—An Act to authorize the Appointment and Approval of Places for the warehousing of Goods for the Security of Duties of Customs. Page 656

§ 1. Power to appoint Warehousing Places in Manchester, Birmingham, Leeds, Sheffield, &c.
2. Powers of Customs Acts conferred upon Commissioners of the Treasury applicable to this Act.
3. Warehouses to be for public Accommodation and to be of approved Dimensions.
4. Warehouse to be within 1,000 Yards of Custom House.
5. Interpretation of "Extra Rates."
6. Rates herein named to be paid in lieu of existing Charges.
7. Rates deemed Customs Duties.
8. Commencement and Short Title of Act.

See also *Isle of Man Harbours.*

D.

Dartmouth. See *Local Government of Towns, &c.*

Dead, Interment of. See *Local Boards of Health. Burial Grounds.*

Dealers in Spirits. See *Excise Duties, Spirits.*

Deaths, Registration of. See *Registration of Births, &c.*

Debtors and Creditors.

23 & 24 Vict. c. 147.—An Act to amend the Seventh and Eighth Victoria, Chapter Seventy. Page 1016

§ 1. Provisions of 7 & 8 Vict. c. 70. applicable to petitioning Debtors not in Custody to extend to those in Custody.
2. Construction of Terms in this and recited Acts.

Debt, Imprisonment for. See *County Courts*, 3.

Declaration of Legitimacy. See *Legitimacy Declaration.*

Defamation. See *Ecclesiastical Courts.*

Defence of the Realm:

1.—*Defence Act*, 1860.

23 & 24 Vict. c. 112.—An Act to make better Provision for acquiring Lands for the Defence of the Realm. Page 836

§ 1. Lands to be taken and Lands to be kept free from Buildings to be ascertained by Declaration of Secretary for War.
2. Declaration, what to show.
3. Restriction on taking of certain Descriptions of Property.
4. Copy of Declaration, &c. to be deposited with Clerks of the Peace, &c.
5. Clerks of the Peace, &c. to receive and hold Copies so deposited as under 7 W. 4. & 1 Vict. c. 83.
6. Notices to be affixed on Church Doors.
7. Notices to Owners, &c. of Land.
8. Contents of such Notice.
9. How Notices to be given.
10. Amount of Compensation may be determined by Agreement.
11. Corporations, Tenants for Life, Trustees, Committees, &c. empowered to agree.
12. How Compensation to be settled in case of Neglect to treat.
13. Provision where Compensation claimed is under 200*l.*
14. Compensation to absent Parties to be settled by a Surveyor to be appointed by Two Justices.
15. Surveyor acting corruptly to be guilty of a Misdemeanor.
16. Valuation to be preserved and produced on Demand.
17. Damage may be ascertained when Works done.
18. In estimating Damage from Works regard to be had to Advantages derived.
19. Where any Agreement in restraint of Building exists, regard to be had thereto in estimating Compensation.
20. Provision for Payment and Application of Compensation Money in certain Cases.
21. On Payment into Court of Compensation, an Addition to be made to meet future Expenses.
22. Provision for Payment into Court on failure for Three Months after Compensation ascertained to deduce a Title.
23. Orders concerning Money paid into Court may be made at Chambers.
24. Costs of and incident to Agreements, &c. under this Act to be borne by Secretary of State.
25. Provision for Costs when Amount of Compensation is determined by a Jury or Justices.
26. Provision for Apportionment of Rents and Incumbrances.
27. Power to release Land from Rentcharge, &c.
28. Who competent to make Apportionment, &c.
29. Secretary of State may avail himself of Powers of 8 & 9 Vict. c. 18.

§ 30. Lands taken to be vested in Secretary of State on behalf of Her Majesty.
31. Power to Secretary of State to enter immediately.
32. Interest to be payable until Payment of Compensation Money.
33. Lands to continue subject to Tithe Rentcharges, Taxes, and Rates.
34. Restrictions and Powers with respect to Lands required to be kept free from Buildings.
35. Limitation of Time for Works under last preceding Enactment.
36. Provision as to Interests omitted to be purchased.
37. How Value of such Lands to be estimated.
38. Secretary of State to pay the Costs of Litigation as to such Lands.
39. Power to Secretary of State to withdraw Notices.
40. Power to divert Highways, &c.
41. Power to alter the Course of Brooks, &c.
42. Compensations to be paid out of Monies provided by Parliament.
43. Protection to Secretary of State.
44. Provision for enforcing Delivery of Possession.
45. Notices, &c. required to be served on or given by Secretary of State to be served on or given by the Solicitor.
46. The Defence Act, 1842 (5 & 6 Vict. c. 94.), amended as herein stated.
47. Interpretation of Terms.
48. Short Titles of 5 & 6 Vict. c. 94., 18 & 19 Vict. c. 117., and of this Act.

2.—*Fortifications* (*Provisions for Expenses*).

23 & 24 Vict. c. 109.—An Act for defraying the Expenses of constructing Fortifications for the Protection of the Royal Arsenals and Dockyards and the Ports of Dover and Portland, and of creating a Central Arsenal. Page 822

§ 1. The Sum of 2,000,000*l.* to be issued out of the Consolidated Fund towards the Expenses after mentioned.
2. Appropriation of the Money so issued to the Expenses of constructing Fortifications, and providing a Central Arsenal.
3. Treasury to raise 2,000,000*l.* by creating Annuities for a Term not exceeding Thirty Years.
4. Treasury to fix the Term and Amount of Annuity to be granted to Contributors for every 100*l.*, and Terms of Payment of Subscriptions.
5. Power to Guardians, &c. to subscribe for Infants.
6. Time at which Annuities may be transferred.
7. Contributors may anticipate Payments.
8. Annuities payable and transferable at the Bank.
9. Money to be issued out of the Consolidated Fund for Payment of Annuities and Charges, and shall be charged upon the said Fund.
10. Bank of England to appoint a Cashier and an Accountant General, and the Treasury to order Money to be issued to the Cashier for Payment of Annuities.
11. Cashier to give Receipts for Subscriptions, and pay the Money he receives into the Exchequer.
12. The Money paid into the Exchequer to form Part of the Consolidated Fund.
13. A Book to be kept in the Accountant General's Office for entering Contributors Names, and a Duplicate to be transmitted to the Exchequer.
14. Subscriptions paid in part, and not completed, forfeited.
15. Annuities to be deemed Personal Estate.
16. Accountant General to keep Books for entering Transfers. Transfers not liable to Stamp Duties.
17. Power to the Treasury to add the Annuities created under this Act to the Stock of existing terminable Annuities of like Duration.
18. Allowance to Bank of England for the Expense of Management.
19. Fortifications, &c. to be executed under the Direction of the Secretary for War.
20. Accounts to be laid before Parliament.
21. Persons counterfeiting Receipts for Contributions, &c. guilty of Felony.
22. Bank to continue a Corporation till the Annuities hereby granted cease.
SCHEDULE of Sums proposed to be expended.

Degrees, University. See *Universities*, 2.

Desertion. See *Mutiny. Naval Discipline.*

Designs, Copyright of.

21 & 22 Vict. c. 70.—An Act to amend the Act 5 & 6 Vict. c. 100., to consolidate and amend the Laws relating to the Copyright of Designs for ornamenting Articles of Manufacture. Page 104

§ 1. Short Title.
2. Copyright of Designs Acts and this Act to be as One.
3. Extension of Term of Copyright as to the Tenth Class mentioned in 5 & 6 Vict. c. 100.
4. Copyright not to be prejudiced if Articles marked.
5. Pattern may be registered.
6. Proprietor to give the Number and Date of Registration.
7. Penalty on issuing Articles not so marked.
8. Proceedings for Prevention of Piracy may be instituted in the County Courts.
9. The Proceedings of County Courts Acts applicable to Proceedings for Piracy of Designs.
SCHEDULE, reciting the Acts 5 & 6 Vict. c. 100., 6 & 7 Vict. c. 65., 13 & 14 Vict. c. 104., and 14 Vict. c. 8.

Detached Parts of Counties.

21 & 22 Vict. c. 68.—An Act to amend the Law concerning detached Parts of Counties. Page 102

Preamble recites 2 & 3 Vict. c. 93., 3 & 4 Vict. c. 88., 7 & 8 Vict. c. 61., and 2 & 3 Will. 4. c. 64.
§ 1. Detached Parts of Counties may be transferred for the Purposes of the Constabulary.
2. Certain Provision of 3 & 4 Vict. c. 88. to extend to Parts annexed under 7 & 8 Vict. c. 61.
3. Power to contract for Care of Prisoners.

Diplomatic Pensions.

22 & 23 Vict. c. 5.—An Act to remove Doubts as to the Qualification of Persons holding Diplomatic Pensions to sit in Parliament. Page 412

Recital of 2 & 3 Will. 4. c. 116.
§ 1. Persons holding Diplomatic Pensions may sit in the House of Commons.
2. The Act 2 & 3 Will. 4. c. 116. not to be affected by this Act.

Discipline, Naval. See *Naval Discipline.*

Diseases. See *Contagious Diseases Prevention. Nuisances Removal.*

Disembodied Militia. See *Militia*, 3.

Distillation. See *Excise Duties. Spirits*, 2.

Districts of the County Courts. See *County Courts.*

Dividends, Unclaimed. See *Bank of Ireland*, 2.

Divorce Court.

21 & 22 Vict. c. 108.—An Act to amend the Act 20 & 21 Vict. c. 85. Page 243

§ 1. The Judge Ordinary of the Court for Divorce and Matrimonial Causes may sit in Chambers.
2. The Treasury to cause Chambers to be provided.
3. Powers of Judge when sitting in Chambers.
4. The Registrars to do all Acts heretofore done by Surrogates.
5. Evidence on which Divorce obtained prior to 20 & 21 Vict. c. 85. may be used in support of Petition in the Court for Divorce and Matrimonial Causes.
6. Wives deserted by their Husbands may apply to the Judge for an Order to protect Property, &c. acquired by them.
7. Provisions respecting Property of Wife to extend to Property vested in her as Executrix, &c.
8. Order for Protection of Earnings, &c. of Wife to be deemed valid.
9. Order to state the Time at which the Desertion commenced.
10. Indemnity to Parties making Payments under Orders afterwards reversed.
11. Where alleged Adulterer a Co-Respondent, Court may order him to be dismissed from the Suit.
12. Persons who administer Oaths under 20 & 21 Vict. c. 77. to administer under 20 & 21 Vict. c. 85.
13. Bills of Proctors, Attorneys, &c. to be subject to Taxation.
14. Power to enforce Decree as to Costs.
15. Judge of Court to exercise Power and Authority over Proctors, &c.
16. Commissioners may be appointed in the Isle of Man, &c.
17. Appeal in Cases of Nullity of Marriage to lie to the House of Lords.
18. Judge Ordinary may grant Rule Nisi for new Trial, &c.
19. So much of 20 & 21 Vict. c. 85. as relates to Applications to Judges of Assize repealed.
20. Affidavits, before whom to be sworn when Parties making them reside in Foreign Parts.
21. Affidavits to be used in the Court, before whom to be sworn.
22. Persons forging Seal or Signature guilty of Felony.
23. Persons taking a false Oath before a Surrogate guilty of Perjury.

22 & 23 Vict. c. 61.—An Act to make further Provision concerning the Court for Divorce and Matrimonial Causes. Page 507

Recital of 20 & 21 Vict. c. 85.
§ 1. All the Judges of the Queen's Bench, Common Pleas, and the Exchequer to be Judges of the Court for Divorce.
2. Judge Ordinary and Eight of the other Judges to appoint the Sittings of the full Court.
3. Precedence of the Judge Ordinary.
4. The Court may make Orders as to Custody of Children after a final Decree of Separation.
5. As to Marriage Settlements of Parties after final Decree of Nullity of Marriage.
6. On a Petition by Wife on account of Adultery, &c., both Husband and Wife competent and compellable to give Evidence.
7. Right of Appeal to House of Lords to extend to Sentences, &c. under the Legitimacy Declaration Act, 1858.

23 & 24 Vict. c. 144.—An Act to amend the Procedure and Powers of the Court for Divorce and Matrimonial Causes. Page 1010

§ 1. The Judge Ordinary may exercise Powers now vested in the full Court, and may call in the Assistance of One of the other Judges.
2. Judge may direct any Matter to be heard by the full Court. Appeal to the full Court.
3. Appeal to the House of Lords.
4. Regulation of the Sittings of the full Court. 22 & 23 Vict. c. 61. s. 2. repealed.
5. Court may, where One Party only appears, require Counsel to be appointed to argue on the other Side.
6. Amending 20 & 21 Vict. c. 85. s. 45.
7. As to Decrees for Divorce, and as to Collusion.
8. Continuance of Act until 31st July 1862.

See also *Legitimacy Declaration.*

Docks at Leith. See *Leith Harbour and Docks.*

Dockyards. See *Defence of the Realm. Metropolitan Police Force (Dockyards).*

Dominica Hurricane Loan.

23 & 24 Vict. c. 57.—An Act to authorize an Extension of the Time for Repayment of a Loan made by the West India Relief Commissioners to the Island of Dominica. Page 717

Preamble recites 2 & 3 W. 4. c. 125. and 5 & 6 W. 4. c. 51.
§ 1. Power to Treasury to accept an Annuity in lieu of Monies due in respect of Balance of Loan due from Dominica.

Dorchester. See *Local Government of Towns.*

Dover. See *Defence of the Realm.*

Drafts on Bankers :

1.—*Crossed Cheques.*

21 & 22 Vict. c. 79.—An Act to amend the Law relating to Cheques or Drafts on Bankers. Page 141

§ 1. The Crossing to be deemed a material Part of a Cheque or Draft, &c.
2. The lawful Holder of a Cheque uncrossed, or crossed "and Company," may cross the same with the Name of a Banker.
3. Persons obliterating, &c. Crossing with Intent to defraud, guilty of Felony.
4. Banker not to be responsible for paying a Cheque which does not plainly appear to have been crossed or altered.
5. Interpretation of the Word "Banker."

2.—*Stamp Duty on Drafts.*

21 & 22 Vict. c. 20.—An Act for granting a Stamp Duty on certain Drafts or Orders for the Payment of Money. Page 31

§ 1. After 24th May 1858, certain Drafts to be chargeable with a Stamp Duty of 1*d.*
2. The Duty to be under the Care of the Commissioners of Inland Revenue. Powers and Provisions of former Acts to apply to this Act.

Drainage of the Metropolis. See *Metropolis Local Management.*

Drink, Adulteration of Articles of. See *Adulteration of Food or Drink.*

Dublin:

1.—*Dublin Police.*

22 & 23 Vict. c. 52.—An Act to amend the Laws relating to the Police District of Dublin Metropolis. Page 490

Recital of 6 & 7 Will. 4. c. 29., 7 Will. 4. & 1 Vict. c. 25., and 3 & 4 Vict. c. 103.

§ 1. Interpretation of Terms.
2. When the Office of Commissioner of Police is vacant, Lord Lieutenant may appoint an Assistant Commissioner.
3. Salaries to be paid after such Vacancy shall take place.
4. One Commissioner to act in certain Cases.
5. When the Offices of Receiver, Secretary, and Supervisor be vacant, Lord Lieutenant may appoint One Person to hold the said Offices.
6. Offices may be consolidated if no Vacancy have occurred, and Compensation granted for Loss of Office.
7. When Consolidation of Offices shall include Receiver, that Officer to be styled the Accountant, and Property to be vested in him, &c.
8. Lord Lieutenant may abolish Divisions of Police District, and appoint such Number of Courts and Justices as he may think fit.
9. When Number of Justices reduced to Five, Lord Lieutenant may raise the Salary of Justices.
§ 10. Lord Lieutenant may direct daily Attendances at Police Courts.
11. One Justice may do any Act directed to be done by more than One Justice.
12. Compensation to Persons belonging to the Police Department whose Offices are abolished by this Act.
13. Act not to lessen, &c. Power of Justices.
14. Short Title.

2.—*Four Courts, Dublin.*

21 & 22 Vict. c. 84.—An Act for enabling the Commissioners of Public Works in Ireland to acquire certain Lands and Houses for the Site of a new Court or Courts and other Offices and Buildings required for the Public Service, in Extension of the Four Courts in the City of Dublin; and for other Purposes. Page 150

§ 1. Construction of Terms.
2. Short Title.
3. Provisions of Lands Clauses Act, 8 & 9 Vict. c. 18. extended to this Act, so far as the same may be applicable.
4. Commissioners of Public Works (Ireland) to be a Corporation for the Purposes of this Act.
5. Power to purchase Lands and Houses.
6. Errors and Omissions in Schedule may be corrected by Two Justices, who may certify the same.
7. Power to make Street according to Plans.
8. As to Deviations from Plans.
9. New Street when made to be kept in repair by the Persons liable to repair the Streets of the District.
10. Power to stop up or alter Streets and Ways.
11. Streets may be raised or lowered.
12. Commissioners may stop up Sewers, &c.
13. Power to sell Materials of Houses pulled down.
14. Commissioners to render Accounts.
15. Commissioners may sell surplus Lands.
16. Powers for compulsory Purchases limited.
17. Commissioners to deliver Maps, Schedules, and Estimates at Office of Under Secretary at Dublin Castle, and deposit Copies with Clerk of the Peace.
18. Power to appoint a Valuator on Application to Commissioners.
19. Valuator may call for Documents and administer Oaths.
20. Valuator, &c. to make and subscribe Declaration.
21. Maps, &c. deposited to be delivered to Valuator; Notice of Appointment of Arbitrator, &c. to be published.
22. Valuator to adjudicate upon Compensation to be paid for Lands and Houses.
23. Clerk of the Peace required to take charge of Documents deposited, as provided by 7 Will. 4 & 1 Vict. c. 83.
24. Expenses of Valuator to be borne by the Commissioners.
25. Valuator to certify Amount of Costs to be paid by Commissioners.
26. Receipts duly stamped to act as a Conveyance.
27. Payment of Monies where Parties making Claim deemed not entitled, or are under Disability, or Title not satisfactorily deduced.
28. Commissioners may require further Evidence of Title at their own Costs.
29. If either Party dissatisfied with Award of Valuator, Amount of Compensation to be settled by Arbitration.

SCHEDULE of Property to be taken.

3.—*Phœnix Park.*

23 & 24 Vict. c. 42.—An Act to vest the Management of the Phœnix Park in the Commissioners of Public Works in Ireland. Page 672

Preamble recites 14 & 15 Vict. c. 42.

§ 1. The Management of the Phœnix Park vested in the Commissioners of Public Works in Ireland from 31st January 1860.

Duchy of Cornwall.

23 & 24 Vict. c. 53.—An Act for the Limitation of Actions and Suits by the Duke of Cornwall in relation to Real Property, and for authorizing certain Leases of Possessions of the Duchy. Page 713

Preamble recites 9 G. 3. c. 16. and 7 & 8 Vict. c. 105.

§ 1. Provisions of 9 G. 3. c. 16. as to Limitations of Actions and Suits to extend to the Duke of Cornwall.

2. *Nothing to affect Provisions of 7 & 8 Vict. c. 105., 2 & 3 W. 4. c. 71., and 2 & 3 W. 4. c. 100.*

3. *Power to Council to grant Leases of Property declared to be vested in the Duke of Cornwall by 21 & 22 Vict. c. 109.*

4. Construction of the Expression "Duke of Cornwall."

Durham County Palatine Jurisdiction.

21 & 22 Vict. c. 45.—An Act to amend the Provisions of the Act 6 & 7 Will. 4. c. 19., for separating the Palatine Jurisdiction of the County Palatine of Durham from the Bishopric of Durham; and to make further Provision with respect to the Jura Regalia of the said County. Page 75

§ 1. Definition of the Words "The County of Durham."

2. The Interest of the Bishopric of Durham in the Foreshores of the County of Durham vested in Her Majesty.

3. Certain Leases by the Bishop confirmed, but Rents received under some of them to be apportioned.

4. Rents and Proceeds from the Foreshores of Durham to be divided equally between the Crown and the Ecclesiastical Commissioners.

5. Forfeitures and other Jura Regalia vested in Her Majesty in right of Her Crown.

6. General Saving.

Durham University. See *Universities.*

Duties, Rates, and Taxes. See *Customs. Excise. Game Certificates. Income and Property Tax. Inventory Duty. Local Taxation. Spirits. Stamp Duties. Wine Licences.*

Dwellings for the Labouring Classes. See *Labouring Classes.*

Dyeing Works. See *Bleaching and Dyeing Works.*

E.

East India Bonds, &c.

23 & 24 Vict. c. 5.—An Act to regulate Probate and Administration with respect to certain Indian Government Securities; to repeal certain Stamp Duties; and to extend the Operation of the Act 22 & 23 Vict. c. 39. to Indian Bonds. Page 592

§ 1. Indian Government Notes on which Interest is payable in London, and certain Indian Government Promissory Notes, to be deemed Bona notabilia in England. Probate, &c. in England or Confirmation in Scotland valid, &c.

2. Transfers of Territorial Debt and of Indian Government Loans not chargeable with Stamp Duty. Repeal of Part of Sect. 5. of 5 & 6 W. 4. c. 64.

3. Power to raise Money under Act 22 & 23 Vict. c. 39. extended to Repayment of East India Bonds.

East India Loans.

21 & 22 Vict. c. 3.—An Act for enabling the East India Company to raise Money in the United Kingdom for the Service of the Government of India. Page 2

§ 1. Power to East India Company to raise any Sum not exceeding Eight Millions.

2. Money may be raised on Bonds of the Company.

3. Debentures to be issued by the Company.

4. As to Payment of Principal and Interest on Debentures.

5. Debentures transferable by Delivery.

6. The whole Amount secured not to exceed Eight Millions.

7. Money may be raised for Repayment of Principal Monies.

8. Securities to be charged.

9. Provision as to Composition for Stamp Duties on India Bonds extended to Bonds and Debentures under this Act.

10. Forgery of Debentures to be punishable as Forgery of East India Bonds.

11. Court of Directors to prepare Return annually of Monies raised on Loan, &c.

12. Saving of existing Powers of the Company.

22 Vict. c. 11.—An Act to enable the Secretary of State in Council of India to raise Money [7,000,000*l.*] in the United Kingdom for the Service of the Government of India. Page 349

22 & 23 Vict. c. 39.—An Act to enable the Secretary of State in Council of India to raise Money [5,000,000*l.*] in the United Kingdom for the Service of the Government of India. Page 475

23 & 24 Vict. c. 130.—An Act to enable the Secretary of State in Council of India to raise Money [3,000,000*l.*] in the United Kingdom for the Service of the Government of India. Page 967

See also *East India Bonds, &c.*

East India Stock Transfer, &c.

23 & 24 Vict. c. 102.—An Act to provide for the Management of East India Stock, and of the Debts and Obligations of the Government of India, at and by the Bank of England. Page 795

§ 1. Arrangements for Transfer of Stock of the East India Company, and Payment of Dividends thereon at the Bank of England.
2. Secretary of State for India in Council to pay to the East India Company the Sum agreed to be paid to the Bank of England.
3. Powers of Attorney existing previous to the 31st Dec. 1860 not to be defeated by the Act; and the Bank of England authorized to act on any Powers lodged with the East India Company.
4. Evidence of the Title to Stock may be required by the Bank.
5. Secretary of State for India in Council to pay the Dividends half-yearly to the Bank.
6. Secretary of State for India in Council to make such Arrangements as shall be deemed expedient with the Bank of England for Payment of the Debts and Obligations of the Government of India, and the Interest thereon.
7. Secretary of State for India in Council to open Accounts at Bank of England for Payment of current Demands.

East Indies—East India Company.

21 & 22 Vict. c. 106.—An Act for the better Government of India. Page 228

Preamble recites 16 & 17 Vict. c. 95.

Transfer of the Government of India to Her Majesty.

§ 1. Territories under the Government of the East India Company to be vested in Her Majesty, and Powers to be exercised in Her Name.
2. India to be governed by and in the Name of Her Majesty.
3. Secretary of State to exercise Powers now exercised by the Company or Board of Control. As to Warrants, &c. required to be countersigned by 17 & 18 Vict. c. 77.
4. Four Principal and Four Under Secretaries of State may sit as Members in the House of Commons.
5. If President of Board of Control is appointed Secretary of State, his Seat in the House of Commons not to be vacated.
6. Salaries of One Secretary of State and his Under Secretaries to be paid out of the Revenue of India.

Council of India.

7. Council of India established.
8. First Members of the Council.
9. Vacancies in the Council how to be filled up.
10. The major Part of the Council to be Persons who shall have served or resided Ten Years in India.
11. Tenure of Office of Members of the Council.
12. Members of Council not to sit in Parliament.
13. Salaries of Members of Council.
14. As to Retiring Pensions, &c.
15. Secretaries and Officers on the Home Establishment of Company to form the Establishment of the Secretary of State in Council. Secretary of State to submit a Scheme for a permanent Establishment.
§ 16. As to Removal of Officers and Supply of Vacancies after First Formation of Establishment.
17. Compensations to Officers on Home Establishment of the Company and of Board of Control not retained on new Establishment.
18. As to Superannuation to Officers.

Duties and Procedure of the Council.

19. Duties of the Council.
20. Secretary of State to divide the Council into Committees, and to regulate the Transaction of Business.
21. President and Vice-President.
22. Meetings of the Council.
23. Procedure at Meetings.
24. Orders, &c. to be open to the Perusal of Members of Council, who may record their Opinions.
25. Secretary of State acting against Opinions of the Majority to record his Reasons.
26. Provision for Cases of Urgency.
27. Orders now sent through Secret Committee may be sent by Secretary of State without Communication with the Council.
28. As to Communication of Secret Despatches from India.

Appointments and Patronage.

29. Appointments to be made by or with the Approbation of Her Majesty.
30. Appointments now made in India to continue to be made there.
31. Certain Sections of 16 & 17 Vict. c. 95. as to Appointment, &c. to the Civil Service repealed.
32. Secretary of State in Council to make Regulations for the Admission of Candidates to the Civil Service of India. Regulations made by Secretary of State to be laid before Parliament.
33. Other Appointments and Admissions to Service vested in Her Majesty.
34. Regulations to be made for admitting Persons to be examined for Cadetships in Engineers and Artillery.
35. Not less than One Tenth of Persons recommended for Military Cadetships to be selected from Sons of Persons who have served in India.
36. Nominations for Cadetships to be made by Secretary of State and Members of Council.
37. Regulations as to Appointments and Admissions to Service.
38. As to Removal of Officers by Her Majesty.

Transfer of Property.

39. Real and Personal Property of the Company to vest in Her Majesty for the Purposes of the Government of India.
40. Powers of Sale and Purchase, and to enter into Contracts, vested in Secretary of State in Council.

Revenues.

41. Expenditure of Revenues of India subject to Control of Secretary of State in Council.
42. Dividend on the Stock of the Company, and existing and future Debts, Liabilities, and Expenses, to be charged on Revenues of India.
43. Revenues remitted to Great Britain, and Monies arising in Great Britain, to be paid to Secretary of State in Council.

§ 44. Cash Balance of the Company at the Bank to be transferred to Secretary of State in Council.
45. Stock Account to be opened at the Bank.
46. Stock standing in the Name of the Company transferred.
47. Power to grant Letter of Attorney for Sale, &c. of Stock and Receipt of Dividends.
48. Provision as to Exchequer Bills, Bonds, and other Securities.
49. Powers of borrowing vested in the Company transferred to Secretary of State in Council.
50. Provisions in force relating to Forgery to extend to Bonds, &c. issued by Secretary of State in Council.
51. Present System of issuing Warrants for Payments to be continued.
52. As to the Audit of Accounts in Great Britain.
53. Accounts to be annually laid before Parliament.
54. When Order to commence Hostilities is sent to India, the Fact to be communicated to Parliament.
55. Except for repelling Invasion, the Revenues of India not applicable for any Military Operation beyond the Frontiers.

Existing Establishments.

56. Indian Military and Naval Forces to remain under existing Conditions of Service.
57. Provision for Persons hereafter entering Her Majesty's Indian Forces.
58. Officers, &c. in Employ of the Company at the Commencement of this Act to be deemed to hold Offices under Her Majesty.
59. All Orders of the Court of Directors or Board of Control given before Commencement of this Act to remain in force.
60. Cesser of Appointments and Functions of Directors, &c.
61. Board of Control abolished.
62. Records, &c. of the Company to be delivered into the Care of Secretary of State in Council.
63. A Person succeeding to the Office of Governor General may exercise his Powers before he takes his Seat in Council.

Continuance of existing Enactments.

64. Existing Provisions to be applicable to Secretary of State in Council, &c.

Actions and Contracts.

65. Secretary of State in Council may sue and be sued.
66. Secretary of State in Council to come in the Place of the Company with regard to pending Suits, &c.
67. Treaties to be binding on Her Majesty, and Contracts, &c. of Company may be enforced, &c.
68. Members of Council not personally liable.
69. The Directors elected by General Court of Company, alone to be the Directors of the Company. Provision as to Reduction of Number of Directors.
70. Quarterly Courts need not be summoned.
71. Company not to be liable in respect of any Claim arising out of any Covenant, &c. made before the passing of this Act.

Saving of certain Rights of the Company.

72. As to Payment of Expenses of the Company in respect of their Capital Stock and Dividend.
73. Saving of the Rights of the Company in respect of their Dividend and Security Fund.

Commencement of the Act, &c.

§ 74. Commencement of Act, Thirty Days after its passing.
75. As to Proceedings in India before Act is proclaimed.

22 & 23 Vict. c. 41.—An Act to amend the Act for the better Government of India. Page 481

§ 1. Powers to execute Contracts vested in Government of India.
2. Mode of executing Contracts in India. Secretary of State and Council not to be personally liable.
3. Mode of signing Drafts or Orders on Bank of England.
4. As to Validity of Contracts, &c. entered into before the passing of this Act.
5. Mode of executing Contracts.
6. Actions to be carried on in Name of Secretary of State for India.

See also *Admiralty Jurisdiction. Chief Justice of Bombay. East India Bonds. East India Loans. East India Stock. European Forces (India). Senior Member of Council (India). Superannuation.*

Ecclesiastical Commissioners for England:

1.—*Amendment of Acts.*

23 & 24 Vict. c. 124.—An Act further to amend the Acts relating to the Ecclesiastical Commissioners, and the Act concerning the Management of Episcopal and Capitular Estates in England. Page 938

§ 1. Section 17. of 13 & 14 Vict. c. 94. repealed.
2. The Lands of each See to vest in the Commissioners on the next Avoidance.
3. Lands sufficient to afford the statutory Income to be secured to each See.
4. Like Arrangement may be made before next Avoidance, on Request of the Bishop.
5. Arrangements to be revised on Avoidance.
6. Endowments to be in lieu of the fixed Income.
7. Arrangements, how to be made.
8. Lands assigned as Endowments, how to be leased.
9. Estates Committee to see that Property assigned as Endowment is kept in proper Condition.
10. Provision for the Improvement of Lands.
11. Estates Committee, where required, to manage the Lands assigned.
12. Section 67. of 3 & 4 Vict. c. 113. extended to all Lands.
13. Provisions concerning local Claims to apply to Tithes and Lands of an Ecclesiastical Corporation having a Revenue exceeding its statutory Income.
14. Preference may be given to Places where Contribution is made in aid of Grant.
15. In Mining Districts Commissioners may make Grants for Cure of Souls.
16. Power to Corporations, with Approval of the Church Estates Commissioners, to sell Lands in possession, for facilitating Negotiations with Lessees.
17. Small Portions of Land under Leases usually renewed for the Purposes of Schools may be conveyed absolutely without Payment.
18. When Ecclesiastical Corporations have been accustomed to renew Leases, Lands may be conveyed by such Corporations without Consideration.

§ 19. When Ecclesiastical Corporation has been accustomed to reserve Rent the whole Estates may be conveyed to Incumbent without Consideration.
20. Trustees and others having Power to raise Money for Renewals may raise Money for Enfranchisements.
21. In estimating Value of 21 Years Leases, an Extension to 11th October 1884 to be allowed.
22. In estimating the Value of Mining Leases, an Extension to 1884 to be allowed.
23. Differences between Mining Lessees and Lessors to be referred to Arbitration.
24. Upon Treaty for Sale, &c. either Party may require Reference to Arbitration.
25. Rules to be observed in Valuation as to Rate of Interest, &c.
26. Provision as to Under-lessees bound to contribute to Expenses of Renewals.
27. Under-lessees having Right of Renewal to enjoy Benefits of this Act for Protection of Lessees.
28. Extending Powers of Apportionment of Rent, under Section 2. of 14 & 15 Vict. c. 104. and Section 2. of 17 & 18 Vict. c. 116. on Surrender, Sale, or Exchange of Part of Lands comprised in Lease held under the Ecclesiastical Commissioners.
29. Sums of Money agreed to be paid by Ecclesiastical Commissioners may, on Failure of Lessee or Grantee to make marketable Title to or Assurance of Land, be paid into Bank of England.
30. Provision for Release of Rentcharge granted to Commissioners by way of Endowment of Church or Chapel.
31. Rights and Obligations under Special Acts preserved.
32. Power of Partition of Estates held under Special Acts, &c.
33. Substitution of Titles on Exchange or Partition.
34. Providing for the Transfer of the Paddington Estate.
35. Power to Trustees and Persons having Interests to charge Enfranchisement Monies on the Lands enfranchised, &c.
36. Wherever Estate under such Lease or Grant is vested in Trustees, and Monies are vested in same Trustees, they may raise out of such Monies sufficient for Renewal of Lease, &c.
37. Lands in the Lease or other Lands settled to like Uses may be sold or mortgaged to raise Money for Purchase of Reversion, under Direction of the Court of Chancery.
38. Trustees empowered to sell Estates held under Lease.
39. Persons empowered to raise Money for Enfranchisement may give Lands in Exchange for Reversion.
40. Compensation to Officers of Ecclesiastical Corporations.
41. Provision as to Arbitration.
42. Extension of Patronage Exchange Powers.
43. Treasurer's Receipts to be full Discharges.
44. Not to affect Christ Church, Oxford, or Collegiate Church at Manchester.

2.—*Episcopal and Capitular Estates.*

22 & 23 Vict. c. 46.—An Act to continue and amend the Act concerning the Management of Episcopal and Capitular Estates in England. Page 486

Recital of 14 & 15 Vict. c. 104., 17 & 18 Vict. c. 116., and 20 & 21 Vict. c. 74.
§ 1. Two Commissioners may execute Deeds.
2. Evidence of Appointment of Church Estate Commissioners.
§ 3. 14 & 15 Vict. c. 104., as amended by 17 & 18 Vict. c. 116., continued until January 1, 1861.

See also *Church Temporalities (Ireland). Durham County Palatine Jurisdiction. Ecclesiastical Corporations Leasing. Manchester Cathedral Church. Union of Benefices. Stanhope and Wolsingham Rectories. Universities.*

Ecclesiastical Corporations Leasing.

21 & 22 Vict. c. 57.—An Act to amend the Act 5 & 6 Vict. c. 108., for enabling the Ecclesiastical Corporations, aggregate and sole, to grant Leases for long Terms of Years. Page 87

§ 1. Subject to Approval of Ecclesiastical Commissioners for England, Leases under 5 & 6 Vict. c. 108. may be granted in consideration of Premiums; and Sales or Exchanges of Lands may be effected in certain Cases.
2. Application of Monies produced by Sales, &c.
3. Power to raise Money to be paid for Equality of Exchange or Partition.
4. Power to enter into and vary Contracts and accept Surrenders.
5. Provision for Payment of Expenses of Leases.
6. This Act not to interfere with the Act 14 & 15 Vict. c. 104.
7. This Act not to repeal Powers under former Acts.
8. On Sale or Purchase of Part of Estate held under a Lease the Rent to be apportioned.
9. No Lease to be granted of Land acquired under the Act, except at Rackrent.
10. Improved Value of Dignities, Offices, and Benefices to be paid to Commissioners.
11. Section 18. of 5 & 6 Vict. c. 108. repealed.
12. Other Clauses not hereby repealed incorporated in this Act.
13. Short Titles of this and recited Act.
14. Act to extend only to England and Wales, Isle of Man, &c.

Ecclesiastical Courts.

23 & 24 Vict. c. 32.—An Act to abolish the Jurisdiction of the Ecclesiastical Courts in Ireland in Cases of Defamation, and in England and Ireland in certain Cases of Brawling. Page 649

§ 1. Jurisdiction of Ecclesiastical Courts in Suits for Defamation and Brawling abolished as against Persons not in Holy Orders. Persons in Custody for Defamation, &c. under Order of Ecclesiastical Courts to be discharged; but Order for Discharge not to be made until Costs lawfully incurred are paid.
2. Penalty on Persons found guilty of making a Disturbance in Churches, Chapels, Churchyards, or Burial Grounds.
3. Offenders may be, immediately after Offence, committed, apprehended, &c.
4. Persons aggrieved may appeal against Conviction.
5. Chapter 4. of Statute 5 & 6 Edw. 6. repealed, so far as relates to Persons not in Holy Orders.
6. Act not to affect Statutes of 1 Mar. Sess. 2. c. 3., 1 Eliz. c. 2., or Sect. 18. of 1 W. & M. c. 18.
7. Nothing to limit Power of Ordinary over Fabric of Churches, &c.

Ecclesiastical Jurisdiction.

21 & 22 Vict. c. 50.—An Act to continue certain temporary Provisions concerning Ecclesiastical Jurisdiction in England. Page 81

22 & 23 Vict. c. 45.—An Act to continue certain temporary Provisions concerning Ecclesiastical Jurisdiction in England. Page 486

§ 1. Temporary Provisions of 10 & 11 Vict. c. 98. continued until 1st August 1862.

Ecton and Welton Exchange.

22 Vict. c. 9.—An Act to effect an Exchange of Ecclesiastical Patronage between Her Majesty the Queen and Miss Sophia Broadley. Page 347

§ 1, 2. After the passing of this Act the Advowson of Rectory of Ecton (Northampton) vested in Her Majesty, and the Advowson of Vicarage of Welton-with-Melton (Yorkshire) vested in Miss Sophia Broadley.

3. If Her Majesty be hereafter evicted from Advowson of Ecton, the Advowson of Welton to revest in Her.

4. If Miss Broadley be hereafter evicted from Advowson of Welton, the Advowson of Ecton to revest in her.

5. This Act not to affect present Incumbents.

6. General Saving of Rights, &c.

Edinburgh.

21 & 22 Vict. c. 40.—An Act to confer Powers on the Commissioners of Her Majesty's Works and Public Buildings to acquire the Theatre Royal, Edinburgh, and adjacent Property, for the Erection of a new General Post Office; and for other Purposes. Page 57

§ 1. Short Title, "New General Post Office, Edinburgh, Act, 1858."

2. Certain Parts of Lands Clauses Act, 8 & 9 Vict. c. 19. incorporated.

3. Interpretation of Terms.

4. Commissioners acting under 14 & 15 Vict. c. 42. to be incorporated for the Purposes of this Act.

5. Commissioners of Works to carry this Act into execution.

6. No Purchases to be made but with Consent of the Treasury.

7. Lands and Heritages purchased to be vested in Commissioners for the Public Service.

8. Materials, &c. vested in the Commissioners for Purposes of this Act.

9. Power to shut up and alter Streets and Ways connected with Lands, &c. acquired by Commissioners.

10. Streets may be raised or lowered.

11. Property may be taken notwithstanding Errors in Schedule upon Certificate of Two Justices.

12. Power to Commissioners to pull down Houses, &c. and sell old Materials.

13. Power to bring Actions for Breach of Contract.

14. Power to Commissioners to sell surplus Lands.

15. Lands acquired on Excambion to vest in Commissioners.

16. Monies payable to Commissioners of Works to be paid to Paymaster General. Application of such Monies.

17 Lands sold by Commissioners to vest in Purchasers free of prior Claims.

§ 18. Contracts made by First Commissioner of Works to be valid.

19. As to Notices given by Commissioners.

20. As to Notices, &c. given to or served on Commissioners.

21. Deeds, &c. not liable to Stamp Duty.

22. Saving of Rights of Her Majesty.

23. Provision for Protection of Commissioners personally.

SCHEDULE of Property required to be taken.

See also *Annuity Tax Abolition. Industrial Museum for Scotland. Universities.*

Elections, Municipal. See *Municipal Elections.*

Elections, Parliamentary. See *Corrupt Practices Prevention. New Writs.*

Elections of Coroners. See *Coroners*, 2.

Emblems, Party. See *Party Emblems.*

Embodiment of the Militia. See *Militia*, 1.

Endowed Charities. See *Charitable Trusts*, 3.

Endowed Schools.

23 & 24 Vict. c. 11.—An Act to amend the Law relating to Endowed Schools. Page 609

§ 1. Power to Trustees of Endowed Schools to make Orders for the Admission of Children of certain Denominations.

2. Act not to apply to certain Institutions or to Scotland or Ireland.

3. Short Title.

Endowment of Benefices (Ireland). See *Augmentation of Small Benefices (Ireland).*

Endowment of Churches, &c. (Ireland).

21 & 22 Vict. c. 59.—An Act further to amend the Law relating to the Erection and Endowment of Churches, Chapels, and Perpetual Curacies in Ireland. Page 93

§ 1. Provisions of 14 & 15 Vict. c. 72. to apply to new or additional Churchyards to existing Churches.

2. Apportionment of Rent in respect to Lands acquired when held with others under Lease.

3. Recovery of apportioned Rent and Enforcement of Covenants.

4. Where Rent is nominal.

5. A measured Mile to mean a Mile measured along the Road.

6. As to Erection and Endowment of Churches and Chapels.

Enfranchisements. See *Copyholds*, 1.

Episcopal Estates. See *Ecclesiastical Commissioners for England*, 2.

Epsom. See *Local Government of Towns, &c.*

Equity. See *Common Law Procedure*, 2.

Error, Bail in. See *Bail.*

Estates. See *Incumbered Estates. Leases and Sales of Settled Estates. Landed Estates Court. (Ireland).*

Eton College. See *Universities*, 1.

European Forces (India).

22 & 23 Vict. c. 27.—An Act to repeal the Thirty-first Section of the Act 16 & 17 Vict. c. 95., and to alter the Limit of the Number of European Troops to be maintained for the Service of India. Page 454

§ 1. Limit of the Number of European Troops of Her Majesty's Indian Army.

23 & 24 Vict. c. 100.—An Act to repeal so much of the Act 22 & 23 Vict. c. 27., and of certain other Acts, as authorizes the Secretary of State in Council to give Directions for raising European Forces for the Indian Army of Her Majesty. Page 794

§ 1. So much of 22 & 23 Vict. c. 27. and of certain other Acts as authorizes the Secretary of State in Council to give Directions for raising European Forces for the Indian Army of Her Majesty, repealed; Provision as to certain Persons who have served in India.

Evidence by Commission.

22 Vict. c. 20.—An Act to provide for taking Evidence in Suits and Proceedings pending before Tribunals in Her Majesty's Dominions in Places out of the Jurisdiction of such Tribunals. Page 375

§ 1. Order for Examination of Witnesses out of the Jurisdiction in relation to any Suit pending before any Tribunal in Her Majesty's Possessions.
2. Penalty on Persons giving false Evidence.
3. Payment of Expenses.
4. Power to Person to refuse to answer Questions to criminate himself, or to produce Documents.
5. Certain Courts and Judges to have Authority under this Act.
6. Power to Lord Chancellor and Judges, &c. to frame Rules, &c. for giving effect to the Provisions of this Act.

Exchange of Patronage. See *Ecton and Welton Exchange.*

Exchange of Lands. See *Commons Inclosure. Lands.*

Exchequer. See *Bail*, 1.

Exchequer Bills and Bonds. See *Revenue, Public, &c.*, 2.

Exchequer, Court of.

22 & 23 Vict. c. 21.—An Act to regulate the Office of Queen's Remembrancer, and to amend the Practice and Procedure on the Revenue Side of the Court of Exchequer. Page 446

Recital of 5 & 6 Vict. c. 86.
§ 1. Appointment of Queen's Remembrancer.
2. The Treasury to regulate Establishment and to fix Salaries.
3. Power to the Treasury to award Compensation.
4. Salaries and Expenses of Office to be paid out of the Fees.
5. Provisions of 5 & 6 Vict. c. 86. as to Fees to continue in force.
6. Enrolment of Accounts under 1 & 2 Geo. 4. c. 121. to be in the Discretion of the Commissioners of Audit.
7. So much of 7 Ann. c. 20. as makes the Remembrancer One of the Registrars, &c. repealed.
8. Compensation Monies for Land under 5 & 6 Vict. c. 94. (Ordnance), and 16 & 17 Vict. c. 107. (Customs), to be paid into the Court of Chancery instead of to the Queen's Remembrancer.
9. Extending Section 22. of 15 & 16 Vict. c. 76. (Common Law Procedure) to Suits, &c. in Exchequer.
10. Special Case may be stated by Consent of Parties and Order of a Judge.
11. Costs to follow Event unless otherwise agreed.
12. Appeal from Assessments of Succession Duty may be carried to a Superior Court.
13. Appeal to be to Court of Error in the Exchequer Chamber subject to Appeal to the House of Lords.
14. Notice of Appeal to be given.
15. In summary Proceedings for Legacy or Succession Duty Parties may appeal.
16. Powers of 1 Will. 4. c. 22., &c., as to Examination of Witnesses, and of Sections 46th, 47th, 48th, and 49th of 15 & 16 Vict. c. 76. extended to Revenue Proceedings. Persons giving false Evidence guilty of Perjury.
17. Revenue Causes may be tried without a Commission.
18. Error to be brought within Six Years. Proviso as to Disabilities.
19. Writ of Error abolished.
20. Bill of Exceptions.
21. Costs.
22. Defect in Form not to invalidate Pleadings.
23. Process on Estreats may issue without reference to any Seal Day.
24. Provision for the Recovery of a Debt of Record due to Her Majesty, where the Party liable resides in another Jurisdiction.
25. The Crown may re-enter on Lands to enforce Right of Re-entry without Inquisition taken.
26. Rules may be made by the Barons as to the Process, Practice, and Pleading in Revenue.
27. New Forms of Writs and Proceedings may be made.
28. Section 8. of 3 & 4 Will. c. 99., requiring Sheriff's Accounts to be audited by Commissioners of Audit, repealed.

§ 29. Transmission of Sheriffs Accounts.
30. Form in Schedule to this Act to be substituted for that in Schedule (A.) to 3 Geo. 4. c. 46. Construction of Section 1. of 4 Geo. 4. c. 37.
31. Section 14. of 3 Geo. 4. c. 46. repealed.
32. Clerks of Assize now required to estreat Fines, &c. into the Exchequer, to send Process to the Sheriff.
33. Oath of Clerk of Assize sending Process.
34. Return of Writ to the Treasury.
35. Until Fines, &c. are levied, Sheriff to retain Writ, which shall continue in force and be Authority to act upon.
36. Where a Party resides in another County, &c., or has removed, Sheriff to issue his Warrant to the Sheriff of the other County, &c.
37. Penalty on Sheriff for Neglect.
38. Estreats may be required to be enrolled in the Exchequer.
39. Provision as to setting over Fines, &c.
40. Recognizances forfeited at Coroners Inquests to be returned to Clerks of the Peace, as in the Case of Fines imposed by Coroners.
41. Original Rolls not to be returned into Exchequer.
42. Approval by Her Majesty of the Sheriffs of London and Sheriff of Middlesex, how to be signified in future.
43. As to certain ancient Rents and Services rendered by the Corporation of London before the Court of Exchequer.
44. Saving of Rights.
SCHEDULE.

Excise Duties.

21 & 22 Vict. c. 15.—An Act for granting certain additional Rates and Duties of Excise. Page 27
§ 1. Grant of additional Duties of Excise on Spirits, &c.
2. No Drawback to be allowed on Made Wines; Countervailing Duties to cease.
3. Duties, &c. to be under the Management of the Commissioners of Inland Revenue, and to be collected and paid under the Provisions of Acts relating to Excise.
4. Where Contracts have been made, additional Duties to be added to the Price of the Articles contracted for.
5. Duty-paid Spirits may be removed from the Stores of Distillers and others to and from different Parts of the Kingdom.
6. Recital of 19 & 20 Vict. c. 34. and 20 & 21 Vict. c. 61.; charging of Excise Duty on Sugar used in brewing deferred until 1st April 1860.

23 & 24 Vict. c. 113.—An Act to grant Duties of Excise on Chicory, and on Licences to Dealers in Sweets or Made Wines; also to reduce the Excise Duty on Hops and the Period of Credit allowed for Payment of the Duty on Malt and Hops respectively; to repeal the Exemption from Licence Duty of Persons dealing in Foreign Wine and Spirits in Bond; and to amend the Laws relating to the Excise. Page 843
§ 1. After Commencement of Act; Duties to be levied on Chicory and other Vegetable Matter applicable to the Uses of Chicory or Coffee, and on Licences to Dealers in Sweets or Made Wines.
§ 2. Period of Credit for Payment of Excise Duty on Malt reduced.
3. Excise Duty on Hops reduced.
4. Duty on Hops when to be payable.
5. Exemption from Licence Duty of Persons dealing in Wine and Spirits in Bond repealed.
6. Powers and Provisions of Excise Acts to apply to the Duties granted by this Act.
7. Dealers in Sweets or Made Wines to take out Licence annually.
8. Dryers and Roasters of Chicory, &c. and Dealers therein to make Entry of their Premises; no Person other than a Dryer or Roaster who has made Entry shall have dried Chicory, &c. in his Possession.
9. Dryer to provide Warehouse for storing dried Chicory, &c.
10. Dryer to give Notice of his Intention to dry Chicory, &c.
11. Dryer to give Six Hours Notice of his Intention to remove Chicory, &c. from Kiln; and Officer to attend, and Chicory, &c. to be weighed and removed into Warehouse in his Presence. Penalty on Dryer not removing Chicory, &c. pursuant to his Notice.
12. Dryer not to have any dried Chicory, &c. on his Premises elsewhere than in the Warehouse or in the Kiln, on pain of Forfeiture.
13. Chicory, &c. not to be sent out of Warehouse unless in Presence of an Officer. Not less than 100 cwt. to be delivered out. Warehouse not to be opened for Delivery between 6 p.m. and 6 a.m.
14. Officer to keep a Stock Account of Chicory, &c. received into and delivered out of the Warehouse, and if there be any Deficiency, Dryer to be charged with the Duty thereon and liable to Penalty. No Penalty incurred unless the Deficiency of Stock exceed 2 per Cent.
15. Officer of Excise shall make periodical Returns of the Duty charged on Dryers of Chicory, &c. When and to whom Duty to be paid.
16. Dryer of Chicory, &c. to provide Scales and Weights, and assist the Officers of Excise in using the same.
17. No Dryer to have in possession dried Chicory, &c. other than such as shall have been dried on his own Kiln.
18. Businesses of a Dryer of Chicory, &c. and a Roaster thereof, or of Coffee, not to be carried on on the same or on adjoining and communicating Premises.
19. Certain Acts may be lawfully done by Dryers and Roasters of Chicory under the Regulations of the Commissioners.
20. Dryers of Chicory to provide Accommodation for the Officers of Excise.
21. Construction of Terms used in this Act in relation to Sweets or Made Wines and Chicory.
22. Maltster to begin to steep only between 7 o'Clock a.m. and 5 o'Clock p.m.
23. Removal of Grain from Cistern to Couch Frame, and Time of remaining therein.
24. All Cisterns in Malthouses having any internal Communication to be emptied on the same Day.
25. When Grain making into Malt may be sprinkled.
26. Commissioners to make Regulations with respect to Corn or Grain making into Malt for the Distillation of Spirits.
27. Drawback allowed on Exportation of Duty-charged Malt.

§ 28. Exportation to be made under such Rules and Regulations as the Commissioners of Inland Revenue may make, and under the Conditions specified in this Clause.
29. Maltster to provide Measures and Scales and Weights, and Assistance in measuring and weighing.
30. Debenture to be given to Exporter One Month after Exportation. In calculating Quantity of Malt 7½ per Cent. to be deducted.
31. Malt exported not to contain unmalted Grain.
32. Provisions of former Acts relating to the Exportation of Exciseable Commodities to apply to this Act.
33. Penalty for Breach of the Provisions of this Act.
34. Provisions of Sections 21. 29. 32. and 35. of 7 & 8 Geo. 4. c. 52., Section 16. of 11 Geo. 4. c. 17., and Section 7. of 1 Vict. c. 49., relating to Duties of Excise on Malt repealed.
35. Charging of Excise Duty on Sugar used in brewing deferred until 1st April 1861.
36. Penalty on Persons selling Beer not brewed by them in wholesale Quantities, without a Licence as Dealers, as specified in 6 Geo. 4. c. 81.
37. Persons retailing Beer at Places not specified in a Licence to be deemed to retail Beer without a Licence, and to be liable to Penalty accordingly.
38. On the Death of a Person licensed to keep a Hackney Carriage the Licence may be transferred to the Widow or Child, and also to the Husband of a Woman licensed before Marriage.
39. Persons taken before a Justice charged with an Offence against Laws of Inland Revenue may be remanded or admitted to Bail.
40. Chief Accountants of Inland Revenue may be appointed in lieu of an Accountant and Comptroller General.
41. The Word "Finsbury" deemed to be inserted in Sect. 27. of c. 27. of this Session.
42. Penalty imposed in Sect. 9. of c. 27. of this Session to be deemed an Excise Penalty.
43. A Game Certificate not required for killing Rabbits in Ireland.

See also *Game Certificates. Malt. Spirits. Wine Licences.*

Executors. See *Confirmation of Executors, &c.*

Exemption from Rating. See *Stock in Trade.*

Exhibition of 1851.

21 & 22 Vict. c. 36.—An Act for releasing the Lands of the Commissioners for the Exhibition of 1851, upon the Repayment of Monies granted in aid of their Funds. Page 51

§ 1. Lands purchased by Commissioners for the Exhibition of 1851 to be released on Repayment of Parliamentary Grants and Moiety of Rents.
2. Land occupied by the Department of Science and Art may be retained for such Department.
3. Monies paid to be carried to the Consolidated Fund.

Explosive Substances. See *Gunpowder.*

Extra-parochial Places. See *Marriages*, 1.

F.

Factories, &c.

23 & 24 Vict. c. 78.—An Act to place the Employment of Women, Young Persons, and Children in Bleaching Works and Dyeing Works under the Regulations of the Factories Acts. Page 750

Preamble recites 3 & 4 Will. 4. c. 103., 7 & 8 Vict. c. 15., 10 & 11 Vict. c. 29., 13 & 14 Vict. c. 54., 16 & 17 Vict. c. 104., and 19 & 20 Vict. c. 38.

§ 1. Recited Acts to apply to Bleaching and Dyeing Works, and to the Employment of Females, Young Persons, and Children therein.
2. Females and Young Persons may be employed until Half-past Four o'Clock on Saturdays and until Eight o'Clock on other Days, but not so as to exceed in any Period of Six Months and Part of another Month the total Number of Hours allowed by this Act, &c.
3. Restriction as to Time Females and Young Persons are to be employed on Saturdays, and on other Days.
4. Females and Young Persons may be employed during the Night in case of Suspension of Employment by Deficiency or Excess of Water in the Stream, Saturday Night excepted.
5. Occupiers who employ Females and Young Persons according to the Provisions of this Act to keep Registers in the Form given in the Schedules.
6. As to Employment of Females and Young Persons who have not been employed previously in any Bleaching or Dyeing Works, &c.
7. Interpretation of Terms.
8. Amendment of Sect. 28. of 7 & 8 Vict. c. 15. as to Notice of Time lost intended to be recovered.
9. Act not to apply to Premises used solely for Purposes declared in 8 & 9 Vict. c. 29. regulating Labour of Children in Print Works.
10. Certain Provisions of Factories Acts not to extend to Bleaching or Dyeing Works.
11. Hours of Work defined.
12. Certain Provisions in Factories Acts as to Meal Times not to extend to this Act.
SCHEDULE.

Falkland Islands. See *Coast of Africa.*

False Pretences.

21 & 22 Vict. c. 47.—An Act to amend the Law of False Pretences. Page 79

§ 1. Any Person obtaining Signature to Bill of Exchange, &c. by False Pretences guilty of Misdemeanor.

Fareham. See *Local Government of Towns, &c.*

Fireworks. See *Gunpowder.*

Fisheries (Scotland) :

1.—*Fresh-water Fishing.*

23 & 24 Vict. c. 45.—An Act to extend the Act 8 & 9 Vict. c. 26. for preventing fishing for Trout or other Fresh-water Fish by Nets in the Rivers and Waters in Scotland. Page 691

§ 1. Penalty on fishing for Trout, &c. by means of Nets, &c. in any Rivers, &c. in Scotland.
2. Penalty for trespassing on any Ground or River to fish with Net, &c.
3. Power to Persons having Authority to seize Boats, Nets, &c. used in Commission of Offences.
4. Justices who are Proprietors not to be disqualified from acting.
5. For the Recovery of Penalties.
6. Power to appeal in manner as in 20 G. 2. c. 43.
7. Application of Penalties.
8. Limitation of Actions.
9. Interpretation of Terms.
10. Saving the Laws regarding the Salmon Fisheries.
11. Saving the Laws regarding fishing with Single Rod.

2.—*Herring Fisheries.*

21 & 22 Vict. c. 69.—An Act to impose Fees on the branding of Barrels under the Acts concerning the Herring Fisheries in Scotland. Page 103

Preamble recites 48 Geo. 3. c. 110., 55 Geo. 3. c. 94., 1 & 2 Geo. 4. c. 79., 5 Geo. 4. c. 64., 7 Geo. 4. c. 34., 11 Geo. 4. & 1 Will. 4. c. 54., and 14 & 15 Vict. c. 26.

§ 1. After 31st December 1858 a Fee of 4*d.* per Barrel and 2*d.* per Half Barrel to be payable on branding.
2. Monies received to be paid into the Consolidated Fund.

23 & 24 Vict. c. 92.—An Act to amend the Law relating to the Scottish Herring Fisheries. Page 773

Preamble recites 48 Geo. 3. c. 110., 51 Geo. 3. c. 101., 52 Geo. 3. c. 153., 54 Geo. 3. c. 102., 55 Geo. 3. c. 94., 1 Geo. 4. c. 103., 1 & 2 Geo. 4. c. 79., 5 Geo. 4. c. 64., 7 Geo. 4. c. 34., 1 Will. 4. c. 54., 6 & 7 Vict. c. 79., 10 & 11 Vict. c. 91., and 14 & 15 Vict. c. 26.

§ 1. Short Title.
2. Interpretation of Terms.
3. Commissioners may appoint Superintendents of the Fishery.
4. Commissioners may fix Periods during which the Herring Fishing may not be carried on.
5. Commissioners may make Regulations for the Management and Protection of the Herring Fisheries, and Preservation of Order.
6. Commissioners may prohibit the Use of Trawl, Beam, and Drag Nets.
7. Commissioners may rescind Regulations, &c.
8. Regulations to be approved by the Lords of the Treasury, and to be published.
9. Penalty under Sect. 6. of 14 & 15 Vict. c. 26. declared.
10. Nets and Fishing Implements when found to be delivered to the Commissioners or their Secretary, and, unless liable to Forfeiture, to be restored to the Owners, or if not claimed to be sold.
11. Fishing Boats and Implements of Fishing to be marked and numbered, and if not marked and numbered, may be seized and detained.
§ 12. Section 46. of 48 Geo. 3. c. 110. repealed, and Names of Owners to be painted on Boats. If Names not painted on Boats to be detained.
13. Nets other than Drift Nets to be laid aside during Fishery, and if not laid aside may be seized and forfeited.
14. Mode of enforcing Fines, Forfeitures, and Penalties.
15. Judges who may try Offences, and Mode of Enforcement of Orders and Sentences.
16. Jurisdiction where Offence committed on the Coasts.
17. Petitions, Orders, and Sentences may be in a Summary Form as in Schedule.
18. No Record of Evidence necessary, and Proceedings not to be quashed or reviewed.
19. Appeal.
20. Boats, Nets, &c. forfeited may be sold or destroyed. As to Proceeds in case of Sale.
21. Judge may grant Warrant of Imprisonment, failing Payment of or Security for Penalty and Expenses.
22. Persons found committing Offences may be apprehended.
23. Her Majesty may appoint Five additional Commissioners.
24. Limitation of Actions.
25. Regulations to be laid before Parliament.
26. Act not to apply to Ireland or the Isle of Man.

Fishing Vessels.

22 & 23 Vict. c. 29.—An Act to repeal a certain Toll levied upon Fishing Vessels passing the Nore. Page 455

Recital of Billingsgate Market Act, 9 & 10 Vict. c. cccxlvi.

§ 1. Repealing Sections 17. to 24. of recited Act respecting Tolls imposed on Fishing Vessels.
2. Power to Treasury to award Compensation to Persons deprived of Offices.

Folkestone. See *Harvey's Charity.*

Food or Drink, Adulteration of. See *Adulteration of Food or Drink.*

Foreign Wines. See *Excise Duties.*

Fortifications. See *Defence of the Realm.*

Four Courts, Dublin. See *Dublin*, 2.

France. See *Portendic and Albreda.*

Franchise, Municipal.

21 & 22 Vict. c. 43.—An Act to amend the Municipal Franchise in certain Cases. Page 64

Preamble recites 59 Geo. 3. c. 12. amending the Laws for the Relief of the Poor.

§ 1. Where the Owner is rated to the Relief of the Poor, Occupier to be entitled to the same Municipal Privileges under 5 & 6 Will. 4. c. 76. as if he was rated instead of the Owner.
2. Act 59 Geo. 3. c. 12. and this Act to be read as One.

Franchise Prisons.

21 & 22 Vict. c. 22.—An Act to abolish Franchise Prisons. Page 34

§ 1. After 1st August 1858, no Persons to be confined in the Prisons named in Schedule to this Act.
2. All Writs, &c. authorizing Arrests to be executed by Bailiffs of Liberties, &c.
3. Prisoners confined on 1st August 1858, in Prisons named in Schedule, to be removed to County Gaol.
SCHEDULE of Prisons abolished.

Free Grammar School, Nottingham.

22 Vict. c. 18.—An Act for amending and confirming a Scheme of the Charity Commissioners for Sir Thomas White's Charity, and the Free Grammar School in the Town of Nottingham. Page 358

Recital of Third Report of Charity Commissioners, dated 28th Feb. 1856.
§ 1. Confirming Scheme for the Application and Management of the Charities in the Town of Nottingham, called Sir Thomas White's Charity (so far as relates to the Nottingham Branch thereof), and the Free Grammar School of the Foundation of Agnes Mellers.

Fresh-water Fishing. See *Fisheries (Scotland)*, 1.

Friendly Societies :

1.—*Amendment of Act.*

21 & 22 Vict. c. 101.—An Act to amend the Act 18 & 19 Vict. c. 63. relating to Friendly Societies. Page 215

§ 1. Jurisdiction of County Court given to Judge of Sheriff's Court, Assistant Barrister, &c., and Section 24. of recited Act extended to Ireland.
2. No Money to be paid on the Death of a Child without a Certificate signed by a Medical Practitioner.
3. Extension of Provisions of recited Act as to Punishment of Fraud, &c.
4. Power to Society to change its Name.
5. Disputes to be settled by Justices, if Rules so direct; Justices may make Order; Sheriff in Scotland to have same Jurisdiction as Justices.
6. Sections 40. and 44. of said Act extended to other Disputes.
7. An Officer to be proceeded against on behalf of a Society.
8. In case of Dissolution Registrar or Actuary may divide Funds. Application may be made to Registrar or Actuary in case of Insolvency of Society.
9. This Act and 18 & 19 Vict. c. 63. to be considered as One Act.

23 & 24 Vict. c. 57.—An Act to amend the Act 18 & 19 Vict. c. 63. relating to Friendly Societies. Page 717

§ 1. In case of Dissolution of Society under Sect. 13. of 18 & 19 Vict. c. 63., not necessary to state in Agreement intended Division of Funds, but may refer the same to the Award of the Registrar.
2. Registrar's Award to be conclusive without Appeal.
§ 3. Evidence of Dissolution.
4. Registrar's annual Report to contain Particulars of Awards.
5. Provisions as to Societies dissolved before passing of this Act.
6. Section 8. of 21 & 22 Vict. c. 101. repealed.
7. Penalty for not making annual Return to Registrar in compliance with Section 6. of 9 & 10 Vict. c. 27.
8. If Accounts not made to Commissioners, pursuant to Section 34. of 18 & 19 Vict. c. 63., Interest thereon to cease until Accounts made.
9. Application under Section 24. of 18 & 19 Vict. c. 63. may be made by Registrar.
10. This and Friendly Societies Acts to be construed as One.

2.—*Investments.*

23 & 24 Vict. c. 137.—An Act to make further Provision with respect to Monies received from Savings Banks and Friendly Societies. Page 980

§ 1. Powers now vested in Commissioners to extend to Parliamentary Securities, &c.
2. Annual Report to be laid before Parliament.

G.

Galway Harbour and Port.

22 & 23 Vict. c. 28.—An Act to amend the Galway Harbour and Port Act (1853). Page 455

§ 1. Commissioners of Public Works may charge Rates on all Vessels entering and using the Floating Dock.
2. Act 16 & 17 Vict. c. ccvii. and this Act to be construed together.

Game Certificates, &c.

23 & 24 Vict. c. 90.—An Act to repeal the Duties on Game Certificates and Certificates to deal in Game, and to impose in lieu thereof Duties on Excise Licences and Certificates for the like Purposes. Page 769

§ 1. After passing of this Act the Duties in respect of Certificates to kill and deal in Game as contained in 52 Geo. 3. c. 93., 56 Geo. 3. c. 56., and 1 & 2 Will. 4. c. 32. repealed.
2. In lieu of Duties repealed, the Duties herein-named to be levied.
3. Duties granted to be Excise Duties under the Commissioners of Inland Revenue.
4. Licence to be taken out for taking or killing Game in Great Britain; Penalty for Neglect.
5. Exceptions and Exemptions.
6. Nothing herein to alter 11 & 12 Vict. cc. 29. and 30., except that "Game Certificate" in said Acts, and also in 1 & 2 Will. 4. c. 32., shall be read as "Licence to kill Game."
7. Licences may be taken out on behalf of Assessed Servants acting as Gamekeepers for Persons having Right to kill Game, or under Deputations from Lords of Manors.
8. On Change of Gamekeeper, or Revocation of Deputation, Licence may be continued to Successor.

§ 9. Such Licences not available for Acts done out of Limits of the Manor or Lands for which the Parties are appointed Gamekeepers.
10. Persons doing any Act requiring a Licence to kill Game, to produce same, on Demand, or declare their Names, Places of Residence, &c. Penalty for Refusal.
11. Licence to be void if Party be convicted of Trespass under 1 & 2 Will. 4. c. 32. or 2 & 3 Will. 4. c. 68.
12. Commissioners to publish Lists of Persons licensed to kill Game.
13. Provisions of 1 & 2 Will. 4. c. 32. and 2 & 3 Vict. c. 35., relating to Licences to deal in Game to be in force throughout the United Kingdom.
14. Persons licensed by the Justices to deal in Game, to pay for and obtain a Licence under this Act.
15. Licences to deal in Game under this Act to be granted only to those who have obtained Licences from the Justices. List of Persons licensed to be kept for Inspection.
16. By whom Licences shall be granted, and Form thereof. Duration and Expiration of Licences.
17. 5 & 6 Vict. c. 81., relating to Game Certificates in Ireland, to continue in force. [*See further*, Cap. 113. § 43 under "*Excise Duties.*"]
18. Licences and Certificates to be available throughout the United Kingdom.
19. Repeal of 7 & 8 Geo. 4. c. 49.

Gas:

1.—*Metropolis Gas.*

23 & 24 Vict. c. 125.—An Act for better regulating the Supply of Gas to the Metropolis. Page 946
§ 1. Short Title.
2. 10 & 11 Vict. c. 15. incorporated with this Act.
3. Companies and Persons to whom Act applies.
4. Interpretation of Terms.
5. Limits of Act to be as defined by Schedule.
6. Sanctioning Assignment of Districts to Gas Companies to be subject to triennial Revision.
7. On Complaint as to Quantity and Quality, Secretary of State may appoint a Person as Inspector to inquire and report.
8. Power of Inspector so appointed.
9. Penalty on obstructing Inspector.
10. Notice if Complaint well founded.
11. Company to remove Ground of Complaint.
12. Gas Companies to obey Orders of Secretary of State.
13. Cost of altering District.
14. Gas Companies to provide Pipes, and supply Gas and Meters at prescribed Rents.
15. Security to be given to Gas Company, if required.
16. Differences as to Security to be determined by a Magistrate.
17. Penalty on Gas Company failing to provide Pipes or Supply of Gas or Meters.
18. Gas to be consumed by Meter, if required by Companies.
19. Gas Companies may contract for Supply.
20. Contracts valid though not under Seal.
21. Restrictions on Contracts with Gas Companies.
22. Gas Companies to light Streets when required by Local Authority.
23. Local Authorities may provide Lamp Posts and Lamps.
§ 24. Service Pipes to be fully charged with Gas.
25. Illuminating Power and Purity of Gas.
26. Penalty for deficient illuminating Power or Impurity.
27. Appointment by Local Authority of Examiner of Gas.
28. Examination of Gas, and Report thereon.
29. Two or more Local Authorities may join in the Appointment.
30–32. Complaint to a Magistrate as to Supply of Gas, and Hearing and Order thereon.
33. Gas Company to obey Order.
34. Gas Companies to afford Facilities for Examination under this Act.
35. Limit of Charge for Gas and Meters.
36. Determination of existing Contracts.
37. Limit of Charge for Gas supplied to public Lamps.
38. Difference to be settled by Arbitration.
39. Incoming Tenant not to pay Arrears of outgoing Tenant, unless by express Agreement.
40. Appeal by Consumers to Home Secretary on Rise of Price of Gas.
41. Home Secretary may issue Form of Accounts to be filled up by Gas Companies.
42. Gas Companies to cause Maps of their Districts to be made.
43. As to Deposit and Inspection of the Maps.
44. Charge for Inspection of Map.
45. Secretary of State may direct Proceedings by the Attorney General against Gas Companies.
46. Recovery and Application of Penalties.
47. Jurisdiction of Magistrates for Purposes of Act.
48. For the Protection of Water Companies.
49, 50. For laying Pipes to convey Gas, and Mode of laying such Pipes.
51, 52. As to Contamination of Water by Gas.
53. Appropriation of Penalties in the City of London.
54. Saving Rights of Metropolitan Board of Works, Vestries, and others.
55. Saving General Jurisdiction of Courts of Law and Equity.
56. Expenses of Act, how to be paid.
57. Expenditure of Local Authorities under this Act.
SCHEDULE.

2.—*Sale of Gas.*

22 & 23 Vict. c. 66.—An Act for regulating Measures used in Sales of Gas. Page 510
§ 1. Interpretation of Words "Meter" and "Person."
2. Fixing Unit of Measure.
3. Models of Measures to be made and verified under the Direction of the Treasury; Models to be deposited.
4. Copies of the Models of Gasholder to be provided by Order of General or Quarter Sessions in England, and by Meetings of Justices in Scotland; Appointments of Inspectors.
5. Models and Copies of Gasholders to be provided by Town Councils, Town Commissioners, &c., and Inspectors appointed.
6. Officers of the Exchequer at Westminster to stamp Copies of Models.
7. Expense of providing Copies of Models and Remuneration of Inspectors defrayed out of County Rates, &c.
8. No Maker or Seller of Meter, or Person in the Service of any Gas Company or Manufacturer of Meters or Gas, to be an Inspector; Inspector to enter into Recognizances.

§ 9. Inspectors to attend at Towns where Gas is consumed, when required by Justices; Inspector to pay Fees to Treasurer of County, &c.
10. Meters when stamped need not be re-stamped.
11. Penalty on Inspector for Misconduct.
12. Meters not to be stamped if more than Two per Cent. incorrect in favour of the Buyer or Three per Cent. in favour of the Seller, and to be stamped if erroneous to no greater Extent; certain Meters incorrect against the Seller of Gas may be used by Agreement.
13. Rules for testing Meters.
14. Penalty for counterfeiting Stamps.
15. Penalty for obstructing Inspector.
16. Consumers may use any stamped Meter.
17. After Ten Years all Meters to be stamped.
18. After Twelve Months from passing of this Act no Meter to be sold, &c. unless stamped; and unstamped Meters may be stamped if required, or stamped Meters substituted, at the Expense of the Person requiring it.
19. Fees for testing and stamping Meters.
20. Power to Justices and Inspectors to enter Houses, &c., and inspect Gas Measures and Meters.
21. Disputed Decision of Inspector to be referred to Two Inspectors of adjoining Districts, &c.
22. Persons aggrieved may appeal to Quarter Sessions.
23. This Act and existing Powers not to be cumulative.
24. Proceedings not to be quashed for Want of Form or removed.
25. As to Recovery and Application of Penalties.
26. Appeal in Scotland to Commissioners of Justiciary at Circuit Court.
27. Limitation of Actions, &c.
28. Plaintiff not to recover after Tender of Amends.

23 & 24 Vict. c. 146.—An Act to amend the Act 22 & 23 Vict. c. 66. for regulating Measures used in Sales of Gas. Page 1015

§ 1. Time of recited Act coming into operation defined.
2. Recited Act and this Act to be as One.

General Board of Health:

1.—*Confirmation of Provisional Order, &c.*

21 & 22 Vict. c. 10.—An Act to confirm a certain Provisional Order of the General Board of Health, applying the Public Health Act, 1848, to the District of Skipton in the West Riding of the County of York; and to further declare the Limits of the District of Toxteth Park in the County Palatine of Lancaster, for the Purposes of the said Act. Page 22

§ 1. Provisional Order of General Board as to Skipton confirmed.
2. Constitution of Local Board for Skipton.
3. First Election of Local Board for Skipton.
4. Limits of the District of Toxteth Park further defined.
5. Act incorporated with 11 & 12 Vict. c. 63.
6. Short Title.
SCHEDULE.

2.—*Transfer of Powers to Privy Council.*

21 & 22 Vict. c. 97.—An Act for vesting in the Privy Council certain Powers for the Protection of the Public Health. Page 186

Preamble recites 20 & 21 Vict. c. 38.
§ 1. Powers of General Board of Health under 18 & 19 Vict. c. 116. added to those of the Privy Council.
2. Certain Powers in relation to Public Vaccination vested in Privy Council.
3. Privy Council may direct Inquiries.
4. Privy Council to appoint Medical Officer, &c.
5. Medical Officer to report annually as to the Execution of this Act.
6. Reports to laid before Parliament.
7. As to the making and Authentication of Orders, &c.
8. Proceedings for Penalties under Vaccination Acts.
9. Short Title, and Continuance of Act.

See also *Local Government of Towns, &c.*

General Post Office, Edinburgh. See *Edinburgh.*

General Prison at Perth. See *Prisons (Scotland).*

Glasgow University. See *Universities*, 4.

Government of India. See *East Indies.*

Grand Jury Cess. See *County Cess (Ireland).*

Grants of Lands. See *Recreation Grounds.*

Grants of Probate. See *Probates and Letters of Administration.*

Guardians of the Poor. See *Poor Law.*

Gunpowder, &c.

23 & 24 Vict. c. 139.—An Act to amend the Law concerning the making, keeping, and Carriage of Gunpowder and Compositions of an explosive Nature, and concerning the Manufacture, Sale, and Use of Fireworks. Page 982

Preamble recites 9 & 10 Will. 3. c. 7., 5 Geo. 2. c. 12. (I.), and 12 Geo. 3. c. 61.
§ 1. Commencement of Act, and Repeal of recited Acts.
2. Regulations as to the making and keeping of Gunpowder.
3. Power to Secretary of State, on Application and sufficient Cause shown, to sanction the Continuance or Construction of any Magazine within the prescribed Distance.
4. Penalties for making and keeping Gunpowder contrary to this Act.

§ 5. No Charcoal to be kept within Twenty Yards of any Mill, &c.
6. Regulations as to the making of loaded Percussion Caps and the making and keeping of Ammunition, &c.
7. Penalties for making loaded Percussion Caps, or making or keeping Ammunition, &c. contrary to this Act.
8. No Person to sell Fireworks without a Licence.
9. Penalty for throwing Fireworks in Thoroughfares.
10. Justices to license Places for making and keeping Gunpowder.
11. Justices to license Places for making loaded Percussion Caps and making and keeping Ammunition, &c.
12. Notice of Intention to apply for Licence.
13. Justices may make Licences conditional on Precautions prescribed by them for preventing Danger being observed.
14. In case of Refusal of Licence, the Applicant may memorialize Secretary of State, who shall have Power, notwithstanding such Refusal, to grant the Licence.
15. Owners of Mills may make Rules for their Servants and Workmen for preventing Accidents.
16. Penalty for doing any Act in any Mill, &c. tending to cause Explosion.
17. Secretary of State may authorize Persons to inspect Mills, &c.
18. Limitation of Quantities of Gunpowder to be kept by Persons other than Manufacturers.
19. Gunpowder may be kept for Mines, under certain Conditions.
20. Not more than Thirty Barrels by Land, and Five hundred by Water, to be conveyed at One Time.
21. No Gunpowder to be loaded until that condemned be unloaded.
22. Penalty for Smoking, &c. on board Vessels loaded with Gunpowder.
23. Penalty for undue Delay in loading or unloading Gunpowder.
24. Foregoing Provisions to extend only to Carriage of more than 100 lbs. of Gunpowder.
25. Power to Justices to issue Warrants to search.
26. Regulations for the Security of the Vessels in the River Thames.
27. Conservators of the River Thames to appoint Searchers.
28. Forfeitures and Penalties recoverable summarily.
29. The Lord Lieutenant or Chief Secretary in Ireland to have the like Authorities as are before given to the Secretary of State.
30. Act not to extend to Mills erected on Crown Lands, &c.
31. Act not to affect 54 Geo. 3. c. 159., or as to Gunpowder, &c. on board Her Majesty's Ships, &c.
32. Saving for Proof Houses under 18 & 19 Vict. c. cxlviii.
33. Not to extend to hinder unlimited Quantities of Gunpowder being conveyed from Ships below Blackwall.
34. Saving of Enactment for Protection of London Docks.
35. Saving for Provisions of Police Act.
36. Acts 2 & 3 Vict. c. 47. and 9 & 10 Vict. c. 25. to be construed as referring to this Act.
37. Meaning of the Word "Borough."

H.

Hackney Carriage Licences. See *Excise Duties.*

Hainault Forest (Allotment of Commons).

21 & 22 Vict. c. 37.—An Act to provide for the Allotment of the Commonable Lands within the Boundaries of the late Forest of Hainault. Page 52

Preamble recites 14 & 15 Vict. c. 43. (Disafforesting Act.)
§ 1. Act to be executed by a Commissioner appointed by Inclosure Commissioners.
2. Power for the Commissioner to appoint a Surveyor.
3. Commissioner to make Allotments to Persons entitled to Fuel Assignments.
4. Power to Persons to sell Rights of Common of Fuel Assignments before Execution of Award.
5. Power for the Commissioner to sell unallotted Lands for Expenses of Act, &c.
6. Commissioner to cause a Plan to be made of the Commonable Lands in Hainault Forest.
7. Power of Appeal.
8. No Allotment or Consent in respect of the Soil to be made or given to the Inclosure of Land in the King's Forest or King's Woods.
9. Power for the Commissioner to set out Roads and declare them Highways.
10. Commissioner to set out an Allotment to be annexed to the District Chapelry of Barkingside.
11. Award to be made in Three Years, and to be executed in Duplicate.
12. Commissioner to examine Witnesses on Oath.
13. Saving Rights under 14 & 15 Vict. c. 43.
14. Short Title.

Harbours. See *Anstruther Union Harbour. Galway Harbour and Port. Leith Harbour and Docks. Isle of Man Harbours.*

Harvey's Charity.

21 & 22 Vict. c. 29.—An Act for confirming a Scheme of the Charity Commissioners for Sir Eliab Harvey's Charity in the Town of Folkestone. Page 40

Preamble recites 5th Report of Charity Commissioners, dated 26th February 1858, approving Scheme for Harvey's Charity.
§ 1. Scheme confirmed.
SCHEDULE, comprising Scheme for the Administration of the Charity called "Sir Eliab Harvey's Charity," at Folkestone, in the County of Kent.

Hastings. See *Local Government of Towns.*

Havelock's (Lady and Sir H. M.) Annuities.

21 & 22 Vict. c. 2.—An Act to settle Annuities on Lady Havelock and Sir Henry Marshman Havelock, in consideration of the eminent Services of the late Major General Havelock. Page 2

Hawkers and Pedlars.

22 & 23 Vict. c. 36.—An Act to alter the Stamp Duties payable upon Probates of Wills and Letters of Administration, to repeal the Stamp Duties on Licences to exercise the Faculty of Physic, and to amend the Laws relating to Hawkers and Pedlars. Page 470

§ 3. Nothing in 50 Geo. 3. c. 41. or 55 Geo. 3. c. 71. to hinder Maker of Goods, or his Children, &c., from carrying abroad or exposing to Sale such Goods.
4. Power to Justices, on Conviction of a Hawker, to mitigate the Penalty to One Fourth.

Health, Public. See *Public Health.*

Hempen Manufactures. See *Linen, &c. Manufactures (Ireland).*

Heritable Securities, &c. (Scotland).

23 & 24 Vict. c. 80.—An Act to regulate the levying and Collection of the Inventory Duty payable upon Heritable Securities and other Property in Scotland. Page 757

Preamble recites 23 & 24 Vict. c. 15.
§ 1. Money secured on Heritable Property in Scotland and Scottish Bonds, excluding Executors, to be liable to Inventory Duty.
2. Duty, and Interest thereon, shall be a Debt to Her Majesty, to be payable by Person who shall take Money secured.
3. Stamped special Inventory to be lodged on Oath with the Solicitor of Inland Revenue at Edinburgh.
4. Money so secured may be added to Inventory of Personal or Moveable Estate. As to Return of Duty on the Ground of Debts. Duty paid on the aggregate Amount to be ultimately borne by the Parties according to their beneficial Interest.
5. Property for Payment of Inventory Duty shall be valued at the Date of the Affidavit to the Inventory.
6. Power to grant a Return of Duty under Circumstances herein stated.
7. Intromitters, &c. to be held to have taken Money so secured.
8. Money secured on Land by absolute Conveyance, and Adjudication, and otherwise, to fall under the Provisions of the Act.
9. Recited Act repealed to a certain Extent.
SCHEDULE.

Herring Fisheries (Scotland). See *Fisheries (Scotland)*, 2.

High Bailiffs of Westminster and Southwark.

22 Vict. c. 8.—An Act to repeal the Thirty-second Section of the Act "for the more easy Recovery of Small "Debts and Demands in England," and to make further Provision in lieu thereof. Page 347

Preamble recites 9 & 10 Vict. c. 95. and the Establishment of the County Courts for Westminster and Southwark.
§ 1. Section 32 of 9 & 10 Vict. c. 95. repealed, and other Provisions made for the Appointment of High Bailiffs of the County Courts of Westminster and Southwark.

High Court of Admiralty. See *Admiralty, High Court of.*

High Court of Chancery. See *Chancery, Court of.*

Highland Roads and Bridges.

23 & 24 Vict. c. 37.—An Act to levy an Assessment in the County of Inverness to discharge a Debt on the Castle Stewart and Nairn Road in the said County. Page 657

Preamble recites 43 Geo. 3. c. 80., 59 Geo. 3. c. 135., 4 Geo. 4. c. 56., 5 Geo. 4. c. 38., 3 & 4 Will. 4. c. 33., and 11 & 12 Vict. c. 40.
§ 1. Assessment to be levied for the Purposes of this Act.
2. Assessment to extend over a Period not exceeding Thirty Years.
3. Clauses of 10 & 11 Vict. c. 16. as to Mortgages incorporated.
4. Power to borrow on Bond or Mortgage.
5. Power to borrow on Cash Credit.
6. Money borrowed to be paid off in Thirty Years.
7. For Protection of Persons lending Money on the Security of Assessment.
8. Act not to apply to certain Places.

Highway Rates. See *Turnpike Roads and Trusts.*

Highways (South Wales).

23 & 24 Vict. c. 67.—An Act for the better Management and Control of the Highways in South Wales. Page 731

§ 1. Act 14 & 15 Vict. c. 16. repealed, but Repeal not to affect Districts or Appointments of Officers.
2. Districts may be altered from Time to Time.
3. Power to County Roads Board to appoint and dismiss Surveyors.
4. Transfer of Property and Powers vested in existing Surveyors of Highways to Highway Boards.
5. Duties of District Surveyor.
6. Powers and Responsibilities of Surveyor.
7. Highways to be continued under the Care and Management of existing Local Boards.
8. Highway Boards to hold Four Ordinary Meetings every Year.
9. Adjournment of Meetings.
10. Notice of Special Meetings and of Meetings by Adjournment.
11. Chairman and Vice-Chairman to be elected.
12. Quorum, and Authentication of Orders.
13. Defect of Election, &c. of Members not to vitiate Proceedings.
14. Power to Highway Boards to appoint Clerks.
15. Appointment of Treasurer.
16. Salaries of Clerk and Treasurer, how to be paid.
17. Power to dismiss Clerk, &c.
18. Two Offices not to be held by the same Person.
19. Highway Boards to have the Management of the Highways.
20. Highway Board may contract to repair Highways within Districts of Local Boards, &c.
21. Expenses of Highway Board, how to be defrayed.

§ 22. Overseers to levy Rates for raising the Money required by Highway Board.
23. Power to Highway Board to direct paid Collectors of Poor Rate to collect Highway Rate.
24. Restriction in Amount of Rates, 5 & 6 Will. 4. c. 50.
25. Overseers on Nonpayment of the Rate shall be distrained upon.
26. Special Persons may be appointed to levy Rates on Default of Overseers.
27. Accounts to be made up to 25th March, and Statement to be published.
28. Statement to be sent to Secretary of State. Penalty for Neglect.
29. Abstract of Statements to be laid before Parliament.
30. Secretary of State may cause Form of Statement to be prepared, and alter Forms prescribed by 12 & 13 Vict. c. 35.
31. Councils of Boroughs having Commissions of the Peace may by Resolution assume the Powers of Highway Boards.
32. Where Resolution passed, Council to have Powers of Highway Board.
33. No Parochial Surveyor to be appointed after the passing of this Act.
34. Accounts of existing Surveyors to be passed according to present Law, and Money and Effects to be paid and delivered to their Successors appointed under this Act.
35. Surveyor of Highway Board exempted from Turnpike Tolls.
36. Power to Highway Board to order their Surveyor to repair certain Roads, and charge the Parties liable for the same.
37. Power to Justices to order certain Highways to be made Highways to be repaired, &c. by the Parishes.
38. Provisions for Discontinuance of Maintenance of unnecessary Highways.
39. Regulations as to the Adoption of new Roads to be maintained as public Roads under this Act.
40. Proceedings in case Highways are not kept in repair. Power to Justices to order Highways to be repaired at the Expense of the Parties liable. Money for repairing Highways recoverable under 5 & 6 Will. 4. c. 50.
41. Width of Roads to be maintained when they cease to be Turnpike Roads.
42. Acts required to be done at Special Sessions for Highways may be done at Petty Sessions.
43. Provisions of 5 & 6 Will. 4. c. 50. to remain in force, except as otherwise provided.
44. Act to extend only to South Wales.
45. Interpretation of Terms.

Holyhead Harbour. See *Chester and Holyhead Railway.*

Hops. See *Excise Duties.*

House of Commons. See *Corrupt Practices Prevention. Jews. New Writs. Qualifications of Members of Parliament. Witnesses.*

Hurricane at Dominica. See *Dominica Hurricane Loan.*

I.

Illicit Distillation. See *Spirits*, 2.

Imprisonment for Small Debts.

22 & 23 Vict. c. 57.—An Act limiting the Power of Imprisonment for Small Debts exercised by the County Court Judges. Page 500

§ 1. Power of Committal by County Court Judges under 9 & 10 Vict. c. 95. s. 98. not to be exercised unless Credit obtained by Fraud.

Improvement of Lands. See *Commons Inclosure.*

Improvement of Towns. See *Public Improvements. Towns Improvement (Scotland).*

Inclosure of Lands. See *Commons Inclosure.*

Income and Property Tax, &c.

22 & 23 Vict. c. 18.—An Act for granting to Her Majesty additional Rates of Income Tax; and to reduce the Period of Credit allowed for Payment of the Excise Duty on Malt. Page 440

§ 1. Additional Rates of Income Tax granted on Assessments made on the Amount of annual Profits.
2. Additional Rates of Duty to be charged on half-yearly and quarterly Assessments.
3. Relief to Persons whose Incomes are under 150*l.* a Year.
4. Provisions of former Acts to be applied.
5. Deduction to be made on Payment of Interest, &c.
6. Provision for Allowance of Duty to Persons in respect of deferred Annuities extended to the like Annuities contracted for with the Commissioners for the Reduction of the National Debt.
7. Reduction of the Period of Credit allowed for Payment of Excise Duty on Malt.
8. Discount to be allowed to Maltsters in consideration of the Reduction of Credit.

23 & 24 Vict. c. 14.—An Act for granting to Her Majesty Duties on Profits arising from Property, Professions, Trades, and Offices. Page 610

§ 1. Grant of Duties for One Year.
2. Duties to be assessed and raised under Provisions of former Acts.
3. The Sums assessed under certain Schedules for the last Year to be taken as the annual Value for this Act. Property, &c. not charged for the last Year to be assessed under this Act.
4. Where since the last Assessment Property has been divided, Proportions of the Tax to be settled.
5, 6. Commissioners for Special Purposes to assess Railways; and also the Persons employed by the Companies.
7. Person assessed for Mines or Quarries may appeal to the Special Commissioners.

§ 8. Duties to be collected and accounted for.
9. Exemption where Income under 100*l*., and Abatement where less than 150*l*.
10. Repayment not to be granted unless claimed within Three Years.
11. Relief in respect of Life Insurances, &c. continued.

Incumbered Estates Court (Ireland). See *Landed Estates Court.*

Incumbered Estates Court (West Indies).

21 & 22 Vict. c. 96.—An Act to amend "The West Indian Incumbered Estates Act, 1854," (17 & 18 Vict. c. 117.) Page 184
§ 1. Short Title, "West Indian Incumbered Estates Act, 1858."
2. Definition of Principal Act, &c.
3. Certain Clauses of 17 & 18 Vict. c. 117. repealed.
4. Construction of Terms, &c.
5. Duration of Office and Powers of Commissioners.
6. Commissioners to be a Court of Record, and have Jurisdiction of a Court of Equity.
7. Powers of Commissioners to enforce Order.
8. Restrictions on Sale.
9. Tenancies to be ascertained.
10. Effect of Conveyance.
11. Provision for setting aside Monies to meet Incumbrances.
12. Provision for Person under Disability.
13. Instruments under this Act exempt from Stamp Duty.
14. Provision as to Principal Act and this Act coming into operation.

Indemnity.

21 & 22 Vict. c. 54.—An Act to indemnify such Persons in the United Kingdom as have omitted to qualify themselves for Offices and Employments, and to extend the Time limited for those Purposes respectively. Page 82
Preamble recites 1 Geo. 1. st. 2. c. 13., 13 Car. 2. st. 2. c. 1., 25 Car. 2. c. 2., 30 Car. 2. st. 2., 8 Geo. 1. c. 6., 9 Geo. 2. c. 26., 18 Geo. 2. c. 20., 6 Geo. 3. c. 53., 9 Geo. 4. c. 17., and 10 Geo. 4. c. 7.
§ 1. Persons who have omitted to qualify themselves as required by the recited Acts indemnified.
2. Indemnity to those who have omitted to make and subscribe the Oaths and Declaration required by the Irish Act, 2 Anne, c. 6.
3. Not to indemnify Persons against whom final Judgment has been given.
4. Not to exempt Justices acting without legal Qualification.
5. Admissions to Corporations may be stamped after the Time allowed.
6. Not to restore Persons to Office avoided by Judgment.
7. General Issue.
22 Vict. c. 15.—Similar Act. Page 356
23 & 24 Vict. c. 40.—Similar Act. Page 672

See also *Art Unions. Bank of England*, 2.

India. See *East Indies. West Indies.*

India Bonds. See *East India Bonds. East India Loan.*

Indians, Trade with. See *North-western Territories (British America).*

Indictments. See *Vexatious Indictments.*

Industrial Museum for Scotland.

23 & 24 Vict. c. 117.—An Act to confer Powers on the Commissioners of Her Majesty's Works and Public Buildings to acquire certain Property in Edinburgh, for the Erection of an Industrial Museum for Scotland. Page 894
Preamble recites 18 & 19 Vict. c. 80.
§ 1. Short Title.
2. 8 & 9 Vict. c. 19. incorporated.
3. Interpretation of Terms.
4, 5. Commissioners of Works incorporated for Purposes of this Act and to carry Act into execution.
6. Value of Lands to be ascertained distinct from Damages.
7. As to Expenses of Proceedings before Juries, &c.
8. Purchases to be made under the Authority of the Treasury.
9. Lands acquired to be vested in Commissioners for the Public Service.
10. Materials, &c. vested in the Commissioners.
11. Power to alter Streets and Ways.
12. Streets may be raised or lowered.
13. Lands may be taken notwithstanding Errors in Schedule.
14. Power to clear Ground and sell old Materials.
15. Actions may be brought for Breach of Contract.
16. Surplus Lands may be sold.
17. Lands acquired by Excambion to vest in Commissioners.
18. Monies to be paid to Paymaster General.
19. Contracts made by First Commissioner of Works to be valid.
20, 21. Notices by and to Commissioners.
22. Deeds and Instruments not liable to Stamp Duty.
23. Saving Rights of Her Majesty.
24. Protection of Commissioners personally.
SCHEDULE.

Industrial Schools.

23 & 24 Vict. c. 108.—An Act to amend the Industrial Schools Act, 1857 (20 & 21 Vict. c. 48.) Page 822
§ 1. Powers of the Committee of Council on Education under 20 & 21 Vict. c. 48. transferred to the Secretary of State.
2. The Application which by the 15th and 16th Sections of said Act, is directed to be made by the School Manager, may be made by any Person authorized by Secretary of State.

Infants Marriages.

23 & 24 Vict. c. 83.—An Act to explain the Act 18 & 19 Vict. c. 43. enabling Infants, with the Approbation of the Court of Chancery, to make Settlements of their Real and Personal Estate on Marriage. Page 760

§ 1. The Words "Court of Chancery" in 18 & 19 Vict. c. 43. to include the Court of Chancery in Ireland.

Injuries, Malicious. See *Malicious Injuries to Property.*

Inland Bonding.

23 & 24 Vict. c. 36.—An Act to authorize the Appointment and Approval of Places for the warehousing of Goods for the Security of Duties of Customs. Page 656

§ 1. Power to Treasury to appoint Warehousing Places in Manchester, Birmingham, Leeds, Sheffield, &c.
2. Powers of Customs Acts conferred upon Commissioners of the Treasury applicable to this Act.
3. Warehouses to be for public Accommodation and to be of approved Dimensions.
4. Warehouse to be within 1,000 Yards of Custom House.
5. Interpretation of "Extra Rates."
6. Rates herein named to be paid in lieu of existing Charges.
7. Rates deemed Customs Duties.
8. Commencement and Short Title of Act.

Inland Revenue. See *Excise Duties. Stamp Duties.*

Insolvency. See *Bankruptcy and Insolvency.*

Inspection of Mines. See *Mines Regulation and Inspection.*

Interment of the Dead. See *Burial Grounds. Local Boards of Health.*

Inventions, Patents for. See *Patents for Inventions (Munitions of War).*

Inventory Duty.

23 & 24 Vict. c. 80.—An Act to regulate the levying and Collection of the Inventory Duty payable upon Heritable Securities and other Property in Scotland. Page 757

Preamble recites 23 & 24 Vict. c. 15.

§ 1. Money secured on Heritable Property in Scotland and Scottish Bonds, excluding Executors, to be liable to Inventory Duty.
2. Duty, and Interest thereon, shall be a Debt to Her Majesty, to be payable by Person who shall take Money secured.
3. Stamped special Inventory to be lodged on Oath with the Solicitor of Inland Revenue at Edinburgh.
4. Money so secured may be added to Inventory of Personal or Moveable Estate. As to Return of Duty on the Ground of Debts. Duty paid on the aggregate Amount to be ultimately borne by the Parties according to their beneficial Interest.
5. Property for Payment of Inventory Duty shall be valued at the Date of the Affidavit to the Inventory.
6. Return of Duty under certain Circumstances.
7. Intromitters, &c. to be held to have taken Money so secured.
8. Money secured on Land by absolute Conveyance, &c. to fall under the Provisions of the Act.
9. Recited Act repealed to a certain Extent.

SCHEDULE.

Inverness. See *Highland Roads and Bridges.*

Ionian Islands (Marriages).

23 & 24 Vict. c. 86.—An Act to make Provision respecting the Marriages of British Subjects in the Ionian Islands. Page 766

§ 1. Marriages already contracted to be valid.
2. Mode of contracting Marriages.
3. Certificate to be signed.
4, 5. Entries of Marriages to be reported to Registrar-General, and Indexes to be kept by him.
6. Certified Copies to be Evidence.
7. Lord High Commissioner may make Regulations.
8. If Marriage procured by means of false Notice, Declaration, &c., Property acquired liable to Forfeiture.
9. False Notice, &c., punishable as Perjury.
10. Declaration or Certificate of Lord High Commissioner to be Evidence in Actions, &c.
11. Act not to invalidate Marriages otherwise lawful.
12. Interpretation of Terms.

Ipswich. See *Local Government of Towns, &c.*

Ireland. For Acts relating specially to Ireland, see the following Heads :

Assistant Barristers.
Augmentation of small Benefices.
Bank of Ireland.
Bankruptcy and Insolvency.
Boundaries.
Census.
Churches, &c.
Church Temporalities.
Civil Bills.
Common Law Procedure.
Common Lodging Houses.
Constabulary Force.
Coroners.
County Cess.
Dublin.
Galway Harbour and Port.
Judgments.
Labouring Classes.
Landed Estates Court.
Landlord and Tenant.
Linen, &c. Manufactures.
Manor Courts.
Maynooth College.
Municipal Corporations.
Navigation Advances.
Nisi Prius.
Party Emblems.
Peace Preservation.
Petty Sessions Clerk.
Phœnix Park.
Police.
Poor Law.
Portumna Bridge.
Prescription.
Probate, Court of.
Railways.
Reformatory Schools.
Refreshment Houses and Wine Licences.
Savings Banks.
Spirits.
Tenure and Improvement of Land.
Tramways.
Vaccination.
Valuation of Rateable Property.
Weights and Measures.

Isle of Man Harbours.

23 & 24 Vict. c. 56.—An Act to make further Provision for Improvements in the Harbours of the Isle of Man. Page 715

Preamble recites Customs Act, 16 & 17 Vict. c. 107. s. 354., and 3 & 4 Vict. c. 63.

§ 1. Power to Harbour Commissioners of Isle of Man to borrow Money for effecting Improvements in Harbours.
2. Power to Public Works Loan Commissioners acting under 57 Geo. 3. c. 34. to lend Money notwithstanding anything in 16 & 17 Vict. c. 40.
3. Power to Treasury to give Directions for giving Effect to the Security, &c.
4. Securities not to be affected by certain Informalities.
5. Money borrowed on Sums applicable under Sect. 355. of 16 & 17 Vict. c. 107. to be applied to Works determined by the Court of Tynwald.
6. Consent of Admiralty to be signified before Works are commenced.
7. Power to Admiralty to remove abandoned Works.

Issue of Bank Notes. See *Bank of England*, 2.

J.

Jews.

21 & 22 Vict. c. 48.—An Act to substitute One Oath for the Oaths of Allegiance, Supremacy, and Abjuration; and for the Relief of Her Majesty's Subjects professing the Jewish Religion. Page 79

§ 1. Oath to be taken instead of Oaths of Allegiance, Supremacy, and Abjuration.
2. The Name of the Sovereign for the Time being to be used in the Oath.
3. Oath appointed by this Act to be taken in the same Cases and in like Manner as the present Oaths.
4. Form of Affirmation for Quakers, &c.
5. Persons professing the Jewish Religion to make Declaration in certain Cases. 9 Geo. 4. c. 17., 8 & 9 Vict. c. 52.
6. Act not to affect the Roman Catholic Relief Act, 10. Geo. 4. c. 7.

21 & 22 Vict. c. 49.—An Act to provide for the Relief of Her Majesty's Subjects professing the Jewish Religion. Page 80

§ 1. Power to either House of Parliament to modify the Form of Oath to be taken instead of the Oaths of Allegiance, &c. by a Person professing the Jewish Religion, to entitle him to sit and vote in such House.
2. As to the Form of Oath in other Cases.
3. Act not to enable Persons professing the Jewish Religion to hold certain Offices.
4. Rights of Presentation to any Ecclesiastical Benefice possessed by Persons professing the Jewish Religion to devolve upon the Archbishop of Canterbury.

23 & 24 Vict. c. 63.—An Act to amend the Act 21 & 22 Vict. c. 49., to provide for the Relief of Her Majesty's Subjects professing the Jewish Religion. Page 727

§ 1. Omission of certain Words in Oath prescribed by 21 & 22 Vict. c. 48. when taken by Persons professing the Jewish Religion.

Joint Stock Companies:

1.—*Amendment of Acts of* 1856 *and* 1857.

21 & 22 Vict. c. 60.—An Act to amend the Joint Stock Companies Acts, 1856 and 1857, and the Joint Stock Banking Companies Act, 1857. Page 94

§ 1. Short Title.
2. Petition for winding up, subject to Supervision.
3. Power of Court in proceeding under Section 19. of 20 & 21 Vict. c. 14. to appoint additional Liquidators.
4. Effect of Order of Court under the said 19th Section.
5. In compulsory Winding-up, or Continuance of voluntary Winding-up, by Decree or Order, Contributories may be decreed to pay Calls.
6. Actions and Suits to be stayed.
7. Inspection of Books.
8. Appointment of voluntary Liquidators as official Liquidators.
9. Power of Court to give Discretion to official Liquidators.
10. General Scheme of Liquidation may be sanctioned by Court.
11. Reservation of Practice under the old Winding-up Acts of 1848 and 1849.
12. Order made in England to be enforced in Ireland and Scotland.
13. Mode of dealing with Orders to be enforced by other Courts.
14. Power for Liquidators in voluntary Winding-up to apply to Court for Aid.
15. Power of Company to fill up Vacancies in Liquidators.
16. Power for Liquidators to invest.
17. Manner of making a Call.
18. Calls proveable against Bankrupts or Insolvents Estates.
19. Section 16. of 20 & 21 Vict. c. 14. repealed, and this Section to be substituted.
20. Prosecution of delinquent Directors in the Case of compulsory or Continuance of voluntary Winding-up.
21. Prosecution of delinquent Directors, &c. in case of voluntary Winding-up.
22. Application of Act to existing Winding-up.
23. Companies may register for Purposes of Winding-up.
24. Application of Act to Acts of 1856 and 1857.

2.—*Joint Stock Banking Companies.*

21 & 22 Vict. c. 91.—An Act to enable Joint Stock Banking Companies to be formed on the Principle of Limited Liability. Page 169

§ 1. So much of 20 & 21 Vict. c. 49. as prohibits Banking Companies from being registered with limited Liability repealed. Proviso as to Bankers issuing Notes.
2. Registration of Banking Companies not to prejudice Re-registration as limited.

§ 3. On Re-registration with limited Liability Notice to be given to Customers. In default of Notice unlimited Liability to continue as to such Customers.
4. Banking Company to annex a Statement to their Memorandum of Association.
5. How Limited Banking Companies are to be wound up.
SCHEDULE:—Form of Statement to be published by a Limited Joint Stock Banking Company.

Judge (Assistant) for Middlesex. See *Criminal Justice.*

Judges of the County Courts. See *County Courts*, 1.

Judgments. See *Crown Debts and Judgments. Law of Property and Trustees Relief.*

Judgments (Ireland).

21 & 22 Vict. c. 105.—An Act to amend the Act 13 & 14 Vict. c. 29. to amend the Laws concerning Judgments in Ireland. Page 225

§ 1. Power to Creditor to file supplemental Affidavit as to certain Matters.
2. Defect in Affidavit not to invalidate Titles under Judicial Sales. Supplemental Affidavit not to supply or cure Omissions. No Payment to be invalid for Defect.
3. Affidavits to be made by Agents, &c.
4. Registration not invalid though Affidavit be made by only One Consusee.
5. Subscription by Registrar of Memorandum of Satisfaction of Judgment to operate as a Re-transfer to the Debtor. 13 & 14 Vict. c. 29. s. 9.

Jura Regalia of County Palatine of Durham. See *Durham County Palatine Jurisdiction.*

Jurisdiction, Ecclesiastical. See *Ecclesiastical Jurisdiction.*

Jury Trial (Scotland).

22 & 23 Vict. c. 7.—An Act to amend an Act of the Seventeenth and Eighteenth Years of Her Majesty, for allowing Verdicts on Trials by Jury in Civil Causes in Scotland to be received, although the Jury may not be unanimous. Page 413

Recital of 17 & 18 Vict. c. 59.
§ 1. If after Three Hours Deliberation Nine of the Jury agree, a Verdict may be returned.
2. Jury may be discharged without a Verdict after Six Hours Deliberation.

Justice, Administration of. See *Administration of Justice.*

Justices of the Peace.

21 & 22 Vict. c. 73.—An Act to amend the Law concerning the Powers of Stipendiary Magistrates and Justices of the Peace in certain Cases. Page 125

§ 1. A Stipendiary Magistrate may do alone all Acts authorized to be done by Two Justices of the Peace.
2. Foregoing Enactment to extend to Acts required to be done at Petty Sessions.
3. Saving of Jurisdiction of Quarter Sessions and Special Sessions, and as to Licences.
4. Saving as to Metropolitan Police Magistrates.
5. As to Extent of Section 22. of 11 & 12 Vict. c. 43.
6. Section 18. of 2 & 3 Vict. c. 71. amended.
7. Magistrates acting for Places in the Metropolitan Police District within which no Police Court is established may commit certain Offenders to any Gaol in and for the County, &c. in which the Offence shall have been committed.
8. Repeal of certain Acts and Parts of Acts, viz., 59 Geo. 3. c. 28., Section 4. of 7 Will. 4. & 1 Vict. c. 19., and Section 4. of 5 & 6 Vict. c. 38.
9. Power to divide Courts of Quarter Sessions, General Sessions, and adjourned Sessions.
10. Regulations made for the Apportionment of Business need not be renewed at each Session.
11. Clerk of the Peace to appoint a Person to record the Proceedings of such separate Court.
12. Time from which Sentences of certain Courts shall take effect.
13. Stipendiary Magistrate may appoint a Deputy with Approval of Secretary of State.
14. Power to appoint County Stipendiary Magistrates to be Magistrates of the Metropolitan Police Courts, 2 & 3 Vict. c. 71. s. 3.
15. Act to extend only to England.

Juvenile Offenders. See *Reformatory Schools (Ireland). Returns to Secretary of State.*

K.

King's College, Aberdeen. See *Aberdeen, University of.*

L.

Labouring Classes:

1.—*Dwellings for Labouring Classes (Ireland).*

23 & 24 Vict. c. 19.—An Act to extend the Act 10 & 11 Vict. c. 32., to facilitate the Improvement of Landed Property in Ireland, and the Acts amending the same, to the Erection of Dwellings for the Labouring Classes in Ireland. Page 620

Preamble recites 10 & 11 Vict. c. 32., 12 & 13 Vict. c. 23., and 13 & 14 Vict. c. 31.
§ 1. Loans may be made out of Money granted for the Improvement of Landed Property in Ireland for the Erection of Dwellings for the Labouring Classes in Cases herein stated.
2. Act to continue in force for Ten Years.

2.—*Labourers Cottages (Scotland).*

23 & 24 Vict. c. 95.—An Act to facilitate the building of Cottages for Labourers, Farm Servants, and Artisans by Proprietors of entailed Estates in Scotland. Page 788

Preamble recites 10 Geo. 3. c 51., 11 & 12 Vict. c. 36. and 16 & 17 Vict. c. 94.

§ 1. Provisions of recited Acts as to Improvements of entailed Estates to include Erection of Cottages.
2. Erection of Cottages to be held as permanent Improvements contemplated by 11 & 12 Vict. c. 36. and 16 & 17 Vict. c. 94.
3. Court or Sheriff to be satisfied that entailed Estates will be permanently benefited, and that Cottages have been substantially erected.

Lancaster, County Palatine of. See *Chancery, Court of.*

Land—Lands. See *Chelsea Hospital. Commons Inclosure. Hainault Forest. Landed Estates Court. Lands Clauses Consolidation. Recreation Grounds. Tenure and Improvement of Land (Ireland). Titles to Land (Scotland). Universities.*

Landed Estates Court (Ireland).

21 & 22 Vict. c. 72.—An Act to facilitate the Sale and Transfer of Land in Ireland. Page 106

Preamble recites "Incumbered Estates Courts" Acts, 12 & 13 Vict. c. 77., 15 & 16 Vict. c. 67., 16 & 17 Vict. c. 64., 18 & 19 Vict. c. 73., and 19 & 20 Vict. c. 67.

§ 1. Construction of certain Terms in this Act.
2. Title of Court ("Landed Estates Court"), and Place of Sitting.
3. First Judges of the Court.
4. Appointment of future Judges.
5. Judges to hold Office during good Behaviour.
6. Oath of Judges.
7. Judges not to sit in House of Commons.
8. Court to have a Seal.
9. Officers to be appointed.
10. First Appointment of Officers.
11. Certain Officers to be transferred to such Situations as Judges may select.
12. Future Appointment of Officers.
13. Salaries of Officers.
14. Certain Officers to hold their Offices during good Behaviour.
15. Qualification of Officers.
16. Officers to act in Person.
17. Privilege of Barristers and Solicitors.
18. Salaries of Judges and Officers.
19. Retiring Pension of Judges.
20. Retiring Pension of Officers; Compensation to unemployed Officers of the Incumbered Estates Court.
21. Periods during which such unemployed Officers may have served to be taken into account in estimating future Retiring Pensions, &c.
22. Commencement of the new Court, 1st January 1859.
23. Jurisdiction of Commissioners for Sale of Incumbered Estates to continue until Formation of new Court.
§ 24. Lord Chancellor to call for a Return of Business before the Commissioners for Sale of Incumbered Estates.
25. Judges to make annual Return to Secretary of State.
26. All Matters pending before the Incumbered Estates Court to be transferred to the new Court.
27. Stock and Cash to be transferred to the Control of the new Court.
28. Deeds, Books, &c. to be handed over as Lord Chancellor shall direct.
29. Judges to frame and promulgate Forms of Application, &c.
30. Judges to frame General Orders, to be approved by Lord Chancellor, &c.
31. Special Notice to Tenants and Owners of contiguous Lands.
32. General Orders to be laid before Parliament.
33. Power of Court to summon and examine Witnesses.
34. Judges may receive Affidavits in Evidence.
35. Examination by Commissioners.
36. Orders of the Court may be enforced in England, 41 Geo. 3. c. 90.
37. Court to be a Court of Record, and shall have Powers, &c. of a Court of Equity; Power of the Court to direct an Issue to be tried by Jury.
38. Power to Court, in certain Cases, to summon a Jury.
39. Court may rescind or vary its own Orders.
40. Proceedings in each Matter to be taken before a single Judge.
41. Appeal from Judges to be direct to the Court of Appeal in Chancery.
42. Appeals from Chancery to be to the House of Lords.
43. Owner of Incumbered Estate, or any Incumbrancer, may apply for a Sale.
44. Owner of unincumbered Estates may apply for a Sale.
45. Incumbrance by a Trust Term.
46. Court to exercise the Jurisdiction of Chancery for Sale of settled Estates under the 19 & 20 Vict. c. 120.
47. Vendor or Vendee may apply for an Investigation of Title and a Conveyance with indefeasible Title.
48. Incidental Power to enforce specific Performances.
49. Where a Decree for a Sale is pronounced in Chancery, or where Order for Sale is in Bankruptcy or Insolvency, Sales shall be made by the "Landed Estates Court, Ireland." Proviso as to Investigation of Title.
50. Application of Purchase Money when Sales are made in pursuance of Order in Chancery or Bankruptcy.
51. Owner may obtain a Declaration of indefeasible Title from Court.
52. On Application for a Declaration of Title the Court shall direct Publication thereof to be made by Advertisement.
53. Power of Court to sell, and Proceedings thereon.
54. Court to ascertain Tenancies, Right of Common, &c. Sale may be made subject to annual Charge or Apportionment thereof. Court may sell subject to annual Charge.
55. Sale to be had under Control of Court either by Public Auction or by Private Contract, and Conveyance to be made by Judge under Seal.
56. Purchase Money to be paid into Bank.
57. Persons interested may bid at Sale, except Petitioner, or Person having Carriage of Sale, who may bid by Permission of the Court. Incumbrancer becoming Purchaser may deduct the Amount of his Incumbrance from the Purchase Money, with Leave of Court.

§ 58. Court may include Arrears of Rent in Sale of Land.
59. Where Sale of undivided Share, the Court may include the other undivided Share at the Instance of its Owner.
60. Court may order Conversion of Leaseholds in Perpetuity into Fee Farm.
61. Conveyance to Purchaser to pass Fee, subject to Tenancies, but discharged from all Estates and Incumbrances. Conveyance of a Lease, Rentcharge, Annuity, or partial Estate to pass Estate created by the Instrument purporting to grant the same.
62. Conveyance, &c. not to affect certain Charges made by virtue of 5 & 6 Vict. c. 89. (Navigation and Drainage), and 10 & 11 Vict. c. 32. (Landed Property Improvement), except where Court think fit to redeem Crown Rents, &c.
63. Court may order Delivery of Tenants Leases, &c.
64. Application of Purchase Money.
65. Court may invest at Instance of Parties for their Benefit.
66. Where it is expedient to appoint, change, or remove Trustees, Judge to make Orders as to vesting Property in new Trustees as in 13 & 14 Vict. c. 60. and 15 & 16 Vict. c. 55.
67. Court may vest Property in new Trustees.
68. Court may provide for Redemption of certain Charges, and otherwise to facilitate the Distribution of the Purchase Money.
69. No Payment, not being in full, to affect Right of Incumbrancer for Balance, and no Payment in respect of any Incumbrance to impair Remedy over.
70. Power to Court to order Money to be paid into Court of Chancery, 10 & 11 Vict. c. 96., 11 & 12 Vict. c. 68.
71. Lands included in different Applications, and different Interests in the same Lands, may be included in the same Sale.
72. If Land sold be subject to a Lease, &c. comprising other Land, or if Part of Lease in Perpetuity, &c. be sold, Court may apportion the Rent.
73. Provisions for Persons under Disability.
74. Court may obtain Assistance of Accountants, Merchants, &c.
75. Fees to such Accountants, &c.
76. Proceedings not to abate by Death.
77. Court to have Power as to Costs.
78. Costs of Petition for a Sale.
79. On Application for Sale of an undivided Share, or after Sale, Court may, on Application of Party interested, and giving Notices and hearing Parties, make Order for a Partition.
80. On Application for Sale, or after Sale, Court, on Application of Party interested, and with Consent, may make Order for Exchange.
81. Partition may be made of Land where Shares are not subject to be sold under this Act.
82. Exchanges may be made of Lands not subject to be sold under this Act.
83. Division of intermixed Land not subject to be sold under this Act.
84. Notices of Partitions, Exchanges, and Division to be given.
85. Conveyances, Assignments, and Orders for Partition, Exchange, or Division and Allotment, conclusive.
86. Court not to be restrained by Injunction.
87. Rights of Purchaser against Tenants.
88. Duty payable on Proceedings ; Rate of Duty.
§ 89. Power to Commissioners of the Treasury to invest unproductive Cash.
90. Persons swearing falsely to be punished for Perjury.
91. Act only to extend to Ireland.
SCHEDULE :—Forms of Conveyance.

Landlord and Tenant (Ireland).

23 & 24 Vict. c. 154.—An Act to consolidate and amend the Law of Landlord and Tenant in Ireland.
Page 1054

Preliminary.

§ 1. Construction of certain Terms in this Act.
2. Short Title.

Contract of Tenancy.

3. Relation to rest on Contract of Parties.
4. Contract for definite Periods to be by Deed or Note in Writing.
5. Continuance after Expiration of Contract.
6. Presumed Commencement of Tenancy.
7. Surrenders to be in Writing.
8. Lease may be renewed without Surrender of Undertenancies.
9. As to Assignment of Estate and Interest of Tenant.
10. Assignment contrary to Agreement.
11. Assignee liable to Condition against Assignment.
12. Benefit of Covenants and Agreements transferred to Assignee of the Landlord.
13. Benefit of Covenants and Agreements transferred to Assignee of the Tenant.
14. Liability of Assignee to cease after Assignment over.
15. Assignee liable till End of accruing Gale.
16. Adoption of Assignee, Discharge of Tenant from Covenants.
17. Fixtures of Trade or Agriculture erected by the Tenant may be removed.

Sub-letting.

18. Sub-letting contrary to Agreement to be void.
19. Sub-letting with Consent to free Sub-tenant from double Charge.
20. Landlord's Notice to Sub-tenant to pay Rent to him.
21. Sub-tenant's Election to pay Rent to Landlord.
22. Provision for Sub-letting with Consent.

Evidence.

23. Proof of Contents of Lease.
24. Proof of Landlord's Title, when derivative.

Mines, &c., Rights and Reservations.

25. Tenant in Fee-farm not impeachable of Waste.
26. Tenant of lesser Interest not to open Mines or Quarries.
27. Tenant may work Mines already opened.
28. Tenant may work Quarries already open, but not for Profit or Sale.
29. Tenant may cut Turf, but not for Sale.
30. Tenant shall not burn Land.
31. Tenant shall not cut or lop Trees.
32. Where Mines reserved, Landlord may work or lease the Mines.

§ 33. Compensation to be ascertained by the Chairman.
34. Tenant, in lieu of Emblements, shall continue to hold until last Gale Day of current Year.

Prevention of Waste, and Law of Repairs.

35. Magistrate's Precept to restrain Waste.
36. Punishment of Disobedience of Precept.
37. Annulling Precept of Magistrate.
38. Landlord may enter to inspect Waste.
39. Ordinary Civil Remedies preserved.
40. Destruction of Subject of the Lease to determine the Tenancy.

Covenants and Conditions.

41. Covenants implied on behalf of Landlord.
42. Covenants implied on behalf of the Tenant.
43. Waiver and Dispensation of Covenants.
44. Surrender of Portion of Premises not to prejudice Rights of Landlord.

Actions for Rent.

45. Action for Rent in arrear.
46. Action for Use and Occupation.
47. Receipts to apply to last Gale.
48. Set-off against Rent.
49. Apportionment of Rent where Lease has Continuance.
50. Providing for Cases not coming within the Provisions of Clause 34.
51. No Distress for more than One Year's Rent.
52. Ejectment for Year's Rent unpaid.
53. Reversion and Fictions unnecessary.
54. Form of Civil Bill for Nonpayment of Rent as in Schedule.
55. Who to be served with Summons and Process in Ejectment.
56. Service on Persons in possession.
57. Service where no Person in possession.
58. Judgment and Decree by Default.
59. Defence to Civil Bill.
60. Summons and Process to state Amount of Rent claimed.
61. Where Amount disputed, Lodgment may be made with Clerk of the Peace.
62. Lodgment in Court of Rent, and Undertaking to pay Costs.
63. Tender before Civil Bill Decree executed.
64. Tender before Writ of Habere executed.
65. Amount of Rent to be endorsed on Execution and payable to Sheriff.
66. Remedy for Rent not prejudiced by Recovery of Possession.
67. Writ of Error no Stay of Execution unless Bail given.
68. Appeal from Civil Bill Decree.
69. Appeal not to stay Execution unless Rent lodged.
70. Restitution to be applied for within Six Months.
71. Court may award Restitution of Possession in certain Cases.

Ejectment for Overholding.

72. Overholding of Tenements under One hundred Pounds. Civil Bill Ejectment.
73. Defence and Appeal in Civil Bill.
74. Service of Summons in Ejectment for overholding.
75. Security from overholding Tenant in Ejectment.
76. Action for double Rent for overholding.
77. Mesne Profits may be recovered in Ejectment to the Day of Trial.

Ejectment for deserted Tenements.

§ 78. Civil Bill Ejectment for deserted Tenements.
79. Certificate of Desertion.
80. Civil Bill Ejectment against Parties signing Acknowledgment on Execution of Habere.
81. Cottier Tenancies under this Act.
82. When Cottier Tenancy determined by Landlord, Compensation to be made for Crop.
83. Cottier Tenements to be repaired by Landlord.
84. Summary Recovery of Possession of Tenements for Waste.
85. Summary Recovery of Possession for Nonpayment of Rent.
86. Summary Recovery of Possession of Tenements overholden.
87. Service of the Summons.
88. Stay of Execution of Warrant on undertaking to give Possession in Fourteen Days.
89. Irregularity in the Proceeding not to make a Party a Trespasser.

General Provisions.

90. Costs may be awarded against One Defendant in Ejectment in Civil Bill Court.
91. Taxation of Costs in Civil Bill Ejectment.
92. Sheriff to execute Civil Bill Decree in Ejectment.
93. Sheriff to appoint special Bailiff, if required.
94. Habere and Decree may be executed without disturbing Possession of Under-tenants.
95. Renewal of the Writ after such partial Execution.
96. Fresh Execution of Writ on Justice's Certificate.
97. Registry of Decree or Order for Ejectment.
98. Where Lands are situate in Two or more Counties, Proceedings may be taken in either.
99. Where Chairman interested, Proceedings may be taken in an adjoining County.
100. No Action against Justice for granting Warrant.
101. Title to Lands not to be drawn in question.
102. Technical Errors not to defeat Proceedings.
103. Schedules to be Part of the Act.
104. Repeal of Acts and Parts of Acts as in Schedule.
105. Commencement of Act.

SCHEDULE A.—Forms referred to in the Act.
B.—Acts and Parts of Acts repealed.

Lands Clauses Consolidation.

23 & 24 Vict. c. 106.—An Act to amend the Lands Clauses Consolidation Acts, 1845 (8 & 9 Vict. cc. 18. 19.), in regard to Sales and Compensation for Land by way of a Rentcharge, Annual Feu Duty or Ground Annual, and to enable Her Majesty's Principal Secretary of State for the War Department to avail himself of the Powers and Provisions contained in the same Acts. Page 810

§ 1. Part of Section 10. of 8 & 9 Vict. c. 18. repealed.
2. Sections 10. and 11. of 8 & 9 Vict. c. 18. as to Power to sell and convey Lands in consideration of an annual Rentcharge, and to recover the same, extended to all Sales, &c. where Parties are under Disability.
3. Similar Proviso with regard to Lands sold under Section 10. of 8 & 9 Vict. c. 19.
4. Amount of Rentcharge to be settled in manner directed in the 9th Section of both Acts.
5. If Lands purchased by way of Rentcharge, borrowing Powers to be reduced proportionally.

§ 6. Certain Clauses in 8 & 9 Vict. c. 18. extended to Purchases of Land, &c. for public Purposes.
7. Power to Secretary for War to use the Powers given to Promoters of Undertakings by 8 & 9 Vict. c. 18.
8. This Act and 8 & 9 Vict. cc. 18. and 19. to be read as One.

Law Ascertainment Facilities.

22 & 23 Vict. c. 63.—An Act to afford Facilities for the more certain Ascertainment of the Law administered in one Part of Her Majesty's Dominions when pleaded in the Courts of another Part thereof. Page 508
§ 1. Courts in one Part of Her Majesty's Dominions may remit a Case for the Opinion in Law of a Court in any other Part thereof.
2. Opinion to be authenticated and certified Copy given.
3. Opinion to be applied by the Court making the Remit.
4. Her Majesty in Council or House of Lords on Appeal may adopt or reject Opinion.
5. Interpretation Clause.

Law and Equity. See *Common Law Procedure*, 2.

Law of Property and Trustees Relief.

22 & 23 Vict. c. 35.—An Act to further amend the Law of Property, and to relieve Trustees. Page 465

Leases.

§ 1. Restriction on Effect of Licence to alien.
2. Restricted Operation of partial Licences.
3. Apportionment of Conditions of Re-entry in certain Cases.

Policies of Insurance.

4. Relief against Forfeiture for Breach of Covenant to insure in certain Cases.
5. When Relief granted the same to be recorded.
6. Court not to relieve any Person more than once in respect of the same Covenant, &c.
7. Lessor to have Benefit of an informal Insurance.
8. Protection of Purchaser against Forfeiture under Covenant for Insurance against Fire in certain Cases.
9. Preceding Provisions to apply to Leases for a Term of Years absolute, &c.

Rentcharges.

10. Release of Part of Land charged not to be an Extinguishment.

Judgments.

11. Release of Part of Land charged not to affect Judgment.

Powers.

12. Mode of Execution of Powers.
13. Sale under Power not to be avoided by reason of mistaken Payment to Tenant for Life.
14. Devisee in Trust may raise Money by Sale, notwithstanding Want of express Power in the Will.
15. Powers given by last Section extended to Survivors, Devisees, &c.
§ 16. Executors to have Power of raising Money, &c. where there is no sufficient Devise.
17. Purchasers, &c. not bound to inquire as to Powers.
18. Provisions in Sections 14, 15, and 16, not to affect certain Sales, &c., nor to extend to Devises in Fee or in Tail.

Inheritance.

19. Descent how to be traced.
20. Preceding Section incorporated with 3 & 4 Will. 4. c. 106.

Assignment of Personality.

21. Assignment to self and others.

Purchasers.

22. After 31st December 1859 Provision as to Re-registry, contained in 2 & 3 Vict. c. 11. and 18 & 19 Vict. c. 15., to apply to Crown Debts.
23. Purchasers not bound to see to the Application of Purchase Money.
24. Punishment of Vendor, &c. for fraudulent Concealment of Deeds, &c. or falsifying Pedigree.
25. Interpretation of Terms.

Trustees and Executors.

26. Trustee, &c. making Payment under Power of Attorney not to be liable by reason of Death of Party giving such Power.
27. As to Liability of Executor or Administrator in respect of Rents, Covenants, or Agreements.
28. As to Liability of Executor, &c. in respect of Rents, &c. in Conveyances on Rentscharge.
29. As to Distribution of the Assets of Testator or Intestate after Notice given by Executor or Administrator.
30. Trustee, Executor, &c. may apply by Petition to Judge of Chancery for Opinion, Advice, &c. in Management, &c. of Trust Property.
31. Every Trust Instrument to be deemed to contain Clauses for the Indemnity and Reimbursement of the Trustees.
32. As to Investments by Trustees.

Extent of Act.

33. Act not to extend to Scotland.

23 & 24 Vict. c. 38.—An Act to further amend the Law of Property. Page 658
§ 1. Writs of Execution of Judgments to be registered.
2. Mode of registering.
3. Provision for Protection of Heirs and Executors against unregistered Judgments.
4. Judgments as against Heirs and Executors to be re-registered.
5. Extent of the Word "Judgment."
6. Restriction of Effect of Waiver.
7. Provision for Cases of future and contingent Uses.
8. Section 24. of 22 & 23 Vict. c. 35. extended to Mortgagees.
9. Form of applying for Advice of Judge, &c. under Section 30. of 22 & 23 Vict. c. 35.
10. Power to Lord Chancellors, &c. of England and Ireland to make General Orders as to Investment of Cash under the Control of the Court.
11. Trustees, &c. to invest Trust Funds in the Stocks, &c. in which Cash under the Control of the Court may be invested.

§ 12. Clause 32. of 22 & 23 Vict. c. 35. to act retrospectively.
13. Extension of Section 40. of 3 & 4 Will. 4. c. 27. s. 40. to Cases of Claims to Estates of Intestates.
14. Order to take account of Debts, &c. of deceased Person under Section 19. of 13 & 14 Vict. c. 35. may be made immediately after Probate granted.
15. Act not to extend to Scotland, and in part only to Ireland.

Lead Ores, Tithe of.

21 & 22 Vict. c. 58.—An Act for the future Appropriation of the Tithe or Tenth of Lead Ores in the Parishes of Stanhope and Wolsingham in the County of Durham belonging to the respective Rectors thereof, subject to the existing Incumbencies, and for making other Provisions for the Endowment of the said Rectories in lieu thereof, and for other Purposes connected therewith. Page 89

Preamble recites Act 19 Car. 2. c. 15., also Acts 3 & 4 Vict. c. 113., and 4 & 5 Vict. c. 39., and Order in Council, 4th April 1856.
§ 1. Certain Parts of 19 Car. 2. c. 15. repealed.
2. Tithe or Tenth of Lead Ore vested in Ecclesiastical Commissioners.
3. Regulations as to Incomes of Rectors of Stanhope and Wolsingham to be partly made up from Common Fund of Ecclesiastical Commissioners.
4. Mode of fixing Amounts to be paid by Ecclesiastical Commissioners.
5. Proviso enabling Rectors to concur in Arrangements for Transfer of Tithe or Tenth during Incumbencies.
6. Common Fund to be charged with Payment of annual Sums to Incumbents of St. John Weardale, Frosterley, Heathery Cleugh, Eastgate, Rookhope, and Thornley.
7. Common Fund to be further charged with annual Sum for augmenting Incomes of Rectories, Curacies, &c. in the County of Durham.
8. Ecclesiastical Commissioners may substitute Lands, Tithe Rentcharge, or other Hereditaments for Payment out of Common Fund.
9. Powers of Ecclesiastical Commissioners over Common Fund not to be prejudiced.
10. Rights of Lessees and others not to be prejudiced.
11. Short Title.

Leases. See *Duchy of Cornwall. Ecclesiastical Corporations. Settled Estates.*

Legislative Council (Canada). See *Canada.*

Legislatures, Colonial. See *Colonial Legislatures.*

Legitimacy Declaration.

21 & 22 Vict. c. 93.—An Act to enable Persons to establish Legitimacy and the Validity of Marriages, and the Right to be deemed natural-born Subjects. Page 171

§ 1. Application to Court for Divorce and Matrimonial Causes for Declaration of Legitimacy or Validity or Invalidity of Marriage.
§ 2. Application to Court for Declaration of Right to be deemed a natural-born Subject.
3. Petition to be accompanied by Affidavit.
4. 20 & 21 Vict. c. 85. to apply to Proceedings under this Act.
5. Power to award and enforce Payment of Costs.
6. Attorney General to have a Copy of Petition One Month before it is filed, and to be Respondent.
7. Court may require Persons to be cited.
8. Saving for Rights of Persons not cited.
9. Person domiciled in Scotland may insist, on an Action of Declarator, that he is a natural-born Subject.
10. No Proceedings to affect final Judgments, &c. already pronounced.
11. 20 & 21 Vict. c. 85. and this Act to be read together.

Leicester. See *Local Government of Towns, &c.*

Leith Harbour and Docks.

23 & 24 Vict. c. 48. — An Act to provide for the Settlement and Discharge of the Debt due to the Commissioners of Her Majesty's Treasury from the Harbour and Docks of Leith. Page 700

Preamble recites 1 & 2 Vict. c. 55., 7 & 8 Vict. c. 20., 10 & 11 Vict. c. xxv., and 10 & 11 Vict. c. 114.
§ 1. Short Title.
2. Interpretation of Terms.
3. Power to the Commissioners of the Treasury to accept the Sum of 50,000*l.* in full Payment of Debt and Interest. When the 50,000*l.* is paid, Treasury to grant a Discharge as in Schedule.
4. Discharge to be recorded, and certain Sections of 1 & 2 Vict. c. 55. to be then repealed.
5. Power to Commissioners to borrow Money on Mortgage, &c.
6. Power to borrow from Bank on Cash Credit.
7. Clauses of 10 & 11 Vict. c. 16. with respect to Mortgages incorporated.
8. Nothing to affect annual Payment of 7,680*l.*
9. Nothing to affect existing Mortgages and Securities.
10. Provision for paying off Debt to Banks.
11. Application of Money borrowed.
12. Application of Rates and Revenues.
13. Accounts to be kept and balanced.
14. Auditor to be appointed.
15. Accounts to be audited.
16. Abstract of Accounts to be printed.
17. Payment of Arrears of Principal and Interest may be enforced by Appointment of a Judicial Factor.

Leith, North. See *Annuity Tax Abolition.*

Letters of Administration. See *Probate, Court of. Probates and Administrations.*

Licences. See *Excise Duties. Game Certificates. Stamp Duties. Wine Licences.*

Limitation of Actions. See *Duchy of Cornwall.*

Limited Liability. See *Joint Stock Companies*, 2.

Limited Service (*Army*).

21 & 22 Vict. c. 55.—An Act to revive and continue the Act 18 & 19 Vict. c. 4. for limiting the Time of Service in the Army. Page 82

§ 1. Act 18 & 19 Vict. c. 4. to continue in force as if Six Years has been named therein instead of Three Years.

Linen, &c. Manufactures (*Ireland*).

22 & 23 Vict. c. 25.—An Act to continue certain Acts relating to Linen, Hempen, and other Manufactures in Ireland. Page 453

Recital of 5 & 6 Will. 4. c. 27., 3 & 4 Vict. c. 91., 5 & 6 Vict. c. 68., 7 & 8 Vict. c. 47., 13 & 14 Vict. c. 48., 15 & 16 Vict. c. 13., 16 & 17 Vict. c. 103., and 17 & 18 Vict. c. 46.

§ 1. Recited Acts (except as amended) further continued for Five Years.

Lisbon. See *Marriages*, 4.

Lists and Ballots for the Militia. See *Militia*, 2.

Loan Societies.

21 & 22 Vict. c. 19.—An Act to continue the Act 3 & 4 Vict. c. 110. to amend the Laws relating to Loan Societies. Page 31

§ 1. Act 3 & 4 Vict. c. 110. further continued until 1st August 1863.

Loans for the Public Service. See *East India Loan. Revenue, Public, &c.*

Local Boards of Health.

23 & 24 Vict. c. 64.—An Act to make further Provision for Expenses of Local Boards of Health and Improvement Commissioners acting as Burial Boards. Page 727

Preamble recites 20 & 21 Vict. c. 81. and 21 & 22 Vict. c. 98. s. 49.

§ 1. Expenses of Local Board constituted a Burial Board may be paid out of General District Rate, or by a separate Rate.

2. Expenses of Improvement Commissioners, when acting as a Burial Board, may be paid out of Improvement Rate, or by a separate Rate.

3. Separate Accounts to be kept.

4. As to Appointment of Burial Boards without Consent of Secretary of State.

Local Government of Towns, &c.

21 & 22 Vict. c. 98.—An Act to amend the Public Health Act, 1848, (11 & 12 Vict. c. 63.,) and to make further Provision for the Local Government of Towns and populous Districts. Page 187

§ 1. Short Title of Act, "Local Government Act, 1858."

2. Interpretation of Terms.

§ 3. Act not to extend to Scotland or Ireland, nor to any Place within the Metropolis defined by 18 & 19 Vict. c. 20.

4. Provisions of this Act and 11 & 12 Vict. c. 63. to be construed together.

5. Act to take effect on 1st Sept. 1858, but not to affect Qualification or Powers of Local Boards.

6. Powers, &c. of Local Boards under this Act to be the same under 11 & 12 Vict. c. 63., &c.

7. Construction of Terms, for Purposes of this Act, &c., in Acts herein-after incorporated.

8. Provision in relation to Exercise of Powers under Public Health Act requiring Sanction of General Board of Health.

9. Proceedings, Contracts, &c. begun or made under any Section of 11 & 12 Vict. c. 63. repealed by this Act may be proceeded with.

10. Powers of Section 114. of 11 & 12 Vict. c. 63., for Appointment of Receiver, may be exercised in event of Failure to elect a Local Board.

11. Course of Proceeding in event of Failure to elect a Local Board.

12. Act to be adopted by Resolution of Council, Improvement Commissioners, or Owners and Ratepayers.

13. As to summoning Meetings for Purpose of preceding Section.

14. Provision as to a lesser Place included within the Limits of a greater.

15. Power for partial Adoption of Act.

Adoption of Act by Place not having a known Boundary.

16. Provision as to settling Boundaries on Petition.

Appeal against Adoption of Act.

17. Power to appeal, by Petition, against Resolution to adopt this Act.

18. Appeal to Secretary of State in case of alleged Invalidity of Vote for Adoption of this Act.

General Provisions in relation to Adoption.

19. Notice as to Adoption of Act to be given to Secretary of State.

20. Provision as to the Time when this Act shall take effect.

21. As to Objections made to Adoption of this Act.

22. Proof of Adoption.

23. Provision as to Payment of Costs, &c. incurred in relation to Adoption.

Constitution of Local Boards.

24. Local Boards, how constituted.

25. Disqualification of Members of Local Boards.

26. Powers of Local Board to vest in Town Council when a District becomes a Corporate Borough.

27. Power to adjoining Districts to unite, with Sanction of Secretary of State.

28. Power to Local Board to execute Works in adjoining Places.

Powers of Local Board as to Sewerage.

29. Power to make Deduction from Rate in respect of Premises sufficiently drained.

30. Powers for disposing of Sewage.

31. Provision for obtaining Order for cleansing foul and offensive Watercourses or open Ditches lying near to or forming the Boundaries of Districts.

Powers as to Scavenging and Cleansing.

§ 32. Power to Local Boards to cleanse or contract for cleansing. Repeal of Sections 55. and 56. of 11 & 12 Vict. c. 63. Power to Local Board to make Bye-laws as to Nuisances. Provision for Recovery of Expenses of Removal of offensive Accumulations under 11 & 12 Vict. c. 63.
33. Amendment of Section 54. of 11 & 12 Vict. c. 63. for Purposes relating to Drains, Waterclosets, &c.
34. Sections 53. and 72. of 11 & 12 Vict. c. 63., as to new Streets and Houses, repealed, and the Provisions herein to be instead.

Powers for Regulation of Buildings.

35. When Houses taken down, Local Board may prescribe Line in which same shall be rebuilt.
36. Local Board may purchase Premises for Purpose of making new Streets.

Highway Repairs.

37. Cost of Highway Repair to be defrayed out of General District Rate in certain Cases. Power to levy Highway Rates in certain Cases. Certain Acts not required to be done in case of Highway Rate being made by Local Board. Application of Surplus under Section 117. of 11 & 12 Vict. c. 63.

Powers as to Streets and Roads.

38. Power to Local Board to provide for sewering, &c. of Parts of Streets not being Highways. No Incumbent or Minister of any Church, Chapel, &c. liable to Expenses under Section 69. of 11 & 12 Vict. c. 63. or this Section.
39. Power to Local Boards to agree as to making of new public Roads.
40. Power to Local Boards, by Consent, to construct public Bridges, &c., or adopt as public, and improve, existing Bridges, &c. over or under Canals, Railways, or Tramroads.
41. Powers to Local Boards to enter into Agreements with Turnpike Trustees as to Repair, &c. of Roads.
42. Objections under Section 70. of 11 & 12 Vict. c. 63. to be made by the sole Proprietor, or, if more than One, by a Majority.
43. Certain Roads herein named not to be interfered with, except upon Conditions, &c. herein named.

Incorporated Powers.

44. Certain Provisions of Towns Police Clauses Act (10 & 11 Vict. c. 89.) incorporated with this Act.
45. Certain Provisions of Towns Improvement Clauses Act (10 & 11 Vict. c. 34.) incorporated with this Act.
46. Watching and Lighting Act (3 & 4 Will. 4. c. 90.) to be superseded by this Act.
47. Where Vestries adopt Provisions of 10 & 11 Vict. c. 74. (Baths and Wash-houses), Local Board to be the Commissioners under that Act.
48. Sections of 11 & 12 Vict. c. 63. as to Slaughter-houses repealed.
49. Local Board to be Burial Board of District, though the Burial Ground be provided for Parts of the District only.
50. Power of Local Board to establish Markets, with Consent of Owners and Ratepayers. Provisions of 10 & 11 Vict. c. 14. as to Markets, &c. incorporated.

Water Supply.

§ 51. Powers of Section 76. of 11 & 12 Vict. c. 63. as to Water Supply extended to this Act.
52. Power of carrying Water Mains.
53. Power to Directors of Waterworks or Market Company to sell Works, &c. to Local Boards.

Expenses and Rates.

54. Section 86. of 11 & 12 Vict. c. 63. as to the Power of levying Special District Rate, repealed. Debts incurred and Contracts entered into before passing of this Act enforced.
55. Mode of Assessment of General District Rate, and Provision for compounding for Rates in the Case of small Tenements. Certain Kinds of Property assessable on One Fourth of their net annual Value. Provision as to Exemptions from rating under Local Acts.
56. Poor Rate Books to be accessible for rating under Public Health Acts. Power of Valuation as prescribed by 6 & 7 Will. 4. c. 96. in case there should be no Assessment.
57. Sections 107. 113. and 119. of 10 & 11 Vict. c. 63. repealed, and Power given for raising Money on Credit of Rates.
58. Rentcharge may be granted for Advances made to meet First Cost of Private Improvements.
59. Rentcharges to be registered.

Audit of Accounts.

60. Provisions as to Audit of Accounts.

Legal Proceedings.

61. Notices by Local Boards to be signed by Clerk.
62. Expenses due from Owners to be a Charge on Premises.
63. Apportionment of Expenses payable by Owners to be conclusive after Three Months from Notice given to them of the Amount.
64. Arbitration to be confined to Cases involving more than 20*l.*
65. Memorials in respect of Private Improvement Charges.
66. Penalty on Injury to Works, &c. of Local Board.
67. Penalties to be payable to District Fund Account.

Saving Clauses.

68. Section 145. of 11 & 12 Vict. c. 63. repealed, and Provisions herein-named in lieu thereof.
69. Works not within preceding Section, and which interfere with Improvement of Rivers, Canals, &c., to be referred to Arbitration.
70. Effect of Arbitration.
71. Provision as to Transfer of Powers, &c.
72. Power for Corporation to alter Sewers.
73. Preserving Water Rights of Companies or Individuals.
74. Arbitration Questions under preceding Sections.

Purchase of Lands.

75. Regulation as to the Purchase of Land.

Report by Local Board.

76. Local Boards to report on Works executed, and as to Sums received and Disbursements made.

Provisional Orders and Powers of Secretary of State.

77. Petition for Incorporation with or Separation from District, or for Repeal, &c. of Local Acts.

§ 78. Extension of borrowing Powers in certain Cases.
79. Secretary of State to provide for Execution of Act.
80. Powers for Inquiry directed by Secretary of State.
81. Orders of Secretary of State to be binding.

Oxford and Cambridge.

82. Oxford and Cambridge Commissioners to be the Bodies to adopt this Act for their respective Districts.
SCHEDULE of Forms.

22 Vict. c. 31.—An Act to confirm certain Provisional Orders under the Local Government Act, 1858. (21 & 22 Vict. c. 98.) Page 388

§ 1. The Provisional Orders in Schedule confirmed.
2. Separation of Kirkmanshulme from Newton Heath.
3. This Act incorporated with 21 & 22 Vict. c. 98.
4. Short Title of Act.
SCHEDULE of Provisional Orders referred to.

22 & 23 Vict. c. 11.—An Act to confirm certain Provisional Orders under the Local Government Act (1858). Page 415

§ 1. Provisional Orders in Schedule confirmed.
2. Alteration of Boundary of Leamington District.
3. Election of Local Board for Leamington.
4. Act incorporated with 21 & 22 Vict. c. 98.
5. Short Title.
SCHEDULE of Provisional Orders referred to.

23 & 24 Vict. c. 44.—An Act to confirm certain Provisional Orders under the Local Government Act (1858), relating to the Districts of Southampton, Leicester, Epsom, Coventry, Ipswich, Fareham, Wells, Tormoham, Scarborough, Ludlow, Banbury, Boston, Penrith, Barnsley, and Shipley; and for other Purposes. Page 675

§ 1. Provisional Orders in Schedule confirmed.
2. Byelaws as to Regulation of Hackney Carriages, Horses, Boats, &c. (Scarborough).
3. Regulations as to Fish Trade (Scarborough).
4. Provisions for Life Buoys, &c. (Scarborough).
5. Unrepealed Parts of 6 & 7 Will. 4. c. lix. incorporated with Local Government Act as adopted in Teignmouth.
6. This Act incorporated with 21 & 22 Vict. c. 98.
7. Short Title.
SCHEDULE of Provisional Orders referred to.

23 & 24 Vict. c. 118.—An Act to confirm certain Provisional Orders under the Local Government Act (1858), relating to the Districts of Nottingham, Sunderland, Hastings, Reading, Chatham, Dartmouth, Tunbridge Wells, Sheerness, Sandgate, Wilton, Bridgnorth, and Dorchester. Page 901

§ 1. Provisional Orders in Schedule confirmed.
2. Act incorporated with 21 & 22 Vict. c. 98.
3. Short Title.
SCHEDULE of Provisional Orders referred to.

Local Management of the Metropolis. See *Metropolis Local Management.*

Local Prisons. See *Prisons (Scotland).*

Local Taxation Returns.

23 & 24 Vict. c. 51.—An Act to provide for an annual Return of Rates, Taxes, Tolls, and Dues levied for local Purposes in England. Page 712

§ 1. Clerks of Bodies empowered to levy Rates, &c., to make annual Returns to Secretary of State.
2. Returns to be made for the latest Year for which Accounts are made up.
3. Who are to make Returns in certain Cases.
4. Penalty for Default.
5. Saving for Returns already required.
6. Abstracts of Returns to be laid before Parliament.
7. Poor Rate Returns to be made to Poor Law Board as heretofore.
8. Saving for Joint Stock Companies and private Rights of Toll, &c.
SCHEDULE of Rates, &c. in respect of which Returns are to be made.

Local and Private Acts. See List at End of the Index.

Lodging Houses. See *Common Lodging Houses.*

Ludlow. See *Local Government of Towns, &c.*

Lunatic Asylums:

1.—*Asylum for Criminal Lunatics.*

23 & 24 Vict. c. 75.—An Act to make better Provision for the Custody and Care of Criminal Lunatics. Page 744

Preamble recites 39 & 40 Geo. 3. c. 94., 3 & 4 Vict. c. 54., 5 & 6 Vict. c. 29., and 6 & 7 Vict. c. 26.

§ 1. Her Majesty may appoint Asylum for Criminal Lunatics.
2. Secretary of State may direct Criminal Lunatics to be confined in the Asylum.
3. Nothing to affect the Authority of the Crown to make other Provision for the Custody of a Criminal Lunatic.
4. Secretary of State to appoint Council of Supervision and Officers for Asylums.
5. Secretary of State to make Rules for the Government of the Asylum.
6. Subject to such Rules, Council to superintend Asylum.
7. Provision as to Removal and Discharge of Lunatics.
8. Provision for Discharge of Persons confined after their Term of Imprisonment has expired.
9. Secretary of State may permit any Lunatic to be absent from Asylum on Trial, &c.
10. Provisions of 3 & 4 Vict. c. 54., as to Expenses of Conveyance and Maintenance, to apply to this Act.
11. Lunatics escaping may be re-taken by Superintendent, &c.
12. Punishment of Persons for Rescue or permitting Escape.
13. Penalty on Officers or Servants ill-treating Lunatics.
14, 15. Commissioners in Lunacy to visit Asylums; and report to Secretary of State.
SCHEDULE.

2.—*Lunatic Asylums (Scotland).*

21 & 22 Vict. c. 89.—An Act to amend 20 & 21 Vict. c. 71. for the Regulation of the Care and Treatment of Lunatics, and for the Provision, Maintenance, and Regulation of Lunatic Asylums, in Scotland. Page 161

Preamble recites 55 Geo. 3. c. 69. and 20 & 21 Vict. c. 71.

§ 1. As to Reception, &c. of Pauper Lunatics in Poor-houses.

2. Act to continue in force for Five Years from 1st January 1858.

M.

Made Wines. See *Excise Duties.*

Magistrates, Stipendiary. See *Stipendiary Magistrates.*

Main Drainage of the Metropolis. See *Thames River.*

Malicious Injuries to Property.

23 & 24 Vict. c. 29.—An Act to amend the Act 7 & 8 Geo. 4. c. 30. relative to malicious Injuries to Property. Page 648

§ 1. Persons damaging Steam Engines, &c., used in working Mines guilty of Felony, and liable to Punishments as in 7 & 8 Geo. 4. c. 30.

2. As to Offences within the Jurisdiction of the Admiralty.

Malt Duty, &c.

22 & 23 Vict. c. 18.—An Act for granting to Her Majesty additional Rates of Income Tax; and to reduce the Period of Credit allowed for Payment of the Excise Duty on Malt. Page 440

§ 7. Reduction (from Eighteen Weeks to Twelve Weeks) of the Period of Credit allowed for Payment of Excise Duty on Malt.

8. Discount to be allowed to Maltsters in consideration of the Reduction of Credit.

See also *Customs. Excise.*

Man, Isle of. See *Isle of Man Harbours.*

Manchester Cathedral Church.

23 & 24 Vict. c. 69.—An Act to enable the Ecclesiastical Commissioners for England to apply certain Funds towards the Repairs of the Cathedral or Collegiate Church of Manchester. Page 739

§ 1. Authorizing the Appropriation of certain Funds to the Restoration or Repair of Cathedral Church at Manchester.

2. Except as hereby authorized the said Cathedral Church to be maintained as prescribed by 13 & 14 Vict. c. 41.

Manor Courts, &c. (Ireland.)

22 Vict. c. 14.—An Act for the Abolition of Manor Courts and the better Recovery of Small Debts in Ireland. Page 354

§ 1. Manor Courts abolished, but certain Manorial Rights, &c. preserved.

2. Existing Judgments, Orders, and Decrees to be valid, and to be enforced by Quarter Sessions.

3. Chairmen of Quarter Sessions may renew Decrees founded on Orders of Seneschals and Stewards.

4. Compensation to existing Seneschals, Stewards, &c.

5. Justices at Petty Sessions may hear and determine Cases for Recovery of Debts not exceeding Two Pounds. 14 & 15 Vict. c. 92. Appeal to Quarter Sessions.

6. Forms of Process as those in Schedule.

7. Stamps to be used in lieu of Fees at Petty Sessions, and accounted for as provided by 21 & 22 Vict. c. 100.

8. Duties granted by this Act to be deemed Stamp Duties, and Provisions of the Stamp Acts to apply.

9. Process to be served by Process Server authorized by Justices at Petty Sessions.

10. Defendant not to be sued, or obliged to appear, except within District of Petty Sessions in which he resides; Occupation of House, &c. deemed a Residence.

SCHEDULE of Forms, and of Fees to be taken.

Manslaughter.

22 Vict. c. 33.—An Act to enable Coroners in England to admit to Bail Persons charged with Manslaughter. Page 392

§ 1. In Cases of Manslaughter the Coroner may admit the Persons charged to Bail.

2. Recognizances to be taken.

3. Persons against whom Coroners Juries have found Verdicts of Manslaughter to be supplied with Depositions.

Marines. See *Mutiny*, 2.

Marischal College, Aberdeen. See *Aberdeen, University of.*

Marriages:

1.—*Extra-parochial Places.*

23 & 24 Vict. c. 24.—An Act to remove Doubts as to the Validity of certain Marriages in Extra-parochial Places. Page 637

Preamble recites 20 Vict. c. 19.

§ 1. Marriages may be authorized by the Bishop in Chapels in Extra-parochial Places, and such Marriages shall be valid: Proviso when Parties reside in different Districts.

2. Section 25. of 6 & 7 Will. 4. c. 85. to apply to this Act.

2.—*Infants Marriages.*

23 & 24 Vict. c. 83.—An Act to explain the Act 18 & 19 Vict. c. 43. enabling Infants, with the Approbation of the Court of Chancery, to make binding Settlements of their Real and Personal Estate on Marriage. Page 760

§ 1. The Words "Court of Chancery" in said Act 18 & 19 Vict. c. 43. shall include Court of Chancery in Ireland.

3.—Quakers Marriages.

23 & 24 Vict. c. 18.—An Act to amend the Acts relating to Marriages in England and Ireland, by extending certain Provisions thereof to Persons professing with the Society of Friends called Quakers. Page 620

Preamble recites 6 & 7 Will. 4. c. 85. and 7 & 8 Vict. c. 81.

§ 1. Marriages of Quakers may be solemnized in Cases where One only or where neither of the Parties shall be a Member of the Society of Friends, under Provisions herein named.

2. Enactments now in force with respect to Marriages of Quakers to extend to every Marriage contracted under the Authority of this Act.

4.—Validity of certain Marriages.

21 & 22 Vict. c. 93.—An Act to establish Legitimacy and the Validity of Marriages, and the Right to be deemed natural-born Subjects. Page 171

§ 1. Application may be made to Court for Divorce and Matrimonial Causes for Declaration of Legitimacy or Validity or Invalidity of Marriage.

4, 11. Act 20 & 21 Vict. c. 85. to apply to Proceedings under this Act, and to be construed therewith.

21 & 22 Vict. c. 46.—An Act to remove Doubts as to the Validity of certain Marriages of British Subjects abroad. Page 78

Preamble recites 12 & 13 Vict. c. 68.

§ 1. Certain Marriages solemnized in Moscow, Tahiti, and Ningpo confirmed.

2. Certificates received by Secretary of State to be sent to the Registrar General, and certified Copies to be Evidence as under 6 & 7 Will. 4. c. 86.

3. Right to search Certificates, and have certified Copies.

22 Vict. c. 24.—An Act to render valid certain Marriages in the Church of Saint James Baldersby in the County of York. Page 381

§ 1. Marriages heretofore solemnized in St. James Baldersby declared valid.

2. Ministers having solemnized Marriages indemnified.

3. Registers to be Evidence.

22 & 23 Vict. c. 64.—An Act to remove Doubts as to the Validity of certain Marriages of British Subjects at Lisbon. Page 510

Recital of 12 & 13 Vict. c. 68.

§ 1. Marriages solemnized in the British Chapel at Lisbon confirmed.

2. Certificates received by Secretary of State to be sent to the Registrar General, and certified Copies to be Evidence, as under 6 & 7 Will. 4. c. 86.

3. Preservation of Right to search and have Copies.

23 & 24 Vict. c. 1.—An Act to render valid certain Marriages in the Chapel of Saint Mary in Rydal in the County of Westmoreland. Page 589

§ 1. Marriages heretofore solemnized in Chapel of St. Mary in Rydal declared valid.

2. Ministers having solemnized such Marriages indemnified.

3. Registers of such Marriages, or Copies thereof, to be Evidence.

23 & 24 Vict. c. 86.—An Act to make Provision respecting the Marriages of British Subjects in the Ionian Islands. Page 766

§ 1. Marriages already contracted to be valid.

2. Mode of contracting Marriages.

3. Certificate to be signed.

4. Entries of Marriages to be reported to Registrar General.

5. Indexes of certified Copies to be kept by him, and Searches may be made.

6. Certified Copies to be Evidence.

7. Lord High Commissioner may make Regulations.

8. If Marriage procured by means of false Notice, Declaration, &c., Property acquired by such Marriage liable to Forfeiture.

9. False Notice, &c. punishable as Perjury.

10. Declaration or Certificate of Lord High Commissioner to be Evidence in Actions, &c.

11. Act not to invalidate Marriages otherwise lawful.

12. Interpretation of Terms.

See also *Registration of Births, &c.*

Matriculation and Degrees. See *Universities, 2.*

Matrimonial Causes. See *Divorce Court.*

Maynooth College.

23 & 24 Vict. c. 104.—An Act to enable the Trustees of the Royal College of Saint Patrick at Maynooth to make Provision for certain necessary Buildings and Repairs. Page 796

§ 1. Trustees may apply Portion of Grants towards Buildings and Repairs.

2. Commissioners of Public Works to advance Money on Security of Portion of Grant applied towards Buildings and Repairs.

3. Accommodation to be provided only for a limited Number of Students.

4. Provisions of 8 & 9 Vict. c. 25. ss. 8, 9, to apply to Buildings provided for under this Act.

Measures. See *Weights and Measures.*

Medical Practitioners.

21 & 22 Vict. c. 90.—An Act to regulate the Qualifications of Practitioners in Medicine and Surgery. Page 162

§ 1. Short Title, "The Medical Act."

2. Commencement of Act, 1st October 1858.

3. Medical Council to be established.

4. Members of Council appointed.

5. Provision in case the Universities of Glasgow, Aberdeen, and Saint Andrew's fail to appoint a Person to represent them.

6. Branches of the Council for England, Scotland, and Ireland.

7. Qualification of Members.

8. Resignation or Death of Member of General Council.

9. Time and Place of Meeting of the General Council.

10. Appointment of Registrars and other Officers.

11. Appointment of Registrars and other Officers by Branch Councils.

12. Fees for Attendance at Councils.

§ 13. Expenses of the Councils.
14. Duty of the Registrar to keep the Register correct.
15. Registration of Persons now qualified, and of Persons hereafter becoming qualified.
16. Council to make Orders for regulating Registers to be kept.
17. Persons practising in England before 1st August 1815 entitled to be registered.
18. Council may require Information as to Course of Study, &c., required for obtaining Qualifications.
19. Colleges may unite in conducting Examinations.
20. Defects in the Course of Study or Examinations may be represented by General Council to Privy Council.
21. Privy Council may suspend the Right of Registration in respect of Qualifications granted by College, &c. in default, but may be revoked.
22. Persons not to be registered in respect of Qualifications granted by the College Body before Revocation.
23. Privy Council may prohibit Attempts to impose Restrictions as to any Theory of Medicine or Surgery by Bodies entitled to grant Certificates.
24. As to the making and Authentication of Orders, &c.
25. As to Registration by Branch Registrars.
26. Evidence of Qualification to be given before Registration.
27. Register to be published.
28. Names of Members struck off from List of College, &c. to be signified to General Council.
29. Medical Practitioners convicted of Felony may be struck off the Register.
30. Registered Persons may have subsequent Qualifications inserted in the Register.
31. Privileges of registered Persons.
32. None but registered Persons to recover Charges.
33. Poor Law Medical Officers not disqualified if registered within Six Months of passing of Act.
34. Meaning of Terms "legally qualified Medical Practitioner," &c.
35. Registered Persons exempted from serving on Juries, &c.
36. Unregistered Persons not to hold certain Appointments.
37. No Certificate to be valid unless Person signing be registered.
38. Penalty on wilful Falsification of Register.
39. Penalty for obtaining Registration by false Representations.
40. Penalty for falsely pretending to be a registered Person.
41. Recovery of Penalties.
42. Application of Penalties.
43. Application of Monies received by Treasurer.
44. Accounts to be published.
45. Notice of Death of Medical Practitioners to be given by Registrars.
46. Provision for Persons practising in the Colonies and elsewhere, and for Students.
47. New Charter may be granted to the College of Physicians of London.
48. Her Majesty may grant Power to College of Surgeons to institute Examinations, &c. for Dentists.
49. New Charter may be granted to College of Physicians of Edinburgh.
50. The Faculty at Glasgow may be amalgamated.
51. New Charter may be granted to the King and Queen's College of Physicians in Ireland, by the Name of "The Royal College of Physicians in Ireland."
23 & 24 Vict.
§ 52. Charters not to contain new Restrictions in the Practice of Medicine or Surgery.
53. Provisions of 17 & 18 Vict. c. 114. as to the University of London to continue in force.
54. British Pharmacopœia to be published.
55. Chemists, &c. not to be affected.
SCHEDULE.

22 Vict. c. 21.—An Act to amend the Medical Act (1858). Page 376
Recital of 21 & 22 Vict. c. 90. with regard to Provisions for Registration of Members of the Medical Profession.
§ 1. Substitution of 1st July 1859 for 1st January 1859 in Sections 32. 34. 36. and 37. of recited Act.
2. Repealing Section 33. of recited Act.
3. Repealing Fourth Column of Schedule D. in recited Act.
4. The Term "Member" to be added in First and Second Heads of Schedule A.
5. The Words "Forty-six" to be substituted for "Forty-five" in Schedule A.
6. Any Person not a British Subject having obtained his Degree or Diploma may act as Resident Physician, &c. of any Hospital exclusively for Foreigners.

23 & 24 Vict. c. 7.—An Act to amend the Medical Acts. Page 594
Preamble recites 21 & 22 Vict. c. 90. and 22 Vict. c. 21. as to Registration.
§ 1. Licentiates in Surgery of any University in Ireland entitled to be registered under first-recited Act in like Manner as Masters in Surgery.
2. Certain Powers given to Medical Council extended to this Act.
3. 1st Jan. 1861 to be substituted in Sections 32. 34. 36. and 37. of first-recited Act, for 1st July 1859, so far as relates to Persons authorized to be registered under this Act.
4. No Person authorized to be registered under this Act disqualified to hold certain Offices, unless he has failed to be registered.
5. Recited Acts and this Act to be as One.
6. Short Title.

23 & 24 Vict. c. 66.—An Act to amend the Medical Act, 1858. Page 729
§ 1. Interpretation Clause.
2. New Charters may be granted to the Colleges.
3. Colleges to retain all existing Rights, notwithstanding Change of Name.
4. Colleges to hold Property notwithstanding the Change of Name.
5. Provisions in 14 & 15 Hen. 8. c. 5. as to the Elects repealed.
6. Election of the President of the Royal College of Physicians of London.

Medical (Naval) Supplemental Fund. See *Naval Medical Supplemental Fund Society.*

Mellers' (Agnes) Free Grammar School. See *Nottingham Charities.*

Members of Parliament. See *Corrupt Practices Prevention. Diplomatic Pensions. Jews. New Writs. Property Qualification.*

Metropolis Gas Supply. See *Gas.*

Metropolis Local Management.

21 & 22 Vict. c. 104.—An Act to alter and amend the Metropolis Local Management Act, 1855 (18 & 19 Vict. c. 120.), and to extend the Powers of the Metropolitan Board of Works for the Purification of the Thames and the Main Drainage of the Metropolis. Page 221

§ 1. The Metropolitan Board of Works to commence Sewerage Works as soon as may be.
2. Metropolitan Board may construct Works on the Shores and Bed of the Thames.
3. Powers of taking Land to apply for the Purpose of deodorizing Works.
4. Metropolitan Board of Works may (before 1865) raise the Sum of Three Millions by Bonds or Debentures.
5. Power to raise Money for Repayment of Principal Monies.
6. The Treasury may guarantee Payment of Monies borrowed.
7. Securities transferable by Delivery.
8. Money borrowed under this Act to be applied only to Works under this Act.
9. Appointment of Inspecting Engineers.
10. Metropolitan Board of Works to levy a Rate of Threepence in the Pound on the Property in the Metropolis.
11. Such Rate to be called "the Metropolis Main Drainage Rate."
12. All Parts of the Metropolis to be deemed to be equally benefited.
13. Assessments and Precepts may be according to Form in Schedule.
14. Provisions applicable to other Assessments of the Metropolitan Board to be extended to Assessments under this Act.
15. Rates to be made by Metropolitan Board on Default of Vestries, &c. in Payment of Precepts.
16. Extension of Provisions as to Inspection, &c. of County Rates to other Rates and Taxes.
17. Metropolitan Board may require to be furnished with Copies of Poor Rates.
18. Monies arising from the Rate to be paid into a separate Account in the Bank of England.
19. Application of Monies paid into the Bank of England.
20. Monies arising from Rates may be applied in lieu of Money to be raised by Loan.
21. Payment in pursuance of Guarantee.
22. The Rate under this Act may be determined when the Money borrowed is repaid.
23. Metropolitan Board to deodorize Sewage and defray Expenses as under 18 & 19 Vict. c. 120.
24. Board to execute Works so as not to create a Nuisance.
25. Enactments requiring the Approbation of the Commissioners of Works, &c. repealed.
26. Time for Completion of Works extended to End of 1863.
§ 27. Works, &c. to be approved of by the Admiralty.
28. Works upon Shore of the River Thames to be approved by the Conservators of the River Thames.
29. Saving Rights of the Conservators of the River Thames.
30. Regulation of Works under or over the River Lea.
31. On Complaint of Nuisance committed in execution of Works, Secretary of State may order Prosecution.
32. Interpretation of Terms.
33. The Act 18 & 19 Vict. c. 120. and this Act to be as One.
SCHEDULE of Forms.

Metropolitan Building Act (1855).

23 & 24 Vict. c. 52.—An Act to alter and amend the Metropolitan Building Act, 18 & 19 Vict. c. 122. Page 713

§ 1. Short Title.
2. Rules as to Cubical Dimensions of the Metropolitan Building Act, 1855, not to apply to Buildings to be used for the Manufacture of Machinery and Boilers of Steam Vessels, provided that such Buildings shall consist of One Floor only, &c.

Metropolitan Police Force (Dockyards).

23 & 24 Vict. c. 135.—An Act for the Employment of the Metropolitan Police Force in Her Majesty's Yards and Military Stations. Page 976

§ 1. Such Number of Constables of the Metropolitan Police as the Secretary of State may direct may be employed in Her Majesty's Yards, &c.
2. Commissioner of Metropolitan Police may swear Constables to act within Her Majesty's Yards, &c. and within Fifteen Miles thereof.
3. Assistant Commissioners to act in execution of Act.
4. Charges incurred for Constables to be defrayed out of Monies provided by Parliament.
5. The Commissioner of Police, &c. incapacitated for voting for certain Candidates for Parliament.
6. Interpretation of the Word "Yards."

Military Savings Banks.

22 & 23 Vict. c. 20.—An Act to amend and consolidate the Laws relating to Military Savings Banks. Page 443

§ 1. Repealing 5 & 6 Vict. c. 71., 8 & 9 Vict. c. 27., and 12 & 13 Vict. c. 71.; but all Acts done thereunder confirmed.
2. Establishment of Military Savings Banks.
3, 4. Regulations for such Savings Banks, how to be made; and what to be provided for by the Regulations.
5. As to Receipts of Infants and Married Women.
6. Deposits to be applied to Public Expenditure, and Payments made out of Grants for ordinary Services.
7. Secretary-at-War to direct certain Monies to be paid to the Account of the Commissioners for the Reduction of the National Debt, and carried to the Account of the Military Savings Banks.
8. Investment of such Monies in Bank Annuities.
9. Secretary-at-War may direct Monies invested in Annuities to be transferred to Account of Paymaster General.

§ 10. Commissioners for Reduction of National Debt empowered to sell Bank Annuities.
11. Provisions as to Money arising from a dissolved Regimental Benefit Society.
12. Officers of Savings Banks not personally liable, except for their own Acts.
13. Accounts to be laid before Parliament.
14. Military Savings Banks not to be within Savings Banks Act, 9 Geo. 4. c. 92., or of any other Acts.
15. Construction of the Word "India."
16. Commencement of Act.

Militia :

1.—*Amendment of the Law, &c.*

21 & 22 Vict. c. 4.—An Act to continue 20 & 21 Vict. c. 82. to authorize the embodying of the Militia. Page 4

21 & 22 Vict. c. 86.—An Act further to continue the Act 20 & 21 Vict. c. 82. to authorize the embodying of the Militia. Page 160

§ 1. Powers of 20 & 21 Vict. c. 82. further continued to 25th March 1861.

21 & 22 Vict. c. 85.—An Act to continue 18 & 19 Vict. c. 1. to enable Her Majesty to accept the Services of the Militia out of the United Kingdom. Page 159

Preamble recites 18 & 19 Vict. c. 1.
§ 1. Recited Act revived and continued for Three Years.

22 & 23 Vict. c. 38.—An Act further to amend the Laws relating to the Militia. Page 472

Recital of 51 Geo. 3. c. 118.
§ 1. Sections 8. and 9. of the Act 51 Geo. 3. c. 118. (to permit the Interchange of the British and Irish Militias) repealed as to Men hereafter raised for the Militia.
2. Her Majesty may employ the present Militia, making voluntary Offers beyond the limited Period of Interchange.
3. The Militia who volunteer may be employed in addition to the Proportion now limited.
4. Her Majesty may accept voluntary Offers of Militia to serve in the Channel Islands.
5. Commanding Officer to explain the Offer to be voluntary.
6. Qualification for Adjutants in Ireland and Great Britain assimilated; Service in the East Indian Army to be a Qualification.
7. Powers vested in Her Majesty for uniting the Militias of Counties extended.
8. Times and Places of Training in Great Britain to be appointed by Her Majesty; in Ireland by the Lord Lieutenant.
9. Term of Service of Militiamen absent from annual Training to be extended.
10. Fraudulent Re-enlistment to be deemed Desertion.
11. Volunteer fraudulently re-enlisting to be subject to serve in any Regiment in which he has enlisted, and to be subject to Stoppages.
12. Deserters may be tried by Court-martial or may be proceeded against summarily before Justices.
13. Repealing Section 40. of 17 & 18 Vict. c. 105., Section 59. of 17 & 18 Vict. c. 106., and Section 23. of 17 & 18 Vict. c. 107.
14. Application of Penalties.

23 & 24 Vict. c. 94.—An Act to amend the Laws relating to the Militia. Page 784

§ 1. Power to unite Portions of Militias of Two or more Counties to form an Artillery Corps.
2. Appointment of Committee for providing Storehouse for united Militia Artillery Corps in England.
3. Meetings of Committee.
4. Powers of Committee. Lands purchased for Purposes of this Act to be conveyed to Trustees.
5. Power for the Appointment of new Trustees in case of Death, &c.
6. As to Payment of Expenses incurred by Committee.
7. Storehouse how to be provided in Scotland.
8. Provision for Storehouses for united Militias.
9. Expenses of Storehouses in Ireland.
10. Payments to Counties in respect of Expenses of providing Quarters for Permanent Staff.
11. Provision in respect of Counties who have already provided Accommodation for Permanent Staff.
12. Treasurers of Counties to be accountable to Treasurers of Boroughs for Payments by Secretary of State.
13. Borough Justices may administer Oaths to Militia Volunteers.
14. Militia Volunteers may be drilled in addition to other Times of Training.
15. Deserters to be tried summarily under Section 12., except when the Secretary-at-War orders them to be tried by Court-martial.
16. Term of Service of Deserters from Embodied Militia extended.
17. Provision as to Enlistment of Militia Volunteers in the Regular Forces.
18. Stoppage of Pay of Militiaman fraudulently enlisting or entering the Navy.
19. Allowances for Travelling Expenses of Officers attending Courts-martial.
20. In case of Invasion or imminent Danger thereof, Her Majesty may raise the Militia in Scotland to 15,000 Men.
21. Militia of Ireland may be increased in like Cases to 45,000.

2.—*Ballots.*

21 & 22 Vict. c. 39.—An Act to suspend the making of Lists and the Ballots for the Militia of the United Kingdom. Page 57

22 & 23 Vict. c. 15.—An Act to suspend the making of Lists and the Ballots for the Militia of the United Kingdom. Page 424

23 & 24 Vict. c. 120.—An Act to amend the Laws relating to the Ballots for the Militia in England, and to suspend the making of Lists and Ballots for the Militia of the United Kingdom. Page 919

§ 1. General Meetings of Lieutenancy may alter the existing Subdivisions.
2. Quota of Subdivisions to be fixed by Orders in Council.
3. Secretary-at-War to apportion Deficiency among Subdivisions, and certify Numbers to be raised.
4. Regard to be had in Apportionment of the Number of Men actually serving who when enrolled were resident in each Subdivision, &c.
5. Lord Lieutenant to appoint Places for holding Subdivision Meetings.

§ 6. *As to the holding of Subdivision Meetings.*
7. Notices to be given to Householders.
8. Penalty on Householder not making Return.
9. List to be made out from Returns.
10. Vestry Meeting to be called in each Parish to determine as to providing Volunteers under Section 42. of 42 Geo. 3. c. 90.
11. Lists to be returned to Subdivision Meetings, and Deputy Lieutenants to amend Lists, and appoint Meetings for the Ballot.
12. Penalty for inducing Overseer to make false Returns, or refusing to tell Name, &c.
13. Deputy Lieutenants may require the Attendance of Overseers, Constables, &c.
14. At the said Subdivision Meeting for Ballot twice the Number of Men required to be chosen by Ballot, and another Meeting appointed.
15. At such Meeting Claims of Exemption to be heard.
16. Lists to be corrected, and the Number of Men required to be sworn and enrolled.
17. Provision for Case of List of balloted Men being exhausted before the requisite Number obtained.
18. Supply of Vacancies happening between the annual Ballots from Lists of balloted Men.
19. Men sworn to attend at Head Quarters.
20. Balloted Man may produce a Substitute.
21, 22. Consequences of not appearing and being sworn, and Refusal to be examined.
23. Sections 27. and 33. of 42 Geo. 3. c. 90. as to Quakers to apply to this Act.
24. Forms to be furnished by Secretary of State, and Expenses incurred to be defrayed out of Monies provided by Parliament.
25. Provision consequential on Alteration of Quotas.
26. Provisions herein-before contained as to the Ballot to apply to Militia raised in England only; and certain Enactments herein named to be repealed.
27. Meetings relating to the Militia of the United Kingdom and Ballots for such Militia suspended.
28. Proceedings may be had during such Suspension by Order in Council.
29. Not to extend to prevent the holding of certain Meetings relating to the Militia.
SCHEDULE.

3.—*Pay.*

21 & 22 Vict. c. 82.—An Act to defray the Charge of the Pay, Clothing, and contingent and other Expenses of the Disembodied Militia in Great Britain and Ireland; to grant Allowances in certain Cases to Subaltern Officers, Adjutants, Paymasters, Quartermasters, Surgeons, Assistant Surgeons, and Surgeons Mates of the Militia; and to authorize the Employment of the Non-commissioned Officers. Page 143

§ 1. Secretary of State for War to issue the Money required for Pay of Regular Militia.
2. Adjutant, &c. to reside where the Secretary of State for War shall appoint.
3. Adjutants, Quartermasters, and Non-commissioned Officers of Militia may be employed in their Counties.
4. Quartermaster, &c. to have Charge of the Arms and Clothing. Adjutant to issue the Money for contingent Expenses on an Order signed by the Colonel. Balance to form a Stock Purse. Arms may be deposited in War Office Stores, by Order of Secretary of State for War.
§ 5. In Absence of the Adjutant, the Serjeants to be under the Command of the Quartermaster, and, in his Absence, of the Serjeant Major.
6. Militia when called out for Training or Exercise entitled to Pay.
7. Volunteers attached to Regiments of the Line to be subject to the Mutiny Act.
8. Certain Officers unfit for Duty entitled to a retired Allowance upon making Declaration.
9. Out-Pension to reduced Non-commissioned Officers and Drummers not to be received while serving.
10. Persons on Half Pay, or entitled to Allowance as having served in the Army or Navy, empowered to receive Pay, &c. during Training.
11. Adjutants, &c., Non-commissioned Officers, or Privates, not to lose their Right to Chelsea or Kilmainham Pensions, &c.
12. Allowance to be made for Medicines.
13. Reduced Adjutants to receive 4*s.* per Day till 31st July 1859. Right to Half Pay reserved.
14. Adjutants entitled to Allowance under 39 & 40 Geo. 3. c. 44.
15. Reduced Adjutants may take such Allowance with any Pay or other Allowance under 39 & 40 Geo. 3. c. 44. and 26 Geo. 3. c. 107. Proviso.
16. Allowances to Adjutants, Surgeons, and Quartermasters.
17. Allowances granted to Adjutants on Completion of certain Periods of Service.
18. Restrictions as to Allowances to reduced Adjutants of the Local Militia.
19. Declaration to be taken by Adjutants of Local Militia claiming the said Allowance.
20. Allowance to Clerks of General Meetings, &c.
21. Manner of granting Allowances. Clerks, &c. to make Declaration of the Justness of their Accounts.
22. Deputy Lieutenants may require the Attendance of any Surgeon residing near the Place of Meeting for Appeals.
23. Pay, &c. to be issued under Directions of the Secretary of State for War.
24. Bills drawn for Pay, &c. may be on unstamped Paper.
25. No Fee to be taken.
26. All Things in this Act relating to Counties shall extend to Ridings, Shires, &c.
27. Continuance of Act.
SCHEDULE, containing the Rates of Remuneration and Allowances.

22 & 23 Vict. c. 54.—Similar Act. Page 492
23 & 24 Vict. c. 133.—Similar Act. Page 975

Mines, &c. below High-water Mark. See *Cornwall Submarine Mines.*

Mines Regulation and Inspection.

23 & 24 Vict. c. 151.—An Act for the Regulation and Inspection of Mines. Page 1027

Preamble recites 5 & 6 Vict. c. 99. and 18 & 19 Vict. c. 108.

Provisions applicable to all Mines.

§ 1. No Boy under Twelve Years of Age to be employed in Mines.
2. Exception for Boys between Ten and Twelve who have Certificates as to Education and School Attendance.

§ 3. Penalty on Grant of false Certificates.
4. Recital of Sect. 8. of 5 & 6 Vict. c. 99. Steam Engines in certain Cases not to be under the Charge of Persons under 18.
5. Foregoing Provisions to be construed with 5 & 6 Vict. c. 99.

Inspection and Regulation of Coal Mines and Ironstone Mines.

6. Act 18 & 19 Vict. c. 108. repealed, but Inspectors thereunder to act under this Act.
7. Mines to which Part II. of this Act is to extend. Interpretation of Terms.
8. Power to Secretary of State to appoint Inspectors of Mines.
9. No Land Agent or Manager of Mine to act as Inspector.
10. General Rules to be observed in Coal and Ironstone Mines.
11. Special Rules to be also established.
12. Present Special Rules to continue in force.
13. New Special Rules how to be established.
14. Special Rules may be amended from Time to Time.
15. Publication of Rules.
16. Powers and Duties of Inspectors.
17. Inspector to give Notice of Causes of Danger not provided for by the Rules.
18. Owners of Mines to produce Maps or Plans of Mines to Inspector, and if Owners do not produce them, Inspector may require them to be made.
19. Notice of Accidents in Mines to be given to Secretary of State.
20. Provision for Adjournment of Inquests on Deaths from Accidents in Mines in certain Cases.
21. Notice to be given to Inspector of the Abandonment and Opening of Mines.
22. Penalties for Offences against this Act..
23. Penalty for obstructing Inspectors.
24. Penalty for defacing Notices.
25. Penalties, how recoverable.
26. Certified Copy of Special Rules to be Evidence.
27. Reports of Inspectors to be laid before Parliament.
28. Wages to be paid to Person employed in Mines, or his Representative, in Money.
29. Where Payment of Persons employed in Mines is by Weight, &c., an Account may be taken.
30. Act not to extend to Ireland.
31. Act to commence from 31st December 1860.

Ministers Stipends. See *Annuity Tax Abolition.*

Misdemeanors. See *Vexatious Indictments.*

Montrose. See *Annuity Tax Abolition.*

Mortgages. See *Bank of Ireland*, 1. *Municipal Corporations*, 3. *Trustees, Mortgagees, &c.*

Moscow. See *Marriages*, 4.

Municipal Charities. See *Bristol.*

Municipal Corporations:

1.—*Municipal Elections.*

22 Vict. c. 35.—An Act to amend to Law relating to Municipal Elections. Page 393

§ 1. On Petition to Her Majesty of Two Thirds in Number of the Council, the Division of Boroughs into Wards may be altered.
2. Barrister may be appointed to set out Boundaries of Wards and to apportion the Number of Councillors.
3. Extension and Application of Provisions of Sections 39. 40. and 42. and so much of Section 43. as remains unrepealed, of 5 & 6 Will. 4. c. 76., and of Section 10. of 7 Will. 4. & 1 Vict. c. 78., and Section 10. of 16 & 17 Vict. c. 79., as to Division of Boroughs into Wards, or to Alteration of Numbers and Boundaries of Wards.
4. Provision for First Election after Division, &c.
5. Town Clerk to publish Notice of Elections of Councillors.
6. Nomination of Candidates.
7. Nomination Papers.
8. Election of Councillors.
9. Penalty for Personation of Voters.
10. Penalty for forging Nomination or Voting Papers.
11. Penalty on Persons guilty of Bribery at Elections.
12. Definition of Bribery.
13. Appeal to Quarter Sessions.
14. Limiting Time for Proceedings.
15. Short Title of Act, "The Municipal Corporation Act, 1859."
16. Act to extend to England and Wales.
SCHEDULES.

2.—*Borough Coroners (Ireland.)*

23 & 24 Vict. c. 74.—An Act to amend the Provisions of the Act 3 & 4 Vict. c. 108. for the Regulation of Municipal Corporations in Ireland, with respect to the Appointment of Coroners in Boroughs. Page 743

§ 1. Town Councils of certain Boroughs respectively may appoint a Coroner. No Person to be appointed who is not qualified as under Section 153. of 3 & 4 Vict. c. 108.
2. Part of Section 155. of 3 & 4 Vict. c. 108. repealed.

3.—*Mortgages, &c.*

23 & 24 Vict. c. 16.—An Act to make further Provision concerning Mortgages and other Dispositions of Property belonging to Municipal Corporations in England and Ireland. Page 616

§ 1. Treasury, in approving Mortgages by Municipal Corporations, may require Money borrowed to be repaid within a limited Time by Instalments or by a Sinking Fund, or by both.
2. How Sinking Fund to be raised.
3. When Money paid into the Bank, under any Act of Parliament for Purchase of Lands, &c. of a Municipal Corporation, is paid out, Treasury may require Provision to be made for replacing the Amount; but not to apply to Money, when Provision for its Application is contained in any Local Act.
4. Treasury may, where they authorize a Sale of Land of any Municipal Corporation, direct Investment of Proceeds.

§ 5. Power to apply certain Investments for the Benefit of the Borough: Proviso, setting aside, in certain Cases, Direction as to Investment of Proceeds.
6. Provision for Cases of Mortgage, &c. before the passing of this Act.
7. Punishment for Misappropriation of Monies, as under 20 & 21 Vict. c. 54.
8. Councils of Cities or Boroughs may acquire Lands, &c. with the Consent of the Treasury.
9. Answer of the Treasury to Applications of the Council to be published, &c.
10. Corporations may submit Schemes to Commissioners of Treasury for Payment of Borough Mortgage Debt.
11. As to Payment of Debts due under Authority of Acts of Parliament.
12. Power of Local Board in Borough where Surplus is standing to the Credit of Borough Fund.
13. Not to affect Powers under Local Acts.
14. Act to be construed with 5 & 6 Will. 4. c. 76. and 3 & 4 Vict. c. 108.
15. Short Title.

4.—*Municipal Franchise.*

21 & 22 Vict. c. 43.—An Act to amend the Municipal Franchise in certain Cases. Page 64

Preamble recites 59 Geo. 3. c. 12. (Poor Relief).
§ 1. Where Owner is rated to the Relief of the Poor under recited Act, Occupier to be entitled to the same Municipal Privileges under 5 & 6 Will. 4. c. 76. as if he was rated instead of the Owner.
2. Recited Act (59 Geo. 3.) and this Act to be read as One.

Munitions of War. See *Patents for Inventions.*

Mutiny:

1.—*Army.*

21 & 22 Vict. c. 9.—An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters. Page 12

22 Vict. c. 4.—Similar Act. Page 331

23 & 24 Vict. c. 9.—Similar Act. Page 595

2.—*Royal Marines.*

21 & 22 Vict. c. 7.—An Act for the Regulation of Her Majesty's Royal Marine Forces while on shore. Page 4

22 Vict. c. 5.—Similar Act. Page 340

23 & 24 Vict. c. 10.—Similar Act. Page 602

See also *Naval Discipline.*

N.

Naval Discipline.

23 & 24 Vict. c. 123.—An Act to amend the Laws relating to the Government of the Navy. Page 926

PART I.—*Articles of War.*

§ 1. Public Worship to be performed.
2. Misconduct in Action.
3. Not pursuing the Enemy and of not assisting a Friend in View.
4. Delaying or discouraging the Service, or deserting his Post, &c.
5. Misconduct of subordinate Officers and Men in Action.
6. Spies.
7. Corresponding, &c. with the Enemy.
8. Improper Communication with the Enemy.
9. Abandoning Post, &c.
10. Mutiny with Violence.
11. Mutiny not accompanied by Acts of Violence.
12. Inciting to Mutiny.
13. Civilians endeavouring to seduce from Allegiance.
14. Making mutinous Assemblies or uttering seditious Words.
15. Concealing any traitorous or mutinous Practice, Design, or Words.
16. Striking or offering to strike superior Officer.
17. Disobedience or using threatening Language to superior Officer.
18. Quarrelling, &c., or using reproachful Speech or Gestures.
19–21. Desertion, or inducing any Person to desert, or entertaining a Deserter.
22. Absence without Leave.
23. Profane Swearing and other Immoralities.
24. Officer for Cruelty or Oppression.
25. Suffering Ships to be improperly lost.
26. Not taking care of and defending Ships under Convoy.
27. Master of Merchant Vessel to obey Orders of convoying Officer.
28. Taking any Goods on board other than for the Use of the Vessel, except Gold, Silver, Jewels, &c.
29. Embezzling Public Stores.
30. Burning any Magazine or Vessel, &c. not belonging to an Enemy.
31. Making or signing false Musters.
32. Misconduct in Hospital.
33. Endeavouring to stir up any Disturbance on account of Unwholesomeness of the Victuals or other just Grounds.
34. Offences against Naval Discipline not particularly mentioned.
35. Not sending to the Court of Admiralty all Papers found aboard Prize Ships.
36. Taking Money or other Effects out of any Prize before the same shall be condemned.
37. Stripping or ill-using Persons taken on board a Prize.
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§ 41. Power of Court-martial to find Prisoner guilty of lesser Offence on Charge of greater.
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44. Penalty for not assisting in Detection of Prisoners.

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45, 46. Punishments, and Regulations in respect thereof.
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65. Place of Imprisonment may be changed, &c.
66. Expenses of Removal or Subsistence of Prisoners.
67. Proviso for Discharge or Removal of Prisoners.
68. Proviso as to Time of Detention in Naval Custody.
69. In case of Insanity Prisoners to be removed to some Lunatic Asylum.
70. Admiralty may set apart Buildings and Ships as Naval Prisons.
71. Penalties on aiding Escape or Attempt to escape of Prisoners, and on Breach of Prison Regulations.
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75. Commencement of Act, 1st April 1861.
76. Definition of Terms.
77. Persons subject to this Act.
78. Land Forces embarked as Passengers.
79. Other Persons embarked as Passengers.
80. Crews of Ships lost or destroyed.
81. All the Officers and Crew of lost Ship may be tried by One Court.
82. Or by separate Courts.
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85. When Ship of senior Officer is lost he may dispose of Officers and Crew of lost Ship.

PART VII.—*Repeal of Acts, &c.*

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87. Trial of Offences against repealed Acts.
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89. Act not to supersede Authority of ordinary Courts.
SCHEDULE of Acts and Parts of Acts repealed.

Naval Medical Supplemental Fund Society.

22 Vict. c. 28.—An Act to continue the Act 11 & 12 Vict. c. 58., for the Regulation of the Annuities and Premiums of the Naval Medical Supplemental Fund Society. Page 387

§ 1. Recited Act continued for 10 Years.

Navigation Advances (Ireland).

21 & 22 Vict. c. 41.—An Act to extend the Time for making Advances towards Navigations in Ireland under the Provisions of the Act 19 & 20 Vict. c. 62. Page 63

§ 1. Time limited by 19 & 20 Vict. c. 62. extended.
2. Recited Act and this Act to be as One.

New Caledonia. See *British Columbia.*

New General Post Office. See *Edinburgh.*

New Writs.

21 & 22 Vict. c. 110.—An Act to extend the Act 24 Geo. 3. c. 26., for issuing Writs during any Recess of the House of Commons, whether by Prorogation or Adjournment. Page 249

§ 1. Power to Speaker to issue Warrants for making out new Writs in the Room of Members accepting certain Offices.
2. Members accepting Office to notify the same to the Speaker.
3. If Case appears to the Speaker doubtful, Warrant not to issue.
4. Act not to apply to Offices of Chiltern Hundreds, &c.
5. 24 Geo. 3. c. 26. to apply to this Act.
6. Short Title, "Election of Members during Recess Act 1858."
SCHEDULE.

Ningpo. See *Marriages*, 4.

Nisi Prius (Ireland).

21 & 22 Vict. c. 52.—An Act to appoint a Clerk of Nisi Prius for the Consolidated Nisi Prius Court in Ireland, and to make Provision for the Appointment of Tipstaffs in the Superior Courts of Common Law and Equity in Ireland. Page 81

Preamble recites 13 & 14 Vict. c. 18. s. 29., 16 & 17 Vict. c. 113. s. 236., and 19 & 20 Vict. c. 102. s. 5.

§ 1. Appointment of Clerk of Nisi Prius.
2. Thomas Courtenay, Esq., to be such Clerk of Nisi Prius.
3. To remove Doubts as to the Office of Tipstaff in the Superior Courts in Ireland.

Non-parochial Registers, &c.

21 & 22 Vict. c. 25.—An Act to amend the Act 3 & 4 Vict. c. 92. concerning Non-parochial Registers, and the Acts 6 & 7 Vict. cc. 85. 86. and 7 Will. 4. & 1 Vict. c. 22. for Marriages, and for registering Births, Deaths, and Marriages in England, and concerning Vaccination. Page 36

§ 1. Certain Registers to be deposited with the Registrar General.
2. Certain other Registers may be deposited in the Office after Examination by Order of Secretary of State.
3. Sections 5. to 19. of 3 & 4 Vict. c. 92. to extend to the Registers deposited under this Act.
4. Power to increase Salary of Registrar General, but to include all Duties under this Act, &c. 6 & 7 Will. 4. c. 86.
5. Information of Particulars furnished by Coroner to be in Writing, and signed by him, and Entry in Register need not be signed by him.
6. So much of 6 & 7 Will. 4. cc. 85. 86. and 7 Will. 4. & 1 Vict. c. 22. as provides that the Cost of Register Books, &c. be paid to Registrar General, repealed.
7. So much of 16 & 17 Vict. c. 100. as enacts that Vaccination Forms shall be furnished to Registrars, and delivered by them to Medical Officers and Practitioners, repealed. Registrar to deliver Books, &c. without requiring Payment for the same.

Nore Light. See *Fishing Vessels.*

North Leith. See *Annuity Tax.*

North-western Territories (British America).

22 & 23 Vict. c. 26.—An Act to make further Provision for the Regulation of the Trade with the Indians, and for the Administration of Justice in the North-western Territories of America. Page 453

Recital of 43 Geo. 3. c. 138. and 1 & 2 Geo. 4. c. 66.
§ 1. Justices of the Peace in the British American Indian Territories authorized to try Offences summarily, and punish by Fine or Imprisonment.
2. The Power under 1 & 2 Geo. 4. c. 66. to establish Courts of Record not to be affected.
3. Her Majesty, by Order in Council, may make Regulations for the Trade with the Indians.
4. Hudson's Bay Company, British Columbia, and Vancouver's Island not affected by this Act.

Notes, Bank. See *Bank of England*, 2.

Nottingham. See *Local Government of Towns, &c.*

Nottingham Charities.

22 Vict. c. 18.—An Act for amending and confirming a Scheme of the Charity Commissioners for Sir Thomas White's Charity, and the Free Grammar School, in the Town of Nottingham. Page 620

Recital of Third Report of Charity Commissioners, dated 28 Feb. 1856.
§ 1. Confirming Scheme for the Application and Management of the Charities in the Town of Nottingham, called Sir Thomas White's Charity (so far as relates to the Nottingham Branch thereof), and the Free Grammar School of the Foundation of Agnes Mellers.

Nuisances Removal and Diseases Prevention.

23 & 24 Vict. c. 77.—An Act to amend the Acts 18 & 19 Vict. cc. 121. and 116. for the Removal of Nuisances and the Prevention of Diseases. Page 747

Nuisances Removal.

§ 1. Sections 3. 6. 7. and 9. of 18 & 19 Vict. c. 121. repealed.
2. Local Authority to execute the Nuisances Removal Act.
3. Highway Board or Nuisances Removal Committees now subsisting may be continued so long as they employ Sanitary Inspectors.
4. How Expenses of Local Authority to be defrayed.
5. Board of Guardians may appoint Committees for particular Parishes.
6. Saving for the Vestries and District Boards of the Metropolis.
7. Wells, &c. belonging to any Place vested in Local Authority, &c.
8. Penalty for fouling Water.
9. Appointment of Inspectors of Nuisances.

Diseases Prevention.

10. Sections 2 and 3. of 18 & 19 Vict. c. 116. repealed.
11. Guardians and Overseers of the Poor to be the Local Authorities for executing Diseases Prevention Act.
12. Local Authorities may provide Carriages for Conveyance of infected Persons.
13. Justices, on the Application of Householders, may order the Removal of Nuisances.
14. Guardians may procure sanitary Reports and pay for the same.
15. Interpretation of Terms.
16. Justices not incapable of acting by being Members of Bodies to execute Nuisances Removal Act.

O.

Oaths, &c.:

1.—*Administration of Oaths by Parliamentary Committees.*

21 & 22 Vict. c. 78.—An Act to enable the Committees of both Houses of Parliament to administer Oaths to Witnesses in certain Cases. Page 140

§ 1. Select Committees of House of Commons on Private Bills may examine Witnesses upon Oath, and administer the same.
2. Any Committee of House of Lords may administer Oath.
3. False Evidence Perjury.

2.—*Affidavits by Commission.*

22 Vict. c. 16.—An Act to enable the Judges to appoint Commissioners within Ten Miles of London and in the Isle of Man and the Channel Islands to administer Oaths in Common Law, and to authorize the taking in the Country of Bail in Error, and Recognizances and Bail on the Revenue Side of the Exchequer. Page 356

Recital of 29 Car. 2. c. 5.
§ 1. Power to Judges to appoint Commissioners to administer Oaths within Ten Miles of London.
2. Style of Commissioners. Power to take Fees.
3. Power to Judges to appoint Commissioners for the Isle of Man and the Channel Islands.
4. Affidavits, &c. to be read and made use of as other Affidavits.
5. Extending Provisions of 4 W. & M. c. 4. as to Bail in Error, and to Recognizances on the Revenue Side of the Exchequer.

3.—*Jews Relief.*

21 & 22 Vict. c. 48.—An Act to substitute One Oath for the Oaths of Allegiance, Supremacy, and Abjuration; and for the Relief of Her Majesty's Subjects professing the Jewish Religion. Page 79

§ 1. Oath to be taken instead of Oaths of Allegiance, Supremacy, and Abjuration.
2. The Name of the Sovereign for the Time being to be used in the Oath.
3. Oath appointed by this Act to be taken in the same Cases and in like Manner as the present Oaths.
4. Form of Affirmation for Quakers, &c.
5. Persons professing the Jewish Religion to make Declaration in certain Cases. 9 Geo. 4. c. 17., 8 & 9 Vict. c. 52.
6. Act not to affect the Roman Catholic Relief Act, 10 Geo. 4. c. 7.

21 & 22 Vict. c. 49.—An Act to provide for the Relief of Her Majesty's Subjects professing the Jewish Religion. Page 80

§ 1. Power to either House of Parliament to modify the Form of Oath to be taken, instead of the Oaths of Allegiance, &c., by a Person professing the Jewish Religion, to entitle him to sit and vote in such House.
2. As to Form of Oath in other Cases.
3. Act not to enable Persons professing the Jewish Religion to hold certain Offices.
4. Rights of Presentation to any Ecclesiastical Benefice, possessed by Persons professing the Jewish Religion, to devolve upon the Archbishop of Canterbury.

23 & 24 Vict. c. 63.—An Act to amend the Act 21 & 22 Vict. c. 49. to provide for Relief of Her Majesty's Subjects professing the Jewish Religion. Page 727

§ 1. Omission of certain Words in Oath prescribed by 21 & 22 Vict. c. 48. when taken by Persons professing the Jewish Religion.

See also *Affirmation.*

Observance of Anniversary Days. See *Anniversary Days Observance.*

Offences within Her Majesty's Possessions Abroad.

23 & 24 Vict. c. 122.—An Act to enable the Legislatures of Her Majesty's Possessions abroad to make Enactments similar to the Enactment of the Act Ninth George the Fourth, Chapter Thirty-one, Section Eight. Page 926

§ 1. Legislatures of Possessions abroad empowered to make Ordinances enacting to the like Effect as in Provisions of Section 8. of 9 Geo. 4. c. 31.

Offices, Duties on. See *Income and Property Tax.*

Offices, Public. See *Public Offices Extension.*

Offices, Qualifications for. See *Indemnity.*

Officers in the Civil Service. See *Civil Service Superannuation.*

Officers in the Militia. See *Militia.*

Orders of Privy Council. See *Privy Council.*

Ordnance Survey. See *Boundaries (Ireland).*

Oxford University. See *Universities.*

P.

Packet Service (Transfer of Contracts).

23 & 24 Vict. c. 6.—An Act to transfer to the Postmaster General Securities entered into with the Commissioners of the Admiralty in relation to the Packet Service. Page 593

§ 1. Powers of the Commissioners of the Admiralty under Contracts in relation to the Packet Service transferred to the Postmaster General.

Palatine Jurisdiction. See *Durham County Palatine Jurisdiction.*

Parliamentary Elections. See *Corrupt Practices Prevention.*

Party Emblems (Ireland).

23 & 24 Vict. c. 141.—An Act to amend the Act 13 & 14 Vict. c. 2. to restrain Party Processions in Ireland. Page 992

§ 1. Exhibition of Banners, &c. calculated to provoke Animosity to be a Misdemeanor.
2. Any Justice may authorize Removal of Banners, &c.
3. Act to continue in force for Five Years.

Passports.

21 & 22 Vict. c. 24.—An Act to reduce the Stamp Duty on Passports. Page 36

§ 1. Stamp Duty on Passports reduced to 6*d.*

Patents for Inventions (Munitions of War).

22 Vict. c. 13.—An Act to amend the Law concerning Patents for Inventions with respect to Inventions for Improvements in Instruments and Munitions of War. Page 352

§ 1. Improvements in Instruments or Munitions of War may be assigned by the Inventors to the Secretary of State for War.
2. The foregoing Enactment to extend to Assignments already made.
3. Where such Assignment has been made, the Secretary of State for War may certify to Commissioners of Patents that the Invention should be kept secret.
4. Where the Secretary of State for War has so certified, Petition for Letters Patent, &c. to be left with the Clerk of the Patents in a Packet under Seal of Secretary of State.
5, 6. Such Packet to be kept so sealed, or under the Seal of the Commissioners of Patents, and to be delivered, on Demand, to Secretary of State, or by Order of Lord Chancellor.
7. At the Expiration of the Letters Patent such sealed Packet to be delivered to Secretary of State.
8. Where Secretary of State certifies as aforesaid after filing of Petition, Documents already filed to be put into a Packet, sealed with the Seal of the Commissioners.
9. No Copy of Specification, &c. by this Act required to be kept under Seal, to be sent to Scotland or Ireland, or published; but otherwise Provisions of Patent Acts to apply.
10. No Scire facias to be brought in relation to such Letters Patent.
11. Secretary of State may waive the Benefit of this Act as respects any Invention.
12. Communication of Invention to Secretary of State, &c. not to prejudice Letters Patent.
13. Construction of "Secretary of State."

Patronage, Ecclesiastical. See *Ecton and Welton Exchange.*

Pauper Defendants. See *Chancery, Court of,* 4.

Pauper Lunatics. See *Lunatic Asylums,* 1.

Pauper Maintenance. See *Poor Law,* 4.

Pawnbrokers.

22 & 23 Vict. c. 14.—An Act to amend the Act 39 & 40 Geo. 3. c. 99., for better regulating the Business of Pawnbrokers. Page 424

Recital of 2 & 3 Vict. c. 71. (Police Courts), and 39 & 40 Geo. 3. c. 99. (Pawnbrokers).
§ 1. Provisions contained in Sections 32. 33. 34. and 35. of 2 & 3 Vict. c. 71. extended to 39 & 40 Geo. 3. c. 99., and to all Parts of England.

23 & 24 Vict. c. 21.—An Act to amend the Act 39 & 40 Geo. 3. c. 99. for better regulating the Business of Pawnbrokers. Page 621

§ 1. Pawnbrokers may charge One Halfpenny for Notes describing Things pawned under 10*s.*
2. Payment for Notes where Sum lent shall be 10*s.* or upwards to remain as stated in Sect. 6. of 39 & 40 Geo. 3. c. 99.

Pay, &c. of the Militia. See *Army. Militia.*

Payment of Debts. See *Poor Law,* 3.

Peace Preservation (Ireland).

21 & 22 Vict. c. 28.—An Act to continue the Peace Preservation (Ireland) Act, 1856. Page 40

23 & 24 Vict. c. 138.—An Act to continue and amend the Peace Preservation (Ireland) Act, 1856. Page 981

§ 1. Printed Copies of Proclamations, &c. to be posted within the District.
2. 19 & 20 Vict. c. 36. as amended, further continued to 1st July 1862.

Pedlars. See *Hawkers and Pedlars.*

Penalties, Remission of.

22 Vict. c. 32.—An Act to amend the Law concerning the Remission of Penalties. Page 392.

§ 1. Penalties for Offences may be remitted by the Crown, although payable to Parties other than the Crown.

Penny Savings Banks. See *Charitable and Provident Societies.*

Penrith. See *Local Government of Towns, &c.*

Perpetual Curacies. See *Churches, &c. (Ireland).*

Personal Estate. See *Infants Marriages.*

Perth Prison. See *Prisons (Scotland).*

Petitions of Right.

23 & 24 Vict. c. 34.—An Act to amend the Law relating to Petitions of Right, to simplify the Proceedings, and to make Provisions for the Costs thereof. Page 651

§ 1. Petitions of Right may be intituled in any of the Superior Courts at Westminster.
2. Petition to be left with the Secretary of State for the Home Department for Her Majesty's Fiat.
3. Upon Fiat being obtained, Petition, &c. to be left at Office of Solicitor of the Treasury endorsed as in Schedule.
4. Time for answering by the Crown. Power to change the Court or Venue.
5. Time for answering by other Persons, Parties to the Petition.
6. The Answer or Plea to such Petition.
7. The Practice and Course of Procedure in Action and Suit between Subject and Subject shall extend to Petitions of Right, so far as applicable.
8. Decrees or Judgments by Default.
9. Form of Judgment or Decree.
10. Effect of Judgment of Amoveas manus.
11. Costs recoverable by the Crown and any other Person Party to the Petition.
12. The Suppliant to be entitled to Costs against the Crown and other Parties to the Proceedings.
13. Decree or Judgment in favour of the Suppliant to be certified to the Treasury or the Treasurer of the Household, and to be in Form of Schedule.
14. Satisfaction of the Judgment and Costs.
15. Power to Judges to make Rules and Regulations, &c.
16. Interpretation of Terms.
17. Short Title.
18. Nothing to prevent Suppliant from proceeding as before the passing of this Act.
SCHEDULE of Forms.

Petty Sessions Clerk (Ireland).

21 & 22 Vict. c. 100.—An Act to regulate the Office of Clerk of Petty Sessions in Ireland. Page 210

§ 1. Short Title, "The Petty Sessions Clerk (Ireland) Act, 1858."
2. 14 & 15 Vict. c. 93. incorporated.
3. Interpretation of Terms.
4. Sections 2. 3. and 4. of 14 & 15 Vict. c. 93. repealed.
5. Persons in Office shall continue.
6. One Clerk may be appointed to several Districts.
7. Appointment of Clerks.
8. Duties of Petty Sessions Clerks.
9. Lord Lieutenant to fix Salary of Petty Sessions Clerk, upon Recommendation of Justices.
10. Allowance for Contingencies.
11. Petty Sessions Clerk shall give Security.
12. Gratuity or Provision may be given to retiring Clerks.
13. All Salaries, &c. to be paid half-yearly.
14. Stamps in lieu of Fees.
15. Commissioners of Inland Revenue to provide Dies for denoting Fees.
§ 16. Power to Justices to enforce Payment of Fees in certain Cases.
17. Accounts and Allowances.
18. The Provisions of the Stamp Acts, as far as applicable, to be extended to this Act.
19. Justices may remit Fees.
20. Allowance for Stamps spoiled, &c.
21. Stamps issued to Constabulary, how to be disposed of.
22. Petty Sessions Clerk shall fill up Forms when required.
23. Petty Sessions Clerk to account with the Registrar half-yearly.
24. Accounts to be verified.
25. Allowances in case of Constabulary or other public Prosecution.
26. Salary to Registrar.
27. Accounts of Registrar.
28. The Fund from Fines, &c. to be at Lord Lieutenant's Disposal.
29. Lord Lieutenant to make General Rules.
30. Act to extend to Ireland only; but not to apply to the Borough of Dublin nor to the Dublin Police District.
SCHEDULE.

Phœnix Park.

23 & 24 Vict. c. 42.—An Act to vest the Management of the Phœnix Park in the Commissioners of Public Works in Ireland. Page 672

Preamble recites 14 & 15 Vict. c. 42.
§ 1. The Management of the Phœnix Park vested in the Commissioners of Public Works in Ireland.

Play Grounds. See Recreation Grounds.

Poison, Administering of.

23 & 24 Vict. c. 8.—An Act to amend the Law relating to the unlawful administering of Poison. Page 594

§ 1. Any Person maliciously administering Poison, &c. with Intent to endanger Life or inflict grievous bodily Harm to be guilty of Felony.
2. Any Person maliciously administering Poison, &c. with Intent to injure, aggrieve, or annoy any other Person, to be guilty of a Misdemeanor.
3. If the Jury be not satisfied that any Person charged is guilty of Felony, but think he is guilty of Misdemeanor, they may find him guilty accordingly.

Police:

1.—*Counties and Boroughs.*

22 & 23 Vict. c. 32.—An Act to amend the Law concerning the Police in Counties and Boroughs in England and Wales. Page 461

§ 1. Police Districts under 3 & 4 Vict. c. 88. s. 27. and 19 & 20 Vict. c. 69. s. 4. may be consolidated or merged.
2. County Constables not to be required to act in any Borough.
3. County Constables not to vote in certain Municipal Elections.

§ 4. Amending Section 13. of 2 & 3 Vict. c. 93. respecting Constables resigning without Leave.
5. Limitation of Borough Watch Rate under 2 & 3 Vict. c. 28. and 3 & 4 Vict. c. 28. repealed.
6. Rates under the said Acts not to exceed 8*d.* in the Pound.
7. Repeal of 11 & 12 Vict. c. 14. as to Superannuation Fund.
8. Superannuation Fund to be provided for Constables.
9. Rates of Allowance from the said Fund.
10. Power to grant Gratuities to incapacitated Constables who have not served 15 Years.
11. Fees received by Constables of a Borough to be paid to the Superannuation Fund.
12. Provision for Insufficiency of Superannuation Fund.
13. Superannuation Fund to vest in Borough Treasurer.
14. Moiety of Penalty on Summary Conviction (under the Sale of Beer Act) may be directed to be paid for the Benefit of Superannuation Fund.
15. Provision for Payment of Allowances heretofore granted; Rights, &c. under the repealed Act 11 & 12 Vict. c. 14. reserved.
16. How past Services of existing Constables to be reckoned for Superannuation Allowance.
17. Provision for the Case of Consolidation of County and Borough Police.
18. Justices may direct Police to keep Order in Court of Assize.
19. On Promotion of Constables from one Force to another, Half of past Service may be reckoned as Service in the latter Force.
20. General or Quarter Sessions of Counties, &c. may grant Gratuities to Widows of Constables dying in Service.
21. Act not to apply, as to Superannuation Fund, to Places where such a Fund has been already established.
22. Superannuation Fund for the whole County of Lincoln to be One common Fund.
23. Brighton Watchmen's Superannuation Fund to be transferred to Brighton Police Superannuation Fund.
24. Gratuities may be granted as Reward for good Service to Police out of Police Rates, &c.
25. Embezzlement by Constables punishable under 2 & 3 Will. 4. c. 4.
26. Chief Constable empowered to suspend Constables.
27. Inspectors under 19 & 20 Vict. c. 69. still entitled to Half Pay.
28. Repeal of Parts of 3 & 4 Vict. c. 88. as to local Constables.

2.—*Constabulary Force (Ireland).*

22 & 23 Vict. c. 22.—An Act to amend the Acts relating to the Constabulary Force in Ireland. Page 452
Recital of 6 Will. 4. c. 13., 2 & 3 Vict. c. 75., and 9 & 10 Vict. c. 97. s. 6.
§ 1. Interpretation of Term "Lord Lieutenant."
2. Lord Lieutenant may, on the Retirement of One of the Two Deputy Inspectors General, appoint the remaining Deputy Inspector General to be the only Deputy Inspector General of Police in Ireland.
3. On Retirement of One of the Deputy Inspectors General an additional Assistant Inspector General to be appointed.
4. The Assistant Inspector General in Command of the Constabulary Depôt to be styled "Commandant of the Depôt."
5. Salary of Assistant Inspectors General.

3.—*Dublin Police.*

22 & 23 Vict. c. 52.—An Act to amend the Laws relating to the Police District of Dublin Metropolis. Page 490
Recital of 6 & 7 Will. 4. c. 29., 7 Will. 4. & 1 Vict. c. 25., and 3 & 4 Vict. c. 103.
§ 1. Interpretation of Terms.
2. When the Office of Commissioner of Police is vacant, Lord Lieutenant may appoint an Assistant Commissioner.
3. Salaries to be paid after such Vacancy shall take place.
4. One Commissioner to act in certain Cases.
5. When the Offices of Receiver, Secretary, and Supervisor be vacant, Lord Lieutenant may appoint One Person to hold the said Offices.
6. Offices may be consolidated if no Vacancy have occurred, and Compensation granted for Loss of Office.
7. When Consolidation of Offices shall include Receiver, that Officer to be styled the Accountant, and Property to be vested in him, &c.
8. Lord Lieutenant may abolish Divisions of Police District, and appoint such Number of Courts and Justices as he may think fit.
9. When Number of Justices reduced to Five, Lord Lieutenant may raise the Salary of Justices.
10. Lord Lieutenant may direct daily Attendances at Police Courts.
11. One Justice may do any Act directed to be done by more than One Justice.
12. Compensation to Persons belonging to the Police Department whose Offices are abolished by this Act.
13. Act not to lessen, &c. Power of Justices.
14. Short Title.

4.—*Police (Scotland).*

21 & 22 Vict. c. 65.—An Act to amend the Act 20 & 21 Vict. c. 72., to render more effectual the Police in Counties and Burghs in Scotland. Page 100
§ 1. Repealing Section 8. of 20 & 21 Vict. c. 72.
2. Power to appoint additional Constables to keep the Peace on Public Works.
3. Recited Act and this Act to be as One.

See also *Detached Parts of Counties. Metropolitan Police. Returns to Secretary of State.*

Poor Law:

1.—*Poor Law Board Continuance.*

23 & 24 Vict. c. 101.—An Act to continue the Poor Law Board. Page 795
§ 1. The Poor Law Board, as constituted by 10 & 11 Vict. c. 109. continued until 23d July 1863.

2.—*Poor Law Commission (Ireland) Continuance.*

23 & 24 Vict. c. 148.—An Act to continue the Powers of the Poor Law Commissioners in Ireland. Page 1016
Preamble recites 10 & 11 Vict. c. 90. and 14 & 15 Vict. c. 68.
§ 1. Irish Poor Law Commission further continued until 23d July 1861, and to End of then next Session.

3.—Poor Law Boards (Payment of Debts).

22 & 23 Vict. c. 49.—An Act to provide for the Payment of Debts incurred by Boards of Guardians in Unions and Parishes and Boards of Management in School Districts. Page 487

§ 1. Debts, &c. incurred in future by Guardians to be paid within the Half Year in which the same shall have been incurred or become due, or within Three Months after the Expiration of such Half Year. Power to the Poor Law Board to extend the Time.
2. As to Payment of Debts incurred before the passing of this Act.
3. Provision for Charges on the Rates.
4. Provision for Actions against Guardians or Managers.
5. Payment of Attorneys Bills, Delay of, until Determination of Suit, &c.
6. No Call or Order to be invalidated.
7. Interpretation of Terms.

4.—Union Funds Charges.

22 Vict. c. 29.—An Act to continue the Act 20 Vict. c. 18., for charging the Maintenance of certain Paupers upon the Union Funds. Page 387

§ 1. Temporary Provisions of recited Act further continued until 30th September 1860, and to End of then next Session.

Poor Rates. See *Municipal Corporations. Stock in Trade Exemption.*

Population. See *Census.*

Portendic and Albreda.

21 & 22 Vict. c. 35.—An Act to remove Doubts as to the Operation of a Convention between Her Majesty and the Emperor of the French relative to Portendic and Albréda. Page 50

Preamble recites Convention of 7th March 1857, and that Doubts are entertained whether certain of its Provisions are consistent with 16 & 17 Vict. c. 107., concerning the Coasting Trade of the British Possessions.

§ 1. Convention confirmed, notwithstanding recited Act.

Portland. See *Fortifications.*

Portsmouth. See *Colewort Barracks.*

Portumna Bridge (Ireland).

21 & 22 Vict. c. 23.—An Act for abolishing the Tolls now levied on the Bridge over the Shannon at Portumna in Ireland. Page 35

Preamble recites 4 & 5 Will. 4. c. 61.

§ 1. Sections 16, 17, 18, 19, 20, 21, and 22. of 4 & 5 Will. 4. c. 61. repealed.
2. Tolls of Bridge to cease.
3. Bridge, &c. at Portumna vested in the Counties of Galway and Tipperary.
4. All Provisions, &c. of other Acts for rebuilding or repairing Bridge, &c. applicable to this Act.

Post Office:

1.—Packet Service (Transfer of Contracts).

23 & 24 Vict. c. 6.—An Act to transfer to the Postmaster General Securities entered into with the Commissioners of the Admiralty in relation to the Packet Service. Page 593

§ 1. Powers of the Commissioners of the Admiralty under Contracts in relation to the Packet Service transferred to the Postmaster General.

2.—Postage (Army and Navy).

23 & 24 Vict. c. 65.—An Act to authorize the Commissioners of the Treasury to further regulate the Postage on re-directed Letters of Commissioned and Warrant Officers, Seamen, and Soldiers whilst on actual Service. Page 728

Preamble recites 3 & 4 Vict. c. 96. and 10 & 11 Vict. c. 85.

§ 1. Power to Treasury, by Warrant, to authorize private Letters of Commissioned and Non-commissioned Officers, &c. to be delivered free of the Foreign Postage chargeable in respect of Re-direction; or to reduce Rates of British or Colonial Postage.
2. London Gazette to be Evidence of due issuing of such Warrant.
3. This Act to be deemed a Post Office Act.
4. Act to commence on 1st October 1860.

See also *Edinburgh.*

Practitioners in Medicine. See *Medical Practitioners.*

Prayer, Forms of. See *Anniversary Days Observance.*

Premiums. See *Naval Medical Supplemental Fund.*

Prescription (Ireland).

21 & 22 Vict. c. 42.—An Act for shortening the Time of Prescription in certain Cases in Ireland. Page 64

§ 1. Provisions of 2 & 3. Will. 4. c. 71. extended to Ireland, from 1st January 1859.

Preservation of the Peace. See *Peace Preservation (Ireland).*

President of the Council of India. See *Senior Member of Council (India).*

Pretences, False. See *False Pretences.*

Prince of Wales. See *Cornwall Submarine Mines.*

Principal in the Universities of Scotland. See *Universities*, 4.

Prisoners for Contempt. See *Chancery, Court of*, 4.

Prison Returns. See *Returns to Secretary of State.*

Prisons. See *Convict Prisons abroad. Franchise Prisons.*

Prisons (Scotland).

23 & 24 Vict. c. 105.—An Act to provide for the Management of the General Prison at Perth, and for the Administration of Local Prisons in Scotland. Page 797

Preamble recites 2 & 3 Vict. c. 42., 7 & 8 Vict. c. 34., and 14 & 15 Vict. c. 27.

§ 1. Recited Acts repealed, and this Act to take effect.
2. Repeal not to affect 20 & 21 Vict. c. 71., for the Care and Treatment of Lunatics.
3. Short Title:—The Prisons (Scotland) Administration Act, 1860.
4. Interpretation of Terms.
5. Appointments, Claims, and Obligations under repealed Acts to continue.

Rules for Prisons.

6. Rules as existing to continue until altered.
7. Secretary of State to be substituted for General Board of Prisons in Rules.
8. Authorized Relaxations or Modifications of Rules to continue.
9. Secretary of State empowered to alter Rules, or make new Rules.

County Prison Boards.

10. County Board for each County, and Orkney and Zetland to be separate.
11. Proportions of County Boards to be chosen by Landward Parts of Counties and Burghs.
12. As to Election of County Boards.
13. Meetings of County Boards.
14. Lists of County Boards to be transmitted to Secretary of State.
15. Powers and Duties of County Boards.
16. Appointment of Clerks and Treasurer.
17. Offices under County Boards to be held at pleasure.
18. Power to County Boards to grant retiring Allowances as presented in 22 Vict. c. 26.
19. Secretary of State may dismiss Persons employed by County Boards, or in Prisons.
20. Prisons and other Property of existing Boards vested in County Boards under this Act.
21. County Boards may acquire Property, sue and be sued, &c.
22. Members of County Boards to derive no Profit from Office. Sheriffs not disqualified.
23. Vacancies may be supplied in County Boards.
24. Provision for Refusal or Neglect by Commissioners of Supply, Town Councils, &c., and Failure of County Board.

Local Prisons.

§ 25. Legal Prisons to continue for the Purposes for which they were legalized.
26. No material Alteration to be made without Consent of Secretary of State.
27. Secretary of State may alter legal Condition of a Prison, or legalize new Prison.
28. Procedure when there is no Prison for all Descriptions of Prisoners in any County.
29. Procedure when Prisoners are committed to Prisons legalized for short Periods.
30. Procedure where there is no Prison, or only a Prison for limited Purposes within a Burgh or other Jurisdiction.
31. Disposal of Premises ceasing to be Prisons or not necessary for Prison Purposes.

Assessments.

32. Assessment for current Expenses.
33. Building Assessment.
34. Clerk of the Peace to apportion the total Amount of Assessment between the Landward Part of County and the Burghs therein.
35. Court of Session to order Building Assessment to be raised when County Board fails to impose it.
36. Assessment to be levied on Lands and Heritages according to yearly Value, as established by 17 & 18 Vict. c. 91. and 20 & 21 Vict. c. 58.
37. Assessments payable for the Period from Whitsunday to Whitsunday.
38. Assessments to be remitted to County Boards.
39. Commissioners of Supply to levy Assessments in Landward Part of County.
40. Assessments may be levied on Proprietor or Tenant, and may be postponed.
41. Magistrates to levy Assessments in Burghs.
42. Common Good and Revenues of Burghs may be applied in Payment of Assessments.
43. Assessment within Burghs to be divided between Proprietor and Tenant.
44. Warrants and Proceedings for Recovery of Land and Assessed Taxes applicable to Assessments under this Act.
45. Boundaries of Burghs for Purposes of this Act shall be as fixed by 17 & 18 Vict. c. 91., 20 & 21 Vict. c. 58., and 20 & 21 Vict. c. 70.
46. Disputes arising as to Assessment may be summarily settled by the Sheriff.
47. Accounts to be published.
48. Counties may unite for erecting and maintaining Local Prisons.
49. As to Arrears of Assessment in Orkney.
50. Special local Arrangements in Ross and Cromarty, and Nairn.

Reformatories.

51. County Boards may contribute to Reformatories.

Managers of the General Prison.

52. Managers of the General Prison.
53. Office Accommodation of Managers.
54. Expenses of Managers.
55. General Prison at Perth, and Rights, &c. belonging thereto, vested in the Commissioners of Works and Public Buildings.
56. Managers to complete Matters left unfinished by General Board, and transmit Balances of Assessments to County Boards.

§ 57. Provision for collecting, arranging, and reporting Prison Statistics.
58. Provision for Inquiries into Condition and Management of Prisons.
59. Return of Sentences of Imprisonment to Managers.
60. Annual Report by Managers.

General Prison and Custody of Convicts.

61. Administration of the General Prison.
62. Rules to be made for the Staff of the General Prison.
63. Classes of Prisoners to be confined in the General Prison. 10 & 11 Vict. c. 67., 16 & 17 Vict. c. 99., 20 & 21 Vict. c. 3.
64. Sentences of Nine Months and upwards to be carried out in the General Prison.
65. Provisions for the Administration of Convict Establishments appointed under existing Statutes.

Removals of Prisoners.

66. Removals by County Boards.
67. Removals by Managers.
68. Removals under Order of Secretary of State.
69. Prisoners removed to General Prison may be taken back to Local Prison.
70. Not to interfere with Removal by Court of Law.

Miscellaneous.

71. Persons who may visit Prisons.
72. Removal of Prisoners diseased or in danger of Life.
73. Prisoners sentenced to Hard Labour.
74. Juvenile Male Offenders may be punished by private Whipping.
75. Penalty for introducing prohibited Articles into Prisons.
76. Laws as to Aliment and Liberation, and Responsibility for safe Custody continued.
77. Lands Clauses Act, 8 & 9 Vict. c. 19., incorporated with this Act for Acquisition of Lands.

SCHEDULES.

Private Acts. See List at End of the Index.

Private Bills, Evidence on. See *Oaths*, 1.

Privy Council.

22 & 23 Vict. c. 1.—An Act to provide for the Authentication of certain Orders of the Privy Council in the Absence of the Clerk of the Council in Ordinary. Page 411

§ 1. Person authorized by Her Majesty in Council to act in the Absence of the Clerk of the Council in Ordinary may sign Orders under Acts of Parliament, &c.

See also *Public Health.*

Probate, Court of :

1.—*England.*

21 & 22 Vict. c. 95.—An Act to amend the Act of the Twentieth and Twenty-first Victoria, Chapter Seventy-seven. Page 179

§ 1. The Judge of the High Court of Admiralty and the Judge of the Court of Probate may sit for each other.
§ 2. Serjeants and Barristers may practise in Court of Probate.
3. The Judge of the Court of Probate may sit in Chambers.
4. The Treasury to cause Chambers to be provided.
5. Powers of Judge when sitting in Chambers.
6. Power to appoint an additional Registrar.
7. Vacancy in Office of Registrar how to be filled up.
8. Clerks in the Principal Registry eligible to be Registrars, &c.
9. Certain Articled Clerks to be admitted Proctors of the Court of Probate.
10. Where Personality is under 200*l.* County Court to have Jurisdiction.
11. Section 54. of 20 & 21 Vict. c. 77. repealed.
12. Section 59. of 20 & 21 Vict. c. 77. to apply to Applications for Revocations of Grants.
13. Power to make Rules and Orders and frame Scales of Fees for the County Courts.
14. Noncontentious Business pending in any Ecclesiastical Court to be transferred.
15. Bonds given before Jan. 11, 1858, to remain in force.
16. An Executor not acting or not appearing to a Citation to be treated as if he had renounced.
17. Judge of the Court of Probate may amend Grants made before Jan. 11, 1858.
18. Provisions of 38 Geo. 3. c. 87. and 20 & 21 Vict. c. 77. extended to all Cases of Executors and Administrators.
19. Between the Death of the Person deceased and the Grant the Property to vest in the Judge Ordinary.
20. Second and subsequent Grants to be made where the original Will or the original Letters of Administration are deposited.
21. The Court of Probate may require Security from a Receiver of Real Estate.
22. Administration pending Suit deemed to apply to Appeals.
23. Registrar may issue Subpœnas to produce Papers, &c.
24. The Registrars to do all Acts heretofore done by Surrogates.
25. Copies of Wills may be certified by a Stamp.
26. Certificates from the Principal Registry may be stamped.
27. Requisitions may be issued for the Transmission of a single Paper.
28. Power to enforce Decree as to Costs.
29. Letters of Administration granted in Ireland not to be resealed in England until sufficient Bond is given, 20 & 21 Vict. c. 79. s. 95.
30. Commissioners may be appointed in the Isle of Man, &c.
31. Affidavits, before whom to be sworn when Parties making them reside in Foreign Parts.
32. Affidavits, before whom to be sworn.
33. Persons forging Seal or Signature guilty of Felony.
34. Persons taking a false Oath before a Surrogate guilty of Perjury.
35. Provision for the necessary Absence of Officers.
36. The Judge to have the same Powers over Practitioners as Judges of other Courts.
37. Provision for Expenses of indexing, &c. Documents required to be removed under Requisition.
38. Short Title of Act, "Court of Probate Act, 1858."

SCHEDULE of Salaries to Registrars.

22 & 23 Vict. c. 16.—An Act to enable the Commissioners of Her Majesty's Works to acquire a Site for the Purposes of Her Majesty's Court of Probate, and other Courts and Offices. Page 424

§ 1, 2. Commissioners of Works, &c. incorporated for the Purposes of this Act, and to carry this Act into execution.
3. All Lands purchased under this Act to be vested in Commissioners for the Public Service.
4. Plan to be deposited in the Office of Works, &c., and be open for Inspection.
5. Power to stop up Streets and Ways.
6. Power to raise or lower Streets.
7. Power to take Land.
8. No Land to be taken without Consent, except as in the Schedule.
9. Premises may be taken, notwithstanding Errors in the Schedule.
10. Power to Commissioners, their Surveyors, &c., to enter upon Land for surveying or valuing.
11. Commissioners empowered to treat for Purchases.
12. Land purchased to be conveyed to the Commissioners, or as they shall direct.
13. Limitation of Time for compulsory Purchases to Three Years.
14. Bodies Politic, Trustees, and other Persons empowered to sell and convey.
15. Satisfaction may be made and accepted.
16. Parties to deliver a Statement of their Claims.
17. If Parties refuse to treat, or shall not agree, a Jury to be summoned to ascertain Damage, and award Compensation.
18. Where Part of an Estate is taken, the Remainder to be valued.
19. Notice to be given of the Compensation claimed.
20. Penalty on Sheriffs, Jury, and Witnesses for Neglect of Duty.
21. Jury may assess Value of Fee Simple, and then apportion Values of respective Interests therein.
22. Value of Land to be ascertained distinct from Goodwill or other Damages.
23. Provision as to Expenses of summoning and returning Juries.
24. Verdicts to be recorded.
25. Commissioners empowered to purchase the whole of the Land, if the Owners are unwilling to sell a Part.
26. Persons holding under Leases to produce the same.
27. For settling Disputes as to Damages of small Amount.
28. Commissioners not to take possession until the Purchase Monies are tendered or paid.
29. Commissioners empowered to take possession on Payment of Purchase Money into the Bank of England.
30–32. Application of the Purchase Money.
33, 34. In case of not making out Titles; or where Question shall arise touching the Title.
35. Court of Chancery may order Expenses of Purchases to be paid by the Commissioners.
36. Where the Title is defective by reason of a Rent payable out of other Land as well as Land required for the Purposes of this Act, the Money paid into the Bank to be laid out in the Purchase of other Land, which shall be subject to the Rent in the same Manner.
37. Power to purchase the Release of Land wanted from Rents charged thereon.
38. Rents on Leases to be apportioned.
§ 39. Mortgagees to convey.
40. As to Cases where the Mortgage Money is more than the Value of the Land, or a Part only of the Land is taken.
41. Tenants at Will or from Year to Year to quit after Notice.
42. Persons authorized to sell may refer it to Arbitrators to fix the Price.
43. Power to clear the Ground, and sell old Materials.
44. No Purchases to be made without the Authority of the Treasury.
45. Materials, &c. vested in the Commissioners.
46. Commissioners may cause Actions to be brought for Breach of Contract.
47. Costs, and such Sum as Jury may find, to be paid to Persons obtaining Judgment in lieu of Land.
48. Deeds, &c. under this Act not liable to Stamp Duty.
49. Punishing Persons for giving false Evidence.
50. Plaintiff not to recover without Notice, or after Tender of Amends.
51. Limitation of Actions.
52. Saving Rights of the Commissioners of Sewers of London.
53. Commissioners of Works, &c. not to be personally liable.
54. Monies payable to the Commissioners of Works, &c. to be paid over to the Paymaster General.
55. Contracts made by First Commissioner of Works to be valid.
56. Deeds to be enrolled in the Court of Exchequer.
57. Short Title of Act: "The Probate and other Courts and Registries Site Act, 1859."
SCHEDULE of Property to be taken.

2.—*Ireland.*

22 & 23 Vict. c. 31.—An Act to amend the Law relating to Probates and Letters of Administration in Ireland. Page 457

Recital of Court of Probate Act, 20 & 21 Vict. c. 79.
§ 1. Power to Judge of Court of Probate to sit in Chambers.
2. The Treasury to cause Chambers to be provided.
3. Powers of Judge when sitting in Chambers.
4. Clerks in the Principal Registry eligible to be Registrars, &c.
5. Section 22. of recited Act repealed.
6. Where Personalty is under 200*l.* County Court to have Jurisdiction.
7. Section 58. of recited Act repealed.
8. Section 63. of recited Act to apply to Applications for Revocation of Grants.
9. Power to make Rules and Orders and frame Scales of Fees for the County Courts.
10. Non-contentious Business pending in any Ecclesiastical Court to be transferred.
11. Bonds given before 11th January 1858 to remain in force.
12. An Executor not acting or not appearing to a Citation to be treated as if he had renounced.
13. Judge of the Court of Probate may amend Grants made before 11th January 1858.
14. Provisions of 38 Geo. 3. c. 87. and 20 & 21 Vict. c. 79. extended to all Cases of Executors and Administrators.

§ 15. On Decease of Persons dying intestate, Estate to vest in the Judge for the Time being.
16. Second and subsequent Grants to be made where the original Will or the original Letters of Administration are deposited.
17. The Court of Probate may require Security from a Receiver of Real Estate.
18. Administration pending Suit deemed to apply to Appeals.
19. Registrars may issue Subpœnas to produce Papers, &c.
20. The Registrars to do all Acts heretofore done by Surrogates.
21. Copies of Wills may be certified by a Stamp.
22. Certificates from the Principal Registry may be stamped.
23. Requisitions may be issued for the Transmission of a single Paper.
24. Power to enforce Decree as to Costs.
25. Letters of Administration granted in Ireland not to be resealed in England until sufficient Bond is given.
26. Commissioners may be appointed in the Isle of Man, &c.
27. Affidavits, before whom to be sworn when Parties making them reside in Foreign Parts.
28. Affidavits, before whom to be sworn in Colonies, &c.
29. Persons forging Seal or Signature guilty of Felony.
30. Persons taking a false Oath before a Surrogate guilty of Perjury.
31. Provision for the necessary Absence of Officers.
32. The Judge to have the same Powers over Practitioners as Judges of other Courts.
33. Provision for Expenses of indexing, &c. Documents required to be removed under Requisition.
34. Mode of calculating Time of Service of Judges of Superior Courts of Law or Equity with reference to Retiring Pensions.
35. Sections 19 and 20 of 19 & 20 Vict. c. 92. (Chancery Appeal Court) to include Court of Probate in Ireland.
36. Short Title of Act.

3.—*Scotland.*

21 & 22 Vict. c. 56.—An Act to amend the Law relating to the Confirmation of Executors in Scotland, and to extend over all Parts of the United Kingdom the Effect of such Confirmation, and of Grants of Probate and Administration. Page 83

§ 1. Practice of raising Edicts of Executry before Commissary Courts in Scotland to cease.
2. Petition to Commissary to be substituted.
3. To whom Petition to be presented.
4. Mode of intimating Petition.
5. Certificate of Intimation of Petition. Additional Intimation of Petition in certain Cases.
6. Procedure on Petition. Decree Dative. Proviso as to Caution.
7. Not to affect present Procedure.
8. Where Inventories, &c. may be recorded. Confirmations may be granted.
9. Inventory may include Personal Estate in any Part of United Kingdom.
10. Form and Effect of Confirmations.
11. Oaths, before whom to be taken.
12. Confirmation produced in Probate Court of England, and sealed, to have the Effect of Probate or Administration.
13. Confirmation produced in Probate Court of Dublin, and sealed, to have the Effect of Probate or Administration.
14. Probate or Letters of Administration produced in Commissary Court, and certified, to have Effect of Confirmation.
15. For securing the Stamp Duties, Probates, &c., to be deemed granted for all the Property in the United Kingdom. Inventory to include all such Property.
16. Provisions of former Acts to apply to the Probates, Letters of Administration, and Inventories mentioned in this Act. [*See* 55 Geo. 3. c. 184. s. 40–43., 56 Geo. 3. c. 56., 48 Geo. 3. c. 149.]
17. Affidavit as to Domicile to be made on applying for Probate or Administration.
18. Court of Session to pass Acts of Sederunt for carrying out Purposes of this Act.
19. Former Acts of Sederunt repealed if inconsistent with this Act.
20. Interpretation of Terms.
SCHEDULE of Forms.

22 Vict. c. 30.—An Act to amend the Confirmation and Probate Act, 1858 (21 & 22 Vict. c. 56.) Page 387

§ 1. Persons, &c., making Payments upon Confirmations and Probates under the Act of 1858 indemnified.

Probates and Administrations.

22 & 23 Vict. c. 36.—An Act to alter the Stamp Duties payable upon Probates of Wills and Letters of Administration, to repeal the Stamp Duties on Licences to exercise the Faculty of Physic, and to amend the Laws relating to Hawkers and Pedlars. Page 470

§ 1. Graduated Scales of Stamp Duties on Probates, &c. continued on Property above the Value of 1,000,000*l.*

23 & 24 Vict. c. 5.—An Act to regulate Probate and Administration with respect to certain Indian Government Securities; to repeal certain Stamp Duties; and to extend the Operation of the Act 22 & 23 Vict. c. 39. to Indian Bonds. Page 592

§ 1. Indian Government Notes on which Interest is payable in London, and certain Indian Government Promissory Notes, to be deemed Bona notabilia in England, and Probate, &c. in England or Confirmation in Scotland valid, &c.

Procedure. See *Chancery. Common Law. Divorce Court.*

Processions. See *Party Emblems (Ireland).*

Proctors. See *Attorneys, Solicitors, &c.*

Property, Malicious Injuries to. See *Malicious Injuries.*

Property, Law of. See *Law of Property and Relief of Trustees.*

Property Qualification of Members of Parliament.

21 & 22 Vict. c. 26.—An Act to abolish the Property Qualifications of Members of Parliament. Page 38

§ 1. 9 Anne, c. 5., 33 Geo. 2. c. 20., 59 Geo. 3. c. 37., 1 & 2 Vict. c. 48., and so much of 39 & 40 Geo. 3. c. 67., 40 Geo. 3. c. 38. (I.), and 41 Geo. 3. c. 101., as relates to the Qualification of Members elected to serve in Parliament repealed; but Repeal of such Acts and Parts of Acts not to revive any heretofore repealed.

Property and Income Tax. See *Income and Property Tax.*

Provident Societies. See *Charitable and Provident Societies.*

Provisional Orders. See *Local Government of Towns, &c. Turnpike Roads and Trusts.*

Public Health:

1.—*Confirmation of Provisional Order.*

21 & 22 Vict. c. 10.—An Act to confirm a certain Provisional Order of the General Board of Health, applying the Public Health Act, 1848, to the District of Skipton in the West Riding of the County of York; and to further declare the Limits of the District of Toxteth Park in the County Palatine of Lancaster, for the Purposes of the said Act. Page 22

§ 1. Provisional Order in Schedule as to Skipton confirmed.
2. Constitution of Local Board for Skipton.
3. First Election of Local Board for Skipton.
4. Limits of the District of Toxteth Park further defined.
5. Act incorporated with 11 & 12 Vict. c. 63.
6. Short Title.

SCHEDULE, containing the Provisional Order referred to.

2.—*Transfer of Powers to the Privy Council.*

21 & 22 Vict. c. 97.—An Act for vesting in the Privy Council certain Powers for the Protection of the Public Health. Page 186

Preamble recites 20 & 21 Vict. c. 38.

§ 1. Powers of General Board of Health under 18 & 19 Vict. c. 116. added to those of the Privy Council.
2. Certain Powers in relation to Public Vaccination vested in Privy Council.
3. Privy Council may direct Inquiries.
4. Privy Council to appoint Medical Officer, &c.
5. Medical Officer to report annually as to the Execution of this Act.
6. Reports to be laid before Parliament.
7. As to the making and Authentication of Orders, &c.
8. Proceedings for Penalties under Vaccination Acts.
9. Short Title, and Continuance of Act until 1st August 1859.

22 & 23 Vict. c. 3.—An Act to amend and make perpetual "The Public Health Act, 1858." Page 411

§ 1. The Act 21 & 22 Vict. c. 97. made perpetual, except Section 8., which Section is repealed by this Act.

See also *Burial Places. Local Government of Towns, &c.*

Public Improvements.

23 & 24 Vict. c. 30.—An Act to enable a Majority of Two Thirds of the Ratepayers of any Parish or District, duly assembled to rate their District in aid of Public Improvements for general Benefit within their District. Page 648

§ 1. Ratepayers may hold Land, &c. for Purpose of forming Public Walks, &c. and levy Rates for maintaining the same, &c.
2. Adoption of Act according to 9 & 10 Vict. c. 74. for Establishment of Baths and Wash-houses.
3. As to Public Baths and Wash-houses.
4. Ratepayers, after Notice given, to rate Parishes.
5. Corporate Bodies may attend and vote.
6. One Half of the estimated Cost to be raised by private Subscription.
7. Rate not to exceed Sixpence in the Pound.

Public Offices Extension.

22 Vict. c. 19.—An Act to make further Provision for enabling the Commissioners of Her Majesty's Works to acquire a Site for additional Offices for the Public Service near Whitehall and Her Majesty's Palace at Westminster. Page 359

Recital of 18 & 19 Vict. c. 95. (Downing Street Public Offices Extension Act, 1855.)

§ 1. Commissioners of Works and Public Buildings incorporated for the Purposes of this Act.
2. Commissioners to purchase Land and carry this Act into execution.
3. Land purchased to be vested in Commissioners for the Public Service.
4. Plan to be deposited in the Office of Works, &c., and be open for Inspection.
5. Power to stop up Streets and Ways.
6. Streets may be raised or lowered.
7. Power to take Land after Notice to Owners.
8. No Land to be taken without Consent, except such as mentioned in Schedule.
9. Premises may be taken notwithstanding Errors in the Schedule.
10. Power to Commissioners, their Surveyors, &c., to enter upon Land for surveying or valuing.
11. Power to Commissioners to treat for Purchases.
12. Land purchased to be conveyed to the Commissioners, or as they shall direct.
13. Limitation of Time for compulsory Purchase.
14. Bodies Politic, Trustees, and other Persons empowered to sell and convey.

§ 15. Satisfaction to be made and may be accepted.
16. Parties to deliver a Statement of their Claims.
17. If Parties refuse to treat or shall not agree, a Jury to be summoned.
18. Where Part of an Estate is taken, the Remainder to be valued.
19. Notice to be given of the Compensation claimed.
20 Penalty on High Bailiff, Jury, and Witnesses for Neglect of Duty.
21. Jury may assess Value of Fee Simple, and then apportion Values of respective Interests therein.
22. Value of Land to be ascertained distinct from Goodwill or other Damages.
23. Provision relating to Expenses of Juries.
24. Verdicts to be recorded.
25. Commissioners empowered to purchase the whole of the Land if Owners are unwilling to sell a Part.
26. Persons holding under Leases to produce the same.
27. For settling Disputes as to Damages of small Amount.
28. Commissioners not to take possession until the Purchase Monies are tendered or paid.
29. Commissioners empowered to take possession on Payment of Purchase Money into the Bank of England.
30. Application of Purchase Money when amounting to 200*l*.
31. When less than 200*l*. and amounting to 20*l*.
32. When less than 20*l*.
33. In case of not making out Titles.
34. Where any Question shall arise touching the Title, the Person in possession shall be deemed entitled until the contrary be shown.
35. Court of Chancery may order Expenses of Purchases to be paid by the Commissioners.
36. Where the Title is defective by reason of a Rent payable out of other Land, as well as Land required for the Purposes of this Act, the Money paid into the Bank to be laid out in the Purchase of other Land which shall be subject to Rent in the same Manner.
37. Power to purchase the Release of Land wanted from Rents charged thereon.
38. Rents on Leases to be apportioned.
39. Mortgagees to convey to the Commissioners.
40. As to Cases where the Mortgage Money is more than the Value of the Land, or a Part only of the Land is taken.
41. Tenants at Will or from Year to Year to quit after Notice given.
42. Persons authorized to sell may refer it to Arbitrators to fix the Price.
43. Power to clear the Ground and sell old Materials.
44. Purchases to be made under the Authority of the Treasury.
45. Materials, &c. vested in the Commissioners.
46. Commissioners may cause Actions to be brought for Breach of Contract.
47. Costs and such Sum as Jury may find to be paid to Person obtaining Judgment in lieu of Lands.
48. Commissioners to make good Deficiencies in Rates to Parishes of St. Margaret and St. John the Evangelist, Westminster.
49. When First Payment to be made.
50. Deeds, &c. not liable to Stamp Duty.
51. Persons giving false Evidence guilty of Perjury.
52. Plaintiff not to recover without Notice, or after Tender of Amends.
53. Limitation of Actions.
54. For protecting the Rights of the Metropolitan Board of Works.
§ 55. Commissioners not to be personally liable.
56. Monies payable to the Commissioners of Works, &c. to be paid over to the Paymaster General.
57. Contracts made by First Commissioner of Works to be valid.
58. Deeds to be enrolled in the Court of Exchequer.
59. Short Title of Act.
SCHEDULE of Property to be taken.

Public Revenue. See *Revenue, Public, &c.*

Public Service. See *Superannuation.*

Public Works, Commissioners of. See *Dublin. Edinburgh.*

Purification of the Thames. See *Thames River.*

Q.

Quakers :

1.—*Affirmation.*

22 Vict. c. 10.—An Act to settle the Form of Affirmation to be made in certain Cases by Quakers and other Persons by Law permitted to make an Affirmation instead of taking an Oath. Page 348

§ 1. New Form of Affirmation to be made by Quakers and other Persons by Law permitted to make an Affirmation instead of taking an Oath as in 21 & 22 Vict. c. 48.
2. The Name of the Sovereign for the Time being to be used in such Affirmation.

2.—*Marriages.*

23 & 24 Vict. c. 18.—An Act to amend the Acts relating to Marriages in England and Ireland, by extending certain Provisions thereof to Persons professing with the Society of Friends called Quakers. Page 620

Preamble recites 6 & 7 Will. 4. c. 85. and 7 & 8 Vict. c. 81.
§ 1. Marriages of Quakers may be solemnized in Cases where One only or where neither of the Parties shall be a Member of the Society of Friends under Provisions herein named.
2. Enactments now in force with respect to Marriages of Quakers to extend to every Marriage contracted under the Authority of this Act.

Qualification of Medical Practitioners. See *Medical Practitioners.*

Qualifications of Members of Parliament.

21 & 22 Vict. c. 26.—An Act to abolish the Property Qualifications of Members of Parliament. Page 38

§ 1. 9 Anne, c. 5., 33 Geo. 2. c. 20., 59 Geo. 3. c. 37., 1 & 2 Vict. c. 48., and so much of 39 & 40 Geo. 3. c. 67., 40 Geo. 3. c. 38. (I.), and 41 Geo. 3. c. 101., as relates to the Qualification of Members elected to serve in Parliament repealed; but Repeal not to revive any Act heretofore repealed.

See also *Diplomatic Pensions.*

Qualifications for Offices. See *Indemnity.*

Qualifications of Councillors. See *Councillors of Burghs and Burgesses (Scotland).*

Queen, The. See *Ecton and Watton Exchange.*

Queen's Bench, Court of.

23 & 24 Vict. c. 54.—An Act to amend the Act 6 & 7 Vict. c. 20. for abolishing certain Offices on the Crown Side of the Court of Queen's Bench, and for regulating the Crown Office. Page 714

§ 1. Abolishing Office of Assistant Master on the Crown Side of the Queen's Bench.
2. Prescribing Mode of filling up future Vacancies in Offices.

Queen's Prison.

23 & 24 Vict. c. 60.—An Act to amend the Act 5 & 6 Vict. c. 22. for regulating the Queen's Prison. Page 722

Preamble recites 5 & 6 Vict. c. 22.
§ 1. Prisoners sent to Bethlehem Hospital under 5 & 6 Vict. c. 22. may be removed when they would have been entitled to their Discharge from the Prison.
2. Lunatics removed from Bethlehem under this Act to be within the Provisions of the Lunacy Acts.

Queen's Remembrancer. See *Exchequer, Court of.*

R.

Railways—Railway Companies:

1.—*Arbitration.*

22 & 23 Vict. c. 59.—An Act to enable Railway Companies to settle their Differences with other Companies by Arbitration. Page 504

§ 1. Short Title.
2. Power for Railway Companies to refer Matters to Arbitration.
3. Power to alter or revoke Agreements for Reference.
4. Agreements to be carried into effect.
5. Reference to a single Arbitrator.
6. Reference to Two or more Arbitrators.
7–15. Appointment of Arbitrators and Umpires.
16. Succeeding Arbitrators and Umpires to have Powers of Predecessors.
17. Reference to Umpire.
18. Power for Arbitrators, &c. to call for Books, &c., and administer Oath.
19. Procedure in the Arbitration.
20. Arbitration may proceed in Absence of Companies.
21. Several Awards may be made.
22. Awards made in due Time to bind all Parties.
23. Power for Umpire to extend Period for making his Award.
24. Awards not to be set aside for Informality.
25. Awards to be obeyed.
26. Agreements, Arbitrations, and Awards to have effect.
27. Costs of Arbitration and Award.
28. Payment of Costs.
29. Submission to Arbitration to be made a Rule of Court.

2.—*Cheap Trains, &c.*

21 & 22 Vict. c. 75.—An Act to amend the Law relating to Cheap Trains, and to restrain the Exercise of certain Powers by Canal Companies being also Railway Companies. Page 127

Preamble recites 7 & 8 Vict. c. 85. and 8 & 9 Vict. c. 42.
§ 1. For Fractions under One Mile One Penny may be charged, and for Fractions exceeding Half a Mile, where the Distance amounts to One Mile or more, One Halfpenny may be charged.
2. Rates heretofore charged not exceeding those allowed by this Clause not to be deemed excessive.
3. Canal Companies, being also Railway Companies, not to take Leases of Canals unless specially authorized.
4. Act to be in force for One Year.

23 & 24 Vict. c. 41.—An Act to make perpetual the Act 21 & 22 Vict. c. 75. to amend the Law relating to Cheap Trains and to restrain the Exercise of certain Powers by Canal Companies being also Railway Companies. Page 672

3.—*Railways Act (Ireland).*

21 & 22 Vict. c. 34.—An Act to continue "The Railways Act (Ireland), 1851." Page 50

Preamble recites 14 & 15 Vict. c. 70. and 19 & 20 Vict. c. 72.
§ 1. Continuing 14 & 15 Vict. c. 70. for One Year.

23 & 24 Vict. c. 97.—An Act for amending and making perpetual the Railways Act, Ireland, 1851 (14 & 15 Vict. c. 70.) Page 790

§ 1. Periods of Notices shortened.
2. After Deposit of Draft Award Company may, upon Deposit of such Amount as Arbitrator may think fit, enter on Lands.
3. Mode of Deposit.
4. Deposit to remain as a Security, and to be applied under Direction of the Court of Chancery.
5. Apportionment of Rentcharge, &c. where Part only of the Land charged is required.
6. Apportionment of Rent of Lands under Lease where Part only of such Lands is required.
7. Costs in case of Traverse.
8. The Act 14 & 15 Vict. c. 70. and this Act to be as One Act, and to be perpetual.
9. Short Title.

See also *Tramways (Ireland).*

Rateable Property Valuation. See *Valuation of Rateable Property (Ireland).*

Rates, Taxes, and Duties. See *Customs. Excise. Game Certificates. Income and Property Tax. Inventory Duty. Local Taxation. Spirits. Stamp Duties. Wine Licences.*

Reading. See *Local Government of Towns, &c.*

Real Property. See *Duchy of Cornwall.*

Recognizances. See *Bail.*

Recreation Grounds.

22 Vict. c. 27.—An Act to facilitate Grants of Land to be made near populous Places for the Use of regulated Recreation of Adults, and as Playgrounds for Children. Page 386

§ 1. Lands may be conveyed to Trustees to be held by them as public Grounds, &c.
2. Form of Conveyance.
3. How Grants of Lands belonging to Municipal Corporations may be made.
4. How Grants of Lands belonging to Parishes may be made.
5. Appointment of Trustees.
6. Managers and Directors may make and enforce Bye-laws and Regulations, subject to the Approval of said Commissioners.
7. Personal Property not exceeding 1,000*l.* may be given or bequeathed for the Purposes of such Grounds.
8. Act to extend to England and Ireland only.

Reduction of the Funded Debt. See *Revenue, Public, &c.*

Reformatory Schools (Ireland).

21 & 22 Vict. c. 103.—An Act to promote and regulate Reformatory Schools for juvenile Offenders in Ireland. Page 217

§ 1. Power to Chief Secretary, on Application from Managers of Institution, to direct an Inspector of Prisons to report.
2. When Reformatory School is certified by Lord Lieutenant, Notice to be published in the Dublin Gazette.
3. Power to Grand Jury of a County or Council of a Borough to grant Money in aid of Maintenance of Offenders in Reformatory Schools.
4. No Money to be granted to Schools unless certified by Chief Secretary.
5. Grand Jury or Council may contract with the Managers for the Reception of Offenders from their County or Borough.
6. Monies granted under this Act, how to be raised.
7. Juvenile Offenders, how to be dealt with. Juvenile Offenders to be sent only to Schools managed by Persons of same Religious Belief as Parents of such Juveniles.
8. School to which Offender committed need not be named in the Sentence.
9. Supplemental Orders may be made.
10. Expenses of Conveyance how to be paid.
11. Governor of Prison, &c. to send Duplicate or Copy of Warrant of Commitment with Offender to Reformatory.
12. What shall be deemed sufficient Evidence as to Identity of juvenile Offenders.
13. Power to Treasury to defray Cost of Maintenance at Reformatory School.
14. Absconding or refractory Conduct at Reformatory School, how to be punished.
15. Contribution by Parents to the Maintenance of Offenders in a Reformatory School, how to be enforced.
16. Power to remit, reduce, or increase the weekly Payments. Payment not to exceed Five Shillings weekly.
17. Provisions in case of Default in Payment by Parents.
18. Provision for Care of Offenders when discharged from Reformatory Schools.
19. Penalty for harbouring any young Person absconding from a Reformatory School.
20. Offenders may be removed from one School to another.
21. Act not to extend to England or Scotland.

Refreshment Houses and Wine Licences:

1.—*England.*

23 & 24 Vict. c. 27.—An Act for granting to Her Majesty certain Duties on Wine Licences and Refreshment Houses, and for regulating the licensing of Refreshment Houses and the granting of Wine Licences. Page 638

§ 1. From and after 1st July 1860, certain Duties to be charged on Wine Licences and Refreshment Houses.
2. Powers and Provisions of Excise Acts to apply to the Duties granted by this Act.
3. Every Person keeping a Shop entitled to take out a Licence to retail Wine not to be consumed on the Premises.
4. What shall be deemed selling by Retail.
5. Permitting drinking Wine in a neighbouring House, Shed, &c. with Intent to evade the Provisions of the Act, to be deemed drinking on the Premises.
6. Persons keeping Houses, &c. herein named required to take out Licences.
7. Confectioners and Eating-house Keepers entitled to take out Licences to sell Wine to be drunk on the Premises.
8. Wine Licences not to be granted for Refreshment Houses under a certain Rent or annual Value. Certain Persons disqualified to hold Wine Licences.
9. Penalty for keeping a Refreshment House without Licence, 20*l.* [*Amended by* Cap. 113. § 42. See "*Excise Duties.*"]
10. By whom Licences under this Act shall be granted.
11. Licences: Date, Expiration, and Renewal thereof.
12. On Death of a licensed Person, his Representative, or Widow or Child, may be authorized to continue the Business for which the Licence was granted, for the Remainder of the Term thereof.
13. Notice of First Application for a Wine Licence for a Refreshment House to be given to Justices, who may object to the granting thereof on Grounds to be stated. No Notice of Objection to be signed, &c. until the Applicant has been heard against the same.

§ 14. Notice to be given of Application for Licence to retail Wine to be consumed on the Premises in a House not previously licensed.
15. Justices may object to the Renewal of a Wine Licence if they shall see just Cause of Objection.
16. A List of Licences to be kept by Collectors and Supervisors for Inspection of the Justices, and Copies of the List to be transmitted to the Justices Clerk.
17. In case of Complaint licensed Retailers of Wine to produce their Licences on Requisition of Two Justices.
18. Constables and Police Officers empowered to visit licensed Refreshment Houses; Penalty for refusing them Admittance. Licence to be forfeited on Second Conviction if Justices think fit.
19. Penalty for selling Wine by Retail without Licence.
20. Additional Penalty on unlicensed Persons selling Wine.
21. What shall be deemed Foreign Wine, and what shall be deemed Spirits.
22. Licences to be void on Conviction of Felony or of selling Spirits without Licence.
23. Licensed Retailer of Wine to make Entry of House, &c. with the Excise.
24. Excise Officers empowered to enter the Premises of licensed Retailers of Wine.
25. Penalty on Persons licensed to retail Wine having Spirits in their entered Premises.
26. Standard Measures to be used in the Sale of Wine.
27. Limitation of Hours for opening and closing Houses licensed for the Sale of Wine by Retail. Exception in favour of Lodgers. [*Amended by* Cap. 113. § 41. See "*Excise Duties.*"]
28. Houses licensed for the Sale of Wine to be closed by Order of Justices in Cases of Riot, &c.
29. Penalty on Retailers of Wine permitting Drunkenness, &c. in their Houses, and for mixing Spirits or Drugs in Wine or adulterating Wine.
30. Penalties other than Excise Penalties recoverable before Two Justices in Petty Sessions, within Three Months after Offence committed.
31. Justices may adjudge Premises disqualified for Sale of Wine on Proof that within Two Years last preceding such Conviction, Two Convictions have taken place.
32. Penalties for Offences in Refreshment Houses.
33. Power to Justices to mitigate Penalties.
34. Appeal to the Sessions against a Second or Third Conviction.
35. Court to adjudge Costs of Appeal in certain Cases.
36. Proceedings on Appeal to be carried on by the Constable, and the Expenses of Prosecution to be charged on County Rates.
37. Power to Lord Mayor, Alderman, or Justices of the Peace to summon Witnesses and examine them on Oath.
38. Penalty on Witnesses refusing to attend or to give Evidence.
39. Penalty for harbouring Constables, while on Duty.
40. Penalty on Drunkards guilty of riotous or indecent Behaviour.
41. Penalty on drunken and disorderly Persons refusing to quit licensed Houses on Request. Constables to assist in expelling them if required.
42. Provisions of 11 & 12 Vict. c. 43. to be applied in the Recovery of Penalties under this Act.
43. How Excise Penalties under this Act are to be recovered, &c.
§ 44. Covenants against Houses, &c. being used as Public Houses to extend to Persons licensed to sell Wine under this Act.
45. Act not to affect the Two Universities, nor the Vintners Company in London, nor the Borough of St. Albans.
46. Act not to extend to Scotland or Ireland.
SCHEDULES of Forms.

2.—*Ireland.*

23 & 24 Vict. c. 107.—An Act for granting to Her Majesty certain Duties on Wine Licences and Refreshment Houses, and for regulating the licensing of Refreshment Houses, and the granting of Wine Licences in Ireland. Page 811
§ 1. From and after 1st July 1860 certain Duties to be charged on Wine Licences and Refreshment Rooms.
2. Powers and Provisions of Excise Acts to apply to the Duties granted by this Act.
3. Every Person keeping a Shop entitled to take out a Licence to retail Wine not to be consumed on the Premises.
4. What shall be deemed selling by Retail.
5. Permitting drinking Wine in a neighbouring House, Shed, &c., with Intent to evade the Provisions of the Act, to be deemed drinking on the Premises. Penalty.
6. Persons keeping Houses, &c. herein named required to take out Licences. Licences not required for Refreshment Houses in small Towns and Places.
7. Confectioners and Eating-house Keepers entitled to take out Licences to sell Wine to be drunk on the Premises.
8. Wine Licences not to be granted for Refreshment Houses under a certain annual Value. Persons disqualified to hold Wine Licences.
9. Penalty for keeping a Refreshment House without Licence, 20*l.*
10. By whom Licences under this Act shall be granted.
11. Licences: Date, Expiration, and Renewal thereof.
12. On Death of a licensed Person, his Representative, or Widow or Child, may be authorized to continue the Business for which the Licence was granted, for the Remainder of the Term thereof.
13. Notice of First Application for a Wine Licence for a Refreshment House to be given to Justices, who may object to the granting thereof on Grounds to be stated.
14. Sub-Constabulary Officer or Superintendent of Police may object to the granting of such Wine Licence.
15. Persons aggrieved may appeal to Quarter Sessions.
16. If Order of Refusal reversed, Supervisor to grant such Licence.
17. Justices may object to the Renewal or Transfer of a Wine Licence if they shall see just Cause of Objection.
18. A List of Licences to be kept by Collectors and Supervisors for Inspection of the Justices, and Copies of the List to be transmitted to the Justices Clerk.
19. In case of Complaint licensed Retailers of Wine to produce their Licences on Requisition of Justice.
20. Constables and Police Officers empowered to visit licensed Refreshment Houses. Penalty for refusing them Admittance. Licence to be forfeited on Second Conviction if Justices think fit.
21. Penalty for selling Wine by Retail without Licence.

§ 22. Additional Penalty on unlicensed Persons selling Wine.
23. What shall be deemed Foreign Wine, and what be deemed Spirits.
24. Licences to be void on Conviction of Felony or selling Spirits without Licence.
25. Licensed Retailers of Wine to make Entry of Houses, &c. with the Excise.
26. Excise Officers, &c. empowered to enter the Premises of licensed Retailers of Wine.
27. Penalty on Persons licensed to retail Wine having Spirits in their used Premises.
28. Standard Measures to be used in the Sale of Wine.
29. Limitation of Hours for opening and closing Houses licensed for the Sale of Wine by Retail. Exception in favour of Lodgers.
30. Houses licensed for the Sale of Wine to be closed by Order of Justices in Cases of Riot, &c.
31. Penalty on Retailers of Wine permitting Drunkenness, &c. in their Houses. Penalty for mixing Spirits or Drugs in Wine or adulterating Wine: Penalty on selling Wine after Conviction of Second Offence.
32. Penalties other than Excise Penalties recoverable before a Justice or Justices in Petty Sessions, &c. within Three Months after Offence committed.
33. Justices may adjudge Premises disqualified for Sale of Wine on Proof that within Two Years last preceding such Third Conviction Two Convictions have taken place.
34. Penalties for Offences in Refreshment Houses.
35. Power to Justices to mitigate Penalties.
36. Appeal to the Sessions against a Second or Third Conviction.
37. Court to adjudge Costs of Appeal in certain Cases.
38. Proceedings on Appeal to be carried on by the Constable, and the Expenses of Prosecution to be charged on the County.
39. Justice or Justices empowered to summon Witnesses, and examine them on Oath.
40. Penalty on Witnesses refusing to attend or to give Evidence.
41. Penalty for harbouring Constables while on Duty.
42. Penalty on drunken and disorderly Persons refusing to quit licensed Houses on Request. Constables required to assist in expelling them.
43. Hours for keeping open Premises occupied by Persons licensed to sell Beer, &c. to be consumed on Premises.
44. Proceedings under this Act for the Recovery of Penalties, &c.
45. How Excise Penalties under this Act are to be recovered, &c.
46. Covenants against Houses, &c. being used as Public Houses to extend to Persons licensed to sell Wine under this Act.
47. Interpretation of Terms.
48. Act to extend to Ireland only.
SCHEDULE of Forms.

Registration of Births, &c.:

1.—*England.*

21 & 22 Vict. c. 25.—An Act to amend the Act 3 & 4 Vict. c. 92. concerning Non-parochial Registers, and the Acts 6 & 7 Vict. cc. 85., 86., and 7 Will. 4. & 1 Vict. c. 22. for Marriages, and for registering Births, Deaths, and Marriages, in England, and 16 & 17 Vict. c. 100. concerning Vaccination. Page 36

§ 1. Certain Registers to be deposited with the Registrar General.
2. Certain other Registers may be deposited in the Office after Examination by Order of Secretary of State.
3. Sections 5. to 19. of 3 & 4 Vict. c. 92. to extend to the Registers deposited under this Act.
4. Power to increase Salary of Registrar General, but to include all Duties under this Act, &c.
5. Information of Particulars furnished by Coroner to be in Writing, and signed by him, and Entry in Register need not be signed by him.
6. So much of 6 & 7 Will. 4. cc. 85. 86. and 7 Will. 4. & 1 Vict. c. 22. as provides that the Cost of Register Books be paid to Registrar General, repealed.
7. So much of 16 & 17 Vict. c. 100. as enacts that Vaccination Forms shall be furnished to Registrars, and delivered by them to Medical Officers and Practitioners, repealed. Registrar to deliver Books, &c., without requiring Payment for the same.

2.—*Scotland.*

23 & 24 Vict. c. 85.—An Act to amend the Acts 17 & 18 Vict. c. 80. and 18 & 19 Vict. c. 29. relating to the Registration of Births, Deaths, and Marriages in Scotland. Page 762

§ 1. Repealing Sections 18, 19. 42. and 54. of 17 & 18 Vict. c. 80., and Section 1. of 18 & 19 Vict. c. 29.
2. Register of Neglected Entries.
3. Correction of Errors in Registers kept prior to 1st January 1855.
4. Provisions in Sections 2 and 3. of 17 & 18 Vict. c. 80. repealed with reference to Salaries of Registrar General and Secretary.
5. Landward and Burghal Parts of Parishes may be united.
6. All existing Parochial Registers before 1820 to be transmitted to Registrar General, and after 1820 till 1855 to Parish Registrar.
7. Sessional Record to be restored to the Kirk Session of the Parish.
8. Provision as to Fire-proof Safes and Offices.
9. Provision in Section 25. of 17 & 18 Vict. c. 80. as to annual Publication of Lists of Registrars and Assistants repealed.
10. Register of Births, Deaths, and Marriages of Scottish Subjects occurring in Foreign Countries.
11. Provision in Section 31. of 17 & 18 Vict. c. 80. as to the Signature in the Register by the Sheriff repealed.
12. Mode of reckoning the Period of "Six Months" referred to in Sections 32. and 33. of 17 & 18 Vict. c. 80.
13. Additions and Alterations to be inserted in the Register of Corrected Entries.
14. Medical Attendant to transmit Certificate of Death to the Registrar within Seven Days.
15. Provisions in Sections 46. and 52. of 17 & 18 Vict. c. 80. as to Schedule (C.) of that Act repealed.
16. Alteration of Section 50. of 17 & 18 Vict. c. 80. as to the Verification of the Registrar's Accounts of Registrations.
17. Provision as to Payment of Registrar's Postages, &c.
18. As to Remuneration of Registrar.
19. Clerical Errors in the Duplicate Registers may be corrected by the District Examiners.
20. Commencement of Act.

Registration of Judgments. See *Judgments (Ireland) Law of Property and Trustees Relief.*

Registration of Medical Practitioners. See *Medical Practitioners.*

Regulation of Mines. See *Mines Regulation and Inspection.*

Relief of the Jews. See *Jews.*

Relief of Trustees. See *Law of Property, &c.*

Relief of Turnpike Trusts. See *Turnpike Roads and Trusts.*

Remembrancer (Queen's). See *Exchequer, Court of.*

Remission of Penalties.

22 Vict. c. 32.—An Act to amend the Law concerning the Remission of Penalties. Page 392

§ 1. Penalties for Offences may be remitted by the Crown although payable to Parties other than the Crown.

Removal of Nuisances. See *Nuisances Removal and Diseases Prevention.*

Repeal, Powers of. See *Colonial Legislatures.*

Reserve Force:

1.—*Military.*

22 & 23 Vict. c. 42.—An Act to provide for the Establishment of a Reserve Force of Men who have been in Her Majesty's Service. Page 482

§ 1. Reserve Force not exceeding 20,000 Men for Service in Great Britain.
2. Term of Service of Men to be prescribed by Regulations. Regard may be had to previous Service.
3. Appointment of Officers.
4. Force to be called out for Training and Exercise for 12 Days in each Year.
5. Reserve Force may be called out in aid of the Civil Power.
6. In case of Invasion or War, Reserve Force may be called out for permanent Service. 17 Vict. c. 13.
7. Reserve Force may volunteer for Duty.
8. Reserve Force, when on Service, to be subject to the Mutiny Act.
9. Punishment for Absence from Training and Exercise.
10. Regulations to be made by Secretary-at-War.
11. Provisions of Turnpike and Railway Acts as to Soldiers to apply to the Force under this Act.
12. Men to be exempted from serving Parish Offices, &c.

2.—*Naval.*

22 & 23 Vict. c. 40.—An Act for the Establishment of a Reserve Volunteer Force of Seamen, and for the Government of the same. Page 476

§ 1. Power to Admiralty to raise "Royal Naval Volunteers," not to exceed 30,000 Men.
2. Term of Service.
3. Volunteers may be trained and exercised for 28 Days in each Year, and on shore or on board Ship.
4. Her Majesty may order the Volunteers to be called into actual Service.
5. Volunteers to be called into actual Service accordingly; Volunteers to serve in Navy Three Years; the Service of Volunteers in actual Service may be extended Two Years by Proclamation; Volunteers whose Services are extended entitled to extra Pay. As to serving in the Navy at Intervals.
6. Volunteers when called out to be victualled in the same Manner as Seamen of the Fleet.
7. Volunteer exempt from Militia and from being a Peace or Parish Officer; and, under certain Regulations, eligible for Greenwich Hospital.
8. Provisions relating to billeting Marines to extend to Volunteers.
9. Admiralty to make Regulations as to Sums to be paid to Volunteers for entering or re-entering under this Act.
10. Admiralty to grant Pensions to Volunteers.
11. In Cases of Emergency Pensioners to join Her Majesty's Navy.
12. Laws and Customs in force for the Government of Her Majesty's Fleet to be applicable to Pensioners while on actual Service.
13. Admiralty to make Regulations as to the Manner or Form in which Volunteers shall be entered to serve.
14. Admiralty may discharge Volunteers.
15. Laws relating to the Government of the Navy extended to Volunteers during Exercise, and to such Volunteers and others when in actual Service.
16. Penalty on joining the Forces as a new Volunteer more than once during the same Period.
17. Information to be transmitted by Shipping Master.
18. Enlistment of Volunteers under this Act in Her Majesty's Regular or Indian Forces, or in the Militia, or Naval Coast Volunteers, and entering of Militia as Naval Coast Volunteers under this Act to be void.
19. Penalty on selling or buying Arms, &c. of Volunteers.
20. Penalty on Volunteer for not attending Training and Exercise.
21. Persons not attending when called into actual Service may be apprehended and punished as Deserters from the Navy.
22. Penalty for inducing Volunteers to absent themselves, or harbouring or employing Volunteers absenting themselves.
23. Volunteer not to lose or forfeit any Interest he may possess in any Friendly or Benefit Society.
24. Recovery of Penalties; Summary Jurisdiction, 11 & 12 Vict. c. 43. and 14 & 15 Vict. c. 93.
25. Appropriation of Penalties.

Returns of Local Taxation. See *Local Taxation Returns.*

Returns to Secretary of State.

21 & 22 Vict. c. 67.—An Act to repeal certain Enactments requiring Returns to be made to One of the Secretaries of State. Page 101

§ 1. After the passing of this Act the following Enactments repealed; viz.
Prisons Returns.—4 Geo. 4. c. 64. s. 24. and 2 & 3 Vict. c. 56. s. 10.
Borough Police Returns.—5 & 6 Will. 4. c. 76.
Police Courts Returns.—2 & 3 Vict. c. 71. s. 15.
Bastardy Returns.—7 & 8 Vict. c. 101.
Juvenile Offenders Returns.—10 & 11 Vict. c. 82.

Revenue Side of the Exchequer. See *Exchequer, Court of.*

Revenue, Public (Supply, Appropriation, &c.)

1.—*Consolidated Fund—Application of Aids and Appropriation of Supplies.*

21 & 22 Vict. c. 5.—An Act to apply the Sum of Ten Millions out of the Consolidated Fund to the Service of the Year 1858. Page 4

21 & 22 Vict. c. 6.—An Act to apply the Sum of Five hundred thousand Pounds out of the Consolidated Fund to the Service of the Year ending 31st March 1858. Page 4

21 & 22 Vict. c. 17.—An Act to apply the Sum of Eleven Millions out of the Consolidated Fund to the Service of the Year 1858. Page 29

22 Vict. c. 6.—An Act to apply the Sum of One million two hundred twenty-two thousand three hundred and eighty-three Pounds Eight Shillings and Ninepence out of the Consolidated Fund to the Service of the Year ending the 31st March 1859. Page 347

22 Vict. c. 7.—An Act to apply the Sum of Eleven Millions out of the Consolidated Fund to the Service of the Year 1859. Page 347

22 & 23 Vict. c. 2.—An Act to apply the Sum of Seven Millions out of the Consolidated Fund to the Service of the Year 1859. Page 411

23 & 24 Vict. c. 2.—An Act to apply the Sum of Four hundred and seven thousand six hundred and forty-nine Pounds out of the Consolidated Fund to the Service of the Year ending 31st March 1860. Page 589

23 & 24 Vict. c. 3.—An Act to apply the Sum of Four million five hundred thousand Pounds out of the Consolidated Fund to the Service of the Year 1860. Page 589

23 & 24 Vict. c. 12.—An Act to apply the Sum of Eight hundred and fifty thousand Pounds out of the Consolidated Fund to the Service of the Year ending the Thirty-first Day of March One thousand eight hundred and sixty. Page 610

23 & 24 Vict. c. 25.—An Act to apply the Sum of Nine million five hundred thousand Pounds out of the Consolidated Fund to the Service of the Year 1860. Page 637

23 & 24 Vict. c. 103.—An Act to apply the Sum of Ten Millions out of the Consolidated Fund to the Service of the Year 1860. Page 796

21 & 22 Vict. c. 107.—An Act to apply a Sum out of the Consolidated Fund and the Surplus of Ways and Means to the Service of the Year 1858; and to appropriate the Supplies granted in this Session of Parliament. Page 237

22 Vict. c. 23.—An Act to apply a Sum out of the Consolidated Fund to the Service of the Year 1859, and to appropriate the Supplies granted in this Session of Parliament. Page 377

22 & 23 Vict. c. 55.—An Act to apply a Sum out of the Consolidated Fund and the Surplus of Ways and Means to the Service of the Year 1859, and to appropriate the Supplies granted in this Session of Parliament. Page 492

23 & 24 Vict. c. 131.—An Act to apply a Sum out of the Consolidated Fund and the Surplus of Ways and Means to the Service of the Year 1860, and to appropriate the Supplies granted in this Session of Parliament. Page 969

2.—*Exchequer Bills and Bonds.*

21 & 22 Vict. c. 13.—An Act for raising the Sum of Twenty million nine hundred and eleven thousand five hundred Pounds by Exchequer Bills, for the Service of the Year 1858. Page 26

21 & 22 Vict. c. 14.—An Act for raising the Sum of Two Millions by Exchequer Bonds. Page 27

22 Vict. c. 22.—An Act for raising the Sum of Thirteen million two hundred and seventy-seven thousand four hundred Pounds by Exchequer Bills, for the Service of the Year 1859. Page 377

23 & 24 Vict. c. 20.—An Act for raising the Sum of Thirteen million two hundred and thirty thousand Pounds by Exchequer Bills for the Service of the Year 1860. Page 621

23 & 24 Vict. c. 132.—An Act for raising the Sum of Two million Pounds by Exchequer Bonds or Exchequer Bills for the Service of the Year 1860. Page 975

3.—*Funded Debt.*

21 & 22 Vict. c. 38.—An Act to repeal certain Provisions for the Issue out of the Consolidated Fund of fixed Amounts for Reduction of the Funded Debt. Page 56

Preamble recites 10 Geo. 4. c. 27., 18 & 19 Vict. c. 18., and 19 & 20 Vict. cc. 6. 21.
§ 1. Certain Enactments of 18 & 19 Vict. and 19 & 20 Vict. repealed.

Rifle Volunteers.

23 & 24 Vict. c. 140.—An Act for facilitating the Acquisition by Rifle Volunteer Corps of Grounds for Rifle Practice. Page 990

§ 1. Short Title.
2. Not to apply to Ireland.
3. Definition of Rifle Corps.
4. Power for Rifle Corps to purchase Land.

§ 5. Vesting of Lands acquired by Rifle Corps.
6. Mode of obtaining Assent of Secretary for War.
7. Secretary for War to make Inquiries.
8. Power of Secretary for War to give or withhold Assent.
9. 8 & 9 Vict. cc. 18. & 19. incorporated.
10. Construction of Acts hereby incorporated.
11. Landlords empowered to convey Lands to be used as Rifle Ground.
12. Power to grant Right of shooting in Royal Parks, &c.
13. Power for Commissioners of Her Majesty's Woods, &c. to grant Lands.
14. Chancellor and Council of the Duchy of Lancaster empowered to grant Lands to Rifle Corps.
15. Officers of the Duchy of Cornwall empowered upon sufficient Authority to grant Lands to Rifle Corps.
16. Corporations, Justices, Trustees, &c. empowered to convey Lands for the Purposes of this Act.
17. Power to stop Footpaths.
18. Power of Secretary for War to make Byelaws.
19. Proof of Cesser of Land to be used for Purposes of Act.

See also *Benefit Societies.*

Right of Common. See *Common Rights, &c. (War Department.)*

Right, Petitions of. See *Petitions of Right.*

Roman Catholic Charities.

21 & 22 Vict. c. 51.—An Act to continue the Exemption of certain Charities from the Operation of the Charitable Trusts Acts. Page 81

Preamble recites 16 & 17 Vict. c. 137., 18 & 19 Vict. c. 124., and 20 & 21 Vict. c. 76.; and that certain Roman Catholic Charities were exempted from the Operation of the Two first-mentioned Acts.

§ 1. Such Exemption continued until 1st September 1859.

22 & 23 Vict. c. 50.—An Act to continue the Exemption of certain Charities from the Operation of the Charitable Trusts Acts. Page 488

§ 1. Exemption further continued until 1st July 1861.

23 & 24 Vict. c. 134.—An Act to amend the Law regarding Roman Catholic Charities. Page 975

§ 1. Charities for lawful Purposes not to be invalidated by the Addition of unlawful Trust, but the Property may be apportioned, and the whole applied to lawful Purposes.
2. No Proceedings to be instituted as to Dealings with Roman Catholic Charities prior to 2 & 3 W. 4. c. 115.
3. Certain Deeds for Roman Catholic Charities not to be void if enrolled within Twelve Months from passing of Act. 9 Geo. 2. c. 36.
4. Expense of Enrolment, how to be defrayed.
5. The Trusts of Charities in the Absence of Settlements may be ascertained from the Usage.
6. The Act not to prejudice past or pending Proceedings or adverse Possession.
7. Nothing in this Act to repeal Provisions of 10 Geo. 4. c. 7.
8. Interpretation of "Charity."
9. Short Title.
10. Act to extend only to England and Wales.

Royal Arsenals. See *Defence of the Realm.*

Royal Marines. See *Mutiny*, 2.

Royal Naval Volunteers. See *Reserve Force*, 2.

Royal Navy. See *Naval Discipline.*

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Saint Andrew's University. See *Universities*, 4.

Saint George's Hanover Square. See *Chelsea Hospital.*

Saint James Baldersby. See *Marriages*, 4.

Saint Mary of Winchester. See *Universities.*

Saint Mary in Rydal. See *Marriages*, 4.

Saint Nicholas Bristol. See *Bristol.*

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Savings Banks:

1.—*Savings Bank and Friendly Societies Investments.*

23 & 24 Vict. c. 137.—An Act to make further Provision with respect to Monies received from Savings Banks and Friendly Societies. Page 980

§ 1. Powers now vested in Commissioners to extend to Parliamentary Securities, &c.
2. Annual Report to be laid before Parliament.

2.—*Savings Banks (Ireland).*

22 Vict. c. 17.—An Act to continue the Act 11 & 12 Vict. c. 133., for amending the Laws relating to Savings Banks in Ireland. Page 357

§ 1. Recited Act continued until 1st January 1861.

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Scarborough. See *Local Government of Towns, &c.*

Schemes of the Charity Commissioners. See *Charity Commissioners.*

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Scotland. For Acts relating specially to Scotland, see the following Heads:—

Aberdeen, University of.
Admission of Burgesses.
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Councillors of Burghs, &c.
Edinburgh.
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Leith Harbour and Docks.
Lunatic Asylums.
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Scottish Herring Fisheries. See *Fisheries (Scotland).*

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Senior Member of Council (India).

23 & 24 Vict. c. 87.—An Act to remove Doubts as to the Authority of the Senior Member of the Council of the Governor-General of India in the Absence of the President. Page 767

Preamble recites 3 & 4 W. 4. c. 85. and 39 & 40 Geo. 3. c. 79.

§ 1. During Absence of Governor-General, or any President appointed by him, the Senior Member present to preside and act.

Sequestration. See *Bankruptcy and Insolvency.*

Serjeants-at-Law. See *Admiralty, High Court of.*

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Sessional Divisions of Counties.

22 & 23 Vict. c. 65.—An Act for amending the Acts for the better Regulation of Divisions in the several Counties of England and Wales. Page 509

Recital of 9 Geo. 4. c. 43., 10 Geo. 4. c. 46., and 6 & 7 Will. 4. c. 12.

§ 1. Justices may divide Parishes, &c. for constituting Divisions of Counties.

2. Court to make Order in respect of the Appointments and Duties of Officers.

Settled Estates.

21 & 22 Vict. c. 77.—An Act to amend and extend the Settled Estates Act, 1856 (19 & 20 Vict. c. 120.) Page 140

§ 1. Definitions of "Settlement" and "Settled Estates."

2. "Building Lease" to include Repairing Lease.

3. Powers of Leasing to extend to Copyhold and Customary Tenants of Manors.

4. Extension of Power under Section 2. of 19 & 20 Vict. c. 120. as to Term for Building Leases.

5. As to Surrender of Leases.

6. As to taking Examinations of married Women.

7. Extension of Power to rescind General Rules and Orders.

8. As to Validity of Demises under Section 33. of recited Act.

Settlements. See *Chancery, Court of. Trustees, Mortgagees, &c.*

Shannon River. See *Portumna Bridge (Ireland).*

Sheep, &c. Contagious Diseases Prevention.

21 & 22 Vict. c. 62.—An Act to continue certain Acts to prevent the spreading of contagious or infectious Diseases among Sheep, Cattle, and other Animals. Page 98

Preamble recites 11 & 12 Vict. c. 107., 16 & 17 Vict. c. 62., and 19 & 20 Vict. c. 101.

§ 1. Recited Acts further continued to 1st August 1863.

Sheerness. See *Local Government of Towns, &c.*

Sheriff Court Houses (Scotland).

23 & 24 Vict. c. 69.—An Act to provide additional Accommodation for the Sheriff Courts in Scotland. Page 739

§ 1. Short Title.

2. Interpretation of Terms.

3. Representation may be made to the Secretary of State of Inadequacy of existing Court Houses.

4. Representation, with Intimation of Opinion of Secretary of State, to be sent to the Clerk of Supply.

5. Meeting of Commissioners of Supply to be called and held within One Month after the Receipt of Intimation, and Burghs may send Representatives.

6. Commissioners of Supply may adopt Resolution to proceed, or otherwise.

7. Secretary of State to dispose of Resolution.

8. Decision of Secretary of State to be intimated to the Clerk of Supply.

9. Plans and Specifications to be deposited in Sheriff Clerk's Office for Public Inspection.

10. Plans and Specifications to be approved by the Secretary of State.

11. On Plans and Specifications being approved of, Buildings to be proceeded with.

12. Lands Clauses Act, 8 & 9 Vict. c. 18., incorporated.

13. Court Houses vested in Commissioners of Supply.

14. Agreements may be made for Use of Court Houses by other Parties.

§ 15. One Half of Expense of Buildings to be defrayed out of Monies provided by Parliament, and the other Half by Assessment.
16. Expenses of Management and Repair to be defrayed out of Monies provided by Parliament.
17. Additional Sum may be contributed in Circuit Towns.
18. As to Disposal of Court Houses ceasing to be used.
19. Assessments to be imposed on Lands and Heritages.
20. Regulations as to Payment of small Assessments.
21. Commissioners of Supply may grant Relief from Assessment in Cases of Poverty.
22. County of Lanark to be divided into Four Districts for Assessment under this Act.
23. Mode of recovering Assessments.
24. Disputes as to Assessments to be summarily settled.
25. Clauses of 10 & 11 Vict. c. 16. respecting Mortgages incorporated.
26. Power to borrow on Mortgage.
27. Power to borrow on Cash Credit.
28. Monies raised, &c. to be applied to Purposes of this Act.
29. Quorum of Commissioners of Supply.
30. Preses of Meetings.
31. Authentication of Documents relating to the Execution of this Act.
32. Actions by or against Commissioners of Supply, how to be brought and not to abate.
SCHEDULE.

Sheriffs. See *Exchequer, Court of.*

Shipley. See *Local Government of Towns, &c.*

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Small Debts. See *County Courts. Manor Courts (Ireland).*

Society of Friends. See *Quakers.*

Solicitors. See *Attorneys, Solicitors, &c.*

Southampton. See *Local Government of Towns.*

Southwark, High Bailiff of. See *County Courts, 2.*

South Wales. See *Highways.*

Speaker of the Legislative Council (Canada).

22 & 23 Vict. c. 10.—An Act to empower the Legislature of Canada to make Laws regulating the Appointment of a Speaker of the Legislative Council. Page 415

Recital of 3 & 4 Vict. c. 35. for Union of the Two Provinces, and 17 & 18 Vict. c. 118. altering the Constitution.
§ 1. The Legislature of Canada to have Power to make Laws touching the Appointment or Election of a Speaker of the Legislative Council.

Spirits:

1.—*Excise Duties.*

23 & 24 Vict. c. 129.—An Act to grant Excise Duties on British Spirits and on Spirits imported from the Channel Islands. Page 966

§ 1. Duties to be charged on British Spirits.
2. Duties to be charged on Channel Islands Spirits.
3. Spirits of the Nature of plain British Spirits only to be imported from the Channel Islands.
4. Allowances granted to Distillers and Rectifiers on Spirits exported.
5. Duties, &c. to be under the Management of the Commissioners of Inland Revenue, and to be collected and paid under the Provisions of Acts relating to Excise.
6. Where Contracts have been made, additional Duties to be added to the Price of the Articles contracted for.

2.—*Excise Regulations as to Distillation, &c.*

23 & 24 Vict. c. 114.—An Act to reduce into One Act and to amend the Excise Regulations relating to the distilling, rectifying, and dealing in Spirits. Page 850

[The References at the End of the Sections show the Acts on which those Sections are founded.]

Interpretation and Definition of Terms.
§ 1. Construction of Terms used in this Act.
2. Who to be deemed Distillers. 6 Geo. 4. c. 80. s. 11.

Licenees to Distillers, Rectifiers, and Compounders.
3. No Person to keep or use a Still for distilling Spirits or make Wort or Wash without a Licence. 4 Geo. 4. c. 94. s. 7.—6 Geo. 4. c. 80. ss. 6, 7.
4. The Licences, Entries, Notices, Declarations, &c. required by this Act may be in such Form as the Commissioners shall direct. 4 Geo. 4. c. 94. ss. 115. 128. —6 Geo. 4. c. 80. s. 80.
5. Licence for Premises mentioned therein only. 4 Geo. 4. c. 94. s. 7.—6 Geo. 4. c. 80. s. 6.
6. Distillery to be within a Quarter of a Mile of a Market Town, or Distiller to provide Lodgings for Officers. 4 Geo. 4. c. 94. s. 14.—6 Geo. 4. c. 80. s. 9.
7. No Distiller in England to keep a Still of less Content than 400 Gallons, or use more than Two Wash Stills and Two Low Wines Stills with any Still of less Content than 3,000 Gallons. 6 Geo. 4. c. 80. s. 10.
8. No Person to keep a Still of less Content than specified in this Act. 4 Geo. 4. c. 94. s. 9.
9. No Licence to be granted for any Still of less Content than 400 Gallons without a Certificate of Three Justices of the Fitness of the Person to be licensed. 4 Geo. 4. c. 94. s. 10.
10. Persons licensed to keep a Still of 400 Gallons may keep a smaller Still without Certificate. Commissioners may refuse Licences for Stills under 400 Gallons. 4 Geo. 4. c. 94. ss. 11, 12.
11. Commissioners may refuse to license Stills in Situations near Rectifiers or Brewers, and may also refuse to grant Licences to Rectifiers, Brewers, &c. near Distilleries. 4 Geo. 4. c. 94. s. 13.

§ 12. Commissioners may revoke the Licence of any Distiller convicted of obstructing Officers. 4 Geo. 4. c. 94. s. 15.

Description and Construction of Spirit Stores, Vessels, and Utensils to be provided.

13. A proper Spirit Store to be provided in every Distillery. 16 & 17 Vict. c. 37. s. 9.
14. After obtaining Licence, and before making Entry of Utensils, Distiller to erect certain Chargers and Receivers. Number of Chargers and Receivers allowed. 4 Geo. 4. c. 94. ss. 18, 19.—6 Geo. 4. c. 80. ss. 13, 14.
15. Description of Vessels and Utensils, &c. 4 Geo. 4. c. 94. s. 20.—6 Geo. 4. c. 80. s. 15.
16. General Directions as to the Mode and Course in which Wash, Low Wines, Feints, and Spirits shall be conveyed through the several Utensils. 4 Geo. 4. c. 94. s. 21.—6 Geo. 4. c. 80. s. 49.
17. Spirits to be removed from the Receiver into an entered Store Vat or Cask. 16 & 17 Vict. c. 37. s. 8.
18. Spirit Receivers, how to be placed; must admit of the Gauge of Spirits of the Depth of 15 Inches, and be filled to that Depth. 16 & 17 Vict. c. 37. s. 5.
19. Commissioners may allow Spirit Receivers erected before 10th October 1853 of a less Depth than 15 Inches to be used. 16 & 17 Vict. c. 37. s. 6.
20. Commissioners may require Apparatus to be applied to Spirit Receiver to prevent Fraud. 16 & 17 Vict. c. 37. s. 32.
21. Penalty for any Pipe or Opening in any Still of a Distiller, Rectifier, or Compounder, except as herein described. 4 Geo. 4. c. 94. s. 25.—6 Geo. 4. c. 80. s. 16.
22. Distillers, Rectifiers, and Compounders to make an Opening in their Stills through which Officers may take Samples and the Stills be cleansed, &c. 4 Geo. 4. c. 94. s. 24.—6 Geo. 4. c. 80. s. 17.
23. The End of the Worm of every Still in a Distillery to be enclosed and secured, and the Spirits run into a close Safe, &c. 4 Geo. 4. c. 94. s. 26.—6 Geo. 4. c. 80. s. 18.
24. Discharge Cock to be fixed to each Still and kept locked. 4 Geo. 4. c. 94. s. 23.—6 Geo. 4. c. 80. s. 19.
25. A Discharge Cock or Plug to be fixed in each Fermenting Wash Back. 4 Geo. 4. c. 94. s. 27.—6 Geo. 4. c. 80. s. 20.
26. Construction of Cocks used. 4 Geo. 4. c. 94. s. 30.—6 Geo. 4. c. 80. s. 21.
27. Distiller, Rectifier, and Compounder to provide proper Cocks, Pumps, Fastenings, &c. at his own Expense. 4 Geo. 4. c. 94. s. 28.—6 Geo. 4. c. 80. s. 22.
28. All Cocks, Plugs, Pumps, &c. to be kept and affixed to the Satisfaction of the Officer and repaired at the Expense of the Distiller, Rectifier, and Compounder; Penalties for Neglect and for Fraud. 4 Geo. 4. c. 94. s. 29.—6 Geo. 4. c. 80. s. 23.
29. Backs and fixed Vessels for keeping Spirits of Distillers, Rectifiers, and Compounders, Dealers and Retailers, to have a Dipping Place therein, and be gauged and tabled by the Officers. 4 Geo. 4. c. 94. s. 31.—6 Geo. 4. c. 80. s. 24.
30. Commissioners may order more than One Dipping Place to be made in Spirit Receivers, or in the Covers of Store Casks or Vats of Distillers. 16 & 17 Vict. c. 37. s. 7.
§ 31. Penalty if Dipping Place of any Still or Vessel be altered or any Device used to deceive the Officer. 4 Geo. 4. c. 94. s. 40.—6 Geo. 4. c. 80. s. 25.
32. Penalty on Distiller, Rectifier, or Compounder if the Position or Size of any Still or Vessel be altered without Notice. 4 Geo. 4. c. 94. s. 39.—6 Geo. 4. c. 80. s. 26.
33. Commissioners may authorize Distillers and Rectifiers to use their present Utensils, although not conformable with the Provisions of this Act. 4 Geo. 4. c. 94. s. 38.—6 Geo. 4. c. 80. s. 27.
34. Officer may require the Water to be drawn off from the Worm Tub for Examination of the Worm and Tub. 4 Geo. 4. c. 94. s. 106.—6 Geo. 4. c. 80. s. 28.
35. The true Content to be marked on moveable Casks, and also the Name or Firm of the Distiller, &c., and the Place where his Stock is kept. 6 Geo. 4. c. 80. s. 29.—16 & 17 Vict. c. 37. s. 12.

Making Entry of Premises and Utensils, and Regulations having Reference to licensed and entered Premises.

36. Utensils and Rooms to be marked. 4 Geo. 4. c. 94. s. 33.—6 Geo. 4. c. 80. s. 31.
37. Entry to be made of the several Places and Utensils of Trade. No Still or Vessel to be entered as used for more than One Purpose. 4 Geo. 4. c. 94. ss. 34, 35.—6 Geo. 4. c. 80. ss. 30. 33.
38. Drawing or Model to be given showing the Course of every fixed Pipe to be used in a Distillery or by a Rectifier or Compounder. Pipes to be painted. 4 Geo. 4. c. 94. s. 36.—6 Geo. 4. c. 80. s. 32.
39. Penalty for using any Still, Utensil, &c. or Place not duly entered or contrary to the Entry. 4 Geo. 4. c. 94. s. 37.—6 Geo. 4. c. 80. s. 34.
40. No Entry of any Distillery or Utensils to be withdrawn whilst Wash or other Materials for Distillation remain therein. 6 Geo. 4. c. 80. s. 37.
41. Rectifying House not to be within a Quarter of a Mile of a Distillery, nor a Distillery within a Quarter of a Mile of a Rectifying House or of another Distillery. 6 Geo. 4. c. 80. s. 35.
42. Distiller or Rectifier or Compounder not to be a Brewer or a Maker of Sweets, Vinegar, Cider, or Perry, or a Refiner of Sugar, &c. 6 Geo. 4. c. 80. s. 36.
43. Distillers, Rectifiers, and Compounders to affix a Board on the Front of their Premises importing that they are licensed. 4 Geo. 4. c. 94. s. 103.—6 Geo. 3. c. 80. s. 38.

Admission of Officers into entered Premises and Power to search.

44. Officers empowered to enter Distilleries and Premises of Rectifiers and Compounders to gauge, &c. 4 Geo. 4. c. 94. ss. 15. 104.—6 Geo. 4. c. 80. ss. 40. 108. 146.—7 & 8 Geo. 4. c. 53. s. 24.
45. Penalty for not giving Admission to the Officer after declaring his Name and Business. Officer may break open Distillery or entered Premises on being refused Admittance. 4 Geo. 4. c. 94. s. 107.—6 Geo. 4. c. 80. s. 41.
46. Distillers, Rectifiers, and Compounders to furnish Officer with Ladder and Lights. 4 Geo. 4. c. 94. s. 105.—6 Geo. 4. c. 80. s. 42.
47. Officers may break up Ground in Distillery or Rectifying Premises to search for private Pipes, &c. 4 Geo. 4. c. 94. s. 110.—6 Geo. 4. c. 80. s. 43.

§ 48. Upon Oath made of Grounds to suspect any private concealed Still or private Distillation a special Warrant to break open the suspected House may be granted. 3 Geo. 4. c. 52. s. 113.—6 Geo. 4. c. 80. s. 39.—1 & 2 Will. 4. c. 55. ss. 17, 18.

Materials for the Distillation of Spirits.

49. Distiller to use only Wort or Wash made in his Distillery. 4 Geo. 4. c. 94. s. 111.
50. What Materials may be used in making Wort. 11 & 12 Vict. c. 100. s. 2.—19 & 20 Vict. c. 51. s. 1.
51. During the Recess of Parliament Her Majesty may by Proclamation prohibit the Distillation of Spirits from Corn. 6 Geo. 4. c. 80. s. 48.
52. Distillers may grind Malt with Millstones.

As to the using of Sugar, Molasses, and Treacle in the Distillation of Spirits.

53. Distillers on giving Security to have Duty-free Sugar and Molasses delivered to them to be used in distilling Spirits. 18 & 19 Vict. c. 94. s. 9.
54. Distiller to give Bond with Sureties conditioned to secure the due Consumption of Duty-free Sugar and Molasses in the distilling of Spirits. 18 & 19 Vict. c. 94. s. 10.
55. No Sugar or Molasses to be received by Distillers except from the Customs or Excise Warehouse, and in the same State as when cleared, and accompanied with a Certificate from the Officer. 11 & 12 Vict. c. 100. s. 7.
56. No Treacle to be received by Distillers except from the Refiner or Manufacturer, and in the same State and Packages as when first packed, nor unless accompanied with a Certificate from the Refiner or Manufacturer. 11 & 12 Vict. c. 100. s. 8.
57. Distiller using Sugar, Molasses, or Treacle to provide a Storehouse at his Distillery in which the same shall be deposited and secured, &c. 11 & 12 Vict. c. 100. s. 9.
58. Distiller to give Twelve Hours Notice to the Officer of receiving Sugar, &c. and produce the same to him in the same State as received, to be deposited in the Storehouse. 11 & 12 Vict. c. 100. s. 10.
59. Four Hours Notice to be given before removing Sugar, &c. from the Storehouse to the Mash Tun, &c. 11 & 12 Vict. c. 104. s. 11.
60. Officer to keep an Account of the Stock of Sugar, &c. in the Storehouse. 11 & 12 Vict. c. 100. s. 12.

As to the fraudulent Disposal of Malt, Sugar, Molasses, or Treacle from a Distillery.

61. Distillers prohibited from selling Malt, Sugar, Molasses, &c. 18 & 19 Vict. c. 94. s. 30.
62. Commissioners may revoke the Licence of a Distiller on a Second Conviction of certain specified Offences. 18 & 19 Vict. c. 94. s. 31.
63. Persons found unlawfully removing Malt, Sugar, &c. from a Distillery, may be arrested and taken before a Justice, and summarily dealt with. 18 & 19 Vict. c. 94. s. 32.

As to the brewing and fermenting of Wort and the distilling of Wash, Low Wines, and Feints.

64. Distiller not to brew Wort or use a Still on Sundays. 4 Geo. 4. c. 94. s. 112.—6 Geo. 4. c. 80. s. 12.
65. Distiller to brew and distil in alternate Periods only. 4 Geo. 4. c. 94. s. 41.—6 Geo. 4. c. 80. s. 50.—16 & 17 Vict. c. 37. s. 34.
§ 66. Distiller to give Six Days Notice of beginning to brew and of re-commencing brewing. 4 Geo. 4. c. 94. s. 42.—6 Geo. 4. c. 80. s. 52.
67. Distiller to give Four Hours Notice of each brewing of Wort. 4 Geo. 4. c. 94. s. 43.—6 Geo. 4. c. 80. s. 51.—16 & 17 Vict. c. 37. s. 33.
68. Yeast to be added only in Fermenting Back.
69. Declaration to be given of the Quantity and Gravity of the Wort when collected in the Fermenting Back. 4 Geo. 4. c. 94. s. 48.—6 Geo. 4. c. 80. s. 54.
70. Penalty on Increase of Gravity or Quantity of the Wort. 4 Geo. 4. c. 94. s. 49.—6 Geo. 4. c. 80. s. 55.
71. Penalty if Wort or Wash be found to exceed in Gravity or Quantity the Gravity or Quantity previously ascertained by the Officer. 4 Geo. 4. c. 94. s. 49.—6 Geo. 4. c. 80. s. 56.
72. Saccharometer to be used for ascertaining the Gravity of Worts or Wash. 4 Geo. 4. c. 94. ss. 44, 45.—6 Geo. 4. c. 80. s. 53.
73. Regulations for Distillers making Bub or other Composition for exciting Fermentation. 4 Geo. 4. c. 94. s. 50.—6 Geo. 4. c. 80. s. 57.—16 & 17 Vict. c. 37. s. 33.
74. Distiller may sell Yeast or use it in his Distillery.
75. Distiller may refill Wash Backs during a Brewing Period.
76. Before beginning to distil, Distiller shall declare that all Wort and Wash are collected into the Fermenting Wash Backs. 4 Geo. 4. c. 94. s. 51.—6 Geo. 4. c. 80 s. 58.—16 & 17 Vict. c. 37. s. 34.
77. Distiller to give Four Hours Notice before removing Wash from the Fermenting Back to the Wash Charger. 4 Geo. 4. c. 94. s. 52.—6 Geo. 4. c. 80. s. 59.—16 & 17 Vict. c. 37. s. 33.
78. The Contents of Wash Charger to be conveyed into the Still or Charger before any other Wash be removed. 4 Geo. 4. c. 94. s. 53.—6 Geo. 4. c. 80. s. 63.
79. Samples of Wash may be taken, and the original Gravity before Fermentation determined as herein directed. 16 & 17 Vict. c. 37. s. 38.—19 & 20 Vict. c. 34. s. 16.
80. Samples of Wash may also be taken and distilled by the Officer. 4 Geo. 4. c. 94. s. 124.—6 Geo. 4. c. 80. s. 60.
81. Distiller to clean out Receivers and assist the Officer in distilling a Charge of Wash out of any Wash Back required by the Officer. 4 Geo. 4. c. 94. s. 123.—6 Geo. 4. c. 80. s. 61.
82. If the Produce of Wash distilled exceed the Proportion of One Gallon and a Quarter of Proof Spirits for every Five Degrees of Attenuation Distiller subject to Penalty. 4 Geo. 4. c. 94. s. 125.—6 Geo. 4. c. 80. s. 62.
83. Four Hours Notice to be given for the Removal of Low Wines, Feints, or Spirits from Receivers, and Officer to attend and take account thereof. 4 Geo. 4. c. 94. s. 54.—6 Geo. 4. c. 80. s. 64.
84. Low Wines, Spirits, and Feints produced to be kept separate until Account thereof be taken. 4 Geo. 4. c. 94. s. 55.—6 Geo. 4. c. 80. s. 65.—16 & 17 Vict. c. 37. s. 35.
85. Two Spirit Receivers may be used on certain Conditions.

As to the charging and Payment of the Duty on Spirits.

86–88. Modes of charging Duty. 4 Geo. 4. c. 94. s. 56.—6 Geo. 4. c. 80. s. 66.—4 Geo. 4. c. 94. s. 57.—6 Geo. 4. c. 80. s. 67.—4 Geo. 4. c. 94. s. 58.—6 Geo. 4. c. 80. s. 68.

§ 89. Distiller to be charged from the highest Gauge of Wash without allowing for Waste or Dregs. 4 Geo. 4. c. 94. s. 59.—6 Geo. 4. c. 80. s. 69.
90. Sugar, &c. not to be mixed with Low Wines or Spirits to prevent the Strength being ascertained. 4 Geo. 4. c. 94. s. 119.—6 Geo. 4. c. 80. s. 70.
91. Officer from Time to Time to make Returns of the Quantity of Spirits chargeable on the Distiller, who shall pay the Duty accordingly. 4 Geo. 4. c. 94. s. 62.—6 Geo. 4. c. 80. s. 72.
92. Collectors may distrain for Duties in arrear from Distillers. 4 Geo. 4. c. 94. s. 116.
93. Distiller to make Entry at the End of every distilling Period of the true Quantity of Wash distilled and Spirits made in each brewing and distilling Period. 4 Geo. 4. c. 94. s. 62.—6 Geo. 4. c. 80. s. 73.
94. Distiller to deliver an Account of the Malt, Sugar, and Molasses used in every distilling Period verified by Declaration. 18 & 19 Vict. c. 94. s. 28.
95. Officer may take Samples of Wort, Wash, Spirits, &c. in any Distillery. 4 Geo. 4. c. 94. s. 118.—6 Geo. 4. c. 80. s. 78.

As to the Removal of Spirits into the Distillery Store, or for Consumption; and the Account to be kept of Spirits in Stock.

96. No Spirits shall be received into a Distiller's Stock but such as are distilled in his Distillery. 4 Geo. 4. c. 94. s. 122.—6 Geo. 4. c. 80. s. 75.—16 & 17 Vict. c. 37. s. 16.
97. All Spirits distilled during a distilling Period to be removed from the Spirit Store within Ten Days after the Termination of such Period. 16 & 17 Vict. c. 37. s. 14.
98. Balance to be struck in the Stock Account, and Allowance made for Deficiency occasioned by natural Waste. 16 & 17 Vict. c. 37. s. 15.
99. Officer in charge of Spirit Store to attend daily. 16 & 17 Vict. c. 37. s. 11.
100. Spirits not to be removed from Distillery of other Strength than herein specified, or in less Quantity than Nine Gallons in any Cask, or without Permit. 4 Geo. 4. c. 94. s. 120.—6 Geo. 4. c. 80. s. 81.—11 & 12 Vict. c. 122. s. 23.—16 & 17 Vict. c. 37. s. 19.
101. Spirits may be sent out of the Store in Casks either full or on Ullage. 16 & 17 Vict. c. 37. s. 20.
102. Permit not to be granted for the Removal of Spirits out of Distillery expect to Warehouse until Collector's Receipt for the Duty be produced. 16 & 17 Vict. c. 37. s. 13.
103. Distiller's Stock Account of Proof Spirits to be kept by the Officer. 16 & 17 Vict. c. 37. s. 17.

Warehousing of Spirits Duty free, and Regulations relating to Spirits in Warehouse.

104. Distillers may warehouse Spirits without Payment of Duty in Warehouses provided and entered by them and approved by the Commissioners. 4 Geo. 4. c. 94. s. 66.—6 Geo. 4. c. 80. s. 82.—11 & 12 Vict. c. 122. s. 1.—16 & 17 Vict. c. 37. s. 23.
105. Regulations as to the Casks, and the Quantity to be contained therein, and Strength of warehoused Spirits. 16 & 17 Vict. c. 37. ss. 18, 19, 20.
106. Spirits in Distiller's Warehouse may be transferred to a Purchaser.
§ 107. Penalty for Frauds in relation to Spirits in Warehouse. 6 Geo. 4. c. 80. s. 82.—11 & 12 Vict. c. 122. s. 24.
108. Commissioners may appoint general Warehouses under Bond in which Distillers may warehouse British Spirits. 11 & 12 Vict. c. 122. s. 3.—16 & 17 Vict. c. 37. s. 23.
109. Distillers and Proprietors of Warehouses to provide Accommodation for Officers. 16 & 17 Vict. c. 37. s. 31.
110. Commissioners may revoke their Approval of Warehouses. 11 & 12 Vict. c. 122. s. 3.—16 & 17 Vict. c. 37. s. 24.
111. Spirits may be deposited in Warehouses provided by the Commissioners. Rent payable. 4 Geo. 4. c. 94. ss. 66. 78.
112. Removal of Spirits to Warehouse to be under the Regulations of the Commissioners.
113. Action not to be maintained on account of Spirits destroyed in Warehouse by Fire, &c. 4 Geo. 4. c. 94. s. 82.
114. Distiller to give Notice of his Intention to warehouse Spirits; none to be removed into Warehouse without Permit. 4 Geo. 4. c. 94. s. 67.—6 Geo. 4. c. 80. s. 83.
115. Officer to attend Removal of Spirits. 4 Geo. 4. c. 94. s. 69.—6 Geo. 4. c. 80. s. 84.
116. Officer at the Warehouse to take Account of and give Receipt for Spirits warehoused, such Receipt to be delivered by Distiller to the Officer, who is to give Credit for the same in the Charge against the Distiller. 4 Geo. 4. c. 94. ss. 70, 71.—6 Geo. 4. c. 80. ss. 85, 86.
117. Warehoused Casks to be numbered progressively. 16 & 17 Vict. c. 37. s. 22.
118. Stowage of Casks in Warehouse to afford easy Access. 16 & 17 Vict. c. 37. s. 27.
119. Spirits in Warehouse may be vatted, blended, or racked. 16 & 17 Vict. c. 37. s. 21.
120. Casks containing racked or blended Spirits to be marked.
121. Proprietor may view and show his Spirits in Warehouse. 4 Geo. 4. c. 94. s. 77.—6 Geo. 4. c. 80. s. 87.
122. Spirits deposited in a general Warehouse may be transferred on Notice from the Distiller or Dealer, and entered and kept in the Name of the Purchaser. Spirits not to be delivered out till Duty paid. 11 & 12 Vict. c. 122. s. 4.

As to the Delivery of Spirits out of Warehouse for Consumption, or Exportation, or Ship's Stores, &c.

123. No Spirits to be delivered out of Warehouse for Consumption without Payment of Duty. 6 Geo. 4. c. 80. ss. 93. 95.—11 & 12 Vict. c. 122. s. 1.
124. Spirits may be delivered out of Warehouse for Exportation without Payment of Duty. Notice of intended shipping to be given. 4 Geo. 4. c. 94. s. 73.
125. Bond to be given by Distiller or Proprietor of Spirits on Exportation; on Production of Collector's Certificate Spirits to be delivered with a Permit. 4 Geo. 4. c. 94. ss. 74, 75.
126. Commissioners may allow a Distiller or Proprietor to give a general Bond for the due Exportation of Spirits.
127. Warehoused Spirits may be shipped as Stores or used for Methylation without Payment of Duty. 6 Geo. 4. c. 80. s. 100.

§ 128. Regulation as to Days and Hours of Removal from Warehouse. 4 Geo. 4. c. 94. s. 75.—6 Geo. 4. c. 80. s. 95.
129. Duty to be paid on Deficiency of Spirits in Warehouse. 4 Geo. 4. c. 94. s. 81.—6 Geo. 4. c. 80. s. 89.
130. Warehoused Spirits may be removed from one Warehouse to another. 6 Geo. 4. c. 80. s. 90.—11 & 12 Vict. c. 122. s. 2.
131. Distiller or Proprietor of Spirits removed from one Warehouse to another may make fresh Entry of the same before being actually deposited. 11 & 12 Vict. c. 122. s. 5.

Allowances for Deficiencies on Spirits warehoused, and on Spirits lost or destroyed.

132. Allowances to be made for Deficiencies of Spirits in Warehouse. 16 & 17 Vict. c. 37. s. 28.—18 & 19 Vict. c. 94. s. 33.
133. Deficiencies to be allowed on Delivery of racked or blended Spirits from Warehouse.
134. Spirits to be deemed in Warehouse during their Removal.
135. Table in Schedule (B.) annexed to be used in ascertaining the Quantity of Spirits in a Cask by weighing the same. 16 & 17 Vict. c. 37. s. 37.
136. Duty on Spirits or Wash, &c. lost or destroyed by Fire or other Accident to be remitted. 11 & 12 Vict. c. 122. s. 6.—16 & 17 Vict. c. 37. s. 10.

As to warehousing Spirits in Customs Warehouses for Exportation or Ship's Stores.

137. Distiller may warehouse Spirits for Exportation or for Ship's Stores in Customs Warehouses. 11 & 12 Vict. c. 122. s. 15.
138. Spirits in a Distillery Store or deposited in Excise Warehouses may be removed to Customs Warehouses. 11 & 12 Vict. c. 122. s. 16.
139. Distiller may add sweetening or colouring Matter to Spirits in Customs Warehouse.
140. British Spirits re-imported may be deposited in a general Warehouse.
141. Rectified or compounded Spirits may be deposited in Customs Warehouses. 11 & 12 Vict. c. 122. s. 17.—16 & 17 Vict. c. 37. s. 26.
142. Strength of rectified or compounded Spirits to be deposited in Customs Warehouses, and Regulations as to Casks, Permit, &c. 11 & 12 Vict. c. 122. s. 20.
143. Rectified or compounded Spirits to be entered for Warehouse, and Officer of Customs to give Receipt for the same, &c. 11 & 12 Vict. c. 122. s. 21.
144. Rectifiers or Compounders warehousing Spirits may on giving Notice add sweetening or colouring Matter to the same. 11 & 12 Vict. c. 122. s. 22.
145. Rectified or compounded Spirits so warehoused may be sent coastwise for Exportation or for Ship's Stores only. 11 & 12 Vict. c. 122. s. 18.
146. British Spirits deposited in a Customs Warehouse may be used in the same Manner as Foreign or Colonial.

As to fraudulent Access to Spirits in Warehouse.

147. Penalty on Distiller, &c. fraudulently opening Warehouses or gaining Access to Spirits. 11 & 12 Vict. c. 122. s. 24.

Denominations of British Spirits and Compounds.

§ 148. Denominations of Spirits of different Distillations, British Compounds, &c. Mixtures manufactured from Spirits which have not paid the Duty of Excise, &c. 4 Geo. 4. c. 94. s. 61.—6 Geo. 4. c. 80. s. 101.—11 & 12 Vict. c. 122. s. 25.

As to Rectifiers and Compounders of Spirits.

149. Penalty on Rectifiers and Compounders having in their Possession any Wort, &c., or distilling the same into Low Wines or Spirits, or receiving Spirits without a legal Permit. 6 Geo. 4. c. 80. s. 102.
150. Rectifiers or Compounders having fixed Pipes, &c. to their Stills not hereby permitted liable to Penalty. 6 Geo. 4. c. 80. s. 104.
151. Regulations as to the placing of the Discharge Cock in the Body of the Still of a Rectifier or Compounder. 3 Geo. 4. c. 52. s. 71.
152. Notice to the Officer to unlock Furnace Door of a Still of a Rectifier or Compounder. 3 Geo. 4. c. 52. s. 73.
153. Directions relative to Officer's Attendance for opening the Furnace Door. 3 Geo. 4. c. 52. s. 74.
154. Officer to open Locks and Fastenings for cleaning or repairing Utensils. 3 Geo. 4. c. 52. s. 80.
155. Rectifiers or Compounders to charge their Stills as herein directed, and work them off within the Time herein limited. 6 Geo. 4. c. 80. s. 105.
156. Officers may take Still Gauges and Samples of Liquor; and if they discover Wash mixed with Low Wines, Rectifier is liable to Penalty. 3 Geo. 4. c. 52. s. 78.
157. Rectifiers or Compounders to cause the Heads of their Stills to be taken off so soon as the same shall cease to be worked. 6 Geo. 4. c. 80. s. 106.
158. Officers to take account of the Stocks of Rectifiers and Compounders as often as they may think fit, &c. 6 Geo. 4. c. 80. s. 109.
159. Spirits produced from Stills at work when Stocks are taken to be afterwards added. 6 Geo. 4. c. 80. s. 110.
160. Rectifier or Compounder receiving Spirits not to break Bulk before the Officer to whom Notice shall be given take an Account of the Strength and Quantity. 6 Geo. 4. c. 80. s. 111.
161. Rectifiers or Compounders to mark the Quantity and Strength of mixed or compounded Spirits on the Casks containing the same. 6 Geo. 4. c. 80. s. 112.
162. At what Strength and in what Quantities Rectifiers and Compounders may send out compounded Spirits and Spirits of Wine. 6 Geo. 4. c. 80. s. 113.—18 & 19 Vict. c. 94. s. 34.
163. Strength of Spirits of Wine to be 43 per Cent. over Proof at the least, and to be expressed in the Certificate. 6 Geo. 4. c. 80. s. 114.

As to Dealers and Retailers.

164. Dealers and Retailers to make Entry of Premises and Utensils. 11 & 12 Vict. c. 121. s. 3.
165. At what Strength British Spirits may be kept and sent out of Stock by Dealers or Retailers. 11 & 12 Vict. c. 121. s. 23.
166. Casks used by Dealers and Retailers in Stock or for delivering out Spirits to have the true Content marked thereon. 11 & 12 Vict. c. 121. ss. 4. 6.
167. Dealers and Retailers to mark the true Strength and Quantity of compounded Spirits on their Casks. 11 & 12 Vict. c. 121. s. 5.

§ 168. Penalty on Retailer not licensed as a Dealer sending out Spirits to a Rectifier Dealer, or Retailer, on receiving Spirits from another Retailer, and on Dealer not licensed as a Retailer selling less than Two Gallons of Spirits. 11 & 12 Vict. c. 121. s. 7.

169. Licensed Dealers taking out an additional Licence may retail and send out Foreign Liqueurs in Quantities not exceeding a Gallon without Certificate. 11 & 12 Vict. c. 121. ss. 9. 14.

As to Certificates and Permits for the Removal of Spirits.

170. Every Rectifier, Dealer, and Retailer to provide a Book for entering therein the Particulars of Spirits received and sent out by him. 11 & 12 Vict. c. 121. s. 12.

171. All Spirits sold by Rectifiers or Dealers, and also (when the Quantity exceeds a Gallon) by Retailers, to be accompanied by a Certificate. 11 & 12 Vict. c. 121. s. 13.

172. Penalty on Rectifiers, Dealers, and Retailers for improper Use of Certificates. 11 & 12 Vict. c. 121. s. 13.

173. Penalty for fraudulently using a Certificate for any Purpose other than the due Removal of Spirits. 11 & 12 Vict. c. 121. s. 15.

174. Rectifier, Dealer, or Retailer not to receive Spirits without a Permit or Certificate, and the same to be cancelled on Receipt thereof. 11 & 12 Vict. c. 121. s. 16.

175. Permits and Certificates to be preserved and delivered to the Officer. 11 & 12 Vict. c. 121. s. 17.

176. Stock of Dealer or Retailer may be taken by an Officer, and any Excess found therein to be forfeited. 11 & 12 Vict. c. 121. s. 20.

177. Distiller, Rectifier, Dealer and Retailer to assist Officer in taking Stock. 11 & 12 Vict. c. 121. s. 20.

178. Distiller may not carry on the Trade of a Dealer at any Place within the Distance of Two Miles from his Distillery, unless such Place be approved by the Commissioners. 4 Geo. 4. c. 94. s. 132.—16 & 17 Vict. c. 37. s. 36.

179. Retailer not to be concerned in any Distillery, &c. within Two Miles of his Premises, and no Retailer to be licensed in any Premises having a private Communication with a Distillery, &c. 11 & 12 Vict. c. 121. s. 8.

180. No Spirits to be purchased except from licensed Traders or at Customs or Excise Sales or Warehouses. 6 Geo. 4. c. 80. s. 107.—11 & 12 Vict. c. 121. s. 22.

181. No Spirits to be removed from the Stock of a Distiller without a Permit. 6 Geo. 4. c. 80. s. 115.

182. Rectifier, Compounder, Dealer, or Retailer not to receive Spirits without Permit or Certificate, nor any Person carry the same. 6 Geo. 4. c. 80. s. 116.

183. No Spirits to be sent out or received into Stock unless the Permit or Certificate shall truly express the Strength. 6 Geo. 4. c. 80. s. 117.

184. All Spirits exceeding One Gallon to be removed by Permit or Certificate, otherwise Penalty and Forfeiture. 11 & 12 Vict. c. 121. s. 24.

185. Persons removing Spirits in any Quantity exceeding One Gallon and not producing a proper Permit or Certificate may be arrested and convicted, and on Nonpayment of the Penalty may be imprisoned. 6 Geo. 4. c. 80. s. 118.—11 & 12 Vict. c. 121. s. 25.

186. Penalty for sending out or receiving Spirits without Permit, or for the fraudulent Use of Permits. 4 Geo. 4. c. 94. s. 121.—6 Geo. 4. c. 80. s. 121.

§ 187. If a Permit or Certificate be not delivered with Spirits sold they shall be forfeited to the Buyer, and double the Price. 6 Geo. 4. c. 80. s. 119.

188. Permits and Certificates for the Removal of Spirits to be granted under the Regulations of the Permit and Certificate Laws. 6 Geo. 4. c. 80. s. 120.

As to Scales, Weights, Measures, and Fastenings to be provided by Excise Traders.

189. Distillers, Warehouse-keepers, and other Excise Traders to keep sufficient Scales, Weights, and Measures for taking Account of Spirits, and aid the Officers in using the same. 16 & 17 Vict. c. 37. ss. 29, 30.

190. All Fastenings (except Locks), for the Security of Warehouses, Storerooms, and Utensils, to be provided at the Expense of the Excise Trader. 18 & 19 Vict. c. 94. s. 15.

Supplying Spirits to be unlawfully retailed, and having in possession Spirits not Duty paid.

191. Penalty on Persons selling Liquors to be unlawfully retailed or consumed by others. 6 Geo. 4. c. 80. s. 132.

192. Persons knowingly having in possession Spirits for which the Duties have not been paid to forfeit the same and Treble Value. 6 Geo. 4. c. 80. s. 133.

Retailing and using Spirits in Gaols.

193. No Licence to be granted for retailing Spirits within Gaols or Houses of Correction, nor shall Spirits be used there except such as shall be medicinally prescribed. 6 Geo. 4. c. 80. s. 134.

194. Justices, upon Information that Spirits are kept and disposed of in any Gaol, &c., may enter and search, and empower any Constable to seize the same. 6 Geo. 4. c. 80. s. 135.

Hawking Spirits, and selling Spirits in unlicensed Places.

195. Persons hawking or selling Spirits in unlicensed Places to forfeit the same, and a Penalty; and may be committed to the House of Correction for Nonpayment. 6 Geo. 4. c. 80. s. 138.

196. Justice of Peace, upon Information on Oath, may issue Warrant to apprehend Persons hawking Spirits. 6 Geo. 4. c. 80. s. 139.

197. Any Person may detain a Hawker of Spirits, and give Notice to a Peace Officer, who is to carry the Offender before a Justice. 6 Geo. 4. c. 80. s. 140.

As to the Acquittal and Reward of Informers.

198. Either of the offending Parties informing against the other shall be acquitted of his own Penalty. 6 Geo. 4. c. 80. s. 141.

199. Informers may be rewarded by the Commissioners if the Penalty is not paid and cannot be levied, or if the Offender be sent to Prison. 6 Geo. 4. c. 80. s. 142.

As to Persons opposing the Law, and Peace Officers refusing to aid in executing it.

200. Armed Persons opposing the Law, or violently rescuing Offenders, or assaulting Officers, Informers, or Witnesses, guilty of Felony. 6 Geo. 4. c. 80. s. 143.

201. Penalty on Constable or other Peace Officer not assisting in executing this Act. 6 Geo. 4. c. 80. s. 144.

As to the Repeal of existing Acts, &c.

§ 202. Repeal of existing Acts.
203. Commencement and Operation of the Act.
SCHEDULE (A.) Table for determining the original Gravity of Worts before Fermentation. 16 & 17 Vict. c. 37. s. 38., and Schedule (D.)
SCHEDULE (B.) Table for determining the Weight per Gallon of Spirits by Sykes's Hydrometer. 16 & 17 Vict. c. 37. s. 37., and Schedule (C.)
SCHEDULE (C.) Acts to be repealed.

3.—*Sale of Spirits (Ireland).*

23 & 24 Vict. c. 35.—An Act further to amend the Act 18 & 19 Vict. c. 62. to amend the Law for the better Prevention of the Sale of Spirits by unlicensed Persons and for the Suppression of illicit Distillation in Ireland. Page 655

§ 1. As to Appeals from informal Orders of Justices refusing Licences.
2. If Order of Refusal reversed, Excise Officer to renew the Licence.
SCHEDULE.

See also *Customs. Excise Duties.*

Stamp Duties.

23 & 24 Vict. c. 15.—An Act for granting to Her Majesty certain Duties of Stamps. Page 612

§ 1, 2. Certain Duties repealed, and new ones granted as described in Schedule.
3. Provisions of former Acts to apply to Duties under this Act.
4. Personal Estate appointed by Will under general Powers to be chargeable with Probate and Inventory Duties.
5. Probate and Inventory Duties in respect thereof to be a Charge on the Property.
6. Probate and Inventory Duties in respect of Money secured on Heritable Property and by Heritable Bonds in Scotland.
7. Certain Testamentary Dispositions in Scotland not to be chargeable with Stamp Duty.
8. Certain Duties to be denoted either by impressed or adhesive Stamps.
9. The Persons making the Instruments to affix adhesive Stamps, and cancel same. In default, Penalty 20*l.*
10. Penalty for fraudulently stating Goods to be under 40*s.*
11. The Person requesting the Entry of Transfer of any Share to affix and cancel an adhesive Stamp. In default, Penalty 20*l.*
12. The Payers of Foreign Bills to cancel Stamps.
13. The Stamps on Foreign Bills to be adhesive and Provisions of 17 & 18 Vict. c. 83. to be applied.
14. Penalty for Frauds in relation to adhesive Stamps.
§ 15. Penalty on stamping an Agreement under the Value of 20*l.* to be 20*s.* only.
SCHEDULE of Duties imposed by this Act.

23 & 24 Vict. c. 111.—An Act for granting to Her Majesty certain Duties of Stamps, and to amend the Laws relating to the Stamp Duties. Page 832

§ 1. After passing of this Act the Duties described in Schedule to be charged.
2. Stamp Duties now payable on Instruments, &c. mentioned in Schedule repealed.
3. Allowances on Bill and Receipt Stamps granted by Acts 13 & 14 Vict. c. 97. and 17 & 18 Vict. c. 83. to cease, and an Allowance granted in lieu thereof.
4. Provisions of former Acts to apply to this Act.
5. The Duties on Foreign Promissory Notes to be denoted by adhesive Stamps.
6. Construction of Terms "Contract Note" and "Insurance."
7. Stamps on Contract Notes may be impressed or adhesive; if adhesive, to be cancelled.
8. On Renewal of Insurance the Receipt to be chargeable with the Duty.
9. Adhesive or impressed Stamps, or both, may be used for Insurances.
10. The Stamp Duty on Policies of Insurance on Lives for Sums not exceeding 25*l.* reduced.
11. No Duty on Insurance of Workmen's Tools not exceeding 20*l.*
12. The Stamp on an Agreement may be adhesive.
13. Every Delivery Order to be deemed to be upon a Sale or Transfer unless otherwise stated. Penalty for false Statement. Order not to be invalid.
14. The Stamp Duty on a Delivery Order to be paid by the Person requiring the Order.
15. Weight-Notes not to be liable as Dock Warrants.
16. Certain Copies or Extracts from Registers not to be chargeable with Stamp Duty.
17. Certain Orders on Bankers not to be subject to more than a Penny Stamp.
18. Bankers may affix Stamps to Drafts or Order s draw on them.
19. Section 18. of 55 Geo. 3. c. 184., prohibiting the issuing of Bankers Notes with printed Dates, repealed. Drafts on Bankers for less than 20*s.* to be lawful.
20. Licences to Hawkers and Pedlars granted in England or Scotland to be good for any Part of Great Britain.
21. Commissioners of Inland Revenue may remit Penalties under the said Acts.
22. Persons in the Service of the Post Office may sell Postage Stamps, &c. without Licence.
23. If Treasury direct District Registrars of Court of Probate to be paid by Salary, they may also direct the Fees to be collected, &c. by means of Stamps. 20 & 21 Vict. cc. 77. 79.

SCHEDULE of Duties imposed.

See also *Attorneys, &c. Bankers Drafts. East India Bonds. Inventory Duty. Manor Courts (Ireland). Passports. Probates and Administrations. Universities*, 2.

Stanhope and Wolsingham Rectories.

21 & 22 Vict. c. 58.—An Act for the future Appropriation of the Tithe or Tenth of Lead Ores in the Parishes of Stanhope and Wolsingham in the County of Durham belonging to the respective Rectors thereof, subject to the existing Incumbencies, and for making other Provisions for the Endowment of the said Rectories in lieu thereof, and for other Purposes connected therewith. Page 89

Preamble recites 19 Car. 2. c. 15.; also 3 & 4 Vict. c. 113. and 4 & 5 Vict. c. 39.; also Order in Council, dated 4th April 1856.

§ 1. Certain Parts of 19 Car. 2. c. 15. repealed.
2. Tithe or Tenth of Lead Ore vested in Ecclesiastical Commissioners.
3. Regulations as to Incomes of Rectors of Stanhope and Wolsingham to be partly made up from Common Fund of Ecclesiastical Commissioners.
4. Mode of fixing Amounts to be paid by Ecclesiastical Commissioners.
5. Proviso enabling Rectors to concur in Arrangements for Transfer of Tithe or Tenth during Incumbencies.
6. Common Fund to be charged with Payment of annual Sums to Incumbents of St. John Weardale, Frosterley, Heathery Cleugh, Eastgate, Rookhope, and Thornley.
7. Common Fund to be further charged with annual Sum for augmenting Incomes of Rectories, Curacies, &c. in the County of Durham.
8. Ecclesiastical Commissioners may substitute Lands, Tithe Rentcharge, or other Hereditaments for Payment out of Common Fund.
9. Powers of Ecclesiastical Commissioners over Common Fund not to be prejudiced.
10. Rights of Lessees and others not to be prejudiced.
11. Short Title.

Steam Engines used in Mines. See *Malicious Injuries to Property.*

Stipendiary Magistrates.

21 & 22 Vict. c. 73.—An Act to amend the Law concerning the Powers of Stipendiary Magistrates and Justices of the Peace in certain Cases. Page 125

§ 1. A Stipendiary Magistrate may do alone all Acts authorized to be done by Two Justices.
2. Foregoing Enactment to extend to Acts required to be done at Petty Sessions.
3. Saving of Jurisdiction of Quarter Sessions and Special Sessions, and as to Licences.
4. Saving as to Metropolitan Police Magistrates.
5. As to Extent of Section 22. of 11 & 12 Vict. c. 43.
6. Section 18. of 2 & 3 Vict. c. 71. amended.
7. Magistrates acting for Places in the Metropolitan Police District within which no Police Court is established may commit certain Offenders to any Gaol in and for the County, &c. in which Offence shall have been committed.
8. Repeal of certain Acts and Parts of Acts; viz., 59 Geo. 3. c. 28., Section 4. of 7 Will. 4. & 1 Vict. c. 19., and Section 4. of 5 & 6 Vict. c. 38.
9. Power to divide Courts of Quarter Sessions, General Sessions, and adjourned Sessions.
§ 10. Regulations made for the Apportionment of Business need not be renewed at each Session.
11. Clerk of the Peace to appoint a Person to record the Proceedings of such separate Court.
12. Time from which Sentences of certain Courts shall take effect.
13. Stipendiary Magistrate may appoint a Deputy, with Approval of Secretary of State.
14. Power to appoint County Stipendiary Magistrates to be Magistrates of the Metropolitan Police Courts. 2 & 3 Vict. c. 71. s. 3.
15. Act to extend only to England.

Stock-jobbing.

23 & 24 Vict. c. 28.—An Act to repeal the Act 7 Geo. 2. c. 8., commonly called "Sir John Barnard's Act," and the Act 10 Geo. 2. c. 8. Page 648

Stock, Unclaimed. See *Bank of Ireland*, 2.

Stock in Trade Exemption.

22 & 23 Vict. c. 44.—An Act to continue the Act for the Exemption of Stock in Trade from Rating. Page 486

§ 1. Act 3 & 4 Vict. c. 89. further continued until 1st October 1862.

Submarine Mines. See *Cornwall Submarine Mines.*

Sugar used in Brewing. See *Excise Duties.*

Sunderland. See *Local Government of Towns.*

Superannuation.

22 Vict. c. 26.—An Act to amend the Laws concerning Superannuations and other Allowances to Persons having held Civil Offices in the Public Service. Page 384

Recital of 4 & 5 Will. 4. c. 24. and 20 & 21 Vict. c. 37.

§ 1. Repeal of Sections 10. 11. 13. 14. 15. 17. 19. and 24. of 4 & 5 Will. 4. c. 24.
2. Rates of Superannuation Allowance.
3. This Act to apply to Persons already in the Civil Service, but without Prejudice to existing Rights.
4. Provision for computing Amount of Superannuation to Persons holding professional and other special Offices.
5. Allowances in Cases of bodily Injury.
6. Power to Treasury to grant Gratuities in case of short Service.
7. Power to Treasury to grant Allowances on Abolition of Offices.
8. Condition of Grant of full Superannuations to public Servants not Heads of Departments.
9. Power to Treasury to grant Allowances for special Services, and for Demerits in individual Cases.
10. Allowances not to be granted to Persons under Sixty unless upon Medical Certificate of permanent Infirmity.
11. Persons superannuated under Sixty may be required to serve again.
12. Superannuation may be retained on Transfer to other Employment under the Crown.

§ 13. Orders, &c. within what Time to be laid before Parliament.
14. Section 6. of 57 Geo. 3. c. 65. only to apply to Officers having had Seats in Parliament.
15. Construction of the following Sections with this Act; viz., Section 1. of 5 & 6 Will. 4. c. 42.; Section 21. of 7 Will. 4. & 1 Vict. c. 30.; Sections 5. and 10. of 8 & 9 Vict. c. 100.; Section 39. of 13 & 14 Vict. c. 89.; Section 15 of 15 & 16 Vict. c. 73.; Section 46. of 15 & 16 Vict. c. 87.; Section 22. of 17 & 18 Vict. c. 78.; and Section 9. of 19 & 20 Vict. c. 110.
16. Allowances to be paid free from Taxes.
17. Who to be deemed Civil Servants.
18. 4 & 5 Will. 4. c. 24. and this Act to be construed together.
19. Short Title of Act.

23 & 24 Vict. c. 89.—An Act to extend in certain Cases the Provisions of the Superannuation Act, 1859 (22 Vict. c. 26). Page 768

§ 1. Superannuation Act, 1859, to extend to Cases of Joint Service in the Office of Secretary of State for India, and in the permanent Civil Service.

See also *Police.*

Superior Courts. See *Common Law Procedure*, 2. *Nisi Prius (Ireland).*

Supply. See *Revenue, Public, &c.*

Supremacy, Oath of. See *Oaths*, 3.

Survey. See *Boundaries (Ireland).*

Sweets or Made Wines. See *Excise Duties.*

Swineshead (Lincoln). See *Cowley's Charity.*

T.

Tahiti, Moscow, and Ningpo. See *Marriages*, 4.

Taxation, Local. See *Local Taxation Returns.*

Taxes, Rates, and Duties. See *Customs. Excise. Game Certificates. Income and Property Tax. Inventory Duty. Spirits. Stamp Duties. Wine Licences.*

Tenant and Landlord. See *Landlord and Tenant (Ireland).*

Tenison's Charity.

23 & 24 Vict. c. 43.—An Act for confirming a Scheme of the Charity Commissioners for the Administration of Archbishop Tenison's Charity in the Parish of Saint Martin in the Fields, Westminster. Page 673

Tenure and Improvement of Land (Ireland).

23 & 24 Vict. c. 153.—An Act to amend the Law relating to the Tenure and Improvement of Land in Ireland. Page 1047

Preliminary.

§ 1. Short Title:—Landed Property (Ireland) Improvement Act (1860).
2. Act to apply to Ireland only.
3. Act to commence on 2d Nov. 1860.
4–6. Definition of Terms.

Landlords Improvements.

7. Definition of "Limited Owner."
8. Guardians to be deemed Limited Owners in certain Cases.
9. Definition of "Successor."
10. Limited Owner entitled to Compensation for Improvements.
11. Definition of "Improvements."
12. Mode of Application.
13. Officer of the Landed Estates Court to give Notice of Statement.
14. Duty of Court on Application.
15. Judge may sanction Improvements.
16. Power of Successor to inspect.
17. Statement of Expenditure to be lodged with the Officer of the Landed Estates Court.
18. Officer of the Landed Estates Court to advertise Statement.
19. Judge to make Charging Order.
20. Registry of Charging Order.
21. Death of Limited Owner.
22. Nature of Annuity.
23. Maintenance of Improvements.

Leasing Powers.

24. Extended Definition of "Limited Qwner."
25. Power of Limited Owner to lease.
26. Mode of obtaining the Sanction of Court.
27. Duty of Court on Application.
28. Effect of Lease.
29. Leases under this Act subject to Jurisdiction of Court of Equity in certain Cases.
30. Prohibitions as to Mansions and Demesne Lands.
31. Powers of Act to be cumulative.
32. Provision in Cases in which Power to make Leases is not within exact Terms of Act or Settlement.

Tenants Improvements.

33. Application of this Part of Act.
34, 35. Definition of "Tenant" and "Owner."
36. Tenant entitled to Compensation for Improvements.
37. Definition of "Improvements."
38. Agreement with or Notice to Owner.
39. Owner by Agreement with Tenant may execute Works.
40. Consent of Owner.
41. Statement of Expenditure to be lodged with the Clerk of the Peace.
42. Clerk of the Peace to give Notice to Owner.
43. Hearing of Case.
44. Labour of Tenant to be taken into account.
45. Maintenance of Improvements.
46. Order how made absolute.
47. Notice to be given to Owner of Application for Order Absolute.

§ 48. In case of Death, &c. of Tenant.
49. Nature of Annuity.
50. Registry of Orders to be kept by Clerk of the Peace.
51. Appeal from Decision of Chairman upon Application for a Charging Order.
52. Certificate of Completion when contested not to be registered until after Time for appealing.

General Provisions.

53. Restriction of maximum Amount of Charges.
54. Where Tenant becomes entitled to Annuity, Owner may redeem same.
55. Recovery of Annuity.
56. Provision as to Arrears of Annuity.
57. Service of Notices.
58. Rules as to Notices by Post.
59. An Order to be Evidence of Compliance with Act.
60. Power of Landed Estates Court to make Regulations.
61. Power of Chairmen to make Regulations.
62. Nothing in this Act to affect Usages, &c.

Thames River.

21 & 22 Vict. c. 104.—An Act to alter and amend the Metropolis Local Management Act (1855), and to extend the Powers of the Metropolitan Board of Works for the Purification of the Thames and the Main Drainage of the Metropolis. Page 221

Preamble recites 18 & 19 Vict. c. 120.
§ 1. The Metropolitan Board of Works to commence Sewerage Works as soon as may be.
2. Metropolitan Board may construct Works on the Shores and Bed of the Thames.
3. Powers of taking Land to apply for the Purpose of deodorizing Works.
4. Metropolitan Board of Works may (before 1865) raise the Sum of Three Millions by Bonds or Debentures.
5. Power to raise Money for Repayment of Principal Monies.
6. The Treasury may guarantee Payment of Monies borrowed.
7. Securities transferable by Delivery.
8. Money borrowed under this Act to be applied only to Works under this Act.
9. Appointment of Inspecting Engineers.
10. Metropolitan Board of Works to levy Rate of Threepence in the Pound on the Property in the Metropolis.
11. Such Rate to be called "The Metropolis Main Drainage Rate."
12. All Parts of the Metropolis to be deemed to be equally benefited.
13. Assessments and Precepts may be according to Form in Schedule.
14. Provisions applicable to other Assessments of the Metropolitan Board to be extended to Assessments under this Act.
15. Rates to be made by Metropolitan Board on default of Vestries, &c. in Payment of Precepts.
16. Extension of Provisions as to Inspection, &c. of County Rates to other Rates and Taxes.
17. Metropolitan Board may require to be furnished with Copies of Poor Rates.
18. Monies arising from the Rate to be paid into a separate Account in the Bank of England.
19. Application of Monies paid into the Bank of England.
§ 20. Monies arising from Rates may be applied in lieu of Money to be raised by Loan.
21. Payment in pursuance of Guarantee.
22. The Rate under this Act may be determined when the Money borrowed is repaid.
23. Metropolitan Board to deodorize Sewage and defray Expenses as under 18 & 19 Vict. c. 120.
24. Board to execute Works so as not to create a Nuisance.
25. Enactments requiring the Approbation of the Commissioners of Works, &c. repealed.
26. Time for Completion of Works extended to End of 1863.
27. Works, &c. to be approved of by the Admiralty.
28. Works upon Shore of the River Thames to be approved by the Conservators of the River Thames.
29. Saving Rights of the Conservators of the River Thames.
30. Regulation of Works under or over the River Lea.
31. On Complaint of Nuisance committed in execution of Works, Secretary of State may order Prosecution.
32. Interpretation of Terms.
33. 18 & 19 Vict. c. 120. and this Act to be as One.
SCHEDULE of Forms.

Tipstaffs. See *Nisi Prius (Ireland).*

Tithe Commutation.

23 & 24 Vict. c. 93.—An Act to amend and further extend the Acts for the Commutation of Tithes in England and Wales. Page 778

Preamble recites 6 & 7 Will. 4. c. 71., 7 Will. 4. & 1 Vict. c. 69., 1 & 2 Vict. c. 64., 2 & 3 Vict. c. 62., 3 & 4 Vict. c. 15., 5 & 6 Vict. c. 54., 9 & 10 Vict. c. 73., and 10 & 11 Vict. c. 104.
§ 1. Corn Rents under Local Acts may be converted into Tithe Rentcharge.
2. County or Towns from whose Returns Average to be calculated.
3. How Average to be calculated.
4. Commissioners to apportion Rentcharge.
5. Power of Appeal to a Court of Law.
6. Comptroller of Corn Returns to furnish Information.
7. Commissioners to have same Powers as in Tithe Commutations. As to Expenses of Awards, &c.
8. Copies of Award to be deposited, &c.
9. As to Recovery of Rentcharges awarded in lieu of Corn Rents.
10. Where Consents not given, Draft of proposed altered Apportionment to be deposited for Inspection. In case of Objection Commissioners to appoint a Time for hearing the same.
11. Rentcharge may be reapportioned and redistributed on the same or on other Lands.
12. Where Fences removed Rentcharge may be apportioned on Land Tithe-free jointly with other Land.
13. Land not to be charged to a different Owner than before, without Consent.
14. Consent of Landowner not required where his Lands are not charged.
15. Power to Commissioners to alter Apportionment where successive Alterations have made it inconvenient or difficult, but not to alter Amount, &c.
16. Power to Commissioners to alter Apportionment where Boundaries of Parishes have been altered.
17. Powers for altering Apportionments or Awards.

§ 18. Tithes commuted for a Sum or Rate per Head may be converted into a Rentcharge.
19. Gross Rentcharge may be apportioned on Gated or Stinted Pastures.
20. Rentcharge on Commons may be commuted for a Part of the Land, or redeemed.
21. If Rentcharge is commuted for Land, Commissioners to set out the Land and to vest the same in Owner.
22. Commissioners to set out Land to be sold for Purposes of Redemption.
23. Conveyance of Land sold to be executed by Commissioners.
24. Where Rate per Head is in arrear the same may be recovered by Distress.
25. Upon Inclosure, Rate per Head may be converted into Rentcharge.
26. Power to Commissioners to order Maps to be detached from Instruments of Apportionments.
27. Provision for Restoration of damaged Instrument of Apportionment.
28. Justices may order an Instrument of Apportionment to be restored to proper Custody.
29. Expenses of recovering Rentcharge.
30. Notice of Intention to distrain may be sent by Post.
31. Commissioners may order a Rentcharge not exceeding 15*l*. to be redeemed before Apportionment.
32. Where Land divided, Commissioners may order Rentcharge to be redeemed after Apportionment.
33. Provision in Cases where Rentcharge has been charged on Lands which in consequence of Error in Boundary are not within the Parish where aggregate Charge is awarded.
34. Provision for charging Rentcharge where Land made chargeable for more than One Parish.
35. Commissioners shall give Notice of their Intention to order compulsory Redemption.
36. If Person refuse to receive Redemption Money, to be dealt with as if under Disability.
37. Trustees may be appointed to receive Sums not exceeding 200*l*. payable to Corporation.
38. Provisions of recited Acts applicable to Redemptions under this Act.
39. Expenses and Redemption Money, how to be raised.
40. Informal Arrangements may be confirmed.
41. Copyhold and other Lands may be exchanged for Glebe.
42. Formation of District within which extraordinary Charge in respect of Hop Grounds and Market Gardens shall be payable.
43. Power to enter on Land.
44. Recited Acts and this to be as One.

See also *Copyholds*.

Tithe or Tenth of Lead Ore. See *Stanhope and Wolsingham Rectories.*

Titles to Land (Scotland).

21 & 22 Vict. c. 76.—An Act to simplify the Forms and diminish the Expense of completing Titles to Land in Scotland. Page 128

§ 1. Instruments of Sasine no longer necessary, but Conveyances may be recorded instead.
2. Not necessary to record the whole Conveyance.
3. Clause directing Part of Conveyance to be recorded.
4. Instruments of Resignation ad remanentiam no longer necessary, but Conveyances in favour of Superior may be recorded instead.
5. Certain Clauses no longer necessary in Conveyances.
6. Provision where Lands are held of the Crown, &c., and a Confirmation of a Deed, &c. required.
7. Provision when Lands are held of a Subject Superior, and a Confirmation of a Deed, &c. required.
8. Provision where Lands are held of the Crown, &c., and a new Investiture by Registration, &c. required.
9. Provision when Lands are held of a Subject Superior, and a new Investiture by Resignation, &c. required.
10. As to Charters by Progress.
11. As to Writs of Clare constat.
12. As to Notarial Instruments in favour of General Disponees.
13. As to Assignations to unrecorded Conveyances.
14. As to Notarial Instruments in favour of Parties acquiring Rights to unrecorded Conveyances.
15. Particular Description of Lands contained in prior recorded Deeds may be referred to, &c.
16. Several Lands conveyed by the same Deed may be comprehended under One general Name.
17. Destinations in Entails may be referred to.
18. Certain Clauses in Entails no longer necessary.
19. Recording of Conveyances in the Register of Sasines authorized.
20. Present Forms of Conveyances may be used.
21. Mode of completing Title by a Judicial Factor.
22. Mode of completing Title by a Trustee in Sequestration, and by Liquidators of Joint Stock Companies.
23. Mode of relinquishing Superiorities.
24. Investiture by Over-superior.
25. Application of Price of entailed Superiorities. 11 & 12 Vict. c. 36., 16 & 17 Vict. c. 94.
26. Price of Superiorities of entailed Lands may be charged on the entailed Estate.
27. Diligence against Apparent Heirs.
28. Prohibition against Subinfeudation not to be affected.
29. Obligations appointed to be inserted in Instruments of Sasine shall be inserted in Notarial Instruments.
30. Case of Party where Domicile is unknown.
31. Power to record of new the Conveyance, &c. with the Original, or a new Warrant of Registration, &c.
32. Not necessary to append Seal to Crown Charters.
33. Recorded Instruments not to be challenged on the Ground of Erasures.
34. Deeds and Instruments may be partly written and partly printed or engraved.
35. Act not to extend to Lands held by Burgage Tenure.
36. Interpretation of Terms.
37. Short Title.

SCHEDULE of Forms.

23 & 24 Vict. c. 143.—An Act to extend certain Provisions of the Titles to Land (Scotland) Act, 1858 (21 & 22 Vict. c. 76.), to Titles to Land held by Burgage Tenure; and to amend the said Act. Page 1000

§ 1. Short Title.
2. Interpretation of Terms.
3. Instruments of Sasine, and of Resignation and Sasine, no longer necessary, and Conveyances may be recorded.
4. Not necessary to record the whole Conveyance.
5. Clause directing Part of Conveyance to be recorded.
6. Certain Clauses not necessary in Conveyances.

§ 7. Heir in Burgage Subjects may make up Title by Writ of Clare constat or by Special Service.
8. Notarial Instruments in favour of General Disponees authorized.
9. Forms of Assignations to unrecorded Conveyances.
10. Notarial Instruments in favour of Persons acquiring Rights to unrecorded Conveyances authorized.
11. Destinations in Entails may be referred to.
12. Certain Clauses in Entails no longer necessary.
13. Recording of Conveyances in the Register of Sasines authorized.
14. Present Forms of Conveyances may be used.
15. Mode of completing Title by a Trustee in Sequestration, and by Liquidators of Joint Stock Companies.
16. Diligence against Apparent Heirs.
17. Obligations appointed to be inserted in Instruments of Sasine, &c. shall be inserted in Notarial Instruments.
18. Power to record Conveyance or Instrument of new with original or new Warrant of Registration.
19. Recorded Instruments not to be challenged on the ground of Erasures.
20. Deeds and Instruments may be partly written and partly printed or engraved.
21. Fees of existing Town Clerks reserved; but no future Town Clerks to have Claims for Compensation for Loss of Fees, &c.
22. Provision for Lands held Burgage where no Burgh Register of Sasines is kept.
23. Provision for Lands in the Burgh of Paisley held by Booking Tenure.
24. Court of Session may fix and regulate Fees.
25. Clauses of Direction to be referred to in Warrants of Registration.
26. Official Acts of Town Clerks and Keepers of Registers of Sasines not to be affected by their personal Interest in recorded Writs.
27. Conditions of Entail, &c. may, in Excambions of Entailed Lands, be inserted by Reference merely.
28. Debts affecting Lands exchanged for other Lands to affect such other Lands in lieu thereof.
29. Entailer's Debts, &c. may be charged on entailed Estate by Bond and Disposition in Security.
30. Short Clauses of Consent to Registration may be used in any Deed.
31. Real Burdens may be referred to as already in any Conveyance recorded in any Register of Sasines.
32. Extension of Provisions of 13 & 14 Vict. c. 13. to Trusts for the Maintenance of Churches, Schools, &c.
33. Recording Deed with Writ of Resignation thereon not to operate Sasine on such Deed.
34. Description of Lands contained in recorded Deeds may be inserted in subsequent Writs by Reference merely.
35. Conveyances and Instruments may be recorded of new.
36. Meaning of certain Words in Titles to Land Act, 1858, declared.
37. Amendment of Section 33. of 21 & 22 Vict. c. 76.
38. Mode of completing Title by a Judicial Factor on a Trust Estate, &c.
39. All Charters or Writs of Resignation to operate Confirmation.
40. Writs of Confirmation, &c. by Subjects Superiors to be tested.
41. Stamp Duty on Writs of Confirmation, &c.
42. Application of Fees.
43. Act to come into operation from 1st October 1860.
SCHEDULE of Forms.

Tolls. See *Chelsea Bridge. Portumna Bridge (Ireland).*

Tormoham. See *Local Government of Towns.*

Towns Improvement (Scotland).

23 & 24 Vict. c. 96.—An Act to amend the Police of Towns Improvement Act (13 & 14 Vict. c. 33.), so as to enable Towns and populous Places in Scotland to avail themselves of its Provisions for sanitary and other Improvements, without at the same Time adopting its Provisions as regards the Establishment and Maintenance of a Police Force. Page 789

§ 1. Householders may adopt certain Provisions of recited Act without those for Establishment of Police, &c.
2. Two or more contiguous Burghs, &c. may adopt Provisions of recited Act.
3. Annual Accounts may be made up for the Year ending at Whitsunday, and One Auditor to be sufficient.
4. Commissioners may borrow on Security of Assessments due and unpaid.
5. Proprietors may redeem Sewer Rates without being liable for future Interest on Debt.
6. Act 13 & 14 Vict. c. 33. and this Act to be construed together.
Short Title.

Toxteth Park. See *Public Health*, 1.

Trains. See *Railways.*

Tramways (Ireland).

23 & 24 Vict. c. 152.—An Act to facilitate internal Communication in Ireland by means of Tramroads or Tramways. Page 1034

§ 1. Notice by Advertisement as in Schedule.
2. Deposit of Plan, Section, &c. as in Schedule.
3. Notice to Owners of Lands as in Schedule.
4. Deposit of Memorial and Estimate, and Lists as in Schedule.
5. Preliminary Inquiry by Grand Jury at Summer Assizes.
6. Tramway not wholly in One County.
7. Appeal to Lord Lieutenant in Council against Disapproval.
8. On Disapproval, &c., Application deemed to have failed.
9. On Approval, local public Inquiry by Board of Works as in Schedule.
10. At Spring Assizes definitive Approval or Disapproval.
11, 12. Appeal, &c. and Notice of Appeal.
13. On definitive Approval, Lord Lieutenant in Council to make Order.
14. Order to be confirmed by Act of Parliament.
15. If desired by Promoters, Company to be constituted by the Order.
16. Order to prescribe Capital, &c.
17. Order may empower Company to borrow, under Restrictions.

§ 18. Order to prescribe for Management, &c. of Company.
19. Railways Clauses Consolidation Act and others incorporated with Order in Council.
20. Construction of incorporated Acts with Order in Council.
21. Plan and Section of authorized Alterations to be deposited before Tramway is begun.
22. Plan and Section furnished to Board of Works to be sufficient for Purposes of 14 & 15 Vict. c. 70.
23. Some Provisions of incorporated Acts excepted.
24. Construction and Gauge.
25. Maximum Tolls and Rates of Charge, with Regulations, in Schedule.
26. Tramway may be varied, enlarged, &c.
27. Time for Completion may be extended, or Abandonment may be authorized.
28. On Abandonment, Damage to be made good, and Land taken to be used for Highway Purposes, or to go back to original Owner.
29. Deposit as Security for Completion by a Company.
30. Deposit, where Time extended.
31. In other Cases other Security for Completion to be taken.
32. Expenses to be paid by Promoters.
33. Power to Promoters and County Surveyor to enter and survey.
34. Rules as to Deposits.
35. Secretary of Grand Jury, &c. to permit Inspection, &c.
36. Proceedings of Grand Jury to be Part of Fiscal Business.
37. With respect to Counties of Dublin and of City of Dublin.
38. As to Tramway in City or Town.
39. As to altering Level of Streets where Tramways pass through Towns.
40. Persons interested in Tramways not to vote, but not to be disqualified.
41. Promoters of Tramways on tidal Lands to deposit Map at the Admiralty.
42. Lands not to be taken without Owner's Consent, except Lands adjoining to public Roads.
43. Demesnes, &c. not to be taken without Owner's Consent.
44. Owners of Sewers, &c. not to be impeded from Access.
45. Lord Lieutenant in Council may make General Rules for Execution of this Act.
46. General Railway Acts in Schedule to apply to Tramways.
47. Tramways not exempted from future General Acts.
48. Order in Council may apply amended Standing Orders.
49. Interpretation of Terms.
50. Extent of Act and Short Title thereof.
SCHEDULES.

Transfer of Contracts. See *Packet Service.*

Transfer of East India Stock. See *Bank of England*, 1.

Trials by Jury (Scotland).

22 & 23 Vict. c. 7.—An Act to amend an Act of the Seventeenth and Eighteenth Years of Her Majesty, for allowing Verdicts on Trials by Jury in Civil Causes in Scotland to be received, although the Jury may not be unanimous. Page 413

Recital of 17 & 18 Vict. c. 59.
§ 1. If after Three Hours Deliberation Nine of the Jury agree, a Verdict may be returned.
2. Jury may be discharged without a Verdict after Six Hours Deliberation.

Trustees, Mortgagees, &c.

23 & 24 Vict. c. 145.—An Act to give to Trustees, Mortgagees, and others certain Powers now commonly inserted in Settlements, Mortgages, and Wills. Page 1011

§ 1. Trustees empowered to sell may sell in Lots, and either by Auction or Private Contract.
2. Sale may be made under special Conditions, and Trustees may buy in, &c.
3. Trustees exercising Power of Sale, &c. empowered to convey.
4, 5. Monies arising from Sales, &c. how to be laid out.
6. Money arising from Sales, &c. not to be laid out, nor Lands exchanged elsewhere than in the Country in which Lands sold or exchanged are situated.
7. Until Purchase of Lands, &c., Money to be invested at Interest.
8. Trustees of renewable Leaseholds may renew.
9. Money for Equality of Exchange and for Renewal of Leases may be raised by Mortgage, &c.
10. No Sale, &c. to be made without Consent of Tenant for Life, &c.

Powers of Mortgagees.

11. Powers incident to Mortgages.
12. Receipts for Purchase Money sufficient Discharges.
13. Notice to be given before Sale; but Purchaser relieved from Inquiry as to Circumstances of Sale.
14. Application of Purchase Money.
15. Conveyance to the Purchaser.
16. Owner of Charge may call for Title Deeds and Conveyance of legal Estate.
17. Appointment of Receiver.
18. Receiver deemed to be the Agent of the Mortgagor.
19. Powers of Receiver.
20. Receiver may be removed.
21. Receiver to receive a Commission not exceeding Five per Cent.
22. Receiver to insure, if required.
23. Application of Monies received by him.
24. This Part to relate to Charges by way of Mortgage only.

Provisions as to Investment of Trust Funds, &c.

25. On what Securities Trust Funds may be invested.
26. Trustees may apply Income of Property of Infants, &c. for their Maintenance.
27. Appointment of new Trustees on Death, &c.
28. Appointment of new Trustees in Cases herein named.
29. Trustees Receipts to be Discharges.
30. Executors may compound, &c.

General Provisions.

31. Tenants for Life, &c. may execute Powers, notwithstanding Incumbrances.
32. Powers, &c. hereby given may be negatived by express Declaration.

§ 33. No Persons other than those entitled under the Settlement, &c. to be affected.
34. To whom the Provisions of this Act are to extend.
35. Act not to extend to Scotland.

See also *Law of Property.*

Trusts, Charitable. See *Charitable Trusts.*

Trusts, Turnpike. See *Turnpike Roads and Trusts.*

Tunbridge Wells. See *Local Government of Towns.*

Turnpike Roads and Trusts:

1.—*Acts Continuance.*

21 & 22 Vict. c. 63.—An Act to continue certain Turnpike Acts in Great Britain. Page 98

§ 1. All Turnpike Acts expiring before the End of the next Session continued to 1st Oct. 1859, except 54 Geo. 3. c. liv. and Part of 7 & 8 Geo. 4. c. lvii.
2. Acts in Schedule continued till 1st Nov. 1859.
3. Short Title, "Annual Turnpike Acts Continuance Act, 1858."
SCHEDULE of Acts continued.

22 & 23 Vict. c. 51.—An Act to continue certain Turnpike Acts in Great Britain. Page 488

§ 1. All Turnpike Acts expiring before the End of the next Session continued to 1st October 1860, except 12 & 13 Vict. c. lxvi.
2. Acts in Schedule continued till 1st November 1860.
3. Short Title.
SCHEDULE.

23 & 24 Vict. c. 73.—An Act to continue certain Turnpike Acts in Great Britain, and to extend the Provisions of the Act 14 & 15 Vict. c. 38. Page 741

§ 1. All Turnpike Acts expiring before the End of the next Session continued to 1st Oct. 1861, except 54 Geo. 3. c. 59., 4 Geo. 4. c. 48.
2. Acts in Schedule continued till 1st Nov. 1861.
3. Provisions of 14 & 15 Vict. c. 38. extended.
4. Short Title.

2.—*Turnpike Trusts Relief.*

21 & 22 Vict. c. 80.—An Act to confirm certain Provisional Orders made under the Act 14 & 15 Vict. c. 38. to facilitate Arrangements for the Relief of Turnpike Trusts. Page 141

§ 1. Provisional Orders contained in the Schedule to this Act confirmed.
SCHEDULE of Provisional Orders.

22 & 23 Vict. c. 33.—An Act to confirm certain Provisional Orders made under an Act of the Fifteenth Year of Her present Majesty, to facilitate Arrangements for the Relief of Turnpike Trusts. Page 464

Recital of 14 & 15 Vict. c. 38.
§ 1. Provisional Orders confirmed.
SCHEDULE.

23 & 24 Vict. c. 70.—An Act to confirm certain Provisional Orders made under the Act 14 & 15 Vict. c. 38. to facilitate Arrangements for the Relief of Turnpike Trusts. Page 739

§ 1. Provisional Orders confirmed.
SCHEDULE.

3.—*Application of Highway Rates to Turnpike Roads.*

23 & 24 Vict. c. 67.—An Act to continue the Act 4 & 5 Vict. c. 59. for authorizing the Application of Highway Rates to Turnpike Roads. Page 731

§ 1. Act further continued until 1st October 1865.

See also *Highways.*

U.

Unclaimed Dividends. See *Bankruptcy and Insolvency,* 1. *Bank of Ireland,* 2.

Unions. See *Poor Law,* 4.

Union of Benefices.

23 & 24 Vict. c. 142.—An Act to make better Provision for the Union of contiguous Benefices in Cities, Towns, and Boroughs. Page 993

Preamble recites 1 & 2 Vict. c. 106., 13 & 14 Vict. c. 98., and 18 & 19 Vict. c. 127.
§ 1. Contiguous Benefices within the Metropolis, as defined by 18 & 19 Vict. c. 120., may be united.
2. Interpretation of Terms.
3. Power to Bishops of London or Winchester to issue Commissions.
4. Commission how to be nominated.
5. The Number to constitute a Quorum, their Powers, and the Return to the Commission.
6. Disqualification of Commissioners, and the issuing a fresh Commission.
7. Bishop to prepare and transmit Proposals for a Scheme to Churchwardens and Vestry.
8. Vestry to notify Assent or Objections and Bishop to transmit final Proposals to Ecclesiastical Commissioners, to prepare Scheme, and certify same to the Queen in Council.
9. What the Commissioners shall insert in the Scheme.
10. Part of a Benefice or united Benefice may be severed and included in Scheme.
11. Surplus Revenue of united Benefice may be annexed as an Endowment to any other Benefice in the Metropolis or its Vicinity.
12. Patronage of Benefices may be exchanged for facilitating Unions.
13. Orders in Council when published in the Gazette and registered to have Force of Law.
14. Scheme may provide for Erection of new Church or Parsonage, Removal of old Church or Parsonage, Sale of Site, &c.

§ 15. No Scheme to be submitted to Her Majesty until laid before Parliament for Two Months.
16. Judicial Committee to consider Protest against Scheme.
17. Site of Church pulled down not to be sold or let without certain Consents.
18. After Union of Benefices Parishes to become united for Ecclesiastical Purposes, and Scheme to determine which Church to be Parish Church.
19. Bishop may allow additional Church left standing to be used for certain Services.
20. Estates of Parishes united to remain distinct as before Union, except as affected by this Act.
21. Property belonging to separate Parishes how to be applied.
22. Providing Fund for Payment of Expenses of carrying Act into execution.
23. Scheme to be valid notwithstanding Informalities or Omissions.
24. As to Consents of Patrons and Vestries to Schemes.
25. Supplemental Orders may be made.
26. Bishop may prepare a Scheme as to Lectures customarily preached in Churches to be pulled down.
27. Bishop of Diocese may direct Churches to be reseated, and Seats to be apportioned for the Accommodation of Parishioners.
28. Appropriation of Seats in Church of united Parish.
29. Property to be sold to vest in Ecclesiastical Commissioners.
30. Extending Provisions of 1 & 2 Vict. c. 106. and 18 & 19 Vict. c. 127.
31. Act not to interfere with Powers of 1 & 2 Vict. c. 106., &c.
32. As to Nomination of Clerical Commissioners in certain Cases.

Universities :

1.—*Universities and College Estates.*

21 & 22 Vict. c. 44.—An Act to give to the Universities of Oxford, Cambridge, and Durham, and the Colleges in those Universities, and to the Colleges of Saint Mary of Winchester near Winchester, and of King Henry the Sixth at Eton, Power to sell, enfranchise, and exchange Lands under certain Conditions, and also to grant Leases for Agricultural, Building, and Mining Purposes, and to deal with the Interests of their Lessees under proper Reservations and Restrictions. Page 65

§ 1. Power to the Universities and Colleges to sell, enfranchise, and exchange Lands under certain Conditions.
2. Mode in which Consents of Copyhold Commissioners to be evidenced.
3. Form of Orders to be issued by Commissioners.
4. Power to accept Surrenders from Lessees in consideration of annual Payments, and to sell and exchange to or with such Lessees.
5. Repeal of 19 & 20 Vict. c. 95., (Oxford University,) and of Sect. 48. of 19 & 20 Vict. c. 88., (Cambridge University, &c.)

Provisions as to Purchase of Lessees Interests.

6. Power to purchase the Interests of Lessees in consideration of a gross Sum of Money or by an annual Charge.
7. Apportionment of Rent in case of the Purchase of Part only of the Lands comprised in the Lease.
§ 8. Consent of Sub-lessee with Covenant for Renewal.
9. Power to University or College with Consent of Copyhold Commissioners to raise Money by Mortgage, to be applied to such Purchases.

Leasing Powers.

10. Power to grant Leases for a Term not exceeding Twenty-one Years at Rackrent.
11. Power to grant Building and Repairing Leases for a Term not exceeding Ninety-nine Years.
12. Power to enter into Contracts for granting Leases, and afterwards to grant Leases pursuant thereto.
13. Variations in Terms between Leases and Contracts not to be material, and Contracts not to form Part of Title.
14. Power to Universities and Colleges to insure Buildings, &c. comprised in any Lease, and to charge the Tenants with the Premiums.
15. Power to Universities and Colleges to dispose of Brick Earth, &c.
16. Lessors may enter into Arrangements with Lessees as for lighting, paving, &c.
17. Universities and Colleges may enter into Arrangements with Lessees as to Payment of Land Tax and Tithe Rentcharges.
18. Power to appropriate any Part of Lands for Streets, Squares, &c.
19. Power to lease running Water, and Waterleaves and Wayleaves, &c.
20. Power to grant Mining Leases for a Term not exceeding Sixty Years.
21. Application of Mineral Rents, &c.
22. Powers to release, enter into new Contracts, and accept Surrenders of Leases, &c.
23. On Recovery of Possession of any Lands under a Condition of Re-entry new Leases may be granted.
24. Power to confirm Leases which may be void or voidable by reason of any technical Error or Informality.
25. Receipts endorsed upon Leases, &c. to be Evidence of Execution of Counterparts.
26. Particular Property not to be leased.
27. Powers to raise Monies, with Consent of Copyhold Commissioners, by Mortgage for certain Purposes.
28. Provision for the Discharge of the Monies borrowed on Mortgages.
29. Act to extend to Lands held in trust or for special Endowments.
30. Act not to restrain existing Powers.
31. Christ Church, Oxford, to be considered a College.
32. Interpretation of Terms.
33. Short Title.
SCHEDULE of Forms.

23 & 24 Vict. c. 59.—An Act to extend the Provisions of the Universities and College Estates Act, 1858, (21 & 22 Vict. c. 44.) and of the Copyhold Acts, and of the Acts 3 & 4 Vict. c. 113. and 17 & 18 Vict. c. 84., so far as the same relate to Universities and Colleges. Page 719

§ 1. Power to raise Monies by Mortgage by way of Compensation for Loss of Fines on Non-renewal of Leases.
2. Form of Order to be issued by Copyhold Commissioners evidencing their Consent.
3. Lands once leased at Rackrent not thereafter to be leased upon Fines.

§ 4. Amendment of certain Provisions of the Copyhold Acts with respect to Universities and Colleges.
5. Power to transfer Lands vested in individual Members of Universities or Colleges to the University or College in its Corporate Capacity upon like Trusts.
6. Two Copyhold Commissioners to form a Board for Exercise of Powers under 21 & 22 Vict. c. 44.
7. Extension of certain Provisions of 3 & 4 Vict. c. 113. with respect to Universities and Colleges.
8. Provision as to Right of Patronage severed.
9. Lands Clauses Act, 8 & 9 Vict. c. 18., incorporated.
10. The Ecclesiastical Commissioners constituted "the Authority" referred to in this Act.
11. Power to substitute Land or other permanent Endowment in lieu of annual Rents or other Payments, in Extension of certain Provisions of 17 & 18 Vict. c. 84.
12. Interpretation of Terms.
13. Short Title of Act.

2.—*Cambridge University.*

21 & 22 Vict. c. 11.—An Act to repeal the Stamp Duties payable on Matriculation and Degrees in the University of Cambridge. Page 25

Preamble recites 19 & 20 Vict. c. 88.
§ 1. Stamp Duties on Admission or Matriculation and on Admission to Degrees in Cambridge repealed.
2. Salaries payable to Professors in Schedule not discontinued without Consent of Treasury.
SCHEDULE.

22 & 23 Vict. c. 34.—An Act to continue the Powers of the Commissioners under an Act of the Nineteenth and Twentieth Years of Her Majesty, concerning the University of Cambridge and the College of King Henry the Sixth at Eton. Page 465

Preamble recites 19 & 20 Vict. c. 88.
§ 1. Power of the Commissioners continued until 1st January 1861.
2. Repeal of the University Statutes of Queen Elizabeth postponed to 1st January 1861.

3.—*Oxford University.*

22 & 23 Vict. c. 19.—An Act to repeal Part of 13 Eliz. c. 29., concerning the several Incorporations of the Universities of Oxford and Cambridge, and the Confirmation of the Charters, Liberties, and Privileges granted to either of them. Page 441

§ 1. Repealing the Obligation imposed on the Mayor, &c. of Oxford to take a certain Oath or make a certain Declaration.
2. Mayor, &c. of Oxford not to be required hereafter to take such Oath or make such Declaration.

23 & 24 Vict. c. 91.—An Act for removing Doubts respecting the Craven Scholarships in the University of Oxford, and for enabling the University to retain the Custody of certain Testamentary Documents. Page 772

§ 1. Scholarships founded by the Will of Lord Craven to be deemed University Emoluments.
2. University to retain the Custody of certain Testamentary Documents and transmit an Index thereof to Court of Probate.

23 & 24 Vict. c. 23.—An Act to provide for the Consideration of an Ordinance which has been laid before Parliament in a Report of the Oxford University Commissioners. Page 635

Preamble recites 17 & 18 Vict. c. 81., and Appendix to Report of Commissioners, dated 10th June 1858.
§ 1. Power to Her Majesty to refer the Ordinance and Declaration to a Committee of Privy Council.
2. Power to Parties interested to petition Her Majesty in relation to the Ordinance.
3. The Committee to consider the Ordinance and the Objections, and report to Her Majesty.
4. Ordinance to be laid before Parliament, and if approved by Her Majesty to be a Statute of the College.

4.—*Universities (Scotland).*

21 & 22 Vict. c. 83.—An Act to make Provision for the better Government and Discipline of the Universities of Scotland, and improving and regulating the Course of Study therein; and for the Union of the Two Universities and Colleges of Aberdeen. Page 143

§ 1. King's College and Marischal College to be united under the Title of "University of Aberdeen."
2. Appointment of Chancellors.
3. University Courts to be constituted.
4. Powers of the Senatus Academicus and Principal.
5. General Councils of the Universities to be constituted.
6. General Council of the University of Aberdeen to consist of Persons herein named.
7–10. Constitution of University Courts of St. Andrew's, Glasgow, Aberdeen, and Edinburgh.
11. Powers of the University Courts.
12. Right of Nomination to Professorships vested in University Courts.
13. Appointment of Commissioners. Her Majesty may fill up Vacancies.
14. Powers of the Commissioners; viz.—
To cite and examine Office Bearers in Universities, and require Production of Documents, &c.;
To revise the Foundations, &c., and to alter Trusts;
To regulate the Powers of Office Bearers;
To regulate Elections of University Officers;
To regulate Course of Study, Exaction of Fees, &c.;
To make Ordinances in order to found Professorships and provide for Assistants;
To provide for the due Administration of Revenues and Endowments;
To provide for the Extinction of Debt;
To fix Date when Act to come into operation;
To report on Expediency of founding a National University;
To make Arrangements for converting Universities into Colleges of the said National University.
15. Scottish Universities may surrender Power of granting Degrees on Grant of Charter for National University.
16. No such Surrender, &c. to be valid unless signified in Writing by the Chancellor, &c.
17. Powers of the Commissioners as to University of Aberdeen; viz.—
To determine Number of Professors, and regulate Course of Study;
To abolish Offices rendered unnecessary;
To accept Resignations, &c.;
To determine Right of Patronage;
To arrange as to Buildings of united Colleges;
To make all necessary Rules, &c.

§ 18. Power to University Court to alter or revoke Statutes passed by Commissioners after Expiration of Powers.
19. Instructions issued by Her Majesty to be considered by Commission.
20. How Parliamentary Grant to be applied.
21. Power to Treasury to grant Monies for Purposes named in the Act.
22. Commissioners under this Act specially to regard Reports of Commissioners for visiting Universities of Scotland.
23. Rules, Statutes, &c., when approved, to be entered in a Book, and signed by the Commissioners.
24. Universities may sue and be sued under the Style and Title of "The University of St. Andrew's," "The University of Glasgow," "The University of Aberdeen," and "The University of Edinburgh," respectively.
25. Nothing in this Act to affect certain Trusts.

22 & 23 Vict. c. 24.—An Act to remove Doubts as to Admission to the Office of Principal in the Universities of Scotland. Page 453

Recital of 16 & 17 Vict. c. 89. and 21 & 22 Vict. c. 83.

§ 1. *Principals in any of the Universities or Colleges in Scotland, except the College of St. Mary's in the University of St. Andrew's, not required to subscribe Confession of Faith.*

V.

Vaccination :

1.—*England.*

21 & 22 Vict. c. 25.- An Act to amend the Act concerning Non-parochial Registers, and the Acts for Marriages, and for registering Births, Deaths, and Marriages; and the Act 16 & 17 Vict. c. 100. concerning Vaccination. Page 36

§ 1. So much of 16 & 17 Vict. c. 100. as enacts that Vaccination Forms shall be furnished to Registrars, and delivered by them to Medical Officers and Practitioners, repealed. Registrar to deliver Books, &c. to Medical Officers without requiring Payment for the same.

2.—*Ireland.*

21 & 22 Vict. c. 64.—An Act to make further Provision for the Practice of Vaccination in Ireland. Page 99

Preamble recites 14 & 15 Vict. c. 68.

§ 1. Dispensary Committees may divide Dispensary Districts, and require Medical Officer to attend for Purposes of Vaccination.
2. Medical Officers to be paid for successful Cases of Vaccination.
3. Medical Officers to report Number of Persons successfully vaccinated.
4. Expenses to be charged to Electoral Divisions.
5. Where Proceedings are taken by Guardians against Persons inoculating, &c., their Costs to be paid out of the Rates.

Validity of Marriages. See *Marriages*, 4.

Valuation of Rateable Property (Ireland).

23 & 24 Vict. c. 4.—An Act to enable the Commissioners of Her Majesty's Treasury to defray One Moiety of the Expense of the annual Revision of the Valuation of Rateable Property in Ireland out of the Consolidated Fund. Page 590

Preamble recites 15 & 16 Vict. c. 63. and 17 & 18 Vict. c. 8.

§ 1. Commencement of Act, 1st April 1860.
2. Power to Treasury to advance such Sums of Money as they may think fit towards the Expense of annual Revision of the Valuation of Rateable Property in Ireland.
3. Commissioner of Valuation, &c. to continue to act.
4. Power to Treasury to appoint Commissioner of Valuation, &c.
5. Commissioner of Valuation to appoint Surveyors, Writing Clerks, &c.
6. Valuation Lists may be in the Form of Schedule annexed to this Act.
7. As to the Valuation of Mills, &c.
8. Proportion of Expense to be paid by Counties, &c., as provided by 15 & 16 Vict. c. 63.
9. Commissioner authorized to supply Copies of Valuations and Maps to Landed Estates Court, and other Courts or Persons, and to charge Fees for same, &c., and Copies of Valuation to be received as Evidence.
10. Power to obtain Decision of Superior Courts on Questions of Law.
11. Power to Superior Court to decide such Questions as may be referred thereto; but Decision of Court of Quarter Sessions to be binding until the Decision of Superior Court.
12. No Writ of Certiorari required.
13. Provisions in Section 13. of 15 & 16 Vict. c. 63. and in other Acts inconsistent with this Act, repealed.
14. This Act and the Acts relating to the Valuation of Rateable Property in Ireland, and also 19 & 20 Vict. c. 63., to be construed together.
15. Short Title :—"The Annual Revision of Rateable Property (Ireland) Amendment Act, 1860."

SCHEDULE.

Verdicts. See *Trials by Jury (Scotland).*

Vexatious Indictments.

22 & 23 Vict. c. 17.—An Act to prevent Vexatious Indictments for certain Misdemeanors. Page 439

§ 1. Indictment for Perjury, Conspiracy, obtaining Money under false Pretences, keeping a Gambling House, keeping a disorderly House, and any indecent Assault, not to be preferred without previous Authorization.
2. In certain Cases where Prosecutor desires to prefer an Indictment Justice to take his Recognizance to prosecute.
3. Act not to extend to Scotland.

Victoria. See *Colonial Legislatures.*

Volunteers. See *Benefit Societies. Reserve Force. Rifle Volunteers.*

W.

War Department. See *Common Rights, &c. Patents for Inventions (Munitions of War).*

Warehousing of Goods. See *Inland Bonding.*

Weights and Measures :

1.—*England, &c.*

22 & 23 Vict. c. 56.—An Act to amend the Act 5 & 6 W. 4. c. 63. relating to Weights and Measures. Page 498

Recital of 5 & 6 Will. 4. c. 63.

§ 1. Imperial Standards of Weights and Measures when to be adjusted.
2. Penalty for making and selling false Beams and Scales or Weights and Measures.
3. Power to Inspectors to inspect Beams, Scales, &c. in possession of Persons selling in the public Streets.
4. Municipal Corporations to appoint Inspectors of Weights and Measures.
5. Inspectors authorized to stamp Measures, although made partly of Glass, &c.
6. Owners of Markets to provide Beams, Scales, &c.
7. Power to Clerks of Markets to inspect Goods sold, &c., and if deficient in Weight to summon the Offender.
8. Penalties for Offences against this Act.
9. Act to be construed with 5 & 6 Will. 4. c. 63.
10. Not to abridge the Power of the Leet Jury, &c.
11. Powers of Universities to remain in force.
12. Act not to extend to Ireland.

2.—*Ireland.*

23 & 24 Vict. c. 119.—An Act to amend the Law relating to Weights and Measures in Ireland. Page 916

§ 1. Short Title.
2. Interpretation of Terms.
3. So much of Section 9. of 5 & 6 Will. 4. c. 63. as requires Grand Juries to appoint Inspectors of Weights and Measures repealed.
4. Section 18. of 14 & 15 Vict. c. 92. repealed.
5. Certain Head and other Constables to be ex officio Inspectors of Weights and Measures.
6. As to Custody of Copies of Imperial Standard Weights and Measures.
7. Grand Jury in Counties and Town Councils in Boroughs to provide Sub-Standard Weights and Measures.
8. Sub-Standard Weights and Measures to be deposited with Head or other Constables.
9. As to Supply of Sub-Standard Weights and Measures to Sub-Inspectors.
10. As to Weights to be used until Imperial Weights, &c. shall be supplied.
11. Grand Jury may present for Expenses on County.
12. Town Council may raise Amount of Expenses by way of Rate on Boroughs.
13. Judge of Assize to order Copies of Standards, &c. in Counties in Ireland when it has not been done by Grand Juries.
14. Chairman of Quarter Sessions to order Copies of Standard Weights and Measures in Boroughs within the County, in case it has not been done by Town Council.
§ 15. Imperial Standards of Weights and Measures when to be adjusted.
16. Power to Inspectors to inspect Beams, Scales, &c. in possession of Persons selling in the public Streets.
17. Power to destroy false Weights and Measures.
18. Penalty for certain Offences against Provisions of this Act.
19. Penalty for making and selling false Beams and Scales or Weights and Measures.
20. Inspectors authorized to stamp Measures although made partly of Glass, &c.
21. Proceedings under this Act for Recovery of Penalties, &c.
22. Provisions of 5 & 6 Will. 4. c. 63. (save such Parts as are hereby repealed) incorporated in this Act.

Wells. See *Local Government of Towns.*

Welton. See *Ecton and Welton Exchange.*

Westminster Bridge.

22 & 23 Vict. c. 58.—An Act to empower the Commissioners of Her Majesty's Works and Public Buildings to acquire additional Space for the Western Approach to Westminster New Bridge. Page 500

Recital of 16 & 17 Vict. c. 46.

§ 1. Commissioners of Works and Public Buildings constituted a Corporation for the Purposes of this Act.
2. Plan to be deposited in the Office of Works, &c., and be open for Inspection.
3. Powers and Provisions of 16 & 17 Vict. c. 46. extended to this Act.
4. Price paid for Hereditaments, and Costs incident to such Purchases, &c., to be paid out of Monies provided by Parliament.
5. Costs, and such Sum as Jury may find, to be paid to Person obtaining Judgment in lieu of Premises.
6. Deeds to be enrolled in the Court of Exchequer.
7. Short Title.

SCHEDULE of Property to be taken.

Westminster, High Bailiff of. See *County Courts, 2.*

West Indies. See *Barbuda Government. Dominica Hurricane Loan. Incumbered Estates Court (West Indies).*

White's (Sir Thomas) Charity.

22 Vict. c. 18.—An Act for amending and confirming a Scheme of the Charity Commissioners for Sir Thomas White's Charity, and the Free Grammar School in the Town of Nottingham. Page 358

Recital of Third Report of Charity Commissioners, dated 28th Feb. 1856.

§ 1. Confirming Scheme for the Application and Management of the Charities in the Town of Nottingham, called Sir Thomas White's Charity (so far as relates to the Nottingham Branch thereof), and the Free Grammar School of the Foundation of Agnes Mellers.

Wills. See *Probates and Administrations.*

Wilton. See *Local Government of Towns.*

Wine Licences. See *Refreshment Houses.*

Witnesses.

21 & 22 Vict. c. 78.—An Act to enable the Committees of both Houses of Parliament to administer Oaths to Witnesses in certain Cases. Page 140

§ 1. Select Committees of House of Commons on Private Bills may examine Witnesses upon Oath, and administer the same.
2. Any Committee of House of Lords may administer Oath.
3. False Evidence punishable as Perjury.

Wolsingham. See *Stanhope and Wolsingham.*

Women, Employment of. See *Bleaching and Dyeing Works.*

Works, Commissioners of. See *Chester and Holyhead Railway. Probate, Court of. Public Offices Extension. Westminster Bridge.*

Workmen, Combination of.

22 Vict. c. 34.—An Act to amend and explain the Act 6 Geo. 4. c. 129., to repeal the Laws relating to the Combination of Workmen, and to make other Provisions in lieu thereof. Page 393

§ 1. Agreements, in certain Cases, not to be deemed "Molestation" or "Obstruction," within the Meaning of the recited Act.

Writs of Error. See *Exchequer, Court of.*

Writs, Parliamentary.

21 & 22 Vict. c. 110.—An Act to extend the Act of 24 Geo. 3. c. 26. for issuing Writs during any Recess of the House of Commons, whether by Prorogation or Adjournment. Page 249

§ 1. Power to Speaker to issue Warrants for making out new Writs in the Room of Members accepting certain Offices.
2. Members accepting Office to notify the same to the Speaker.
3. If Case appear doubtful, Speaker may reserve Question for Decision of the House.
4. Act not to apply to the "Chiltern Hundreds," &c.
5. The Act 24 Geo. 3. c. 26. to apply to this Act.
6. Short Title, "Election of Members during Recess Act, 1858."

Y.

Yardley, Sir William.

21 & 22 Vict. c. 32.—An Act to make valid certain Acts of the late Chief Justice of Bombay. Page 49

§ 1. Acts of Sir William Yardley, Knight, as Chief Justice of Bombay, up to the 9th April 1858, confirmed.

Yeomanry or Volunteer Corps.

23 & 24 Vict. c. 13.—An Act to prevent the Members of Benefit Societies from forfeiting their Interest therein by being enrolled in Yeomanry or Volunteer Corps. Page 610

See also *Rifle Volunteers.*

Young Persons, Employment of. See *Bleaching and Dyeing Works.*

A List of Local and Private Acts passed in the Sessions 21 & 22 Vict., 22 Vict, 22 & 23 Vict., and 23 & 24 Vict.—(1858–60.)

☞ In this List the Local and Private Acts are subdivided into Classes according to the Arrangement adopted in the Index to the Statutes compiled by Order of the Committee of the Library of the House of Lords, the Parliamentary Short Title of each Act being generally adopted. The Local Acts are denoted by Roman Numerals, and the Private Acts by Arabic Figures.

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Malltraeth and Corsddaugau Marsh Embankment and Drainage.—22 & 23 Vict. c. cviii.	554
Ouse Outfall.—23 & 24 Vict. c. lxxxviii.	1116
Poulnasherry Embankment and Reclamation.—23 & 24 Vict. c. clv.	1155
Tacumshin Embankment.—22 & 23 Vict. c. cxxxv.	575
Tramore Embankment.—21 & 22 Vict. c. liv.	267
Wexford Harbour Embankment.—21 & 22 Vict. c. lxxvii.	273

Class 6.—Ecclesiastical Affairs.

Nil.

Class 7.—Estates.

Beauchamp Almshouses.—23 & 24 Vict. *c.* 5.	1216
Boschetti's.—23 & 24 Vict. *c.* 1.	1216
Brandon's.—23 & 24 Vict. *c.* 3.	1216
Darley's.—21 & 22 Vict. *c.* 1.	315
Davidson's.—21 & 22 Vict. *c.* 7.	315
De Freyne's (Lord).—23 & 24 Vict. *c.* 4.	1216
Domvile's.—23 & 24 Vict. *c.* 6.	1216
Fife's (Earl).—21 & 22 Vict. *c.* 4.	315
Glasgow College.—21 & 22 Vict. *c.* 8.	315
Hall's (Sir Benjamin).—21 & 22 Vict. *c.* 6.	315
Holroyd's.—21 & 22 Vict. *c.* 5.	315
Keith's (Viscount).—21 & 22 Vict. *c.* 2.	315
Kintore's (Earl of).—22 & 23 Vict. *c.* 1.	579
Lincoln's Inn.—23 & 24 Vict. c. clxxxiv.	1183
Longford's (Earl of).—23 & 24 Vict. *c.* 8.	1216
Lorton's (Viscount).—23 & 24 Vict. *c.* 9.	1216
Lucette's.—22 & 23 Vict. *c.* 3.	579
Norfolk's (Duke of).—23 & 24 Vict. c. 7.	1216
Ramsden's (Sir J. W., Bart.)—22 & 23 Vict. *c.* 4.	579
Ray's.—21 & 22 Vict. *c.* 9.	315
Robins's.—22 & 23 Vict. *c.* 5.	579

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Stearne's Charities.—21 & 22 Vict. *c.* 10. - - 315
Stewart's (Daniel).—23 & 24 Vict. *c.* 2. - - - 1216
Vane's (Earl).—22 & 23 Vict. *c.* 2. - - - 579

CLASS 8.—FISHERIES.

Ipswich Oyster Fishery.—22 & 23 Vict. c. lxxii. - 538
Tay Fisheries.—21 & 22 Vict. c. xxvi. - - - 255
Tees Fisheries.—21 & 22 Vict. c. cxli. - - - 311
Tweed Fisheries.—22 & 23 Vict. c. lxx. - - 538

CLASS 9.—GASLIGHT COMPANIES.

Birkenhead and Claughton.—21 & 22 Vict. c. cxxi. - 299
Birmingham and Staffordshire.—21 & 22 Vict. c. i. - 250
Blackburn.—23 & 24 Vict. c. ii. - - - 1076
Brentford.—21 & 22 Vict. c. xliv. - - - 265
British, Limited;—
Kingston-upon-Hull and Sculcoates.—21 & 22 Vict. c. xvii. - - - - - - 252
Norwich.—21 & 22 Vict. c. lxxix. - - - 274
Staffordshire Potteries.—21 & 22 Vict. c. xxxiii. - 258
Bury St. Edmund's.—22 & 23 Vict. c. xlii. - - 530
Chester United.—21 & 22 Vict. c. vi. - - - 250
Croydon.—23 & 24 Vict. c. xxvii. - - - 1086
Crystal Palace District.—21 & 22 Vict. c. cxxix. - 302
Dover.—23 & 24 Vict. c. lxxxiv. - - - 1114
Droylsden.—23 & 24 Vict. c. iv. - - - 1076
Highbridge.—23 & 24 Vict. c. clxxxix. - - - 1196
Kingston-upon-Thames.—22 & 23 Vict. c. ix. - - 520
Leicester.—23 & 24 Vict. c. v. - - - 1077
London (City).—22 & 23 Vict. c. lii. - - - 532
Luton.—21 & 22 Vict. c. lxx. - - - - 272
Macclesfield.—23 & 24 Vict. c. clxxxi. - - - 1176
Maidstone.—21 & 22 Vict. c. xxxvi. - - - 259
Mirfield.—23 & 24 Vict. c. xviii. - - - 1083
Northampton.—21 & 22 Vict. c. ciii. - - - 288
Nottingham.—21 & 22 Vict. c. ix. - - - 251
Peniston, Thurlstone, and Oxspring.—21 & 22 Vict. c. xxii. - - - - - - 253
Scarborough.—22 Vict. c. xxvi. - - - 402
Stoke, Fenton, and Longton.—21 & 22 Vict. c. xl. - 265
Torquay.—23 & 24 Vict. c. lxxv. - - - 1108
Tottenham and Edmonton.—22 & 23 Vict. c. lxi. - 536
Waterford City.—21 & 22 Vict. c. lv. - - - 267
Widnes.—23 & 24 Vict. c. lxviii. - - - 1104

CLASS 10.—HARBOURS, DOCKS, PORTS, PIERS, QUAYS, &c.

Blyth Harbour and Dock.—21 & 22 Vict. c. lxviii. - 271
Blyth Harbour and Dock (Extension of Time, &c.)—23 & 24 Vict. c. cvi. - - - - - - 1132
Burghead Port and Harbour.—21 & 22 Vict. c. xxxix. - 264
Burnham Tidal Harbours and Railways.—23 & 24 Vict. c. cxci. - - - - - - - 1197
Charleston Railway and Harbour.—22 & 23 Vict. c. xcvi. 549
Chichester Harbour.—22 & 23 Vict. c. cvii. - - 554
Commercial Docks.—22 Vict. c. xxx. - - - 403
Commercial Docks (Further Powers).—23 & 24 Vict. c. xxxix. - - - - - - 1092
Falmouth Docks.—22 Vict. c. xvi. - - - 399
Fishguard Harbour.—22 Vict. c. xxiv. - - - 401
Galway Harbour.—23 & 24 Vict. c. ccii. - - 1214
Gateshead Quay.—22 & 23 Vict. c. xii. - - 521
Glasgow Harbour.—21 & 22 Vict. c. cxlix. - - 312
Grand Surrey Docks and Canal.—23 & 24 Vict. c. lxxiv. 1108
Greenwich and South-eastern Docks.—22 & 23 Vict. c. xx. - - - - - - - 523

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Kirkwall Harbour.—22 Vict. c. iv. - - - 397
Liverpool Port and Harbour.—21 & 22 Vict. c. xcii. - 282
Liverpool and Birkenhead Docks.—21 & 22 Vict. c. xcii. 282
Llanelly Harbour.—21 & 22 Vict. c. lxxii. - - 272
Llanelly Railway and Dock.—21 & 22 Vict. c. cxlvii. - 312
Llanelly Railway and Dock (Vale of Towy Leasing).—23 & 24 Vict. c. clxi. - - - - - 1158
London Dock.—21 & 22 Vict. c. xxxv. - - - 258
London, Port of (Public Sufferance Wharves).—21 & 22 Vict. c. xli. - - - - - - 265
Mersey Docks and Harbour (Works at Birkenhead).—21 & 22 Vict. c. xc. - - - - - 278
Mersey Docks and Harbour (Consolidation of Acts).—21 & 22 Vict. c. xcii. - - - - - - 282
Mersey Docks and Harbour (Money).—22 Vict. c. xx. - 400
Mersey Docks and Harbour (Ferry Accommodation).—23 & 24 Vict. c. cl. - - - - - - 1152
Milford Haven Railway and Docks.—23 & 24 Vict. c. clvi. 1155
Plymouth Great Western Dock Company.—21 & 22 Vict. c. cxxxix. - - - - - 310
Port Carlisle and Silloth Bay Railway and Dock.—23 & 24 Vict. c. cxxxiv. - - - - - 1146
Portsmouth new Dock.—22 & 23 Vict. c. lx. - - 536
Stokes Bay Railway and Pier (Extension of Time).—21 & 22 Vict. c. l. - - - - - 266
Stokes Bay Railway and Pier (additional Capital).—22 & 23 Vict. c. lxv. - - - - - 538
Sunderland Docks.—22 & 23 Vict. c. lvii. - - - 534
Swanage Pier and Tramway.—22 & 23 Vict. c. lxxvii. - 542
Swansea Harbour (Extension of Time).—22 & 23 Vict. c. xlvii. - - - - - - - 531
Swansea Harbour (Further Extension).—23 & 24 Vict. c. cxxxv. - - - - - - - 1148
Tees River (Landing Places at Middlesbrough).—21 & 22 Vict. c. cxl. - - - - - - 310
Tyne River and Piers.—22 & 23 Vict. c. vii. - - 519
Upper Mersey Dues.—23 & 24 Vict. c. cxxv. - - 1139
Victoria (London) Dock.—22 Vict. c. xxix. - - 403
Watchet Harbour.—23 & 24 Vict. c. cli. - - 1153
Wexford Harbour Embankment.—21 & 22 Vict. c. lxxvii. 273
Weymouth and Melcombe Regis Pier.—22 Vict. c. v. - 397
Whitehaven Harbour.—22 Vict. c. xiv. - - 399
Whitehaven Harbour and Port.—21 & 22 Vict. c. ii. - 250

CLASS 11.—IMPROVEMENTS IN TOWNS.

Abergavenny Improvements.—23 & 24 Vict. c. cxxxvii. 1148
Auchterarder Muir Improvement.—23 & 24 Vict. c. cxix. 1136
Birkenhead Improvement Commissioners (Bondholders Arrangements).—21 & 22 Vict. c. lxxxv. - - - 275
Birkenhead Improvement Commissioners (Birkenhead and Claughton Gas and Water).—21 & 22 Vict. c. cxxi. - - - - - - - 299
Chiswick Improvement.—21 & 22 Vict. c. lxix. - - 272
Falkirk Police and Improvement.—22 & 23 Vict. c. cxxiii. - - - - - - - 559
Glasgow.—22 Vict. c. xvii. - - - - 399
Halifax (Park, Baths, and other Improvements).—21 & 22 Vict. c. xci. - - - - - 280
Hedon Corporation and Borough Improvement.—23 & 24 Vict. c. xxxi. - - - - 1087
Hove Improvement (Police, &c.)—21 & 22 Vict. c. cxx. 298
King's Lynn.—22 Vict. c. xxxii. - - - 403
Leicester Cemetery.—23 & 24 Vict. c. xxii. - - 1085
Liverpool Exchange.—21 & 22 Vict. c. xxiii. - - 253
Liverpool Improvement (Post Office, Public Offices, &c.)—21 & 22 Vict. c. lxxx. - - - - 274

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Liverpool Improvement (Suspension of Part of the Liverpool Sanitary Amendment Act).—22 & 23 Vict. c. cxxxii. - 564
Macclesfield Gas Supply.—23 & 24 Vict. c. clxxxi. - 1176
Malvern Improvement.—21 & 22 Vict. c. xxxi. - 255
Manchester Assize Court House.—21 & 22 Vict. c. xxiv. 253
Manchester Improvement.—21 & 22 Vict. c. xxv. - 255
Manchester (Poor Rates, &c.)—21 & 22 Vict. c. lxii. - 268
Manchester (Improvements).—23 & 24 Vict. c. xlviii. - 1095
Middlesbrough.—21 & 22 Vict. c. cxl. - - - 310
Newcastle-under-Lyme Burgesses Lands.—22 & 23 Vict. c. ciii. - 552
Newport (Salop), (Markets and Fairs, Streets, &c.)—21 & 22 Vict. c. xxi. - 253
Norwich (new Street from Foundry Bridge to King Street).—22 & 23 Vict. c. xxvii. - 526
Norwich (Markets and new Streets).—23 & 24 Vict. c. xxxiv. - 1090
Salford.—22 & 23 Vict. c. xix. - - - - 523
Smithfield Market, Streets, and Improvements.—23 & 24 Vict. cc. cxciii., cxcvii. - 1199, 1207
Swansea Local Board of Health.—23 & 24 Vict. c. cxlviii. 1151
Tavistock.—22 Vict. c. xxxiii. - - - - 404
Victoria Park Approach.—21 & 22 Vict. c. xxxviii. - 259
Wallasey.—21 & 22 Vict. c. lxiii. - - - - 270
Whitehaven (Port, Harbour, and Town Improvement).—21 & 22 Vict. c. ii., 22 Vict. c. xiv. - 250, 399
York.—22 Vict. c. xix., 23 & 24 Vict. c. xix. - - 400, 1083

CLASS 12.—INCLOSURES AND ALLOTMENTS.

Auchterarder Common Muir.—23 & 24 Vict. c. cxix. - 1136
Bray Commons (Dublin).—22 & 23 Vict. c. lxxv. - 539
Newcastle-under-Lyme Burgesses Lands.—22 & 23 Vict. c. ciii. - 552

CLASS 13.—MARKETS AND FAIRS.

Highbridge.—23 & 24 Vict. c. clxxxix. - - 1196
Hungerford Market, &c.—23 & 24 Vict. c. cxlvii. - 1151
King's Lynn.—22 Vict. c. xxxii. - - - 403
Llandaff and Canton District Markets.—21 & 22 Vict. c. cv. - 290
Metropolitan Meat and Poultry Market.—23 & 24 Vict. c. cxciii. - 1199
Newport (Salop).—21 & 22 Vict. c. xxi. - - 253
Norwich.—23 & 24 Vict. c. xxxiv. - - - 1090
Smithfield.—23 & 24 Vict. c. cxciii. - - - 1199
Tavistock.—22 Vict. c. xxxiii. - - - 404
Weymouth and Melcombe Regis.—22 Vict. c. v. - 397

CLASS 14.—PARISH AFFAIRS.

Leeds Overseers.—23 & 24 Vict. c. cxxxii. - - 1145
Manchester Overseers (and Ardwick, Chorlton-upon-Medlock, and Hulme).—21 & 22 Vict. c. lxii. - 268
Saint Leonard's, Shoreditch.—21 & 22 Vict. c. cxxxii. - 303

CLASS 15.—PERSONAL AFFAIRS.

1. *Disabilities Removal.*

Purdy's.—22 Vict. *c.* 2. - - - (*not printed.*)

2. *Dissolutions of Marriage.*

Dickinson's.—22 & 23 Vict. *c.* 7. - - (*not printed.*)
Sandwith's.—22 & 23 Vict. *c.* 6. - - (*not printed.*)

3. *Name, taking and using.*

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Clifton's.—22 Vict. *c.* 1. - - - - 406

4. *Naturalizations.*

Acton's.—21 & 22 Vict. *c.* 11. - - (*not printed.*)
Giustiniani's.—23 & 24 Vict. *c.* 10. - - (*not printed.*)

CLASS 16.—RAILWAYS.

Aberdeen and Turriff.—22 Vict. c. xi. - - - 398
Alyth.—21 & 22 Vict. c. xliii. - - - - 265
Ambergate, Nottingham, &c. Railway and Canals.—23 & 24 Vict. c. xxxvi. - 1090
Andover (Andover Canal).—21 & 22 Vict. c. lxxxii. - 274
Andover and Redbridge.—23 & 24 Vict. c. l. - - 1096
Athenry and Ennis Junction.—23 & 24 Vict. c. cc. - 1212
Athenry and Tuam (making).—21 & 22 Vict. c. cxii. - 294
Athenry and Tuam (Lease to Midland Great Western of Ireland).—23 & 24 Vict. c. clxxxii. - 1177
Aylesbury and Buckingham.—23 & 24 Vict. c. cxcii. - 1198
Ayr and Dalmellington (vesting it in the Glasgow and South-western).—21 & 22 Vict. c. lxxiii. - 273
Bagenalstown and Wexford (Extension of Powers, &c.)—22 & 23 Vict. c. xxxvi. - 528
Bagenalstown and Wexford (Enniscorthy Extension, &c.)—23 & 24 Vict. c. xxiv. - 1085
Ballymena, Ballymoney, Coleraine, and Portrush Junction (Sale to Belfast and Ballymena).—21 & 22 Vict. c. liii. - 267
Banbridge Junction.—23 & 24 Vict. c. lix. - - 1099
Banbridge, Lisburn, and Belfast (making).—21 & 22 Vict. c. xlvi. - 266
Banbridge, Lisburn, and Belfast and Ulster (Deviations, &c.)—23 & 24 Vict. c. vi. - 1077
Bedford and Cambridge.—23 & 24 Vict. c. clxxxiii. - 1180
Belfast and Ballymena.—23 & 24 Vict. c. xlvi. - - 1094
Belfast and County Down (Extension of Time).—21 & 22 Vict. c. lxxviii. - 274
Belfast and County Down (Extension of Time, &c.)—23 & 24 Vict. c. lx. - 1099
Belfast, Holywood, and Bangor.—23 & 24 Vict. c. lxi. - 1099
Belfast and Londonderry Junction.—22 Vict. c. xxxi. - 403
Berks and Hants Extension (Hungerford to Devizes).—22 & 23 Vict. c. cv. - 553
Birkenhead, Lancashire, and Cheshire Junction.—22 & 23 Vict. c. lxxiv. - 539
Blackburn (vesting it in the Lancashire and Yorkshire and East Lancashire Railways).—21 & 22 Vict. c. cvi. 290
Bombay, Baroda, and Central India.—22 & 23 Vict. c. cii. 550
Border Counties.—22 & 23 Vict. c. xliii. - - 530
Border Counties and North British.—23 & 24 Vict. c. cxcv. - 1206
Border Union (North British).—22 & 23 Vict. c. xxiv. - 525
Bourton-on-the-Water.—23 & 24 Vict. c. lxxxii. - 1114
Bradford, Wakefield, and Leeds (raising Money).—22 & 23 Vict. c. lxxi. - 538
Bradford, Wakefield, and Leeds (Ossett Branch).—23 & 24 Vict. c. clxvii. - 1160
Brecon and Merthyr Tydfil Junction (making).—22 & 23 Vict. c. lxviii. - 537
Brecon and Merthyr Tydfil Junction (Completion of Undertaking).—23 & 24 Vict. c. xvii. - 1083
Bridport.—22 & 23 Vict. c. cxx. - - - 559
Buckley and Connah's Quay.—23 & 24 Vict. c. lxxxix. - 1121
Burnham Tidal Harbour and Railways.—23 & 24 Vict. c. cxci. - 1197

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Caledonian (Dalmarnock Branch).—21 & 22 Vict. c. xiii.	252
Caledonian (Branch to the Port Carlisle Railway).—21 & 22 Vict. c. lxvi.	271
Caledonian (Branch to Wilsontown Mineral Field).—22 & 23 Vict. c. iii.	516
Caledonian (Lesmahagow Branches).—23 & 24 Vict. c. xcvii.	1124
Caledonian (Lanark Branches).—23 & 24 Vict. c. cxliv.	1150
Calne.—23 & 24 Vict. c. xi.	1080
Cannock Chase.—23 & 24 Vict. c. xxxv.	1090
Carrickfergus and Larne.—23 & 24 Vict. c. liv.	1097
Castle Douglas and Dumfries.—22 & 23 Vict. c. xxix.	527
Caterham.—22 & 23 Vict. c. xxxv.	528
Central Wales.—22 & 23 Vict. c. cxxi.	559
Central Wales Extension.—23 & 24 Vict. c. cxli.	1149
Chard.—23 & 24 Vict. c. lxiv.	1102
Charing Cross (making).—22 & 23 Vict. c. lxxxi.	543
Charing Cross (Transfer of Charing Cross Bridge to Company).—23 & 24 Vict. c. cxlvii.	1151
Charleston Railway and Harbour.—22 & 23 Vict. c. xcvi.	549
Cheshire Midland.—23 & 24 Vict. c. xc.	1121
Chester and Holyhead (Arrangements with London and North-western).—21 & 22 Vict. c. cxxx.	302
Cleveland.—21 & 22 Vict. c. cxiv.	295
Colne Valley and Halstead.—22 & 23 Vict. c. cxxii.	559
Conway and Llanrwst.—23 & 24 Vict. c. cxlix.	1152
Cork and Limerick Direct.—23 & 24 Vict. c. c.	1126
Cork and Kinsale Junction.—22 Vict. c. xxiii.	401
Cornwall (Extension of Tinie).—21 & 22 Vict. c. lxxxviii.	276
Corris, Machynlleth, and River Dovey Tramroad (making).—21 & 22 Vict. c. xcv.	287
Cowes and Newport (Isle of Wight).—22 & 23 Vict. c. xciv.	548
Cromford and High Peak (Capital).—21 & 22 Vict. c. lxi.	268
Denbigh, Ruthin, and Corwen.—23 & 24 Vict. c. clxiv.	1159
Devon Valley (making).—21 & 22 Vict. c. cxxii.	299
Disley and Hayfield.—23 & 24 Vict. c. cxxii.	1138
Dorset Central.—23 & 24 Vict. c. cxxx.	1144
Dublin and Belfast.—23 & 24 Vict. c. lix.	1099
Dublin and Drogheda (Capital).—22 & 23 Vict. c. xxxvii.	529
Dublin and Drogheda (Extension to Oldcastle).—23 & 24 Vict. c. cxiv.	1135
Dublin and Kingstown, and Dublin and Wicklow.—23 & 24 Vict. c. lxii.	1099
Dublin and Meath Railway (making).—21 & 22 Vict. c. cxix.	298
Dublin and Wicklow.—22 & 23 Vict. c. lxxx.	543
Dublin, Wicklow, and Wexford (Enniscorthy Extension).—23 & 24 Vict. c. xlvii.	1095
Dumfries, Lochmaben, and Lockerby Junction.—23 & 24 Vict. c. lxxxiii.	1114
Dundalk and Enniskillen (Capital).—21 & 22 Vict. c. xvi.	252
Dundalk and Enniskillen (new Lines).—22 & 23 Vict. c. li.	532
Dundee and Newtyle.—22 & 23 Vict. c. xviii.	523
East Kent (Dover Extension).—21 & 22 Vict. c. li.	267
East Kent (Western Extension).—21 & 22 Vict. c. cvii.	292
East Kent (changing Name to London, Chatham, and Dover).—22 & 23 Vict. c. liv.	533
East Lancashire and Lancashire and Yorkshire.—22 & 23 Vict. c. cx.	555
East Somerset.—23 & 24 Vict. c. lxxiii.	1107
East Suffolk (Aldborough Extension).—22 Vict. c. xxviii.	402
East Suffolk (Lowestoft Branch, &c.)—21 & 22 Vict. c. xlvii.	266
East Suffolk, Yarmouth, and Haddiscoe, and Lowestoft and Beccles (Amalgamations, &c.)—21 & 22 Vict. c. cxi.	294
Eastern Counties (Ware, Hadham, and Buntingford).—21 & 22 Vict. c. xcvii.	287
Eastern Counties (Abandonment of Newmarket and Chesterford Railway, and also Railway to the Thames at Galleon's Reach).—21 & 22 Vict. c. xcix.	288
Eden Valley (making).—21 & 22 Vict. c. xiv.	252
Edinburgh Station.—23 & 24 Vict. c. xxxvii.	1091
Ely Valley (Mwyndy Branch).—21 & 22 Vict. c. xxx.	255
Epping (Loughton, &c.)—22 & 23 Vict. c. cxvii.	558
Epping (Dunmow Extension).—23 & 24 Vict. c. cxliii.	1150
Epsom and Leatherhead (Epsom Station).—22 Vict. c. iii.	397
Epsom and Leatherhead (South-western and Brighton).—22 & 23 Vict. c. clviii.	1156
Exeter and Exmouth (Extension, &c.)—21 & 22 Vict. c. lvi.	267
Faringdon.—23 & 24 Vict. c. cxcvi.	1207
Fife and Kinross (Junction with the Kinross-shire Railway).—21 & 22 Vict. c. lxv.	271
Findhorn.—22 Vict. c. viii.	398
Finn Valley.—23 & 24 Vict. c. xl.	1092
Forest of Dean Central.—23 & 24 Vict. c. cxcix.	1212
Formartine and Buchan (making).—21 & 22 Vict. c. cviii.	292
Formartine and Buchan (Diversion, &c.)—22 Vict. c. xii.	398
Glasgow and South-western (Ayr and Dalmellington, &c.)—21 & 22 Vict. c. lxxiii.	273
Gloucester and Cheltenham Tramroads.—22 & 23 Vict. c. xl.	529
Great North of Scotland (Inverury and Old Meldrum Junction Railway).—21 & 22 Vict. c. xlv.	265
Great North of Scotland (Capital, &c.)—22 & 23 Vict. c. viii.	520
Great Northern.—22 Vict. c. xxxv.	404
Great Northern, and Manchester, Sheffield, and Lincolnshire.—21 & 22 Vict. c. cxiii.	294
Great Northern and Metropolitan Junction.—23 & 24 Vict. c. clxviii.	1160
Great Northern and Western of Ireland (Deviations, &c.)—21 & 22 Vict. c. xcvi.	287
Great Northern and Western of Ireland (Castlebar Extension).—22 & 23 Vict. c. xlviii.	531
Great Northern and Western of Ireland (Deviation).—23 & 24 Vict. c. xlv.	1094
Great Southern of India (incorporating and regulating Company).—21 & 22 Vict. c. cxxxviii.	310
Great Southern of India (amending Act).—23 & 24 Vict. c. xlix.	1096
Great Western (Bridge over West London.)—22 & 23 Vict. c. i.	516
Great Western (Vale of Llangollen).—22 & 23 Vict. c. lxiv.	537
Great Western (Bridport).—22 & 23 Vict. c. cxx.	559
Great Western (Yeovil Junctions).—23 & 24 Vict. c. lxix.	1105
Great Western and Brentford.—22 Vict. c. xiii.	399
Hamilton and Strathaven.—23 & 24 Vict. c. cxcviii.	1211
Hampstead Junction.—22 & 23 Vict. c. xiii.	521
Hay.—23 & 24 Vict. c. clxxix.	1174
Hayling.—23 & 24 Vict. c. clxvi.	1160
Hereford, Hay, and Brecon (Extension).—22 & 23 Vict. c. lxxxiv.	546
Hereford, Hay, and Brecon (Deviation).—23 & 24 Vict. c. cxxvii.	1141
Herne Bay and Faversham.—22 & 23 Vict. c. cxvi.	558
Hertford, Luton, and Dunstable (Capital, &c.)—22 & 23 Vict. c. xxxiii.	527

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Hertford, Luton, and Dunstable (amalgamating the Hertford and Welwyn Junction and the Luton, Dunstable, and Welwyn Junction.)—21 & 22 Vict. c. lxxiv.	273
Hinckley and Leicester.—23 & 24 Vict. c. xci.	1122
Horsham and Guildford Direct.—23 & 24 Vict. c. clxxx.	1175
Inverness and Aberdeen Junction.—23 & 24 Vict. c. ix.	1079
Inverness and Ross-shire.—23 & 24 Vict. c. cxxxi.	1144
Inverury and Old Meldrum Junction (Lease to the Great North of Scotland).—21 & 22 Vict. c. xlv.	265
Isle of Wight (Eastern Section).—23 & 24 Vict. c. clxii.	1159
Keith and Dufftown.—23 & 24 Vict. c. lxiii.	1102
Kensington Station and North and South London Junction.—22 & 23 Vict. c. cxxviii.	563
Kilkenny Junction.—23 & 24 Vict. c. cliii.	1154
Kilrush and Kilkee.—23 & 24 Vict. c. clv.	1155
Knighton.—21 & 22 Vict. c. xix.	253
Lancashire and Yorkshire and East Lancashire (vesting Blackburn Railway in).—21 & 22 Vict. c. cvi.	290
Lancashire and Yorkshire and East Lancashire (Amalgamation of Companies).—22 & 23 Vict. c. cx.	555
Lancashire and Yorkshire (vesting the East Lancashire in the Company).—21 & 22 Vict. c. cxliii.	312
Lancashire and Yorkshire (Branches).—22 & 23 Vict. c. cxxix.	563
Lancaster and Carlisle (Abandonment of Part of the Lancaster and Carlisle and Ingleton Railway, &c.)—21 & 22 Vict. c. cxxviii.	301
Lancaster and Carlisle (new Works).—22 & 23 Vict. c. cxxiv.	560
Leominster and Kington.—22 Vict. c. xxxiv.	404
Leeds, Bradford, and Halifax Junction.—22 & 23 Vict. c. cxi.	557
Letterkenny.—23 & 24 Vict. c. xcix.	1126
Limerick and Castle Connell (Extension to Killaloe, &c.)—21 & 22 Vict. c. cxliv.	312
Limerick and Ennis.—23 & 24 Vict. c. lvi.	1098
Limerick and Foynes.—21 & 22 Vict. c. xciii.	287
Liskeard and Looe (Moors Water to Looe).—21 & 22 Vict. c. xi.	251
Liskeard and Caradon.—23 & 24 Vict. c. xx.	1084
Llanelly Railway and Dock (Lease of the Vale of Towy).—21 & 22 Vict. c. cxlvii.	312
Llanelly Railway and Dock (Vale of Towy Leasing).—23 & 24 Vict. c. clxi.	1158
Llangollen and Corwen.—23 & 24 Vict. c. clxxxviii.	1159
Llanidloes and Newtown.—22 & 23 Vict. c. xxx.	527
London and Blackwall.—23 & 24 Vict. c. cxxiii.	1138
London, Brighton, and South Coast (Capital).—21 & 22 Vict. c. lvii.	267
London, Brighton, and South Coast (Shoreham to Henfield).—21 & 22 Vict. c. lxxxiv.	275
London, Brighton, and South Coast (enabling Portsmouth Company to use Line).—21 & 22 Vict. c. ci.	288
London, Brighton, and South Coast (Lease of West End of London and Crystal Palace Railway, &c.)—21 & 22 Vict. c. civ.	289
London, Brighton, and South Coast (Alterations, &c.)—22 & 23 Vict. c. lxix.	537
London, Brighton, and South Coast (Deviations and new Lines).—23 & 24 Vict. c. clxxi.	1164
London, Brighton, and South Coast (Croydon and Balham Hill).—23 & 24 Vict. c. cix.	1133
London, Chatham, and Dover (changing Name from East Kent).—22 & 23 Vict. c. liv.	533
London, Chatham, and Dover (Metropolitan Extensions).—23 & 24 Vict. c. clxxvii.	1171
London, Chatham, and Dover (Capital).—23 & 24 Vict. c. clxxxvii.	1194
London Depôt and Storehouses.—23 & 24 Vict. c. cxcvii.	1207
London and North-western (Arrangements with Chester and Holyhead Company).—21 & 22 Vict. c. cxxx.	302
London and North-western (additional Works).—21 & 22 Vict. c. cxxxi.	303
London and North-western (Edge Hill to Garston).—22 & 23 Vict. c. ii.	516
London and North-western (Sutton Coldfield Branch).—22 & 23 Vict. c. lxxxviii.	547
London and North-western (Denton to Stalybridge).—22 & 23 Vict. c. cxiii.	557
London and North-western (Use of Normanton Station, &c.)—23 & 24 Vict. c. lxxvii.	1109
London and North-western and St. Helen's Canal and Railway.—23 & 24 Vict. c. lxxix.	1110
London and South-western (Lease of the Staines, Wokingham, and Woking).—21 & 22 Vict. c. lviii.	268
London and South-western (Purchase of Salisbury and Yeovil Railway).—21 & 22 Vict. c. lxvii.	271
London and South-western (new Works, and Arrangements with other Companies; Capital and Borrowing Powers, &c.)—21 & 22 Vict. c. lxxxix.	276
London and South-western (Portsmouth Railway).—21 & 22 Vict. c. ci.	288
London and South-western (Portsmouth Amalgamation or Leasing.)—22 & 23 Vict. c. xxxi.	527
London and South-western (new Works, raising Funds, &c.)—22 & 23 Vict. c. xliv.	530
London and South-western (Yeovil Station).—23 & 24 Vict. c. xcii.	1122
London and South-western (Exeter and North Devon).—23 & 24 Vict. c. clv.	1155
London and South-western (Kingston Extension).—23 & 24 Vict. c. clxxxv.	1187
Londonderry and Coleraine.—22 & 23 Vict. c. cxxxi.	563
Londonderry and Lough Swilly.—22 & 23 Vict. c. l.	532
Lymington.—22 & 23 Vict. c. xv.	522
Manchester and Milford.—23 & 24 Vict. c. clxxv.	1169
Manchester, Sheffield, and Lincolnshire (Newton and Compstall Branch).—21 & 22 Vict. c. lxxv.	273
Manchester, Sheffield, and Lincolnshire (London Road Station at Manchester).—22 & 23 Vict. c. v.	519
Manchester, Sheffield, and Lincolnshire and Great Northern Railway Companies.—21 & 22 Vict. c. cxiii.	294
Manchester South Junction and Altrincham (Management).—21 & 22 Vict. c. cxxxvi.	309
Margate.—22 & 23 Vict. c. cxvi.	558
Marple, New Mills, and Hayfield Junction.—23 & 24 Vict. c. xv.	1082
Maybole and Girvan.—22 & 23 Vict. c. xxxiv.	528
Merthyr, Tredegar, and Abergavenny.—22 & 23 Vict. c. lix.	536
Metropolitan (Deviations, &c.)—22 & 23 Vict. c. xcvii.	549
Metropolitan.—23 & 24 Vict. c. lviii.	1098
Midland (Mountsorrel).—22 & 23 Vict. c. lv.	533
Midland (Erewash Valley Extension).—22 & 23 Vict. c. cxxx.	563
Midland (and Burton-upon-Trent Bridge).—22 & 23 Vict. c. cxxxvi.	575
Midland (London Traffic).—23 & 24 Vict. c. lii.	1069

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Midland (Burton-upon-Trent Branches, &c.)—23 & 24 Vict. c. lxv.	1103
Midland (Rowsley and Buxton Lines).—23 & 24 Vict. c. lxvi.	1104
Midland (Station in St. Pancras).—23 & 24 Vict. c. lxvii.	1104
Midland Great Western of Ireland (Streamstown and Clara Junction).—21 & 22 Vict. c. xciv.	287
Midland Great Western of Ireland (Liffey Branch).—22 & 23 Vict. c. liii.	533
Midland Great Western of Ireland (Sligo Extension).—22 & 23 Vict. c. lxii.	536
Mid-Sussex and Midhurst.—23 & 24 Vict. c. clxxii.	1166
Mid-Sussex and Midhurst Junction.—22 & 23 Vict. c. cxxv.	562
Mid-Wales.—22 & 23 Vict. c. lxiii.	536
Mid-Wales Extension.—23 & 24 Vict. c. cxxxiii.	1146
Milford Haven Railway and Docks.—23 & 24 Vict. c. clvi.	1155
Monkland.—23 & 24 Vict. c. clxxviii.	1173
Montrose and Bervie.—23 & 24 Vict. c. cxlii.	1150
Morayshire.—23 & 24 Vict. c. cxvi.	1135
Mountsorrel.—22 & 23 Vict. c. lv.	533
Much Wenlock and Severn Junction.—22 & 23 Vict. c. xxvi.	526
Newcastle-upon-Tyne and Carlisle, &c.—23 & 24 Vict. c. cxxxiv.	1146
Newport, Abergavenny, and Hereford.—21 & 22 Vict. c. cxxvi.	301
Newry and Armagh.—22 & 23 Vict. c. xxxviii.	529
Newry, Warrenpoint, and Rostrevor.—23 & 24 Vict. c. lxxxvii.	1155
North British (consolidating Acts, &c.)—21 & 22 Vict. c. cix.	292
North British (Stations).—23 & 24 Vict. c. clix.	1156
North British and Border Counties.—23 & 24 Vict. c. cxcv.	1206
North British and Peebles and Jedburgh.—23 & 24 Vict. c. cxl.	1149
North British and Selkirk and Galashiels.—22 & 23 Vict. c. xiv.	521
North-eastern (Nidd Valley Branch).—22 & 23 Vict. c. x.	521
North-eastern (Gateshead Quay).—22 & 23 Vict. c. xii.	521
North-eastern (Bedale and Leyburn).—22 & 23 Vict. c. xci.	548
North-eastern (Harrogate Branches).—22 & 23 Vict. c. c.	550
North London (additional Capital).—23 & 24 Vict. c. xiv.	1082
North Staffordshire (Branch to Miles Bank, &c.)—22 & 23 Vict. c. cxxvi.	562
North Staffordshire (relinquishing Works, &c.)—23 & 24 Vict. c. xlii.	1093
North Yorkshire and Cleveland (new Branch, &c.)—21 & 22 Vict. c. cxxxiv.	309
Norwich and Spalding.—22 & 23 Vict. c. cxviii.	559
Nottingham and Grantham Railway and Canal.—23 & 24 Vict. c. xxxvi.	1090
Nuneaton and Hinckley (making).—22 & 23 Vict. c. civ.	553
Nuneaton and Hinckley (changing Name, &c.)—23 & 24 Vict. c. xci.	1122
Oswestry and Newtown (additional Capital).—23 & 24 Vict. c. ci.	1126
Oswestry and Newtown (Porthywarn Branch).—23 & 24 Vict. c. cxxxix.	1149
Oude.—21 & 22 Vict. c. lxxxiii.	275
Oxford, Worcester, and Wolverhampton (Capital, &c., and Purchase of the Stratford-upon-Avon Canal, &c.)—21 & 22 Vict. c. cxxiii.	299
Oxford, Worcester, and Wolverhampton (Kingswinford Branch, &c.)—22 & 23 Vict. c. lxxvi.	540
Oxford, Worcester, and Wolverhampton (Severn Valley).—23 & 24 Vict. c. lxxvi.	1108
Oxford, Worcester, and Wolverhampton, &c. (West Midland).—23 & 24 Vict. c. lxxxi.	1112
Pembroke and Tenby.—22 & 23 Vict. c. vi.	519
Petersfield.—23 & 24 Vict. c. clxxiii.	1167
Port Carlisle and Silloth.—23 & 24 Vict. c. cxxxiv.	1146
Portadown, Dungannon, and Omagh Junction.—23 & 24 Vict. c. cxxi.	1137
Portsmouth (Havant to Hilsea).—21 & 22 Vict. c. ci.	288
Portsmouth (Amalgamation with South-western).—22 & 23 Vict. c. xxxi.	527
Railway Clearing House (Ireland).—23 & 24 Vict. c. xxix.	1087
Redditch.—21 & 22 Vict. c. cxxxvii.	309
Ringwood, Christchurch, and Bournemouth.—22 & 23 Vict. c. xcv.	548
Salisbury and Yeovil (Sale to the London and South-western).—21 & 22 Vict. c. lxvii.	271
Salisbury and Yeovil (Lease to the London and South-western, &c.)—21 & 22 Vict. c. lxxxix.	276
Salisbury and Yeovil (Deviation).—23 & 24 Vict. c. cxxiv.	1139
Scottish Central.—22 & 23 Vict. c. lxxxiii.	545
Selkirk and Galashiels.—21 & 22 Vict. c. xxix.	255
Sevenoaks.—22 & 23 Vict. c. xlv.	531
Severn Valley (Extension of Time).—21 & 22 Vict. c. cxxxv.	309
Shrewsbury and Welchpool (Extension of Powers).—21 & 22 Vict. c. cx.	294
Shrewsbury and Welchpool (Deviations, &c.)—23 & 24 Vict. c. xxv.	1086
Silverdale and Newcastle (authorizing Maintenance and Use of Line).—22 & 23 Vict. c. cxiv.	557
Silverdale and Newcastle (amending Act, &c.)—23 & 24 Vict. c. iii.	1076
Sirhowy Tramroad.—23 & 24 Vict. c. lxxi.	1106
Sittingbourne and Sheerness.—22 & 23 Vict. c. xc.	547
Somerset Central.—22 & 23 Vict. c. lvi.	533
South Devon.—23 & 24 Vict. c. x.	1080
South Devon and Tavistock (Capital, &c.)—21 & 22 Vict. c. cii.	288
South Durham and Lancashire Union.—22 & 23 Vict. c. lxxiii.	539
South-eastern.—22 & 23 Vict. c. xxxv.	528
South Leicestershire.—23 & 24 Vict. c. xci.	1122
South Staffordshire.—22 & 23 Vict. c. cix.	555
South Wales, Pembroke, and Tenby Junction.—22 & 23 Vict. c. vi.	519
South Wales (New Railway).—21 & 22 Vict. c. cxlvi.	312
South Yorkshire Railway and River Dun.—22 & 23 Vict. c. ci.	550
Staines, Wokingham, and Woking (Lease to London and South-western).—21 & 22 Vict. c. lviii.	268
Stirling and Dunfermline (vesting in Edinburgh and Glasgow).—21 & 22 Vict. c. lxiv.	271
Stockport and Woodley Junction.—23 & 24 Vict. c. xvi.	1083
Stockport, Disley, and Whaley Bridge (Capital).—23 & 24 Vict. c. cxxxvi.	1148
Stockton and Darlington (Durham Lines, &c.)—21 & 22 Vict. c. cxv.	295

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Stockton and Darlington (Amalgamation with the Wear Valley, the Middlesbrough and Redcar, the Middlesbrough and Guisbrough, and the Darlington and Barnard Castle Companies, &c.)—21 & 22 Vict. c. cxvi.	295
Stockton and Darlington (North Riding Lines).—21 & 22 Vict. c. cxvii.	297
Stockton and Darlington.—22 & 23 Vict. c. cxxvii.	562
Stockton and Darlington (additional Capital).—23 & 24 Vict. c. xliv.	1094
Stokes Bay Railway and Pier (Extension of Time).—21 & 22 Vict. c. l.	266
Stokes Bay Railway and Pier (additional Capital).—22 & 23 Vict. c. lxv.	537
Stourbridge.—23 & 24 Vict. c. xciv.	1124
Sudbury, Milford, and Clare.—23 & 24 Vict. c. clxiii.	1159
Swanage Tramway and Pier.—22 & 23 Vict. c. lxxvii.	542
Swansea Vale.—22 Vict. c. ii.	397
Symington, Biggar, and Broughton (making).—21 & 22 Vict. c. xv.	252
Symington, Biggar, and Broughton (Extension).—23 & 24 Vict. c. cxx.	1137
Tenbury.—22 & 23 Vict. c. xvi.	522
Tenbury and Bewdley.—23 & 24 Vict. c. cxxviii.	1141
Tendring Hundred.—22 & 23 Vict. c. cxix.	559
Tewkesbury, Upton-on-Severn, and Malvern Junction.—23 & 24 Vict. c. lxxii.	1107
Tralee and Killarney.—22 Vict. c. x.	398
Trent Valley, Nuneaton, and Hinckley.—22 & 23 Vict. c. civ.	553
Ulster.—22 & 23 Vict. c. xli.	530
Ulverstone and Lancaster (Arrangements with the Furness Company).—21 & 22 Vict. c. xcviii.	287
Vale of Llangollen.—22 & 23 Vict. c. lxiv.	537
Vale of Neath.—22 & 23 Vict. c. xxii.	524
Vale of Towy (Lease to the Llanelly Railway and Dock Company).—21 & 22 Vict. c. cxlvii.	312
Victoria Station and Pimlico (Construction of Station, &c.)—21 & 22 Vict. c. cxviii.	297
Victoria Station and Pimlico (Capital, &c.)—22 & 23 Vict. c. cxii.	557
Wansbeck.—22 & 23 Vict. c. lxxxv.	546
Ware, Hadham, and Buntingford.—21 & 22 Vict. c. xcvii.	287
Warrington and Stockport (Capital, &c.)—21 & 22 Vict. c. cl.	313
Warrington and Stockport (Transfer, &c.)—22 & 23 Vict. c. cxxxviii.	577
Waterford and Kilkenny.—21 & 22 Vict. c. xlviii.	266
Waterford and Limerick.—23 & 24 Vict. c. clx.	1157
Watford and Rickmansworth.—23 & 24 Vict. c. cxi.	1134
Waveney Valley (Bungay Extension).—22 & 23 Vict. c. cxv.	558
Waveney Valley (Beccles Extension).—23 & 24 Vict. c. clvii.	1156
Wells and Fakenham.—22 & 23 Vict. c. cxxxix.	578
West Cork.—23 & 24 Vict. c. cciii.	1215
West End of London and Clapham and Norwood Junction (Abandonment).—21 & 22 Vict. c. cxlv.	312
West End of London and Crystal Palace (Lease to London, Brighton, and South Coast).—21 & 22 Vict. c. civ.	289
West End of London and Crystal Palace (Farnborough Extension).—22 & 23 Vict. c. xcviii.	550
West End of London and Crystal Palace (Dissolution).—23 & 24 Vict. c. clxxiv.	1167
West London Extension.—22 & 23 Vict. c. cxxxiv.	573
West Midland.—23 & 24 Vict. c. lxxxi.	1112
West Somerset.—23 & 24 Vict. c. li.	1096
West of Fife Mineral (Kingseat Extension).—23 & 24 Vict. c. cxlv.	1150
Whitehaven Junction.—21 & 22 Vict. c. cxxvii.	301
Wimbledon and Dorking (Epsom Station).—22 Vict. c. iii.	397
Wimbledon and Dorking (Capital).—23 & 24 Vict. c. clii.	1154
Witney.—22 & 23 Vict. c. xlvi.	531
Worcester and Hereford (Extension of Time).—21 & 22 Vict. c. cxliii.	311
Worcester and Hereford (Branch to the Severn, &c.)—22 & 23 Vict. c. xvii.	522

CLASS 17.—SMALL DEBTS COURTS AND COURTS OF CONSCIENCE.

Nil.

CLASS 18.—TITHES.

Nil.

CLASS 19.—TRADING AND OTHER COMPANIES.

[*The Acts relating to Canals, Harbours, Docks, Piers, &c., Gasworks, Railways, and Waterworks, will be found under their respective Classes.*]

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Accidental Death Insurance Company.—22 Vict. c. xxii.	401
Atlantic Telegraph Company (Extension of Borrowing Powers).—21 & 22 Vict. c. cxlviii.	312
Atlantic Telegraph Company (additional Capital).—22 & 23 Vict. c. xxiii.	525
British and Canadian Telegraph Company.—22 & 23 Vict. c. cvi.	554
Buildings Improvement Company.—23 & 24 Vict. c. cxxix.	1142
City of Dublin Steam Packet Company.—23 & 24 Vict. c. xcviii.	1126
Cutlers Companies.—23 & 24 Vict. c. xliii.	1093
East India Coal Company.—23 & 24 Vict. c. liii.	1097
Eastern Steam Navigation Company.—21 & 22 Vict. c. lix.	268
Edinburgh Life Assurance Company.—21 & 22 Vict. c. iii.	250
European Insurance Society.—22 Vict. c. xxv.	401
Globe Insurance Company.—21 & 22 Vict. c. lx.	268
Land Loan and Enfranchisement Company.—23 & 24 Vict. cc. clxix., cxciv.	1160, 1205
Lands Improvement Company.—22 & 23 Vict. c. lxxxii.	544
Liverpool Exchange Company (repealing Act, &c.)—21 & 22 Vict. c. xxiii.	253
Liverpool Exchange Company (repealing Acts, and incorporating Company).—22 & 23 Vict. c. xxviii.	526
London Hydraulic Power Company.—23 & 24 Vict. c. lxxxv.	1115
North British Insurance Company.—23 & 24 Vict. c. cxv.	1135
Norwich Corn Exchange Company (Limited).—22 & 23 Vict. c. xxxix.	529
Pneumatic Despatch Company (Limited).—22 & 23 Vict. c. cxxxvii.	576
Price's Patent Candle Company (Limited).—22 & 23 Vict. c. xxi.	523
Railway Clearing House Committee (Ireland).—23 & 24 Vict. c. xxix.	1087
Red Sea and India Telegraph Company.—22 & 23 Vict. c. iv.	516
Royal College of Surgeons, Edinburgh (Widows Fund).—23 & 24 Vict. c. clxxvi.	1169

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Scottish Drainage and Improvement Company.—23 & 24 Vict. c. clxx.	1163
Scottish National Insurance Company.—22 & 23 Vict. c. xlix.	531
Sheffield Cutlers Company.—23 & 24 Vict. c. xliii.	1093
Sovereign Life Assurance Company.—23 & 24 Vict. c. cxvii.	1136
Standard Life Assurance Company.—22 Vict. c. xxvii.	402
Westminster Palace Hotel Company (Limited).—21 & 22 Vict. c. 3.	315

CLASS 20.—TURNPIKE AND OTHER ROADS.

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Balby and Worksop Road.—21 & 22 Vict. c. lxxi.	272
Banbury.—22 & 23 Vict. c. xcii.	548
Besselsleigh Road.—21 & 22 Vict. c. xlii.	265
Blackburn and Preston.—22 & 23 Vict. c. xciii.	548
Bolton and St. Helen's.—23 & 24 Vict. c. cxiii.	1134
Caithness.—23 & 24 Vict. c. cci.	1213
Carlisle and Penrith.—22 & 23 Vict. c. xxv.	526
Chesterfield and Worksop.—23 & 24 Vict. c. xxiii.	1085
Cilgwrgan, Bettws, and Tregynon.—23 & 24 Vict. c. cviii.	1133
Dean Forest Turnpike Roads.—21 & 22 Vict. c. lxxxvi.	276
Doncaster and Tadcaster.—23 & 24 Vict. c. cxviii.	1136
Droitwich.—22 & 23 Vict. c. lxvi.	537
Egleston.—23 & 24 Vict. c. cxii.	1134
Finford Bridge and Banbury.—22 & 23 Vict. c. xcii.	548
Garngad Road.—21 & 22 Vict. c. xxviii.	255
Glossop and Marple Bridge.—23 & 24 Vict. c. xxi.	1085
Great North Road.—22 & 23 Vict. c. lxxix.	543
Hinckley and Melbourne.—22 & 23 Vict. c. lxvii.	537
Horsham and Dorking Turnpike Road.—21 & 22 Vict. c. xlix.	266
Horsham and Steyning and Beeding.—23 & 24 Vict. c. lxxx.	1112
Hunslet and Leeds.—22 & 23 Vict. c. lxxxvi.	547
Lawton, Burslem, and Newcastle-under-Lyme.—22 & 23 Vict. c. lxxxvii.	547
Lincoln Heath and Market Deeping.—23 & 24 Vict. c. xli.	1092
Llanrwst and Abergele.—22 & 23 Vict. c. lxxviii.	542
Lower King's Ferry.—23 & 24 Vict. c. xxxii.	1088
Ludlow.—22 & 23 Vict. c. lxxxix.	547
Manchester and Buxton.—23 & 24 Vict. c. lvii.	1098
Manchester, Hyde, and Mottram Road.—21 & 22 Vict. c. xxxvii.	259
Marchburn, Kelso, and Lauder.—23 & 24 Vict. c. cxxxviii.	1149
North and South Lanarkshire.—23 & 24 Vict. c. cxxvi.	1140
Perth, Kinross, and Fife.—22 & 23 Vict. c. lxxix.	543
Reading and Hatfield.—22 & 23 Vict. c. xi.	521
Vauxhall Bridge Road.—21 & 22 Vict. c. xxxii.	255
Wellington Suspension Bridge and Road.—23 & 24 Vict. c. xxvi.	1086
Wem and Bronygarth.—23 & 24 Vict. c. viii.	1078
Wimborne Minster and Blandford Forum.—23 & 24 Vict. c. cxlvi.	1150
Windsor New Road.—21 & 22 Vict. c. cxxiv.	301

CLASS 21.—WATERWORKS.

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Aberdare.—21 & 22 Vict. c. xviii.	252
Barnstaple.—21 & 22 Vict. c. xx.	253
Belper.—23 & 24 Vict. c. vii.	1078
Birkenhead and Claughton.—21 & 22 Vict. c. cxxi.	299
Bradford.—21 & 22 Vict. c. lxxvi.	273
Brompton, Chatham, &c.—23 & 24 Vict. c. xxxviii.	1092
Bury and Redcliffe (Lancaster).—21 & 22 Vict. c. c.	288
Cardiff.—23 & 24 Vict. c. cv.	1132
Cheltenham.—21 & 22 Vict. c. iv.	250
Coln River.—23 & 24 Vict. c. cii.	1127
Consett.—23 & 24 Vict. c. cx.	1134
Eastbourne.—22 & 23 Vict. c. xcix.	550
Falkirk.—22 & 23 Vict. c. cxxiii.	559
Folkestone.—21 & 22 Vict. c. x.	251
Glasgow Corporation (amending Act, and raising Money).—22 Vict. c. ix.	398
Glasgow Corporation (raising Money).—23 & 24 Vict. c. xxxiii.	1089
Gosport, Forton, and Anglesey, &c.—21 & 22 Vict. c. v.	250
Halifax (York).—21 & 22 Vict. c. xci.	280
Haslingden and Rawtenstall.—21 & 22 Vict. c. vii.	251
King's Lynn.—22 Vict. c. xxxii.	403
Kingstown.—22 Vict. c. xviii.	399
Liskeard.—23 & 24 Vict. c. xiii.	1082
Liverpool Corporation.—23 & 24 Vict. c. xii.	1080
Leicester Corporation.—23 & 24 Vict. c. xxii.	1085
Maidstone.—23 & 24 Vict. c. xcvi.	1124
Manchester Corporation (amending Acts).—21 & 22 Vict. c. lxxxvii.	276
Manchester Corporation (amending Acts, &c.)—23 & 24 Vict. c. xciii.	1123
Matlock.—23 & 24 Vict. c. lv.	1097
Merthyr Tydfil.—21 & 22 Vict. c. xii.	251
North Kent.—23 & 24 Vict. c. lxxviii.	1110
Norwich (City).—22 Vict. c. xv.	399
Poole.—22 Vict. c. xxi.	401
Sheffield.—23 & 24 Vict. c. lxx.	1105
Shepton Mallet.—22 Vict. c. i.	397
Spalding.—23 & 24 Vict. c. xxx.	1087
Stockton, Middlesbrough, and Yarm.—21 & 22 Vict. c. cxxxiii.	308
Sunderland and South Shields.—22 Vict. c. vi.	252
Taunton.—21 & 22 Vict. c. lii.	267
Wallasey.—21 & 22 Vict. c. lxiii.	270
Wellington (Salop).—23 & 24 Vict. c. xcv.	1124
West Middlesex.—23 & 24 Vict. c. i.	1076
Widnes.—23 & 24 Vict. c. lxviii.	1104
Wigan.—23 & 24 Vict. c. clxxxvi.	1193
Wirral (Bebbington and Woodchurch).—22 & 23 Vict. c. lviii.	535

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